

Report of the Head of Planning & Enforcement Services

Address NORWICH UNION HOUSE 1-3 BAKERS ROAD UXBRIDGE

Development: Redevelopment of Norwich Union House to erect a 9 storey building comprising retail floorspace at ground floor level and 8 storeys of residential units (37 units) with associated gym, access and parking arrangements.

LBH Ref Nos: 8218/APP/2011/1853

Drawing Nos: 1222-123P
1222-126K
1222-121P
1222-120B
1222-127J
1222-128J
1222-130L
1222-131L
Planning Statement Addendum
Design & Access Statement Addendum dated 15/11/2012
Code For Sustainable Homes pre-assment
Noise Assessment
Air Quality Assessment
Ground Investigation Report
Statement of Community Involvement
Refuse Strategy
Daylight & Sunlight Addendum
Manufacturers Deatils of Colt Eclipse Privacy Screens

Date Plans Received:	25/07/2011	Date(s) of Amendment(s):	10/10/2012
Date Application Valid:	17/11/2011		05/09/2012
			20/09/2011

1. SUMMARY

Planning permission is sought for the erection of a 9 storey block to provide 37 residential units, comprising 8 one bedroom (including 6 wheelchair units), 28 two bedroom and 1 three bedroom, together with 245sq m of retail floor space at ground level, a 135sq m gym, associated parking and landscaping, involving demolition of existing buildings. The proposal includes parking for a van and a disabled parking bay, 37 secure cycle spaces and bin stores.

On balance, the proposed scheme is considered to be of an acceptable design which would be compatible within the local context and result in an adequate standard of amenity for future occupiers.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would on balance provide acceptable residential amenity for the benefit of future occupiers.

Accordingly, the application is recommended for approval, subject to conditions and planning obligations

2. RECOMMENDATION

A. That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

- i. An affordable housing payment in the sum of £141,729.60.**
- ii. An Education contribution in the sum of £109,190**
- iii. A Health Facilities contribution in the sum of £14,716.23**
- iv. A Community Facilities contribution in the sum of £20,000**
- v. A Public Realm/ Recreation Open Space contribution in the sum of £50,000**
- vi. A Libraries contribution in the sum of £1,562.16**
- vii. A Construction Training scheme delivered during the construction phase of the development or a financial contribution in the sum of £29,074.85**
- viii. No parking permits to be granted to the residents of the development**
- ix. A Project Management and Monitoring fee equal to 5% of the total cash contributions (at this time and inclusive of construction training £11,227.16)**
- x. A s278/38 agreement to be entered into to address any and all highways works are directed by the Council's highways engineer.**
- xi. A Refuse Management Plan detailing how the refuse collection via a private operator is to occur.**

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreement/s have not been finalised within 3 months, delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, housing, construction and employment training facilities and off site highways works). The proposal therefore conflicts with Policy AM2, AM7 and R17 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.'

E) That subject to the above, the application be deferred for determination by the Head of Planning, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Sport and Green Spaces prior to issuing the decision:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years

from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

1222-123P
1222-126K
1222-121P
1222-120B
1222-127J
1222-128J
1222-130L
1222-131L

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

3 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Non Standard Condition

No development shall take place until details of the internal sliding privacy screens have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

Details shall include information relating to design, make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance and to ensure adequate privacy for future residents in accordance with Policies BE13, BE24 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

7 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

8 RES17 Sound Insulation

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.15.

9 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 16% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

10 RES24 Secured by Design

The dwellings shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

11 RES26 Contaminated Land

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 NONSC Rainwater Harvesting

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and reuse of rainwater as well as the recycling and reuse of grey shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

REASON

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

13 NONSC Energy Assessment

Prior to the commencement of a development, an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include:

- i) the calculation of the energy demand and carbon dioxide emissions covered by Building Regulations and, separately.
- ii) proposals to reduce carbon dioxide emissions through the energy efficient design of the site, buildings and services
- iii) proposals to further reduce carbon dioxide emissions through the use of decentralised energy where feasible, such as district heating and cooling and combined heat and power (CHP)
- iv) proposals to further reduce carbon dioxide emissions through the use of on-site renewable energy technologies.

The assessment shall demonstrate that the measures proposed to meet steps 2 -3 above will reduce the CO2 emissions by a minimum of 25% from all parts of the development. The development shall then proceed in accordance with the approved assessment.

REASON

To ensure the development reduces its impact on climate change in accordance with Policy 5.2 of the London Plan (July 2011).

14 NONSC Air pollution

Before the development is commenced a scheme for protecting the proposed accommodation from external air pollution shall be submitted and approved by the LPA. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

REASON

To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

15 RES22 Parking Allocation

No unit hereby approved shall be occupied until a parking management and allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

REASON

To ensure the scheme is managed in a way that prevents adverse impact on surrounding occupiers and the highway network and to accord with Policies BE19 and AM7 of the adopted Hillingdon Unitary Development Plan and the Council's Planning Obligations Supplementary Planning Document.

16 RES9 Landscaping Management Plan

No development shall take place until a landscape scheme for the roof terrace has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Other structures (such as play equipment and furniture)
3. Details of Landscape Maintenance
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual

amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan.

17 NONSC Restriction of Gym use

The gymnasium shall be solely for the use by residents of the flats hereby approved, and shall not be operated as an independent business use.

REASON: To ensure that the parking provision is satisfactorily in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

18 NONSC Non Standard Condition

Prior to commencement of development, details of a Delivery and Servicing Plan for the retail, gymnasium and residential units shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during am and pm peak hours. The approved strategy shall be implemented as soon as development is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON: To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

19 NONSC Construction & Demolition Logistics Plan

Prior to development commencing, the applicant shall submit a demolition and construction logistics plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (ii) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (iii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

20 COM23 Hours of Use (retail)

The retail premises hereby approved at ground floor level shall not be open for customers outside the following hours: -
[0800 to 2300], Mondays - Fridays
[0800 to 2300] Saturdays
[1000 to 1800] Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

INFORMATIVES

1 152 **Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 153 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE18	Design considerations - pedestrian security and safety
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE12	Energy conservation and new development
OE13	Recycling facilities in major developments and other appropriate sites
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE4	New or improved roads or railways - mitigation measures
OE5	Siting of noise-sensitive developments
S1	New retail development within the shopping hierarchy
S3	Increasing the attractiveness of town centres
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street

	furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

3 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

4 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

5 124 Works affecting the Public Highway - General

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

6 147 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public

footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

7 I60 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

8 I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

9 I49 Secured by Design

The Council has identified the specific security needs of the application site. You are advised to submit details to overcome the specified security needs in order to comply with condition 10 of this planning permission.

(Please Note: This Informative must accompany Condition OM14).

3. CONSIDERATIONS

3.1 Site and Locality

The proposed scheme relates to a three storey commercial property located on Bakers Road in Uxbridge Town Centre. The building contains three retail units (195sq metres of retail floor space) at ground floor level and 300sq metres of B1 Office space at 1st and 2nd floor levels. The site adjoins the Old Uxbridge and Windsor Street Conservation Areas as well as an Archaeological Priority Area. The three storey building is located to the front of the site with a car park to the rear, which is accessed through a stud road to the northwest of the site.

3.2 Proposed Scheme

The proposal is to demolish the existing mixed use retail and B1 office building and to erect a 9 storey mixed use development consisting of 368.5sq metres of retail floor space at ground floor level and 39 residential units over 8 floors. The unit mix would consist of 4 x 1 bed and 34 x 2 bed flats and 1 x 3 bed flats. The flats would be provided in a single block with amenity space being provided by way of balconies to each flat.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no relevant planning history relating to this site.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.18 To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough. Replaced by PT1.H2 (2012)
- PT1.19 To maintain a hierarchy of shopping centres which maximises accessibility to shops and to encourage retail development in existing centres or local parades which is appropriate to their scale and function and not likely to harm the viability and vitality of Town or Local Centres. Replaced by PT1.E5 (2012)
- PT1.28 To encourage the provision of a range of hotel and conference facilities provided development does not harm the environment.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps. Replaced with PT1.E5, PT1.CI1, PT1.CI2 & PT1.CI3 (2012)
- PT1.32 To encourage development for uses other than those providing local services to locate in places which are accessible by public transport. Replaced by PT1.T1 (2012)
- PT1.34 To maintain the road hierarchy set out in this Plan and accordingly seek to segregate different types of traffic by the function of the various tiers of the hierarchy through traffic management schemes, road signing and planning control over development and redevelopment schemes.
- PT1.35 To accord priority to pedestrians in the design and implementation of road construction and traffic management schemes, and to seek to provide a network or cycle routes through the Borough to promote safer cycling and better conditions for cyclists.
- PT1.36 In consultation with public transport operators to improve facilities at bus and rail interchanges and in consultation with LT and bus operators to promote traffic management measures which give priority to buses. Replaced by PT1.T2 and PT1.T3 (2012)
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.
- PT1.BE1 (2012) Built Environment
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.E4 (2012) Uxbridge
- PT1.E5 (2012) Town and Local Centres

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.H1 (2012) Housing Growth

PT1.H2 (2012) Affordable Housing

Part 2 Policies:

BE1 Development within archaeological priority areas

BE13 New development must harmonise with the existing street scene.

BE14 Development of sites in isolation

BE18 Design considerations - pedestrian security and safety

BE26 Town centres - design, layout and landscaping of new buildings

BE28 Shop fronts - design and materials

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

BE4 New development within or on the fringes of conservation areas

OE1 Protection of the character and amenities of surrounding properties and the local area

OE12 Energy conservation and new development

OE13 Recycling facilities in major developments and other appropriate sites

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OE4 New or improved roads or railways - mitigation measures

OE5 Siting of noise-sensitive developments

S1 New retail development within the shopping hierarchy

S3 Increasing the attractiveness of town centres

AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations

AM11 Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services

AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
(i) Dial-a-ride and mobility bus services
(ii) Shopmobility schemes
(iii) Convenient parking spaces
(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM7 Consideration of traffic generated by proposed developments.

AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th October 2011**

5.2 Site Notice Expiry Date:- Not applicable

19th October 2011

6. Consultations

External Consultees

A total of 41 neighbouring occupiers were consulted. 2 letters of objection were received from the owners of the the Aviva Building (currently occupied by Herbalife and Allied Irish Bank) which bounds the site to the north west and from a representative of the owners of the land immediately opposite the proposal site. Issues raised include:

1. Daylight/Sunlight
2. Over shading
3. Deliverability of the scheme - it would prejudice any future expansion of neighbouring sites.

OFFICER NOTE: Daylight/Sunlight and overshadowing issues have been addressed within the report. The scheme has been amended sufficiently to, on balance, overcome these concerns. It is also considered that the proposed scheme would not significantly prejudice any future development of the neighbouring sites.

MOD SAFEGUARDING - RAF NORTHOLT
No objection.

THAMES WATER
No objection.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

Air Quality

Condition 1: Ingress of Polluted Air

Before the development is commenced a scheme for protecting the proposed accommodation from external air pollution shall be submitted and approved by the LPA. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

REASON: To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: In areas where there the air pollution levels are above, or close to, the national and European limits, this is designed to safeguard the future residents/users of the site from the ingress of the poor outdoor air quality. The design must take into account climate change pollutants and ensure there are no trade-offs between local and global pollutant emissions. Suitable ventilation systems will need to: take air from a clean location or treat the air and remove pollutants; designed to minimise energy usage; be sufficient to prevent summer overheating; have robust arrangements for maintenance.

Energy Proposals

Biomass or CHP have not been proposed at the site. Therefore we have no comments with regard to air quality from this source.

Soil Contamination

There is a desk top study for the application site. The former site uses have not been specifically identified in the document, but a number of small buildings are shown at the site which may have been part of a Goods Yard. The current buildings (1-3 Baker Road) and the car parking area appear to have been there since about 1962.

The report recommends intrusive ground investigations as part of the geotechnical investigation to identify possible contamination issues on site. We would recommend including the following condition on any permission given to ensure potential contamination issues are investigated and remediated where necessary.

AMENDED EPU L1 Site survey and remediation scheme

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil and site won soil shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

To ensure that the occupants and users of the development are not subject to any risks from contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: The Environmental Protection Unit (EPU) must be consulted at each stage for their advice when using this condition. Supplementary Planning Guidance on Land Contamination provides some general guidance on the information required to satisfy the condition. The Environment Agency, EA, should be consulted when using this condition. Contaminates may be present in the soil, water (ground/surface) and gas within the land or exist on the surface of the land.

URBAN DESIGN & CONSERVATION

This is a very tight site, surrounded by the Travel Lodge, the Herbalife Building, the Bus Station, and the buildings fronting Uxbridge High Street. The scheme proposes total site coverage on the upper floors, with an overhang on the front elevation. Whilst it is considered that the upper floors would be likely to appear top heavy in elevation, it is conceded that the site would not readily permit views of the whole building from street level.

The illustrations included in the Design and Access Statement are persuasive in demonstrating a smooth and coherent flat roof to the eighth floor, similar to the sleek, well designed roof line of the Travel Lodge adjacent. However, in reality the roof level of the proposed building would accommodate a forest of tilted solar panels, staircase housing, fencing and a rooftop terrace, none of which are clearly shown on the elevational drawings or in the DAS. Whilst the roof level may not be visible from street level, it is very likely to be visible from the taller buildings around Uxbridge. It is suggested therefore that this is rethought, perhaps with a lowering of the top floor/building up of a parapet, relocation of some of the elements, etc.

OFFICER NOTE: The scheme has been amended in light of these comments and is now deemed to be acceptable.

TREES & LANDSCAPING

The site is currently occupied by three-storey building which fronts onto Bakers Road. The Bakers Road frontage is dominated by the particularly hard and poor quality landscape associated with access and operational requirements associated with Uxbridge bus station. This is dominated by a large expanse of bland hard landscape materials with no relief from tree planting or other landscape features.

There is a walled car park / service yard to the rear of the plot which backs on to a small landscaped plaza / pocket park. Within the service yard there is a small twin-stemmed Ash which projects above the boundary wall and contributes to the openness and tree-cover provided by the plaza. There are no Tree Preservation Orders or Conservation Area designations affecting the trees on, or close to, the site.

The proposal is to demolish the existing buildings and build a 9 storey development comprising retail use at ground-floor level with eight storeys of residential flats above. The building footprint will occupy the whole site, necessitating the loss of the Ash tree and the open space currently provided by the parking / service yard.

The Design & Access Statement is incomplete in as much that it makes no reference to either the existing or proposed landscape features, or quality, associated with the site.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The only tree on site is due to be removed in order to accommodate the new footprint of the building. The proposed north-east elevation of the building will effectively contain the plaza area and reduce the existing character of openness between the surrounding buildings (Travelodge, Herbalife and Bakers Court).

i) Balconies with glazed screens wrap around much of the building, providing external amenity space for the benefit of future residents. The roof plan indicates the presence of a small rooftop terrace.

ii) This is essentially a town centre development with minimal provision of external amenity space for the residents and makes no contribution to the soft landscape quality of the area. On the contrary, by moving the north-east elevation hard up to the edge of the plaza, the proposed building will reduce the natural light levels in the public open space and restrict the feeling of space from which the plaza currently benefits.

OFFICER NOTE: The scheme has been amended to provide a roof terrace for residents to use. Given the site's location in the heart of the centre, at a major transport interchange and its physical constraints together with the thrust of the National Planning Policy Framework supporting development and economic growth it is considered that, on balance, the scheme is acceptable in this regard.

ACCESS OFFICER

i) The 'Accessible Hillingdon' SPD provides on page 21 the criteria for a wheelchair standard home. Criterion one advocates the need for a covered parking space, which should be provided in close proximity to the home.

ii) In addition, the Greater London Authority's published 'Wheelchair Housing ' best practice guidance states that "Generally one blue badge parking space will be required for each wheelchair accessible unit, including those developments that would otherwise be car-free. Where the proposal is for blue badge parking to be on the public highway, ensure that local parking rules allow for these to be restricted for use of disabled residents only. The parking strategy should include a management plan for the enforcement of designated bays and how fluctuating demand and supply for blue badge bays will be dealt with in the future."

iii) For any scheme to be successful, the wheelchair standard units must have a dedicated space allocated to the unit, as such an arrangement ensures that a disabled person can reliably park close to their home. The provision of accessible parking for the wheelchair standard units should therefore be increased from one to four spaces.

iv) In smaller blocks, one Part M compliant passenger lift is acceptable. However, in larger blocks two lifts must be incorporated to allow for increased use and to maintain wheelchair access during routine maintenance or in the event of a lift breakdown. It is noted that two lifts will travel from the ground to the second floor, with only one serving levels 2 to 8. To this end, the design should be amended to ensure that both lifts serve all floors.

v) The bathrooms/ensuite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

vi) To allow bathrooms to be used as wet rooms in future, plans should indicate floor gulley drainage.

OFFICER COMMENT: The Council has set a precedent for car free development, including no disabled parking spaces in the Uxbridge Town Centre. As such it is considered that it would not be possible to sustain a refusal on this basis. The applicant has addressed the other issues. A condition is recommended ensuring that all units meet lifetime homes standards.

HIGHWAYS

The Council's Highways Engineer raised concerns regarding refuse collection.

OFFICER COMMENT: The scheme has been amended and information provided with regards to private refuse collection. The scheme is considered acceptable in this regard.

SUSTAINABILITY OFFICER

Redevelopment of Norwich Union House to erect a 9 storey building comprising retail floorspace at ground floor level and 8 storeys of residential units (37 units) with associated gym, access and parking arrangements.

Comments

The original energy statement was produced just before the new London Plan (2011). The application was validated after the 2011 London Plan was formally adopted. The energy statement should have considered the emerging energy policy as opposed to producing a strategy solely compliant with the 2008 London Plan.

Accordingly, the submitted energy statement is now out of date (and was at the time of validation). The approach is based around the need to deliver a 20% in CO2 from regulated and unregulated energy from renewable sources. The 2011 London Plan provides for a more rationale approach that seeks a 25% reduction in CO2 from a 2010 Part L Building Regulations baseline.

The following condition is therefore necessary:

Condition

Prior to the commencement of a development, an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include:

- 1 the calculation of the energy demand and carbon dioxide emissions covered by Building Regulations and, separately.
- 2 proposals to reduce carbon dioxide emissions through the energy efficient design of the site,

buildings and services

3 proposals to further reduce carbon dioxide emissions through the use of decentralised energy where feasible, such as district heating and cooling and combined heat and power (CHP)

4 proposals to further reduce carbon dioxide emissions through the use of on-site renewable energy technologies.

The assessment shall demonstrate that the measures proposed to meet steps 2 -3 above will reduce the CO2 emissions by a minimum of 25% from all parts of the development. The development shall then proceed in accordance with the approved assessment.

Reason

To ensure the development reduces its impact on climate change in accordance with Policy 5.2 of the London Plan.

Condition

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and reuse of rainwater as well as the recycling and reuse of grey shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

S106 OFFICER

S106 Officers comments

In line with Planning Policy, the Planning Obligations SPD and Reg 122 the planning obligations deemed necessary as a result of this proposal are:

35% of the scheme to be delivered as affordable housing

An education contribution in the sum of £109,190

A health facilities contribution in the sum of £14,716.23

A Community Facilities contribution in the sum of £20,000

A Public Realm/ Recreation Open Space contribution in the sum of £50,000

A Libraries contribution in the sum of £1,562.16

A Construction Training scheme delivered during the construction phase of the development or a financial contribution in the sum of £29,074.85

A Project Management and Monitoring fee equal to 5% of the total cash contributions (at this time and inclusive of construction training £11,227.16)

A s278/38 agreement to be entered into to address any and all highways works are directed by the Council's highways engineer.

No parking permits to be granted to residents of the development.

This creates a total s106 package exclusive of affordable housing and highways works in the sum of £235,770.40. It must be noted that the value of the affordable housing component is considerable, ie: the actual total sum of required planning obligations would be far in excess of this financial sum.

The scheme was the subject of a financial viability appraisal (FVA) which was independently validated, as a result of this process the applicant has agreed to provide a total financial contribution of £500,000.

Post submission of the planning application the Mayoral Community Infrastructure Levy came into effect. This levy must be met and results in a Mayoral CIL payment from this scheme in the sum of £122,500. This must come from the total sum of money the scheme can afford as part of the s106 'package'. This leaves a resulting financial sum that the scheme can afford to provide for of £377,500.

As the planning obligations 'package' sought as a result of the scheme, exclusive of affordable housing and off site highway works equates to £235,770.40 the committee can consider to accept the financial offer with an affordable housing payment in lieu of on site provision in the sum of £141,729.60. This would be without the incorporation of a review mechanism in the s106 agreement. To this end the following are the heads of terms sought and agreed as result of this proposal are:

1. An affordable housing payment in the sum of £141,729.60.
2. An Education contribution in the sum of £109,190
3. A Health Facilities contribution in the sum of £14,716.23
4. A Community Facilities contribution in the sum of £20,000
5. A Public Realm/ Recreation Open Space contribution in the sum of £50,000
6. A Libraries contribution in the sum of £1,562.16
7. A Construction Training scheme delivered during the construction phase of the development or a financial contribution in the sum of £29,074.85
8. No parking permits to be granted to the residents of the development
9. A Project Management and Monitoring fee equal to 5% of the total cash contributions (at this time and inclusive of construction training £11,227.16)
10. A s278/38 agreement to be entered into to address any and all highways works are directed by the Council's highways engineer.
11. No parking permits to be granted to residents of the development.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is currently occupied by a vacant 3 storey building which formerly had A1 units at ground floor level with B1 Office at upper levels together with associated car parking. The site is located within the Uxbridge Town Centre as designated by the Hillingdon Unitary Development Plan (UDP). There are no policies protecting office space within town centres. Therefore, no objection is raised to the demolition of this office building and the redevelopment of the site for alternative uses.

The application site is located within the Town Centre, and is located in close proximity to both the Uxbridge bus depot and the Uxbridge Underground Station. The site has an extremely high PTAL score of 6, reflecting its proximity to these transport nodes. A range of retail, commercial and office activities, commensurate with the town centre designation, are to be found in the surrounding area.

The nearest residential dwelling is located 60m to the north on Belmont Road, and is separated from the site by several large office/commercial buildings, including the Unisys building and York House.

The applicant also seeks permission for retail uses at ground floor level. Policy S13 states that within defined town centre boundaries the Local Planning Authority will regard Class A1, A2 and A3 and any other town centre uses as acceptable at ground floor level. As such, no objection is raised to the use of the ground floor level for these use.

7.02 Density of the proposed development

London Plan Policy 3.4 seeks to maximise the potential of sites, compatible with local

context and design principles in Policy 7.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in the Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

The proposed scheme would have a density of 367 units per hectare. This is within the upper end of the London Plan density range (215-405 units per hectare) based on the site's Public Transport Accessibility Level (PTAL) score of 6. It is considered that this is an appropriate density in this Metropolitan Town Centre location which has excellent Public Transport Accessibility Levels. Accordingly, no objection is raised to the proposed density in this instance.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The site is not located in a Conservation Area, Area of Special Local Character and does not adjoin listing buildings.

7.04 Airport safeguarding

There are no aircraft safeguarding issues resulting from the proposed development.

7.05 Impact on the green belt

The application site is not located in proximity to the Metropolitan Green Belt.

7.07 Impact on the character & appearance of the area

The site is located within the Uxbridge town centre in close proximity to Uxbridge Underground Station and the Old Uxbridge/Windsor Street Conservation Area.

Policy BE26 states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centre as a focus of shopping and employment activity. Policy BE4 states that new development on the fringes of conservation areas will be expected to preserve and enhance those features which contribute to the special architectural and visual qualities of the area.

The proposed building would be 9 storeys in height, and would comprise a rectangular shaped building with full site coverage. The building would present three separate elevations towards Bakers Road.

With the exception of the ground floor, which contains a small parking area to the rear and retail units fronting Bakers Road, the remaining 8 floors have a uniform appearance in terms of being treated in the same manner with regards to materials and fenestration.

The scale, massing and height of the building is comparable to surrounding development located to the north of Bakers Road and, in particular, the Travelodge Hotel and Unisys buildings. While those buildings located on the southern side of Bakers Road tend to be smaller and lower in height, this is indicative of the gradual stepping down of development as it approaches the High Street. Bearing this in mind, the height proposed represents a logical transition between the lower buildings to the south and the Unisys building to the north. The bulk and scale of the building is similarly considered appropriate to the site and its location within the town centre. The Council's Urban Designer/Conservation Officer has raised no objections in this regard, although concerns have been raised regarding the treatment of the elevations (note: Final materials details are conditioned). Accordingly, no objections are raised in respect of Policy BE26 subject to the details of final materials being agreed by condition.

The Old Uxbridge/Windsor Street Conservation Area is located to the south of the site, and runs along Uxbridge High Street to the south east. While the Conservation Area

incorporates the Uxbridge Underground Station, its focus is directed away from this area. Similarly, the more sensitive facade of the Uxbridge Underground Station is orientated to the south, onto the High Street. The proposed building would be largely obscured from view within the Conservation Area by those buildings fronting onto the Uxbridge High Street. The upper levels would be viewed within the context of the Bakers Court and Travelodge buildings. As such, the proposal would not have any significant impact on the nearby Conservation Area by way of bulk, scale or height.

7.08 Impact on neighbours

Policies BE20 and BE24 seek to ensure that new development does not generate adverse impacts in respect to sunlight and privacy. Because of the orientation of the site, and the size and siting of the proposed building, no significant loss of daylight and sunlight to adjoining properties would result from this development. The proposed development is considered to be consistent with Policies BE20 and BE24 of the UDP.

The application site is located approximately 60m south of the nearest residential dwelling, located on Belmont Road. While it will be visible from this point, it would be viewed within the context of the Unysis building located to the north. The proposed building, being 9 storeys in height, would be similar in height to the Unysis building and the adjoining Travelodge Hotel, and sufficiently removed from the nearest residential area to prevent any visual, over dominance or overshadowing impacts.

The proposed building would not emit any noise or odours beyond those currently associated with the Uxbridge Town Centre. The impact of delivery vehicles should be negligible given existing vehicle flows.

As such, the proposal will not impact on residential amenities, and is consistent with Policies BE20, BE21, BE24 and OE1.

7.09 Living conditions for future occupiers

Policy BE23 of the UDP requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Unit Size

The London Plan (July 2011) states that a 1 bedroom 2 person flat, a 2 bedroom 3 person flat, a 2 bedroom 4 person flat and a 3 bedroom 5 person flat should have minimum floor areas of 50sq metres, 61sq metres, 70sq metres, and 86sq metres respectively. Each unit meets the minimum space standards, which accords with the London Plan (July 2011) minimum standard and is as such considered acceptable.

Amenity Space

The minimum requirement for private amenity space, as set out in the SPD, is 20sq metres for a 1 bedroom flat, 25sq metres for a 2 bedroom flat and 30sq metres for a 3 bedroom unit of shared amenity space. Therefore the proposed development for 8 one bedroom, 28 two bedroom units and 1 three bedroom unit would require 890sq metres of amenity space. The proposal provides approximately 1030 sq metres of amenity space in the form of balconies and a roof terrace designed specifically to benefit future residents. This level of provision is considered acceptable.

It is worth noting that the Council's Residential Layouts SPD allows a relation of amenity

space standards for residential development in town centres made up of predominantly 1 and 2 bed units.

Overall, it is considered that the amended proposals meet with the aims and objectives of the Council's HDAS SPD and would provide an acceptable quality living environment for all of the proposed units, in accordance with Policies BE20, BE23, BE24, OE1 and O5 of the UDP, HDAS 'Residential Layouts' and 'Accessible Hillingdon' and the provisions of the London Plan.

Overlooking/Privacy/Outlook

In terms of outlook for future residents, Policy BE21 of the Unitary Development Plan Saved Policies seek to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

The Council's HDAS SPD 'Residential Layouts' recommends a minimum distance of 15m between buildings to overcome possible overdominance and a 21m separation distance between facing habitable room windows to maintain adequate privacy. It should be noted that these are guidelines as opposed to policy.

The separation distance is 18.5m between the proposed building and the Aviva Office building to the northwest; 13.5m to the Bakers Court Office building to the northeast, and 5m to the blank facade of the Travelodge Hotel to the southeast; although this is only for approximately half the depth of the proposed building as due to the shape of the hotel building, the separation distance increases to 22.5m from this point.

In addition to this it should be noted that planning permission ref: 32891/APP/2012/911 dated, 20/06/2012 was granted for the erection of a three storey extension adjacent to the proposal site. Should this extension be built it would bring the building to within between 10m and 11.5m (given the angled nature of the approved extension). However this would only affect four storeys (three residential and 1 retail) of the proposed development subject of this application.

Whilst these distances do not generally accord with guidance set out in HDAS, it is considered that several mitigating factors must be considered. These include:

1. The residential units in the proposed building that are likely to be most affected in terms of outlook; namely those in the centre of the building facing the Aviva building to the north west and those facing the Travelodge Hotel to the south east, have all been provided with carefully designed fenestration to afford future occupiers with the maximum possible levels of outlook and sunlight/daylight. Flats are orientated so that they have dual aspects i.e if there is not an outlook in a direction, there will be another aspect with an acceptable outlook.

2. In terms of overlooking and privacy the affected windows of each residential unit which could be overlooked by the surrounding office buildings, namely the Aviva building to the north west and the Bakers Court office building to the northeast have each been provided with a sliding blind system which occupants will be able to slide along a rail to prevent overlooking and to add privacy if and when it is required.

3. In addition, it is noted that general office hours are 9 to 5 Monday to Friday. Whilst it is acknowledged that there are people who do work night shifts and stay home during the day, as well as those who are unemployed or retired, many people work during normal

office hours and are in their home during weekday evenings and weekends (i.e. outside of normal office hours). For this reason it is considered that there would be limited overlooking from the office buildings at times when the flats are most likely to be occupied. In most cases, people will not be home when people are in the offices. Where this does occur, the proposed sliding blind system will enable future residents to have sufficient privacy and prevent significant overlooking.

These factors should be considered alongside the main principles of the National Planning Policy Framework (NPPF). On balance the application does sit comfortably alongside the thrust of the Planning for Growth Ministerial Statement which states, amongst other things, that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth. It goes on to say that the Government's top priority is to promote sustainable economic growth and jobs, and that in determining planning applications appropriate weight should be given to the need to support economic recovery. These are matters which Officers consider in the overall planning balance for this case.

All of the units would benefit from an acceptable level of outlook, privacy and light, in compliance with the Council's standards given in The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts'.

The applicant has submitted a Daylight, Sunlight and Overshadowing report as part of the Environmental Statement. This assesses the daylight and sunlight amenity of the proposed new dwellings, and also the impact of the proposed development on the proposed new dwellings. Rooms would receive adequate light.

In summary, it is considered that on balance the proposed site layout would provide a sufficient standard of amenity for future occupiers. As such, the development is considered to be consistent with relevant design guidance and policies BE21 and OE1 of the UDP.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposal provides for a disabled parking bay together with a loading bay for a van at ground floor level, to the rear of the site.

The Council's Highway Engineer notes that trip generation in respect of the proposed residential use would not be significantly greater than for the previous office use at the site and therefore can be adequately accommodated on the highway network. In respect of car parking provision, he is satisfied that no specific provision for the residential units is required on-site provided that the applicant is willing to agree to the provision of 100% car free housing on the site. This would be secured by way of a Section 106 agreement to ensure that any lease or tenancy agreement relating to the units contains a clause prohibiting residents from obtaining entitlement to a Residents Parking Permit within the Uxbridge North and Uxbridge South Parking Management Scheme which covers the Town Centre and adjoining residential areas. This would remove the possibility of any authorised parking taking place outside the site as a result of the use. The applicant is agreeable to this. With regard to cycle parking facilities, facilities with the demise of the building are provided for 37 bicycle spaces. Due to the lack of any space on site for external cycle stores, this arrangement is considered acceptable in this instance and can be secured by way of a condition in the event of planning permission being granted.

In terms of servicing of and deliveries to the site the applicant has sought to address the concerns raised by the Highway's Engineer. Concerns were raised regarding refuse

collection and deliveries which were to be carried from the road immediately outside the site. However this is occupied by a bus stop/stand and any infringement of this is unacceptable as it would jeopardise the free flow of traffic to and from the bus station. The applicant has stated that all deliveries would take place using an existing loading bay located opposite the site and that refuse collection would be undertaken by a private contractor during hours that would limit any impact on the bus station operation. This will be secured by a S106 Agreement should planning permission be granted.

7.11 Urban design, access and security

Urban Design matters are discussed in detail under paragraph 7.07 of this report.

Security Issues have been incorporated into the design of the development and will be secured by a recommended condition.

The proposed layout and access are, on balance, considered acceptable.

7.12 Disabled access

Accessible Hillingdon requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site.

Policy 3.8 of the London Plan and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards and for 10% of the units to be easily adaptable for wheelchair users. The scheme provides 6 wheelchair units, which equates to 16% of all units proposed. This is considered acceptable.

The Council's Access Officer has raised a number of concerns including the lack of provision of disabled parking spaces. It should be noted that planning permission ref: 43742/APP/2006/252 established the principle of a residential use in the Uxbridge Town Centre with no parking provision. Given this together with the site's excellent Public Transport Accessibility Level of 6 and location within 100m of bus and London Underground stations, it is considered that a refusal on this ground could not be sustained.

7.13 Provision of affordable & special needs housing

The London Plan states that in estimating affordable housing provision from private residential or mixed-use developments, boroughs should take into account the economic viability of the scheme.

Accordingly, the Council sought advice from an independent and appropriately qualified financial consultant who has assessed the applicant's financial appraisal of the scheme. This assessment has confirmed that in this case the scheme would not be able to provide affordable housing as well as provide for other planning obligations (to mitigate other impacts that would arise from the scheme). Given that the scheme would deliver much needed housing and accord with relevant policies and is in a sustainable edge of centre location, no objection is raised in terms of affordable housing.

7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

Little is provided in the way of landscaping. This is as a result of the extent of site

coverage necessitated by the small size of the site at the heart of the central transport hub in the Uxbridge Town Centre. Whilst desirable, it is considered that on balance, given the constraints of the site and the roof terrace proposal and town centre location, no objection is raised in terms of landscaping. A s106 Contribution is being sought for public realm improvements and offsite recreation facilities.

7.15 Sustainable waste management

Refuse is provided in a refuse store at ground floor level. The level of waste and recycling storage provision is acceptable. Refuse will be collected by a private contractor. This will be secured by way of a S106 Agreement should permission be granted.

7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in carbon emissions, including a reduction of 25% in carbon emissions, in line with Code for sustainable Homes Level 4.

The original energy statement was produced just before the new London Plan (2011). The application was validated after the 2011 London Plan was formally adopted. The energy statement should have considered the emerging energy policy as opposed to producing a strategy solely compliant with the 2008 London Plan.

Accordingly, the submitted energy statement is now out of date (and was at the time of validation). The approach is based around the need to deliver a 20% in CO2 from regulated and unregulated energy from renewable sources. The 2011 London Plan provides for a more rationale approach that seeks a 25% reduction in CO2 from a 2010 Part L Building Regulations baseline. A condition is therefore proposed to ensure that these details are submitted prior to development commencing.

7.17 Flooding or Drainage Issues

There are no specific flooding or drainage issues associated with this application. However, in the event that this application is approved, it is recommended that a sustainable urban drainage condition be imposed.

7.18 Noise or Air Quality Issues

The application seeks permission for a residential development within a predominantly commercial area. The Council's Environmental Protection Officer has reviewed the proposal and considers although the proposal gives rise to concerns regarding noise for future occupiers, this issue can be addressed by condition.

In terms of Air Quality, given the scheme is essentially a car free development except for one disabled parking bay and a service bay for vans, it is considered that the development will not have a significant impact on air quality.

It is considered that the scheme will have very little additional impact on noise and air quality in the area, subject to a condition on any grant of permission requiring the submission of a construction logistics plan to mitigate any construction nuisance and details of noise protection measures for future occupiers. Whilst it is acknowledged that construction issues are covered by Environmental Health Legislation, it is considered that given the constraints of the site, the proposed 100% site coverage and the the location of the site on a road with high volumes of bus traffic that the condition is justifiable in this instant.

7.19 Comments on Public Consultations

Comments received have been addressed within the body of the report.

7.20 Planning obligations

Policy R17 of the Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

The following S106 Heads of terms are being sought and have been agreed:

35% of the scheme to be delivered as affordable housing

An education contribution in the sum of £109,190

A health facilities contribution in the sum of £14,716.23

A Community Facilities contribution in the sum of £20,000

A Public Realm/ Recreation Open Space contribution in the sum of £50,000

A Libraries contribution in the sum of £1,562.16

A Construction Training scheme delivered during the construction phase of the development or a financial contribution in the sum of £29,074.85

A Project Management and Monitoring fee equal to 5% of the total cash contributions (at this time and inclusive of construction training £11,227.16)

A s278/38 agreement to be entered into to address any and all highways works are directed by the Council's highways engineer.

No parking permits to be granted to residents of the development.

Refuse Management Plan detailing the refuse collection via a private operator.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without

discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

These factors should be considered alongside the main principles of the National Planning Policy Framework (NPPF). On balance the application does sit comfortably alongside the thrust of the Planning for Growth Ministerial Statement which states, amongst other things, that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth. It goes on to say that the Government's top priority is to promote sustainable economic growth and jobs, and that in determining planning applications appropriate weight should be given to the need to support economic recovery. These are matters which Officers consider in the overall planning balance for this case.

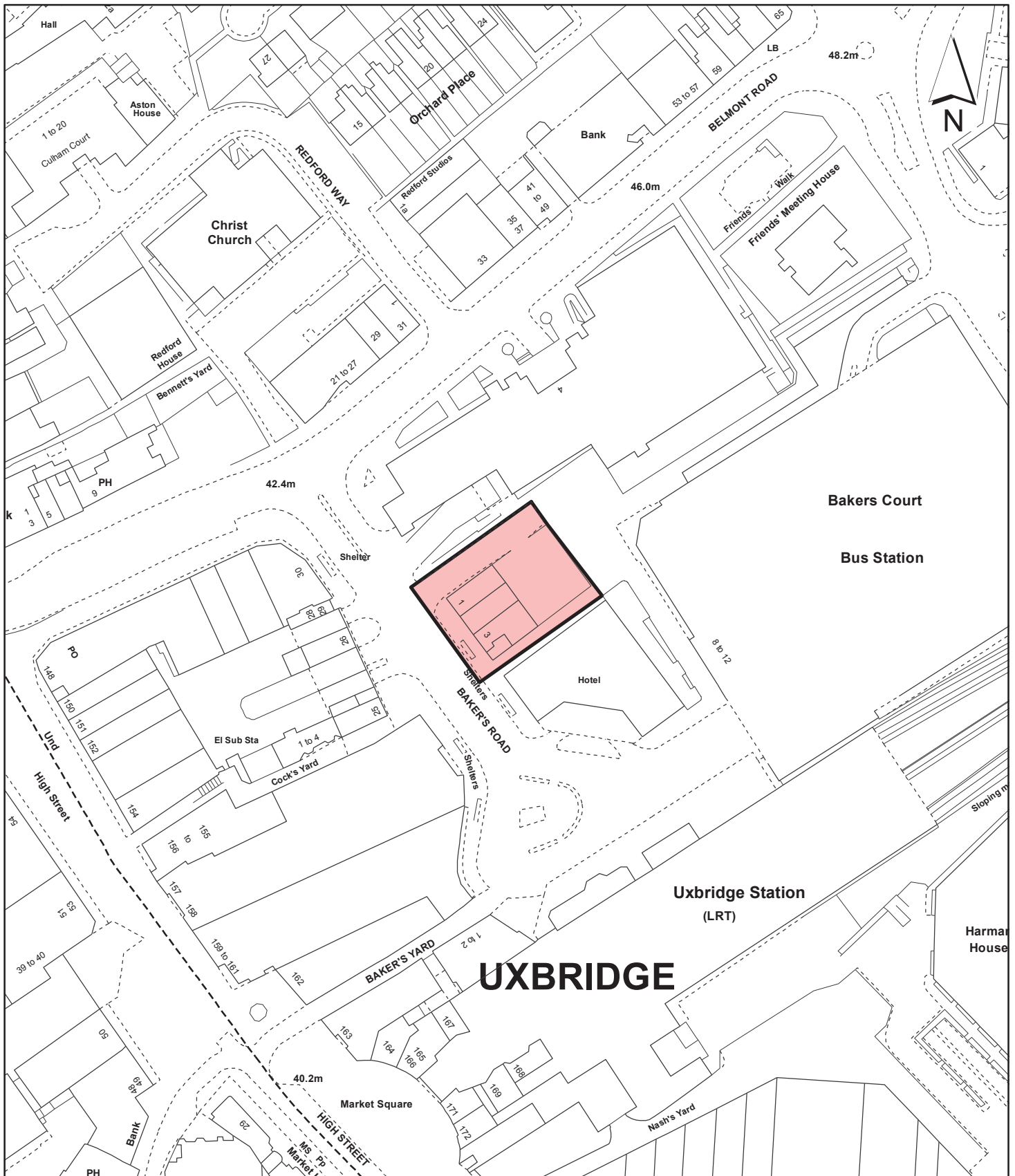
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

11. Reference Documents

National Planning Policy Framework
Hillingdon Unitary development Plan Saved Policies (September 2007)
The London Plan July 2011
Residential Layouts SPD
Hillingdon Local Plan: Part 1- Strategic Policies (November 2012)

Contact Officer: Matt Kolaszewski

Telephone No: 01895 250230



UXBRIDGE

Notes

 Site boundary

For identification purposes only.

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Planning Application Ref:

8218/APP/2011/1853

Scale

1:1,250

Planning Committee

Central and South

Date

**November
2012**



HILLINGDON
LONDON