

## Report of the Head of Planning, Sport and Green Spaces

- Address** 21 HIGH STREET YIEWSLEY
- Development:** Reserved matters (appearance, landscaping, layout and scale) in compliance with conditions 2 and 4 of planning permission ref: APP/R5510/A/10/2130048 dated 03/12/2010 for Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access).
- LBH Ref Nos:** 26628/APP/2013/2604
- Drawing Nos:** Sustainability and Energy Statement prepared by Turley Associates  
Environmental Desk Study Report prepared by WYG  
Air quality Assessment prepared by WYG  
Noise Assessment prepared by WYG  
Transport Assessment prepared by WYG  
Flood Risk Assessment prepared by WYG  
Letter Update to Tree Survey Report, March 2009 prepared by WYG  
Tree Survey Report (March 2009) prepared by WYG  
1260\_200 Location Plan  
1260\_206 Proposed Elevations  
1260\_207 Proposed Elevations  
1260\_208 Proposed Sections  
1260\_209 Proposed Sections  
1260\_210 Proposed Site Plan  
1260\_211 Unit Layout  
1260\_212 Lobbies Layout  
1260\_213 Amenity Areas  
1260\_214 Canal Amenity Section  
1260\_220 Lower Ground Floor Plan  
1260\_221 Ground Floor Plan  
1260\_222 First Floor Plan  
1260\_223 Second Floor Plan  
1260\_224 Third Floor Plan  
1260\_225 Forth Floor Plan  
1260\_226 Roof Plan  
1260\_230 Proposed Site Landscaping  
Design and Access Statement prepared by Dunthorne Parker Architects

**Date Plans Received:** 09/09/2013                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 20/09/2013

### 1. SUMMARY

Outline planning permission for the redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping was granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010. The Secretary of State's Decision approved details relating to access and established the principle and amount of development, all other matters were reserved.

The current application seeks approval of reserved matters of appearance, landscaping, layout and scale in relation to the extant outline permission.

The submitted scheme complies fully with the parameters approved at outline stage, although the detailed appearance of the development has been improved following discussions with the Council's Urban Design Officer. Having regard to the findings within the appeal decision and the amendments to the design it is considered that the scheme would have an appropriate appearance.

The scheme would provide appropriate accommodation for its future residents and would not have any adverse impacts on the amenity of neighbouring occupiers.

In addition the landscape scheme indicates an appropriate relationship between the landscaping, built form and site surroundings. It would also provide an appropriate mixture of spaces for the benefit of future residents.

The appeal decision granting outline planning permission included 25 pre-commencement conditions covering levels, materials, boundary treatment, refuse storage, landscape maintenance, disabled access, cycle storage, contamination, security, noise mitigation, buffer zone, canal wall, parking, deliveries, aircraft safeguarding and management/length of stay in the a-part hotel. These matters would necessarily form part of a separate condition discharge application.

The redevelopment of this long vacant site would also provide jobs, benefit the economy and be beneficial overall to the vitality and viability of the Yiewsley and West Drayton Town Centre.

Accordingly, the scheme is recommended for approval.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1 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:

1260\_200 Location Plan;  
1260\_206 Proposed Elevations;  
1260\_207 Proposed Elevations;  
1260\_208 Proposed Sections;  
1260\_209 Proposed Sections;  
1260\_210 Proposed Site Plan;  
1260\_211 Unit Layout;  
1260\_212 Lobbies Layout;  
1260\_213 Amenity Areas;  
1260\_214 Canal Amenity Section;  
1260\_220 Lower Ground Floor Plan;  
1260\_221 Ground Floor Plan;  
1260\_222 First Floor Plan;  
1260\_223 Second Floor Plan;  
1260\_224 Third Floor Plan;  
1260\_225 Forth Floor Plan;  
1260\_226 Roof Plan; and  
1260\_230 Proposed Site Landscaping

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

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

**2 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Sustainable Drainage and Surface Water reduction measures [Flood Risk Assessment Version 1.0 dated September 2013]

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

**REASON**

To ensure that the development complies with the objectives of Policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**3 COM9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme 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 Hard Surfacing Materials

2.b External Lighting

2.c Other structures

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

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 Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London

Plan (July 2011)

**4 NONSC Non Standard Condition**

No development shall take place until details of measures to protect the privacy of the a-part hotel units from users of the roof garden have been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be completed and maintained in full accordance with the approved details.

**REASON**

To protect the amenity of the future occupiers in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

The decision to APPROVE these reserved matters 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 I53 Compulsory Informative (2)**

The decision to APPROVE these reserved matters has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

LPP 2.15	(2011) Town Centres
LPP 4.2	(2011) Offices
LPP 4.3	(2011) Mixed use development and offices
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 5.3	(2011) Sustainable design and construction
LPP 5.5	(2011) Decentralised energy networks
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.14	(2011) Improving air quality
LPP 7.2	(2011) An inclusive environment
LPP 7.24	(2011) Blue Ribbon Network
LPP 8.2	(2011) Planning obligations
BE13	New development must harmonise with the existing street scene.
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
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
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

### **3            159            Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies.

On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### **4**

You are advised that there may be a Coots nest located to the north east of the site, adjacent to the canal bridge which is concealed by vegetation.

You are further advised that it is a criminal offence, under the Wildlife and Countryside Act to damage or destroy the nest of a wild bird. Appropriate precautions should be taken to protect any nesting birds within any redevelopment of the site.

### **5            145            Discharge of Conditions**

Your attention is drawn to condition 3 of this reserved matters approved and conditions 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 25 of the Secretary of State's Appeal Decision APP/R5510/A/10/2130048 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these conditions. The Council may consider taking enforcement action to rectify the breach of this conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

#### **6**

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>).

#### **7**

The applicant/developer is advised that any encroachment onto or surface water discharge into the canal, requires written consent from the Canal & River Trust, and they

should contact the Canal & River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) for more information.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site comprises an irregularly shaped approximately 0.2 hectare plot on the eastern side of the High Street in Yiewsley. It was formerly occupied by a three-storey 1980's brick-built office block. The site is bounded to the north west by Union Walk, a relatively newly built 5-storey residential development; to the north/north-east by the Grand Union Canal, beyond which is a vacant site formerly occupied by a public house/club, and Morrisons Supermarket; to the south east by the High Street, which is largely characterised by a mix of retail, office and residential uses; and to the south west by Bentinck Road, beyond which are service areas serving the rear of shops and residential properties along the High Street, and Global House, a large office building.

The site falls within the Secondary Shopping Area of Yiewsley/West Drayton Town Centre, and the Hayes/West Drayton Corridor, as shown on the Hillingdon Unitary Development Plan Proposals Map

#### **3.2 Proposed Scheme**

Outline planning permission for the redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping was granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010. The Secretary of State's Decision approved details relating to access and established the principle and amount of development, all other matters were reserved.

The application seeks approval of reserved matters of appearance, landscaping, layout and scale in relation to the extant outline permission.

The parameter plans and indicative details approved at outline stage indicated a scheme that comprised the erection of a four-storey office block located towards the south east side of the site, with frontages to the High Street and Bentinck Road, and an adjoining larger 5-storey block, fronting the Grand Union Canal and comprising the 44 apart-hotel units and the restaurant/bar facility.

Amenity was to be provided by way of a roof terrace comprising decking, seating and planting on the roof of the office block to provide a communal amenity area. A large communal amenity area comprising decking, seating and planting would also be provided at lower ground level overlooking the canal. Smaller communal amenity areas would also be provided at ground floor level adjacent to the north west and south west elevations of the apart-hotel block. 35 car parking spaces, including 4 disability standard spaces, would be provided at lower-ground level under the apart-hotel block.

In relation to the Reserved Matters Submission, access which was approved as part of the outline application remains from Bentinck Road and provides access to a largely undercroft parking area. A detailed landscaping plan indicates that the car parking would be interspersed with landscaping and an amenity deck would be provided adjacent to the canal in accordance with the outline details. 3 integral refuse stores would be provided as would cycle parking for 52 bicycles.



In terms of layout, scale, massing and appearance the building itself is a roughly 'L' shaped building and would be 6 stories in height, although the height in relation to street level would differ around the site due to changes in levels, particularly adjacent to the high street and canal bridge. The a-part hotel would contain 44 (although they are numbered 2 - 45 on the plans) beds and be located in the portion of the building fronting the canal, this element of the building would have a series of 5 pitched roofs. Each of the units would be served by a balcony and a roof terrace would be provided on the portion of the building fronting the high street. The restaurant/cafe/ bar would be provided in the north eastern corner of the site adjacent to the canal and the high street. 4 stories of office space would be provided within the portion of the building facing the high street.

As mentioned all aspects of the scheme fully comply with the parameters approved by the Secretary of State under the outline permission, however as appearance is a reserved matter the applicant has undertaken pre-application discussions with Council Officers and as a result has changed a number of the elevational treatments.

The changes to the elevational treatments from the indicative details considered at outline stage can be summarised as:

1. The use of materials has been improved, with the same palette of materials used between the two uses (i.e. brick and glass). Timber cladding has been replaced by brickwork and areas of glazing have been reduced by approximately 50%.

2. The elevations have been amended to appear more textured. The parapets have been broken down by extending the revised brick panels to create a more "castellated" effect so that there is no longer a single roof line.

3. The glass rotunda to the north of the building has been replaced by a square tower of the same height to improve the visual form of the building. The Inspector noted the merit of the bulk and scale of this feature in giving a sense of enclosure and adding to the "interest of the whole composition when seen from the High Street".

4. The original metal railings between the car parking and the amenity space have been replaced with a low brick wall to separate and create privacy between the two uses. This removes an overt visual connection and prevents exhausts from disturbing the users of amenity area.

The building would be finished with a combination of zinc sheeting, curtain walling, render, aluminium canopies, glass balustrades, glazing, brickwork, stainless steel railing, photovoltaic panels and green walls. However, the actual material specifications and details would be addressed under a condition of the outline consent.

### 3.3 Relevant Planning History

26628/APP/2009/2284 21 High Street Yiewsley

Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access)

**Decision:** 05-01-2010 Refused

**Appeal:** 03-12-2010 Allowed

26628/APP/2009/557 Harrier House, 21 High Street Yiewsley

Redevelopment of site for mixed use development comprising a 46 unit apartment hotel, 1.344sq metres of office space, with associated access, car parking and landscaping (Outline

application)

**Decision:** 06-07-2009 Refused

26628/APP/2010/1382 21 High Street Yiewsley

Use of site as a 65 space car park for a temporary period of 2 years.

**Decision:** 08-09-2010 Approved

#### **Comment on Relevant Planning History**

On the 13th January 2010 the the Local Planning Authority refused application 26628/APP/2009/2284 which sought the redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access) for the following reason:

'The proposed development by reason of the size, scale and design of the proposed building represents an overdevelopment of the site and would have an adverse impact on the appearance of the street scene and the character of the area. The proposals are therefore considered to be contrary to policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and policy 4B.1 of the Mayors London Plan ( February 2008).'

An appeal against the Council's decision was allowed and outline planning permission granted on the 3 December 2010 under appeal reference APP/R5510/A/10/2130048.

The current application seeks approval of reserved matters in respect of the outline planning permission granted under appeal APP/R5510/A/10/2130048. The submitted reserved matters application complies fully with the approved parameter plans and the Inspectors findings that the size, scale and design of the building were wholly appropriate, and positive commentary on the indicative details of appearance are a significant material consideration in the determination of this application.

#### **4. Planning Policies and Standards**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (July 2011)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:



- PT1.BE1 (2012) Built Environment
- PT1.E5 (2012) Town and Local Centres
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM3 (2012) Blue Ribbon Network
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- LPP 2.15 (2011) Town Centres
- LPP 4.2 (2011) Offices
- LPP 4.3 (2011) Mixed use development and offices
- LPP 5.12 (2011) Flood risk management
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.14 (2011) Water quality and wastewater infrastructure
- LPP 5.15 (2011) Water use and supplies
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.5 (2011) Decentralised energy networks
- LPP 5.6 (2011) Decentralised Energy in Development Proposals
- LPP 6.13 (2011) Parking
- LPP 6.9 (2011) Cycling
- LPP 7.14 (2011) Improving air quality
- LPP 7.2 (2011) An inclusive environment
- LPP 7.24 (2011) Blue Ribbon Network
- LPP 8.2 (2011) Planning obligations
- BE13 New development must harmonise with the existing street scene.
- BE32 Development proposals adjacent to or affecting the Grand Union Canal
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- AM14 New development and car parking standards.
- 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
- OE1 Protection of the character and amenities of surrounding properties and the local

	area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **13th October 2013**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

The application was advertised in the local press, a site notice posted and 158 local owner/occupiers consulted including the Yiewsley & West Drayton Town Centre Action Group and the Yiewsley Community Involvement Group.

Only a single response has been received. This response brings attention to a Coots Nest to the North East of the site, adjacent to the bridge. Indicating a wish that adequate measures be put in place to protect this.

BAA SAFEGUARDING  
No objection.

NATS SAFEGUARDING  
No objection.

CANAL AND RIVER TRUST  
Thank you for your consultation dated 20 September 2013 in respect of the above.

After due consideration of the application details, the Canal & River Trust has the following comments to make:

#### Canal elevation

We had concerns about the previous scheme's relationship with the canalside, which has not changed significantly in this reserved matters application. We do not support the car parking abutting the canal, and feel that this prevents the development from integrating with the canalside.

The waterside amenity area, bounded by the car park and accessed either through here or via an indirect route down narrow stairs and a lift from the floors above, makes it feel like a 'back yard' space, that seems unlikely to be well used. We were also concerned that the ramp from the car park also offers opportunities for fly-tipping into the canal, but this access can presumably be controlled and made secure.

We do acknowledge the potential for overlooking from the bar/restaurant, which is beneficial and will provide some animation to the canalside. However, we consider that the access from it onto the canalside amenity area could be improved, and better incorporated as a sitting out area, for example.

#### Landscaping

We note that the previous wrought iron screen that was proposed between the canalside amenity area and the car park has been amended to a brick wall. We would recommend that this be planted to soften its urban appearance.

We would query if the timber decking is the most appropriate material adjacent to the canal, as this can become slippery if not properly maintained. The appeal decision required a waterway wall survey be carried out, and this and any associated repairs should be carried out prior to the area being landscaped, especially if this does involve decking, as it will be subsequently more difficult to maintain the wall.

We would like to see further details of lighting of the canalside elevation - no lighting should spill over the waterpace, which can adversely affect bats using it as a feeding corridor.

#### Sustainability

The Canal & River Trust encourages the use of the canal water for heating and cooling, and we note that the design and access statement refers to a heat pump using the canal. This heat exchange technology offers significant savings on energy costs and is a sustainable solution to power heating and air cooling units. For more information please see the attached fact sheet.

We would welcome the incorporation of brown or green roofs, and bat and bird boxes.

#### Art work

We would be interested in the proposed potential art work on the bridge abutment.

If the Council is minded to grant planning permission, it is requested that the following informatives be attached to the decision notice:

"The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>)."

"The applicant/developer is advised that any encroachment onto or surface water discharge into the canal, requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young ([jonathan.young@canalrivertrust.org.uk](mailto:jonathan.young@canalrivertrust.org.uk)) for more information."

(Officer Comment: The comments of the Canal and River Trust are noted. The concerns regarding the relationship of the building to the canal and the principle of the canalside amenity space were expressed in relation to the outline application and were considered acceptable by the Inspector. The other matters relating to additional details are covered by either conditions on the outline permission or within the recommendation on this application.)

#### **Internal Consultees**

##### URBAN DESIGN

Proposal: Reserved matters (appearance, landscaping, layout and scale) in compliance with conditions 2 and 4 of planning permission ref: APP/R5510/A/10/2130048 dated 03/12/2010 for

Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access).

Background: This application was allowed on appeal, with the Inspector advocating a review of design and materials. Subsequently, a new architect took over the project, and design solutions were readily agreed with officers. In particular the High Street frontage was remodelled to reflect the vertical lines and use of brick characteristic of the surrounding area, and the tower was lowered and integrated more successfully into the rest of the design.

The appearance, layout and scale are now considered to be acceptable.

Recommendations: Acceptable.

### TREES AND LANDSCAPING

Reserved Matters:

Reserved matters (appearance, landscaping, layout and scale) in compliance with conditions 2 and 4 of planning permission ref: APP/R5510/A/10/2130048 dated 03/12/2010 for Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access).

The proposed landscape layout reflects the scheme which was allowed at appeal by the Planning Inspector.

Dunthorne Parker drawing titled Proposed Site Landscaping, indicates areas of hard and soft landscape along the canal and associated with the site entrance and car park, off Bentinck Road. The planting palette should use native plants along the canal or ornamental planting which is beneficial to wildlife. It is also to provide an attractive canalside environment for people to enjoy. The planting associated with the car park should be unfussy and contain structural planting of robust shrubs (hedges) and trees which will establish and thrive in a relatively hostile environment and be uncomplicated to maintain.

- At present the planting palette should be reviewed, as some of the plants listed are not considered to be particularly suitable.
- Plant schedules should include full botanical names, for clarification.
- Canalside plants should be justified for the inclusion - with brief notes regarding their benefit for wildlife.
- Full details of all hard and soft landscape features will be required.

Dunthorne Parker drawing, Proposed Aparthotel, Fourth and Office Floor Plan, shows the amenity roof garden on top of the southern arm of the building. This indicates the provision of hedging around the edges, sheltered seating and large specimen plants in containers. The detailing of this space and plant selection will need to be carefully handled and detailed to ensure its success. The plan should ensure that the microclimate will be conducive to both the specified plants and the site users.

- Full details of construction, irrigation and drainage will also be required.
- Landscape management and maintenance details are required for all landscaped areas.

Recommendation:

No objection in principle.

(Officer Comment: Verbal discussions with the landscape officer have confirmed that the overall landscape layout of the site in terms of the relationship of landscaping to built form, the location, size and functions of the landscape areas are acceptable. The issues where further information is required therefore relate to detailed matters such as species selection, planting specifications etc. These are detailed issues which relate to one of the reserved matters under consideration and can therefore be secured by condition.)

#### ENVIRONMENTAL PROTECTION UNIT

No objections.

#### ACCESS

The Council's Access Officer provided officers with a list of matters which should be shown on the approved plans. The plans have been reviewed in detail and all necessary design features are clearly shown on the submitted plans. Other matters such as signage would be dealt with under the separate consideration of detail in respect of condition 10 of the outline planning permission.

#### FLOODWATER MANAGEMENT AND DRAINAGE OFFICER

Subject to the storage being provided as illustrated in the FRA and water being used for non-potable uses on site as indicated, the proposal would be acceptable.

(OFFICER NOTE: A condition to ensure compliance with the Flood Risk Assessment is Recommended. Water reduction measures, which might include re-use of water for non-potable purposes are addressed separately under condition 15 of the outline planning permission.)

### **7. MAIN PLANNING ISSUES**

#### **7.01 The principle of the development**

The principle of the proposed development has been established by way of the outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010.

#### **7.02 Density of the proposed development**

The quantum of development within the proposed development has been established by way of the outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010.

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

The site does not fall within an Archaeological Priority Area and there are no Conservations Areas, listed buildings, or Areas of Special Local Character within the vicinity of the site. In addition the principle of the proposed development has been established by way of the outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010.

#### **7.04 Airport safeguarding**

Both BAA Safeguarding and NATS Safeguarding have been consulted in relation to the proposal and raise no safeguarding objections. Accordingly, it is not considered that the reserved matters submission raises any concerns with respect to airport safeguarding.

#### **7.05 Impact on the green belt**

The site is not within close proximity to any Green Belt land.

#### **7.07 Impact on the character & appearance of the area**

Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to ensure that new developments maintain an appropriate appearance within their surrounding context. Policy BE19 seeks to ensure developments do not adversely impact on the amenity of residential areas and Policy BE32 seeks to ensure the appropriate design of developments adjacent to canals. The London Plan and National

Planning Policy Framework seek to achieve the highest standards of design.

The NPPF does however, make clear that:

'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.'

The impact on the character and appearance of the area was the main focus of the Inspectors considerations in reaching a decision to grant outline planning permission. The Inspectors comments are provided below:

'2. The main issue in this case is the effect of the proposal on the character and appearance of the area. The planning application was submitted in outline with access only to be determined at this stage.

3. The appeal site is a large plot situated in a prominent town centre location at the interface between the High Street and the Grand Union Canal. There are some traditional, modest scale buildings within the area, particularly to the south west of the appeal site beyond the railway bridge, and the buildings previously occupying the site were three-storey in height. However, recent developments along the High Street particularly around the Grand Union Canal are larger in scale, and both adjacent to and opposite the appeal site there are fairly substantial four/five storey buildings.

4. Although access only is to be determined at this stage, the maximum parameters for the buildings have been set out. A five storey apartment hotel is proposed along the Grand Union Canal. This would be compatible with the scale of the adjacent Union Wharf building which is of similar height. The office/restaurant block would be four storeys in height. Although slightly lower than the apartment hotel, the combined development would form a robust and clearly defined waterside frontage. The office/restaurant block would have a corner feature, shown as a turret which could be higher than the main building. This would mark the corner and add to the interest to the whole composition when seen from the High Street. The bulk and scale would give a sense of enclosure to the High Street reinforcing its primacy as the main shopping street in the area. The parameters indicating the scale of the buildings, their function and location would therefore be acceptable.

5. The Council and interested parties are concerned with the detailed design and appearance of the scheme but these matters are not to be determined at this stage. Notwithstanding this, illustrative plans show a mainly glazed building for the apartment hotel, which would be light and airy, and would complement its canal side setting. Different colour blinds and curtains would be unlikely as the building would be used as a hotel, but in any event these would be interior features which would not detract from the quality and appearance of the exterior.

6. The office would have a more solid appearance but it would create a strong and articulated building which would be entirely suitable for its town centre and canal side location. Although there are concerns about the proposed materials, these could be considered in detail with the submission of the reserved matters. Regardless of the style of building approved at 39 High Street, the illustrative drawings demonstrate that buildings of an acceptable form and appearance could be achieved at the appeal site.'



The outline consent grants approval for a building of the layout, scale, mass and bulk set out within the approved parameters plans and the appeal inspectors decision is quite clear in reaching the view that a building of this general form would be acceptable in the locality.

Further, while the detailed appearance and final form of the development was reserved for later considered the Inspectors decision within paragraph 5 and 6 is that a building in general accordance with illustrative details would be appropriate within the street scene and locality. The outline consent and the Inspectors decision are significant material considerations in respect of the current application seeking approval of reserved matters.

In respect of the current application, the submitted details fully accord with the parameters which were approved as part of the appeal decision and accordingly the layout, scale, mass and bulk of the building are considered appropriate.

In respect of the detailed design and appearance of the building, the proposal is in general accordance with the illustrative details, upon which the Inspector provided favourable comments. However, in acknowledgement of the Local Planning Authorities concerns with these details the applicant entered into pre-application discussion and has made a number of alterations in relation to the detailed design and appearance. In particular the High Street frontage has been remodelled to reflect the vertical lines and use of brick characteristic of the surrounding area, and the tower element (located on the corner of Bentinck Road and High Street) has been lowered and integrated more successfully into the rest of the design.

Having regard to the appeal decision the Council's Design Officer is supportive of the development in terms of its appearance, layout and scale. The indicative palette of materials is appropriate, and the detailed specification (e.g. makes, brands and final colours) of these would need to be submitted in compliance with condition 6 of the appeal decision.

Overall, it is considered the proposal would have an acceptable appearance within the street scene and would comply with Policy BE13, BE18 and BE32 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **7.08 Impact on neighbours**

In terms of impacts on the amenity of neighbouring properties, given the proximity of this development to the adjoining Union Walk (residential flats to the north-west), there is the potential that occupiers of this building may be impacted upon by this scheme.

The apart-hotel block will present a flank wall to the adjoining Union Walk development, which is to be complemented with a green wall finish. However, it is not considered that the scheme will impact upon the internal living environment of adjoining residents, especially given that the apart-hotel block steps back from the adjoining boundary and does not have any habitable windows facing towards the Union Walk development. Furthermore, there is no external amenity space at ground level immediately adjacent to the adjoining development.

It is concluded that there will be no undue loss of light or privacy to, or outlook from, these properties as a result of the erection of the new building. As such the scheme is considered to be in accordance with Policies BE19, BE20, and BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **7.09 Living conditions for future occupiers**

Policies relating to living conditions largely relate to residential developments, and there are no specific guidelines relating to hotel guest or a-part hotel accommodation.

Nevertheless it is important to ensure that suitable accommodation would be provided for future occupiers.

Each apartment would comprise a bedroom, living room with small kitchen area, and bathroom. 28 of the units would have floor areas of 45 sq.m, 14 of 46 sq.m, 1 of 52 sq.m and 1 of 67 sq.m. Each unit, except the corner units, would also have a 5m<sup>2</sup> balcony. This compares with a minimum floorspace requirement of 37 sq.m for a 1 bedroom 1 person flat, and 50sq.m for a 1 bedroom 2 person flat, as outlined in the London Plan. Given the transient nature of hotel guests, albeit that apart-hotel guests may be longer-term than those using a traditional hotel, the quality and size of the accommodation is considered wholly acceptable to meet their needs.

Approximately 780m<sup>2</sup> of communal amenity space would be provided across the development, approximately 550m<sup>2</sup> of which would be provided by way of a roof garden above the office block, and approximately 160m<sup>2</sup> of which would be provided alongside the canal. In addition 42 of the units would have 5m<sup>2</sup> balconies. This equates to a total of approximately 1,000m<sup>2</sup> of amenity space across the development. Whilst most of this space would be communal for use by office staff and hotel guests, it is considered to be sufficient to serve the needs of occupiers of the development, especially given the short-term nature of the accommodation. It should be noted that there are no amenity space guidelines for commercial developments, including hotels or a-part hotels, however, if this were a residential scheme of 44 1-bedroom flats the developer would only be required to provide 880m<sup>2</sup> of amenity space.

The outline application was accompanied by a daylighting and sunlighting report which assessed the internal living environment for future occupiers and concludes that the orientation of the apart-hotel block would allow an adequate level of sunlight into each of the units. The provision of windows and the orientation/layout of the units remain as shown within the outline application and accordingly it is considered that each of the units would benefit from adequate levels of daylight.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The impact of the development with regard to traffic impact and the vehicular access to the site from Bentinck Road were considered as acceptable and have been established by way of the outline planning permission for the redevelopment of the site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010.

The Inspector, in reaching her decision also considered the adequacy of parking provision within the outline scheme commenting that:

'Local residents and the Yiewsley Community Involvement Group are concerned about traffic and parking associated with the appeal scheme, indicating that, at times, there is already local congestion and parking pressure. However, the site is within easy walking distance of West Drayton Station with four bus routes running nearby, a travel plan is proposed and there would be 40 cycle parking spaces. The proposed level of parking provision would therefore be appropriate and comply with national policy aimed at encouraging travel by sustainable modes of transport. There would be vehicles visiting the site, but the vehicular trips generated would not appear to be greater than those arising from the previous commercial use of the site and there would be no harmful effect on highway safety.'

The number of parking spaces proposed within the reserved matter submission (35 spaces, 4 of which are disabled) remain the same as that considered acceptable by the

Planning Inspector. The Council's Highways Engineer has also fully considered the detailed layout of the parking area, which is considered appropriate in terms of manouvring and highways safety. A Green Travel Plan was secured by way of a unilateral undertaking attached to the outline planning permission and the submitted reserved matters demonstrate the provision of 52 cycle spaces, an increase over the number considered acceptable by the Planning Inspector.

Accordingly, the development is considered acceptable with regard to car/cycle parking and pedestrian safety and would represent a slight improvement over the appeal scheme through the provision of additional cycle parking which would serve to further encourage sustainable modes of transport.

#### **7.11 Urban design, access and security**

Issues relating to design and access are addressed within section 7.07 and 7.12 of this report respectively.

Matters relating to security were considered by the Inspector in reaching her decision on the outline planning permission and conditions 13 and 21 require the submission of details of lighting, CCTV and general security measures. There are no security issues intrinsic to the reserved matters design and the conditions on the outline consent provide adequate control to ensure the final development is secure.

#### **7.12 Disabled access**

Policy 7.2 of the London Plan and the Council's Accessible Hillingdon SPD require all new developments to ensure the highest levels of inclusive design.

In order to ensure that the outline consent met appropriate standards a condition 10 was attached to the outline consent which requires that:

'No development shall take place until there has been submitted to and approved in writing by the local planning authority details of access (including signposting) to buildings for people with disabilities, parking for wheelchair disabled, details of the location and layout of four wheelchair accessible bedrooms. The development shall be carried out in accordance with the approved details prior to the occupation of the development and retained thereafter.'

In relation to the submitted plans they clearly demonstrate appropriate levels of access to the building, including adequate and appropriately located disabled parking spaces, suitable level and/or gently graded access routes to entrances and the canalside amenity area (and provision of a platform lift), lobbies of a suitable design, provision of accessible WC's and appropriate refuge areas within stairways.

The design and access statement also fully demonstrates that 4 of the units within the apart hotel are designed to fully meet the needs of disabled occupiers.

It is apparent that, with the exception of signage, the reserved matters consent clearly demonstrates all necessary accessible design features. In relation to signage, one would not normally expect a reserved matters submission to contain this detail and the matter can be appropriately dealt with under condition 10 of the outline consent, which has not yet been submitted by the applicant.

Overall, the submitted reserved matters demonstrates appropriate levels of inclusive design and would accord with the details required under the outline consent.

#### **7.13 Provision of affordable & special needs housing**

The outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010 does not require the provision of affordable or special needs housing which is not necessary in relation to the proposed development.

#### **7.14 Trees, landscaping and Ecology**

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires developments to retain topographical or landscape features

The proposed landscape layout reflects the scheme which was allowed at appeal by the Planning Inspector.

The submitted plans indicate the landscaping scheme would provide areas of hard and soft landscape along the canal and associated with the site entrance and car park, off Bentinck Road. An attractive canalside environment would also be provided for people to enjoy and enhancing the relationship of the development with the waterway frontage.

In addition a generous amenity roof garden would be provided on top of the southern arm of the building. Which would benefit from sheltered seating areas, structures hedging and large specimen plant in planters.

The overall landscape layout of the site is shown in full on the submitted drawings and in terms of the relationship between the landscaping with the proposed and built form and site surrounding is considered fully acceptable. The location, size and type of landscaping are also considered wholly appropriate for the development and location.

The landscape officer has indicated that further details relating to specific matters, such as species and planting specifications should be provided. However, as this additional detail relates to one of the reserved matters under consideration it can be secured by condition. Accordingly, the landscaping details are considered acceptable and approval is recommended subject to appropriate conditions.

#### **7.15 Sustainable waste management**

Condition 8 of the outline planning permission requires the submission, and approval, of full details of covered, sign posted, secure and screened storage of refuse at the premises. The final detailed design of refuse storage would be dealt with under a separate application relating to this condition, however the reserved matter submission clearly demonstrates that adequate and appropriately located refuse and recycling storage could be made within the proposed layout.

#### **7.16 Renewable energy / Sustainability**

Matters relating to renewable energy and sustainability were considered by the Inspector in granting outline planning permission and condition 15 of the appeal decision requires the submission of a scheme to reduce energy usage, reduce water usage and provide renewable energy.

While a detailed application in respect of condition 15 has not been submitted at this stage the reserved matters application is supported by a sustainability and energy assessment. This demonstrates that the building proposed within the reserved matters submission could incorporate a combined heat and power system, solar photovoltaic panels and water reduction measures which would meet the requirements of condition 15 of the outline consent.

While the final details and specification of the energy reduction measures would be dealt with through a separate application in respect of condition 15 of the outline consent there

is adequate information to demonstrate that the scheme proposed as part of this submission would be capable of achieving the necessary level of sustainable design.

#### **7.17 Flooding or Drainage Issues**

At the time of the outline application the reports indicated that part of the site fell within Flood Zone 2 and, as such, a Flood Risk Assessment was submitted alongside the outline application. At this stage the Environment Agency confirmed that they had no objections to the development subject to conditions regarding drainage and contamination, however such conditions do not appear to have been attached to the outline planning permission granted at appeal.

Having reviewed the current flood risk map it is apparent that flood zones 2 and 3 are constrained to the canal itself, and the application site itself is in flood zone 1 (i.e. not at risk of flooding).

Notwithstanding this, the applicant has provided an updated flood risk assessment, which sets out proposals to minimise surface water run off to within appropriate levels. The Council's Floodwater Management and Drainage Officer has reviewed the details and considers them acceptable. Subject to compliance with these details the scheme would be acceptable in this respect.

#### **7.18 Noise or Air Quality Issues**

The outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010 contains conditions 16, 17 and 22 which require the submission of a noise insulation measures and restrict the hours for delivery vehicle movements.

The conditions on the outline permission secure that necessary measures will be implemented to protect the future and neighbouring occupiers from noise in accordance with Policies OE1, OE3 and OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010 established that the development is acceptable in terms of air quality, subject to a travel plan which is secured by way of the existing unilateral undertaking. Accordingly, no objections raised in respect of air quality.

#### **7.19 Comments on Public Consultations**

The only comment raised relates to the need to protect a nearby Coots nest. The nests of wild birds are protected under The Wildlife and Countryside Act and damaging such a nest is a criminal offence. An informative is recommended to bring the matter to the attention of the applicant.

#### **7.20 Planning obligations**

Planning Obligations were considered under the outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010 and necessary obligations relating to a contribution towards public realm improvements and a travel plan were secured by a unilateral undertaking. This undertaking would remain in force and further consideration in respect of planning obligations is not required.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**



## CONTAMINATION

Contamination was considered under the outline planning permission for the redevelopment of site granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010 and appropriate conditions were attached to the outline planning permission. Further consideration of contamination issues is therefore not necessary in respect of this reserved matters submission.

## ECONOMIC GROWTH AND THE VITALITY AND VIABILITY OF THE TOWN CENTRE

The National Planning Policy Framework indicates that proposals which support economic growth and are beneficial to the vitality and viability of existing centres should be supported. In this respect it is noted that the redevelopment of this long vacant site would provide jobs, benefit the economy and be beneficial overall to the vitality and viability of the Yiewsley and West Drayton Town Centre. These factors weigh in favour of approving the development.

### 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**

### 10. **CONCLUSION**

Outline planning permission for the redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m<sup>2</sup> of office space and 135 m<sup>2</sup> restaurant/bar, with associated access, car parking and landscaping was granted by the Secretary of State under appeal decision APP/R5510/A/10/2130048 dated 03/12/2010. The Secretary



of State's Decision approved details relating to access and established the principle and amount of development, all other matters were reserved.

The current application seeks approval of reserved matters of appearance, landscaping, layout and scale in relation to the extant outline permission.

The submitted scheme complies fully with the parameters approved at outline stage, although the detailed appearance of the development has been improved following discussions with the Council's Urban Design Officer. Having regard to the findings within the appeal decision and the amendments to the design it is considered that the scheme would have an appropriate appearance.

The scheme would provide appropriate accommodation for its future residents and would not have any adverse impacts on the amenity of neighbouring occupiers.

In addition the landscape scheme indicates an appropriate relationship between the landscaping, built form and site surroundings. It would also provide an appropriate mixture of spaces for the benefit of future residents.

The redevelopment of this long vacant site would also provide jobs, benefit the economy and be beneficial overall to the vitality and viability of the Yiewsley and West Drayton Town Centre.

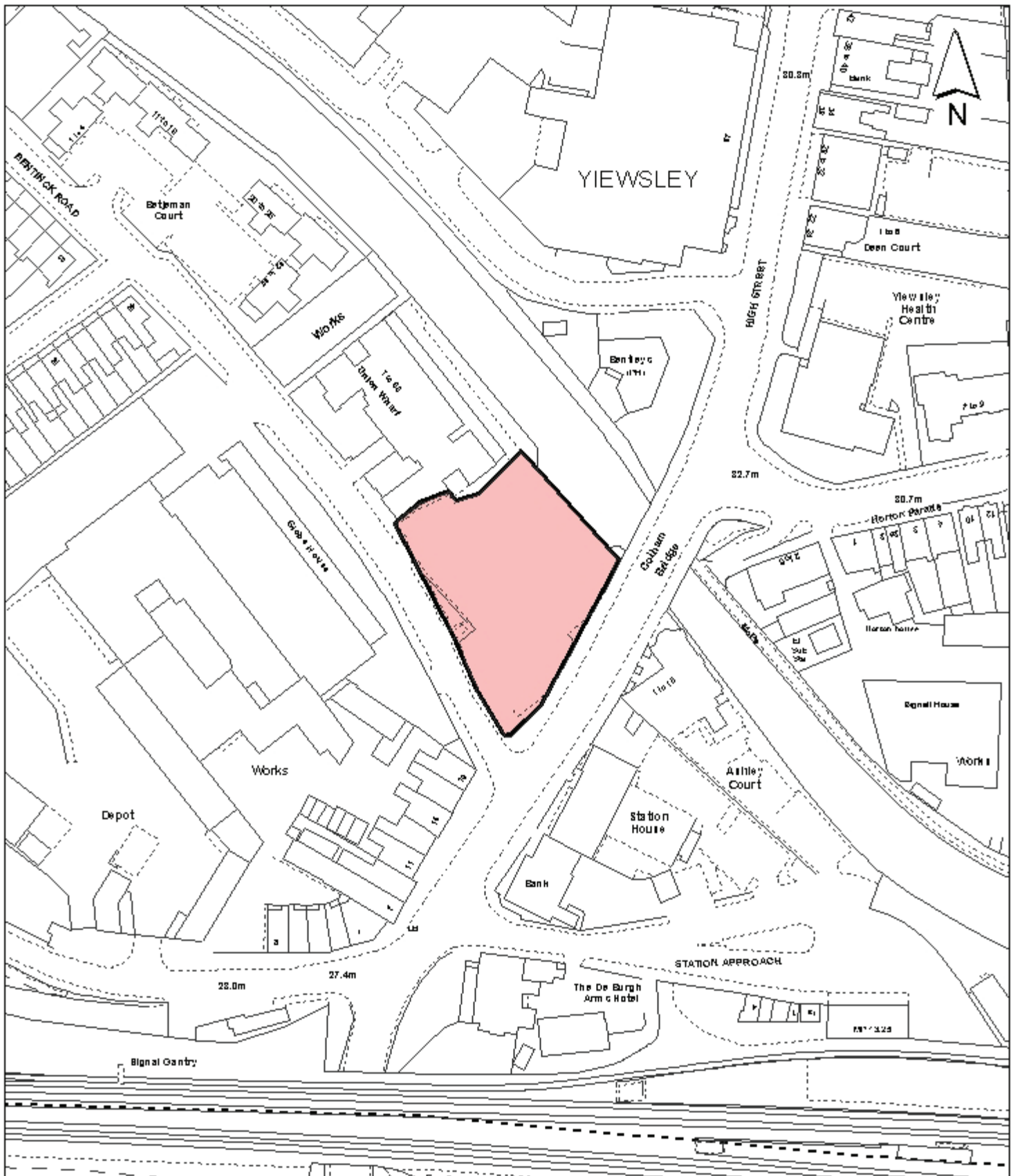
Accordingly, the scheme is recommended for approval.

#### **11. Reference Documents**


Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (July 2011)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

**Contact Officer:** Adrien Waite

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**21 High Street,  
Yiewsley**

**LONDON BOROUGH  
OF HILLINGDON  
Residents Services**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111

Planning Application Ref:

**26628/APP/2013/2604**

Scale

**1:1,250**

Planning Committee

**Major Application**

Date

**December  
2013**



**HILLINGDON**  
LONDON