

Report of the Head of Planning, Sport and Green Spaces

Address 26-36 HORTON ROAD YIEWSLEY

Development: Demolition of existing buildings and redevelopment to provide 50 residential units in 3 buildings with associated car parking and cycle parking spaces, communal amenity areas, landscaping, private gardens and balconies utilising existing access.

LBH Ref Nos: 3507/APP/2013/2327

Drawing Nos: A2353 100 REV. P1
A2353 302 REV. P2 MATERIALS
A2353 400 REV. P2
A2353 401 REV. P2
A2353 402 REV. P2
A2353 150 REV P2
EAS 347 SK05 Access
A2353 200 P3
A2353 201 P3
A2353 202 P3
A2353 203 P3
A2353 204 P3
A2353 205 P3
A2353 210 P1 Block A Accessibility Plan
Letter dated 13 July 2013
A2353 211 P1 Block B Accessibility Plan
A2353 212 P1 Block C Accessibility Plan
A2353 220 P1 Parking and Vehicle tracking Plan
A2353 700 P11 Horton Road Schedule
Tree Protection Plan
CSH Assessment
Arboricultural Survey
Ecology Report
Flood Risk Assessment and Drainage Strategy
Flood Risk Assessment and Drainage Strategy
Geo-Environmental Desk Study
Planning Noise Assessment
Planning Statement
Planning Statement Appendices
Code for Sustainable Homes - Pre-Assessment Report
Sustainability & Energy Statement
Transport Assessment

Date Plans Received: 14/08/2013 **Date(s) of Amendment(s):** 15/08/2013
Date Application Valid: 15/08/2013 07/11/2013

1. SUMMARY

Planning permission is sought for the erection of 3 residential apartment blocks, to provide 50 residential units, comprising 13 one bedroom, 35 two bedroom and 2 three bedroom apartments together with associated parking, involving demolition of existing industrial buildings. The proposal includes parking for 54 cars, 50 secure cycle spaces

and integral bin stores, together with associated landscaping.

94 local residents, businesses and local amenity groups were consulted. In total, 5 individual letters of objection and one petition have been received, objecting to the planning application, primarily on the grounds of loss of privacy and traffic generation.

There is no land use policy objection to the principle of a residential use development of the site given the town centre location of the site, which is in an identified 'growth area' and will be the focus for housing developments, with the area's improved transport links; the focus for new employment and economic growth is in the Uxbridge and Hayes Town Centres and Heathrow Opportunity Area, in highly accessible locations; the oversupply of employment land in Hillingdon; the de minimus loss of only 3.8% of West Drayton and 0.9% of Hillingdon's total available commercial floorspace; the limited attractiveness of the site to prospective commercial users for business purposes; the potential conflict with surrounding residents; the impact on residential amenity of adjoining properties and the regeneration opportunity provided by this site to improve the character and appearance of the canal side.

The proposed regeneration of the site for residential development will make efficient use of the land, with an improved visual, design and landscaped quality, complimentary to the character and appearance of the street scene and neighbouring properties. The scheme also seeks to maximise the site's canal side location and improve the setting and environment along the canal towpath. 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 whilst highway, ecological and drainage issues have been satisfactorily addressed.

Accordingly, the application is recommended for approval, subject to conditions and the signing of a S106 Legal Agreement.

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) Transport: All on site and off site highways works as a result of this proposal, including improvements to the site access.

(ii) Education: The applicant provides a financial contribution of £176,170 towards school places in

the area, commensurate with the estimated child yield of the development

(iii) Health: The applicant provides a financial contribution of £23,068.85 towards health care in the area

(iv) Libraries: The applicant provides a financial contribution of £2,448.81 towards library provision in the area

(v) Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution of £35,000

(vi) Air Quality: The applicant provides a financial contribution in the sum of £12,500.

(vii) Community Facilities/Public Realm, including towpath improvements: The applicant provides a financial contribution of £50,000

(vii) Affordable Housing review mechanism

(viii) **Project Management and Monitoring Fee:** a contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement.

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) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by 20th. December 2013, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture, then the application may be referred back to the Committee for determination.

E) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture 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, Heritage and Green Spaces prior to issuing the decision.

1 T8 Time Limit - full planning application 3 years

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 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) fenestration and doors
- (ii) balconies including obscure screening
- (iii) boundary walls and railings
- (v) external lighting
- (vi) comprehensive colour scheme for all built details

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

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To ensure that the development presents a satisfactory appearance and to safeguard the privacy of residents in accordance with Policies BE13 and BE24 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

3 RES6 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 RES4 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:

A2353 100 REV. P1
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A2353 211 P1 Block B Accessibility Plan
A2353 212 P1 Block C Accessibility Plan
A2353 220 P1 Parking and Vehicle tracking Plan
A2353 700 P11 Horton Road Schedule

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 the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). and the London Plan (July 2011).

5 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further, five of the units hereby approved shall be designed 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 Policies 3.1, 3.8 and 7.2.

6 H1 Traffic Arrangements - submission of details

Development shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7 NONSC Visibility Splays

The access for the proposed development shall be provided with 2.4m x 2.4m pedestrian visibility splays in both directions and the visibility splays shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interest of highway safety in accordance with Policy AM7 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

8 NONSC Details of Modified Access

Development shall not begin until details of the modified access off Horton Road, including details of the pedestrian crossing point (tactile paving) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works which have been approved by the Local Planning Authority have been completed.

REASON

In the interests of highway safety and in compliance with Policy AM7 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

9 N1 Noise-sensitive Buildings - use of specified measures

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road, air traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable internal noise design criteria. 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, air traffic and other noise, in accordance with Policy OE5 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 7.15 of the London Plan.

10 RES24 Secured by Design

The dwelling(s) 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 excising 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 RES25 No floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to protect the ecological value of the area in accordance with Policy EC3.

12 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

13 NONSC Surface Water Run Off

If surface water run-off and ground water is proposed to drain into the adjacent Grand Union Canal, details shall be submitted to and agreed in writing by the Local Planning Authority in prior to the commencement of development, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

REASON

To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure, in compliance with Policy OE8 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and policy 5.12 of the London Plan.

14 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

15 RES9 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

1.d Full details of the proposed hard and soft landscaping scheme for the waterside area

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage for 50 bicycles

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including details of 5 active and 6 passive electric vehicle charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

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

3.b Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage), 5.3 (sustainable travel) of the London Plan (July 2011).

16 NONSC Imported Soils

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted for approval to the Local Planning Authority.

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 off site receptors, in accordance with Policy OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

17 NONSC Parking Allocation

No part of the development shall be occupied until details of the method of control for the designation and allocation of parking spaces has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be retained for the sole use of the individual flats in accordance with the approved details.

REASON

In order to ensure that sufficient parking is provided, in accordance with Policies AM14 and AM15 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

18 NONSC Ecological Enhancement

Prior to commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance roosting and foraging opportunities for bats including the incorporation of new roosting facilities within the fabric of the buildings. The scheme shall also demonstrate how the development will contribute to wider wildlife benefits through the use of nectar rich green roofs and walls, habitat walls and wildlife specific landscaping. The development must proceed in accordance with the approved scheme.

REASON

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). and Policy 7.28 of the London Plan (2011).

19 RES16 Code for Sustainable Homes

The dwellings 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.

20 NONSC Waterside Risk Assessment

Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water (Grand Union Canal) shall be submitted and approved in writing by the local planning authority. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

REASON

To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the Navigation.

21 NONSC Waterbourne Freight

Prior to the commencement of development hereby approved, a feasibility study shall be carried out to assess the potential for moving freight by water during the demolition and construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the Grand Union Canal is not physically or economically feasible.

REASON

To encourage the use of the canal for transporting waste and bulk materials in accordance with policy 7.26 of the London Plan.

22 NONSC 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 the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

23 NONSC Air Quality and Energy Provision

Before the energy provision is installed, details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include suitable pollutant emission rates with and without mitigation technologies, which needs to be considered as part of a wider air quality assessment if necessary, as set out in the EPUK CHP Guidance 2012 (September 2007). Details to limit and/or control air pollution for any CHP shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be provided prior to the occupation and thereafter implemented and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the amenity of the site and neighbouring properties in accordance with policy OE1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

24 NONSC Contamination

(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 Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include 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; and

(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, along with details of a watching brief to address undiscovered contamination.

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

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be 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 the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

25 NONSC Japanese Knotweed Removal

No development shall take place until a detailed method statement and procedure for dealing with the eradication of Japanese Knot Weed on the site has been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved statement.

REASON

(i) This is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act.

(ii) To benefit local wildlife and to help maintain the regions natural balance of flora, in compliance with Policies EC1 and EC5 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and policy 7.19 of the London Plan (July 2011).

26 RPD2 Obscured Glazing and Non-Opening Windows (a)

The east facing first and second floor secondary windows in Block A, serving units A 1.2, A 1.3, A 1.4, A 2.2, A 2.3 and A 2.4 facing 38A Horton Road and the north facing landing windows in Block C facing 14-24 Horton Road shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 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 (February 2008) and national guidance.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
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.
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 7.28	(2011) Restoration of the Blue Ribbon Network
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
NPPF	

3 **16** **Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

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 **11** **Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

6 **111** **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

7 **112** **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

8 **114C** **Compliance with Building Regulations Access to and use of**

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate

against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

9 115 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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.
- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

10 116 Directional Signage

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

11 119 **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

12 121 **Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

13 125A **The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

14 13 **Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

15 19 **Community Safety - Designing Out Crime**

Before the submission of reserved matters/details required by condition x you are advised to consult the Metropolitan Police's Crime Prevention Design Advisor, Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel. 01895 250538).

16

It is contrary to section 163 of the Highways Act 1980 for surface water from private land

to drain onto the highway or discharge into the highway drainage system. The hard standing shall therefore be so designed and constructed that surface water from the private land shall not be permitted to drain onto the highway or into the highway drainage system.

17

With regard to the external materials (condition 2), you are advised that it will be important to ensure that the materials match those older buildings in the locality. The drawings are annotated as being dark red/brown tiles and these are considered appropriate. The drawings also show stock brick, which should be a deep red, rather than the yellow/buff shown in the perspectives.

18

In seeking to discharge condition 17 (car parking), the applicant is advised that the preferred solution is to allocate 2 parking spaces each for the 3 bedroom flats and 1 space each for the smaller units.

19

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. With regard to water supply, this comes within the area covered by the Three Valleys Water Company.

20

Specific security needs identified for the application site include CCTV coverage of certain key areas within the development, namely the underground car park and the main vehicular entrance to the development. This could be a simple fixed camera system for deterrence and retrospective investigation only and not monitored system. You are advised to submit details to expedite the specified security needs. In addition to the above, for this site to achieve 'Secured by Design' accreditation, you are advised to consult with the local Police Crime Prevention Design Adviser (CPDA). The CPDA's contact number is 0208 246 1769.

21

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

22

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Acts.

23

The applicant is encouraged to discuss with Council officers in conjunction with the Metropolitan Police Crime Prevention Officer whether on site CCTV cameras can be linked to the Council's central CCTV system.

24

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £40,3550.00 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738"

25

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

26

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal 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 or access onto the canal towpath 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) regarding the required access agreement."

27

If surface water run-off and ground water is proposed to drain into the adjoining Grand Union Canal waterway, details submitted pursuant to the discharge of conditions relating to drainage will be subject to consultation with the Canal & River Trust, in order to assess the potential for pollution of the waterway and likely volume of water.

The applicant is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team (nick.pogson@canalrivertrust.org.uk).

The applicant is also advised to ensure that potential contamination of the waterway (Grand Union Canal) and ground water from wind blow, seepage or spillage at the site, and high volumes of water be avoided, to safeguard the waterway environment and integrity of the waterway infrastructure.

28

You are advised that details submitted pursuant to the discharge of conditions relating to external lighting, CCTV scheme, the proposed hard and soft landscaping scheme/boundary treatment for the canal waterside area, Waterborne Freight Feasibility

study and the Risk Assessment and Method Statement will be subject to consultation with the Canal & River Trust.

3. CONSIDERATIONS

3.1 Site and Locality

The site is a roughly 'T' shaped relatively flat plot of land, 1 acre or 0.42ha in area, situated to the south of Horton Road. The primary axis is north-south with a western spur. The Grand Union canal defines the southern boundary. There are currently a number of dilapidated industrial buildings within the site with a large service yard and parking area to the north of the buildings. The industrial buildings also directly abut the canal towpath to the south of the site.

The surrounding area is largely residential in nature with groups of terrace properties to the east and west of the site with a frontage onto Horton Road and terrace housing on the opposite side of the road. The site borders residential properties to the north fronting Horton Road and to the east, including a 1980's residential development, Knowles Close. Commercial development is located to the west.

The application site falls within the a Growth Area as defined in Hillingdon's Local Plan: Part 1- Strategic Policies. The site is located within the Yiewsley/West Drayton Major Town Centre, but outside both the primary and secondary shopping areas.

There is a tree preservation order TPO No 365 to the east of the site. The site has a Public Transport Accessibility Level (PTAL) of 2-3.

3.2 Proposed Scheme

Planning permission is sought for a residential development in three blocks, to provide 50 residential units (13 x 1 bed (26%), 35 x 2 bed (34%) and 2 x 3 (4%) bed apartments). The proposals include 54 parking spaces (including 5 disabled spaces) and 50 cycle parking spaces.

Block A fronting Horton Road would be 3 storey and accommodate 14 units. Block B to the rear (south) of the site adjacent to the canal would be part four, part 5 storey (with the fifth floor contained within the roof space). This building would accommodate 30 units. Block C is 3 storey and would be located on the western arm of the site. This building would accommodate 6 units.

Entrances to the buildings are via circulation cores accessed off a new estate road. Refuse and cycle stores are integrated within the buildings A and B. Parking for the development is located around the development in landscaped shared surfaces. The existing access off Horton Road will be retained and improved, to provide access to the site.

The amenity spaces are provided around the buildings and on the canal frontage. A central communal amenity area will be provided, which will include a play area and landscaping. In total, 903sqm of communal amenity space, together with private balconies/gardens amounting to 865qm are proposed for the majority of flats.

The proposal will involve the demolition of all the existing buildings on the site.

The application is supported by a number of reports that assess the impact of the proposal. A summary and some key conclusions from these reports are provided below:

- Planning Statement

The statement describes the development and provides a policy context and planning assessment for the proposal. The statement concludes that the proposal is well conceived, robust and in accordance with the proper planning of the area.

- Marketing Report / Employment Land Analysis

- Design and Access Statement

This report outlines the context for the development and provides a justification for the design, number of units, layout, scale, landscaping, appearance and access for the proposed development.

- Arboricultural survey

The statement has been prepared to ensure good practise in the protection of trees during the construction and post construction phases of the development.

- Japanese Knotweed Assessment

- Energy Statement and

- Sustainability Statement

The sustainability credentials of the scheme are assessed in respect of renewable energy resources and achieving savings in terms of CO2. The assessment concludes that the use of Photo Voltaic panels is the preferred option for renewable energy technology.

- Code for Sustainable Homes Pre-assessment Report

- Ecological Report

The report summarises the findings of a walk over survey, desk study and protected species assessment. Recommendations for protected species surveys have been made.

- Planning Noise Assessment

The assessment concludes that the site is suitable for residential development subject to a suitable scheme of mitigation measures being incorporated into the design.

- Transport Assessment

The assessment considers the accessibility of the site, examines predicted generation trips by all modes, assesses the effect of the development on surrounding transport infrastructure and considers surfacing and refuse collection facilities. The assessment concludes that the development benefits from good levels of public transport accessibility, that net trip generation can be accommodated on the surrounding transport infrastructure and that the development through its design, will encourage the use of sustainable modes of transport.

- Flood Risk Assessment and Drainage Strategy July 2013

The assessment considers flood and drainage related matters. The report notes that the site is in Flood Zone 1 and is therefore not at risk of flooding from main rivers.

- Geo-environmental Desk Study

The objectives of the study are to:

- To determine the nature and where possible the extent of contaminants potentially

present

- To establish the presence of significant pollutant linkages
- To obtain documentary or other information to assess whether the land appears to be contaminated
- To assess whether the site is safe and suitable for the purpose for which it is intended, or can be made so by remedial action.

· Statement of Community Involvement

The document summarises the consultation strategy with statutory and non statutory consultees, including local politicians, local community groups and neighbours.

· Viability Report

· Illustrative Visuals

3.3 Relevant Planning History

Comment on Relevant Planning History

There have been no recent applications to redevelop this site previously.

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.BE1 | (2012) Built Environment |
| PT1.E1 | (2012) Managing the Supply of Employment Land |
| PT1.E5 | (2012) Town and Local Centres |
| PT1.EM1 | (2012) Climate Change Adaptation and Mitigation |
| PT1.EM3 | (2012) Blue Ribbon Network |
| PT1.EM6 | (2012) Flood Risk Management |
| PT1.H1 | (2012) Housing Growth |
| PT1.H2 | (2012) Affordable Housing |

Part 2 Policies:

- | | |
|------|---|
| AM14 | New development and car parking standards. |
| AM15 | Provision of reserved parking spaces for disabled persons |
| 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 |
| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |

BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
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.
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.13	(2011) Sustainable drainage
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 7.28	(2011) Restoration of the Blue Ribbon Network
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
NPPF	

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **19th November 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised under Article 13 of the Town and Country Planning General Development Management Order 2010 as a Major Development. 94 surrounding property owners/occupiers have been consulted. At the time of writing the report, 5 letters have been received objecting on the following grounds:

1. As a company we welcome the development, but have a number of concerns
2. There should be no access from adjoining premises whilst building is in progress.
3. An additional 50 units in Horton Road would cause more traffic congestion

4. Currently Horton Road is a major link and highly congested at many peak periods.
5. The Council needs to make improvements to keep traffic moving freely.
6. Reduction of on street parking especially in areas where this causes issues to traffic flow
7. Reducing the amount of sunlight that we receive into our rear garden during the late afternoon/early evening.
8. Our privacy can also be effected with potential occupiers being able to overlook into our garden from their windows/balconies.
9. Lack of parking for future occupiers

Petition

One petition bearing 21 signatures organised by an adjoining industrial unit has been received objecting on the following grounds:

1. the erection of a 2.5m high solid timber acoustic fence will clearly affect our right to light. At present this is open land and has been since we have been in occupation for over 30 years.
2. the erection of a 2.5m high solid timber acoustic fence so close (ie 1 metre) to our boundary wall, will severely limit the ability of people to exit the facility safely and effectively. This is especially the case for any people in wheelchairs or with other physical impairments.
3. our business will be overlooked and there will be a loss of privacy. This will be severely detrimental to our business and could lead to its closure and the loss of local jobs.
4. Given our need for privacy and secrecy we cannot authorise the demolition of a party wall.
5. Noise from surrounding commercial premises will affect future occupiers.
6. There is no Fire Assessment.

As well as the consultations carried out by the Council, the applicants organised a public exhibition at St Matthews Church and Parish Hall, Yiewsley, West Drayton on the 10th May 2013 to residents and businesses. Prior to the exhibition, approximately 200 flyers were hand delivered to local businesses and residents within the vicinity of the site. The majority of respondents also supported the redevelopment of the site for residential use within the town centre.

CANAL AND RIVERS TRUST

The British Waterways Board (Transfer of Functions) Order 2012 has substituted references to British Waterways in the Town and Country Planning (Development Management Procedure)(England) Order 2010 to the Canal & River Trust. As such, local planning authorities are now required to consult the Canal & River Trust on applications for planning permission in the same way as British Waterways was previously consulted. In addition, under the British Waterways Board Transfer Scheme 2012 (also made under the Public Bodies Act 2011) all the property of British Waterways in England and Wales has now vested in the Trust.

The Canal & River Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding. The Trust has a range of charitable objects including:

- To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
- To protect and conserve objects and buildings of heritage interest;
- To further the conservation, protection and improvement of the natural environment of inland waterways; and to promote sustainable development in the vicinity of any inland waterways for the benefit of the public.

After due consideration of the application details, the Canal & River Trust has no objection to the principle of redevelopment of this site, which currently has no positive relationship with the Grand Union Canal. We have the following comments about the submitted proposals:

Scale and Layout

In principle, we support the opening up of the canalside and the development's potential for interaction with the waterside. However, we have some concern about the height of the canalside block adjacent to the towpath. We acknowledge that this has been moved slightly further away from that proposed at pre-app stage, and its height has been reduced, but we still feel that its height and proximity are unduly overbearing, and out of character in this location. We accept the applicant's comparisons with the other tall buildings, existing and permitted, nearby, but feel that this location is different. The other examples given are offside (on the non-towpath side), where historically, industrial sites were often close to the waterfront, and they also form a bit of a group close to the high street. This site and its surrounds, on the north side of the canal, is characterised by slightly lower development, with a more traditional scale and form. We are keen to avoid a canyoning effect on the canal corridor. We would therefore like to see the development moved further back from the towpath, with a reduced height, stepping down towards the canalside.

Access to Canalside

Any new accesses onto the towpath require a commercial agreement with our Estates team, and we request an informative below regarding this.

We support the principle of improved access onto the towpath, but we are also aware that the development will bring more visitors to the site and the canal environment. They will make use of the towpath and waterspace as a valuable amenity resource, and also a useful walking and cycling route to West Drayton Station and other destinations. While we support increased access to this resource, we would request appropriate mitigation towards the increased use of the towpath and canal environment, such as upgrading of the towpath, through a S106 agreement. I am hoping to get potential costs for this from colleagues, so will get back to you shortly with this.

Ecology and Sustainability

We support the introduction of habitat enhancements such as new bird and bat boxes. We assume these will be within the site.

The development may benefit from utilising its waterside location for moving demolition waste and materials from the site by barge. The site is within a lock-free section of the Grand Union Canal, which may make deliveries to the Powerday site (which has a wharf) at Willesden Junction more efficient than by road, as well as offering other benefits to the wider community. Please see the condition requested below.

If the Council is minded to grant planning permission, it is requested that the following conditions and informatives be attached to the decision notice (in addition to a S106 contribution towards the upgrade of the towpath environment):

Conditions

"Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with the Canal & River Trust. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted. Reason: To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the Navigation."

"Prior to the commencement of development hereby approved, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the canal is not physically or economically

feasible. Reason: To encourage the use of the canal for transporting waste and bulk materials in accordance with the London Plan."

"Prior to the commencement of development hereby approved, full details of the proposed hard and soft landscaping scheme for the waterside area shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The landscaping shall be carried out in accordance with the approved details.

Reason: To improve the appearance of the site when viewed from the waterside and to enhance the biodiversity of the area. Earthworks and associated landscaping also have the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for any planting."

"If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Canal & River Trust prior to the commencement of development, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure."

"Prior to the commencement of the development hereby permitted, full details of any proposed lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The approved lighting and CCTV scheme should be implemented prior to first occupation of the development. Reason: In the interest of crime prevention, ecology, visual amenity and the waterway setting."

Informatives

"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 is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team (nick.pogson@canalrivertrust.org.uk)."

"The applicant/developer is advised that any encroachment or access onto the canal towpath 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) regarding the required access agreement."

In addition, in order for the Canal & River Trust to monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

METROPOLITAN POLICE C P D A

Concerns are raised over the the open nature of the canal side frontage. I would suggest 1.8m park style railings as being a suitable barrier. A gate could be incorporated in it for use of the residents, though locking arrangements would certainly be a necessity. In addition, the communal garden area, containing the LAP, should also have 1.2m railings and a gate, to help designate this as an amenity area for the new residents, and to help empower them (and the Police) to challenge youths from further afield who might decide to use and abuse this space.

It is considered that the current proposal with unrestricted access to the canal would result in a good deal more crime and anti social behaviour on the site if these measures are not put in place, which is of course, the essence of 'designing out crime'.

With respect to the other requirements of Secured by Design, these will be the standard ones as listed in on the application form on the SBD website.

THE INLAND WATERWAYS ASSOCIATION - No response.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

Noise

After reviewing the noise survey, a condition requiring a sound insulation and ventilation scheme for protecting the proposed residential development from road traffic, air traffic and other noise is recommended. The scheme should ensure that internal LAeq,T and LAm_{ax} noise levels meet appropriate noise criteria. All works which form part of the scheme shall be fully implemented before the residential 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 residential development is not adversely affected by road traffic, air traffic and other noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.15.

(Officer Comment: A condition has been added).

Please add the standard construction works Informative:

Air Quality

No information was submitted with regard to air quality. Besides the impact of the development on the existing residents, air quality consideration also needs to be given to the impact on the proposed development of existing air quality in the area, as a number of new sensitive receptors are being introduced to the site.

The proposed development is within the declared AQMA and in an area that is likely to be slightly below the European Union limit value for annual mean nitrogen dioxide (40.0 mg/m³). Modelling undertaken by CERC for Hillingdon indicated the worst location on site exceeded the limit value at 41.8 mg/m³ and was just below the limit value adjacent to Horton Road varying from 39.5 mg/m³ to 39.29 mg/m³.

There is a NO_x diffusion tube (HD51) located near the junction of Horton Road on Colham Road (approximately 250 metres from the High Street and 185 metres from the railway). This tube location has measured bias adjusted annual mean for NO₂ over the last few years as follows: 2008 - 36.2 mg/m³, 2009 - 34.3 mg/m³, 2010 - 34.2 mg/m³, 2011 - 33.2 mg/m³, 2012 - 36.2 mg/m³. As the application site is located nearer to the High Street and the Railway line, it is possible the NO₂ annual mean on the application site is higher, however, it is anticipated it is likely to be a little below 40 mg/m³.

The development is introducing sensitive receptors into a poor air quality area. As no air quality assessment has been provided, it is unclear if air quality will improve as a consequence of the development. It is likely any improvement would be negligible. As the development is in and may cause increases in an area already suffering poor air quality a S106 obligation up to £12,500 should be sought for contribution to the air quality monitoring network in the area.

The Sustainability and the Energy Strategy indicates natural ventilation at the site, along side high efficiency boilers and photovoltaic panels. It is recommended the facade of the building along Horton Road is located further away from Horton Road, especially in the absence of any mitigating factors. As no clarification has been provided with regard to air quality, it may be advisable to include the ingress of polluted air condition, especially for the block nearest Horton Road.

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

(Officer Comment: An Air Ingress condition has been added)

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.

It is noted from the Code for Sustainable Homes Pre-assessment, there is a target to get 3 points for NOx emissions which would mean each of the 50 properties will have emissions with a dry NOx level of less than 40 mg/kWh. A condition is advised in relation to providing details of the final energy provision at the site. Details of any plant, machinery or fuel burnt, as part of the energy provision for the development including suitable pollutant emission rates with and without mitigation technologies should be provided, which will need to be considered as part of a wider air quality assessment if necessary, as set out in the EPUK CHP Guidance 2012 (September 2007). Details to limit and/or control air pollution for any CHP should also be submitted.

REASON: To safeguard the amenity of the site and neighbouring properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: This condition relates to the operational phase of residential and commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the assessment of CHPs is available from EPUK at: http://www.iaqm.co.uk/text/guidance/epuk/chp_guidance.pdf. An area up to a distance of 10 times the appropriate stack height needs to be assessed. They should contact the Environmental Protection Unit if they have any queries.

Transport Statement refers to 54 car parking spaces. It also proposes to provide a travel plan for the development. It may be advisable to include a green travel plan condition on any permission that may be given. Based on estimates for trips generated for a use similar to the former use, the Transport Statement indicates trip generation as a consequence of the development is expected to be lower than in the current use.

Land and Contamination.

The following information was submitted with regard to land contamination issues:

· Geo-Environmental Desk Study for 26-36 Horton Road, West Drayton by Jomas Associates Ltd for Clearview Homes Ltd (Final v1.0), dated April 2013

A desk top study for the site has been submitted which is based on documentary information and a site walkover. The qualitative assessment of risk with regard to the future residential development is considered 'moderate'. Potential sources of contamination identified at the site include made ground under the areas of hard standing and possibly associated with the infilled dock and contamination from fuel storage and spillages at the site. The report recommends ground investigations are required to identify contamination at the site and the investigations should include

a ground gas/vapour assessment. Any assessment should also include groundwater testing where this is found. Our concerns relate primarily to human health with regard to any groundwater contamination.

The report also identifies the presence of Japanese knotweed on site and a contractor has recommended treatment. The Environment Agency may wish to be consulted with regard to this, and possible groundwater contamination, although the extent of this is unknown at this point.

The standard contaminated land condition is recommended for any permission that may be given. The site will require imported top soil for landscaping purposes and separate condition to ensure the imported soils are independently tested to ensure they are suitable for use is also recommended.

Contaminated Land Condition

(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 Document 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; and

(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, along with details of a watching brief to address undiscovered contamination.

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

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be 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).

Condition to minimise risk of contamination from garden and landscaped area

Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON: To ensure that the occupants of the development are not subject to any risks from soil

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 for their advice when using this condition.

ACCESS OFFICER

The site is occupied by 3 industrial buildings that would be demolished to make way for new residential accommodation. The proposal primarily comprises a mix of 1 and 2 bedroom dwellings with a number of three-bedroom flats. The proposed parking layout provides 54 parking bays, of which 5 would be accessible. Whilst the aspiration to comply with Approved Document M to the Building Regulations is noted, there appears to have been no reference to London Plan July 2011, Policy 3.8(Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted May 2013.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should be built to wheelchair home standards and should accord with relevant policies, legislation and adopted guidance.

The following access observations are provided:

1. A minimum of five fully wheelchair accessible units should be incorporated into the scheme. These residential units should be clearly identifiable on plan and include the all relevant specifications required for wheelchair accessible accommodation.
2. From the internal face of the front door, the wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite
3. Level access should be achieved. Details of level access to and into the proposed dwelling should be submitted. A fall of 1:60 in the areas local to the principal entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.
4. In the smaller blocks, one Part M compliant passenger lift should be provided. In larger blocks two lifts should be featured to allow for increased use and to maintain wheelchair access in the event of a lift breakdown. Further details should be obtained from the above-mentioned Supplementary Planning Document which can be downloaded from the Council's website.
5. The width of the proposed hallway and doorways should be of sufficient width to allow a wheelchair user to pass through at an angle.
6. The 45 Lifetime Home standards flats should all provide a minimum of one bathroom that achieves at least 700 mm from one side of the WC, with 1100 mm provided between the front edge of the toilet pan and any obstruction opposite.
7. To allow bathrooms to be used as wet rooms in future, plans should indicate floor gully drainage.

Officer Comments: The Council's Access officer raised a number of detailed points relating to the original plans. Amended plans have been received, including dedicated accessibility plans, demonstrating compliance with Lifetime Homes criteria and general compliance with Accessible Hillingdon SPG. The Access Officer raises no objections to the revised plans.

URBAN DESIGN AND CONSERVATION OFFICER

COMMENTS: Whilst there are no objections in principle to the redevelopment of this site for housing, or to the design approach to the scheme, there are concerns re the proposals, which are as follows:

· The height and massing of block B should more closely reflect the scale of the surrounding housing area, i.e. predominantly 2-3 storeys, to create linkage and integrate the scheme with its context. At 3-5 storeys, it takes its cue in terms of scale from the group of large housing developments located within the town centre area, which has quite a different scale and character to this area.

Officer note: This issue has been addressed in the report.

· Block C has its main entrance to the rear, which would not be good in terms of site legibility, street activity or also possibly safety. Two of the ground floor patios are hard up against parking spaces, with no buffer zone of planting to provide privacy. 3 of its 4 elevations face onto parking areas and the other, the northern elevation, has only staircase windows, the rest is blank. Given this includes the front door of the building, this should be its principal elevation, yet this would be a largely dead frontage with little activity or natural surveillance of the door, or the space beyond the building.

Officer note: Revised plans have been submitted showing a new entrance to Block C on the south elevation. A new path leads to the entrance. The old entrance on the northern elevation has been retained for two reasons: firstly to minimise the route to the bin store and to accord with carry distances in the guidance, and secondly it allows an 1800mm wide path to meet Accessible Hillingdon standards.

· Block A should have a main entrance onto Horton Road, to create an active frontage. It is also difficult to see how useable the two patio areas that front onto Horton Road will be, as not only do they face the main road, but they would also be at a lower level to it and hence not very private.

Officer note: This issue has been addressed in the report.

· There are runs of proposed parking spaces across the site that need to be "broken up" with additional tree planting.

Officer note: Revised plans have been received showing spaces adjusted north and south to allow for additional planted area / trees between spaces to further break them up.

WASTE MANAGER

Flats: I would estimate the Weekly Waste Arising from the development would be 7,970 litres. The above waste would therefore be accommodated in a total of 8 x 1,100 litre bulk bins. Initially all bulk bins on site would be for residual waste; then some of these could be exchanged for recycling at a latter date, or an additional recycling bins added. Space would have to be allocated for the above waste and recycling storage.

The bin enclosures / bin storage area must ensure there is at least 150 mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections. The dimension of an 1,100 litre bulk bin are shown in the table below: -

Bin Size Height Depth Width 1,100 litre Eurobin 1,370 mm 990 mm 1,260 mm.

Arrangements should be made for the cleansing of the bin stores with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

The material used for the floor should be 100 mm thick to withstand the weight of the bulk bins.

Ideally the walls of the bin storage areas should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

The gate / door of the bin stores need to be made of metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150 mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

Internal bin chambers should have appropriate passive ventilators to allow air flow and stop the build up of unpleasant odours. The ventilation needs to be fly proofed. If the chambers are inside the building they should have a light. The lighting should be a sealed bulked fitting (housings rated to IP65 in BS EN 60529:1992).

The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle. The access the roadway to the bins must be constructed to withstand the weight of a RCV; 26 tonnes.

TREE AND LANDSCAPE OFFICER

LANDSCAPE CHARACTER / CONTEXT: The site is occupied by a warehouse building on an industrial estate, accessed from Horton Road on its northern boundary. The plot is arranged on a north-south axis with the towpath of the Grand Union canal defining the southern boundary. To the east of the plot is Knowles Close, a residential estate built in the 1980's. A spur of land within the site projects to the west into an area of industrial and commercial buildings.

Within the site there are few trees. However, it benefits from the 'borrowed landscape' provided by mature off-site trees along the eastern boundary within the housing land, some of which are protected by TPO No.365. There are also established off-site trees on the towpath, along the southern boundary.

PROPOSAL: The proposal is to demolish the existing buildings and redevelop the site to provide 50 residential units in 3 buildings with associated car parking and cycle parking spaces, communal amenity areas, landscaping, private gardens and balconies utilising existing access.

LANDSCAPE CONSIDERATIONS: 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.

- Issael's Design & Access Statement, describes the amenity space and landscaping in section 7.11. The amenity space provision includes the use of private balconies, private gardens and patios. There will also be two shared communal spaces.
- One of the key design objectives (discussed during a pre-application meeting) is to provide an attractive visual (and physical) link between Horton Road and the canalside. This has partly been achieved by the introduction of an estate road which leads directly to the canal.
- Reference is made to the attention to detail of the external landscape materials. However, there is little information regarding the landscape masterplan and no details, or palette of materials, to illustrate the intended design quality.
- An Arboricultural Survey to BS5837:2012, by Merewood has assessed 24 individual trees and one group (G1). Of these only T8,9,10,11 and 12 are within the site. These are all 'C' grade trees which will be removed to facilitate the development. All other (off-site) trees which influence / or may be influenced by the development have been assessed and taken into account in the site layout.

- No trees or other landscape features of merit will be affected by the proposal. - Merewood's Tree Protection Plan and report should ensure that these trees are safeguarded, provided that the recommended measures are adhered to.
- In terms of the masterplan and site layout, much of the pre-application advice is reflected in the proposal. However, there is a paucity of tree planting along the north south road axis, where tree cover is required to complement and soften the impact of the built development.
- There are also too many car parking spaces grouped together without relief along the north-south access road - and particularly around the western-most block which appears to be stranded in a sea of parking.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

RECOMMENDATIONS:

No objection subject to the above observations and conditions RES6, RES7, RES8, RES9 (parts 1,2,5 and 6), RES10 and RES11.

FLOOD AND DRAINAGE OFFICER

The Flood risk Assessment (FRA) does not provide calculations to demonstrate that the area set aside for suds is sufficient. In order to inform this infiltration tests must be done rather than assuming infiltration is appropriate from previous arrangements. It also shows formal piped drainage where sheet flow across the site into dished areas would reduce the maintenance requirements.

I do note that it suggests that water butts etc are to be provided, but makes no mention of rainwater/ grey water reuse for flushing toilets etc, which should be explored.

The access to the canal and area adjacent to the canal is much improved and am happy with this meeting the requirements of our policy on the Blue Ribbon Strategy.

SUSTAINABILITY OFFICER

I have no objections to the proposed development and consider it to be a well considered scheme that would result in an improved natural environment in this area. The links through and frontage next to the canal need a bit of work, but in general this development should result in an improved canal frontage and increased use of the tow-path. I therefore have no objections subject to the following comments and conditions:

Ecology

The site is next to the Grand Union Canal which is a site of metropolitan grade importance for nature conservation. The development needs to actively contribute to measures to enhance wildlife. The following condition is therefore necessary:

CONDITION

Prior to commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance roosting and foraging opportunities for bats including the incorporation of new roosting facilities within the fabric of the buildings. The scheme shall also demonstrate how the development will contribute to wider wildlife benefits through the use of nectar rich green roofs and walls, habitat walls and wildlife specific landscaping. The development must proceed in accordance with the approved scheme.

REASON

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 (Local Plan) and Policy 7.28 of the London Plan.

Energy

The broad energy statement outlines that Code Level 4 will be applied to the development. I support this provision which would comply with policy 5.2 of the London Plan and would recommend this is secured by way of condition.

Landscaping

The applicant must be made aware that the landscaping plans should clearly incorporate the canal frontage with a view to maximising its relationship with the development. The Canal & River Trust should be consulted on the discharge of this part of the condition.

HIGHWAY ENGINEER

No objection to the above application on condition the applicant satisfactorily addresses the concerns and the conditions referred to below.

Summary

- Trip Generation and impact -satisfactory and impact negligible
- Car parking/disabled and cycle parking allocations -compliant with Borough and London
- Traffic conflict issue, so suggested removal of one car parking bay nearest to access
- Access road(shared surface) to be revised up- from 5.5 to 6m for road safety reasons
- Electrical charging points-11 needed, 5 active and 6 passive

. Trip generation and impact

Based on TRAVL and TRICS the Trip generation and Traffic impact from the proposal are satisfactory. The TRAVL two way car trip rates for the development of 50 Flats are 0.01 in and 0.07 out for the A M peak period, and 0.5 in/ 0.3 out for the PM peaks plus 0.75 trips for all day. The estimated generated car trips are 4 morning peak and 3 for the evening peak and 37 for all day. The non car trips is also estimated at 18 morning peak and 15 evening and 215 all day trips. TRICS give rise to 31 AM trips and 24 trips for the PM peak for the 1900msq. The proposed generated vehicular trips will there have negligible impact on the road network.

Car and Cycling Parking Allocation

Parking allocation for the PTAL Index 3 for the area is compliant with the Borough and London Plans. Disabled parking space provision of 10% of the 54 total parking bays is equally compliant with Hillingdon and London plan parking standards.

Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway. From the submitted drawing SKO5 the visibility splay extends beyond the development boundary and may not be able to implement it. The Applicant would have to demonstrate to Highways that it would not cause adverse affect on vehicular and pedestrian inter visibility at the proposed Horton Road access.

Highways has concerns with the proposed width of the shared surface it should be revised up to 6m to accommodate the access and egress manoeuvres of vehicles associated with the site. It is also evident from the submitted drawing reversing vehicles will conflict with those entering the development as such the developer will need to provide Highways with information demonstrating that would be the case. The applicant could consider removing the bay as an option. Reason: To

safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Electric charging

The Prior to the commencement of development a plan showing provision for electric charging points to serve 20% of all car parking spaces should be submitted to and approved in writing by the Local Planning Authority. The plan shall set out the location of the charging points, the chosen technology and clear presentation of how the bays will be marked. The development shall proceed in accordance with the approved plan. Highway suggests the provision of 5 active and 6 passive electric points for the initial period after the development. Reason: To provide car parking for electric vehicles to help tackle air quality impacts to meet the climate change challenges in accordance with Policy 6.13 of the London Plan.

Parking for Wheelchair Disabled People

The applicant should ensure it provides parking spaces (with dimensions of 4.8m x 3.6m , to allow for wheelchair transfer to and from the side of car shall be reserved exclusively for people who are mobility impaired and/or using a wheelchair, in accordance with the approved Parking Control Methodology, and unless otherwise agreed in writing by the Local Planning Authority. Such parking spaces shall be sited in close proximity to the nearest accessible building entrance with dropped kerbs provided from the car park to the pedestrian area.

Highways also require for approval suitably scaled drawings showing the revised proposed car parking layout within the site and proposed alteration to existing access site. These scale drawings should be superimposed with vehicle swept paths of servicing vehicles access/ egressing the site and manoeuvring within the site boundary. The swept path details are required to show all vehicle details and include a 300mm margin of error.

No part of the development shall be occupied until details of the method of control for the designation and allocation of parking spaces has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be retained for the sole use of the individual flats in accordance with the approved details.

Reason: In order to ensure that sufficient parking is provided, in accordance with Policies AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is not a designated Industrial or Business Area in the adopted UDP or the Hillingdon Local Plan: Part 1- Strategic Policies, Employment and Land Map. Saved Local Plan Part 2 Policy LE4 relates to the loss of employment land outside identified Industrial and Business Areas. Briefly, this policy protects such uses subject to certain criteria. Addressing each of the Saved Policy LE4 criteria in turn, the applicant contends that there is a strong case to support the loss of employment use at the application site:

(i) The existing use seriously affects amenity, through disturbance to neighbours, visual intrusion or an adverse impact in the character of an area;

The site is used for general industrial purposes falling within Class B2 & Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) including manufacturing, storage and a large service yard with access onto Horton Road. The use appears to be long established and is un-restricted in planning terms, with no conditions controlling hours of operation, noise levels or vehicle movements to and from the site for the current use. As the commercial use of the site is unregulated, the use of the site for industrial purposes has the potential to now and in the future, have a detrimental impact

on the prevailing residential character, amenity and outlook of residents in the area.

It is also considered that the character and appearance of the site at present creates a poor visual and physical environment, to the detriment of neighbouring residents, the canal side and the area generally, given that the site has been neglected and the majority of the buildings and front service area are not well maintained.

It is considered that residential use of the site would be a more compatible use given the large number of residential properties directly adjacent to, or within the vicinity of the site, as well as creating a better environment for the canal side.

(ii) The site is unsuitable for industrial redevelopment because of the size, shape, location or lack of vehicular access;

The application site is designated as being located within the town centre on the 'saved' UDP Proposals Map. It is neither a Strategic Industrial Location nor a Preferred Industrial Location in the London Plan, an Industrial and Business Area in the adopted UDP or a Locally Significant Industrial Site (LSIS) and Locally Significant Employment Location site (LSEL) in the Hillingdon Local Plan: Part 1- Strategic Policies.

There is currently 358 ha of designated employment land in the Borough, with the Employment Land Study (2009) concluding that employment has become increasingly office based and such uses have tended to consolidate in accessible and designated business / office parks in Uxbridge, Stockley Park and around Heathrow.

It is recognised that there has been a steady decline in industrial and warehousing floorspace. However, the Council has maintained an effective employment land supply, such that any release of land over the past 10-20 years has not harmed employment or business functions within the Borough. In this context, isolated employment sites, such as the application site are considered to be unattractive to prospective users.

In support of demonstrating compliance with Policy LE4, the applicants commissioned a market assessment of commercial sites within the area and the potential market demand for the application site. The assessment concludes that as this site is surrounded by residential housing with a canal to the rear, industrial occupiers would not view this as a prime industrial site. Much of the industrial occupation happens closer to the Stockley Park roundabout where road access is better. As such, the site would be more suited for a change of use away from its current planning designation.

The applicants also contend that the site in its current condition is unlikely to attract any interest from potential occupiers, due to its dilapidated state. A large amount of refurbishment works would therefore need to be undertaken in order to attract occupiers. However, this may not be viable, as potential occupiers would be concerned about the surrounding residential dwellings, which could potentially lead to complaints and restrict any noisy operations or 24 hour uses. Concerns could also be raised regarding heavy duty vehicles travelling through the residential area, which could pose a hazard to local pedestrians. Access to the site is restricted as there is only one point of access in and out of the site, which would be difficult to modify due to the bus stop located in front of the site. There is also a risk of damage to the adjoining houses from large HGV movements.

The applicants further submit that the irregular shaped site does not lend itself well for re-development for a single unit. Furthermore, smaller occupiers would still require larger vehicles delivered to them, which would be likely to cause congestion on the Estate,

backing up into the surrounding highway network.

For the reasons given above, it is considered that a robust case has been put forward as to why the site is unsuitable for industrial redevelopment.

(iii) There is no realistic prospect of the land being used for industrial or warehousing purposes in the future;

The applicants contend that the location of the site is unattractive to potential business / commercial users of the site. To reinforce this conclusion, an independent market report has been submitted in support of this application. The report highlights the poor prospect of successful sale / lease of the site for its future utilisation for industrial, storage or commercial purposes, due to its town centre location, its relatively inferior location compared to purpose built employment centres / business parks in the Borough, access restrictions, the current state of repair of existing site buildings, high potential for conflict with adjacent residential uses (noise, disturbance, hours of operation, highways safety etc) and financial and market conditions.

Based upon the quantitative oversupply, an independent market assessment and the evidence from the current owners of the site, it is concluded that there is no realistic prospect of the application site being used for commercial purposes in the future. The loss of employment from the site is therefore considered acceptable, in accordance with criterion (iii) of "saved" adopted HUDP Policy LE4 2007.

(iv) They are in accordance with the Council's regeneration policies for the area.

The NPPF, The London Plan (2011), the adopted Hillingdon Local Plan: Part 1- Strategic Policies and the saved Hillingdon Unitary Development Plan Policies (2007) all support the provision of residential accommodation in appropriate locations. London Plan Policy 3.3 (increasing housing supply) seeks to increase London's housing supply, enhance the environment, improve housing choice and affordability and to provide better accommodation for Londoners. Local Plan Policy PT1.H1 affirms the London Plan targets to deliver 4,250 new homes in the Borough from 2011 to 2021 or 6,375 dwellings up to 2026. The proposal includes 50 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy.

The Local Plan lists individual strategic policies including Policy E1 relating to Managing the Supply of Employment Land and states the Council will accommodate growth by protecting Strategic Industrial Locations and the designation of Locally Significant Industrial Sites (LSIS) and Locally Significant Employment Locations (LSEL) including the designation of 13.63 hectares of new employment land. The site which is the subject of this application does not fall within a LSIS or LSEL.

The application site falls within the a Growth Area as defined in Local Plan: Part 1- Strategic Policies (2012) with the regeneration of the area being driven by improved public transport links to and from London including the Crossrail link from West Drayton due to open in 2018. This corridor will play a key role in delivering the housing targets set out within the adopted Hillingdon Local Plan: Part 1 (2012). The improved Crossrail stations will provide the catalyst for the regeneration of West Drayton and Hayes, bringing extra travellers through these stations whilst facilitating the provision of additional homes and housing growth to ensure Hillingdon's housing target figures are met. Proposed public transport improvements, such as improved interchanges, are located within the Yiewsley/West Drayton/Hayes growth areas. Residential accommodation in sustainable

town centre locations such as this, in an area which has been identified by the Council as a 'growth area' in the coming years is therefore supported in policy terms.

The Employment Land Study 2009 and 2010 update confirms that there is an oversupply of industrial land in Hillingdon. The loss of the 2,044 sqm of existing commercial / light industrial floorspace on the application site represents only 3.8% of the total industrial land availability in West Drayton Sub-Market and 0.9% of the total industrial floorspace in Hillingdon. The loss of this employment land is considered to be de minimus to the overall oversupply of employment land in Hillingdon. West Drayton has a good supply of stock at present and is considered unlikely to suffer a significant detriment with the loss of this site to a different use.

Policy H4 the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) also seeks to encourage additional housing in town centres. The supporting text states:

"The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly one or two-bedroom units."

Conclusion

It is considered that the applicant has demonstrated that the proposed scheme satisfies all four of the criteria of Policy LE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Approval for the loss of employment and future residential use of the application site could be considered an appropriate "windfall" site, assisting in providing a balanced approach to future development and much needed family housing units in the Borough.

Saved Policy H8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states amongst other things, that the conversion or change of use of premises to residential use will only be acceptable if a satisfactory residential environment can be achieved. As detailed in other sections of this report, the proposed use could provide an adequate residential environment, notwithstanding the specific site constraints, such as the proximity of the site to the canal and other commercial uses.

The principle of the proposed uses therefore meets the policy requirements of the adopted Development Plan, emerging policy. No objections are therefore raised to the principle of residential use on the site.

7.02 Density of the proposed development

London Plan Policy 3.4 sets out density requirements for new residential development within London Boroughs within Table 3.2. In urban areas with a PTAL rating of 2-3, it is suggested that a scheme comprising 1, 2 and 3-bed units should show a density between 55 and 170 dwellings per hectare (dph). The application scheme represents a density of 108dph, and therefore is considered to be appropriate for its location.

The proposal seeks to provide 50 residential units totalling 147 habitable rooms. This equates to a density of 123 u/ha or 350 hr/ha. This level of development is within the guidelines set out within Table 3.2 density matrix of the London Plan, assuming a PTAL of 2.

It will therefore be important to demonstrate that the units will have good internal and external living space, and that the scale and layout of the proposed development is compatible with sustainable residential quality, having regard to the specific constraints of this site. It is considered that this residential scheme has been designed to meet the relevant policy standards and targets, with Code for Sustainable Homes Level 4 being targeted and provision of at least 10% wheelchair housing.

UNIT MIX

In ensuring a range of housing choice is provided to residents, Policy 3.8 states that new developments should offer a range of choices, in terms of the mix of housing sizes and types, and ensuring that all units are built to Lifetime Homes Standards. The proposed scheme provides a mix of 1, 2 and 3 bed units and is therefore compliant with London plan Policy 3.8.

Saved Policies H4 and H5 seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres, while larger family units are promoted elsewhere.

The residential unit mix is provided below:

- 1 bed 2 person x 13
- 2 bed 3 person x 23
- 2 bed 4 person x 12
- 3 bed 5 person x 2

This mix of units is considered appropriate for this town centre location. The proposed development accords with the requirements of national policy and the Development Plan by making effective and efficient use of redundant Brownfield Land whilst respecting the surrounding context and adjacent Grand Union Canal.

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 Conservation Areas or Listed Buildings within the vicinity.

7.04 Airport safeguarding

There are no airport safeguarding issues related to this development.

7.05 Impact on the green belt

There are no Green Belt issues associated with this site.

7.07 Impact on the character & appearance of the area

Part 1 policy BE1 requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

Policy BE26 seeks to ensure that within town centres, the design, layout and landscaping of new buildings should reflect the role, overall scale and character of town centres as a focus for shopping and leisure activity. The supporting text to Policy BE26 states that the design of buildings and external spaces should increase the visual and functional attractiveness of town centres, in order to attract people and investment; and new buildings should maintain the feeling of bulk and scale of the town centres while creating variety and interest in themselves.

London Plan Policy 7.1 sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to density (3.4) and sustainable design and construction (5.3) are also relevant.

The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established residential areas are not compromised by new development. The main constraints and opportunities of the site have been identified, in particular its relationship to neighbouring residential and industrial properties and the potential to open up physical / visual links from Horton Road to the canal side. As such, the proposals need to be considered with regard to the impact on Horton Road and the Grand Union Canal.

The current buildings are considered to have a relatively poor relationship to the street and the canal, with no active frontage or natural surveillance to either Horton Road or the waterway. The redevelopment of the site therefore presents an opportunity to improve the site's relationship with the street frontage and canal, with the potential to provide pedestrian access to and views to the towpath from Horton Road.

Layout

The residential blocks have been sited to ensure that a sufficient gap exists between each building to provide visual permeability within and from outside the site and that an acceptable living environment is created for prospective residents in terms of privacy and overlooking. Distances of between 18 to 21 metres are maintained between individual blocks, which will be used to make provision towards private amenity space and car parking.

The design approach of the scheme with regards to the building form along Horton Road has been to follow prevailing building lines, in order to respect the existing urban grain. The new building along Horton Road (Block A) has been set half way back (approximately 5 metres) between the frontage of the two adjacent terraces. It is not considered practical to provide direct access to Block A from Horton Road due to the change in ground levels.

Block B has been set back some 14 metres from the canal edge to the south.

In terms of the relationship of the blocks to adjoining residential development a distance of at least 15 metres is maintained between Block C and the rear of properties in the terrace fronting Horton Road (Nos. 14-24). With respect to Block A distances of between 5 and 12 metres have been maintained with the eastern boundary with 38A Horton Road.

No objections are raised to the siting of the play area which is centrally located with good natural surveillance.

Scale

The immediate area does not have one specific architectural style with a variety of different residential buildings and some industrial and warehouse buildings with heights ranging from 2 to 6 storeys in places.

Block A would front Horton Road, whilst blocks B and C would be sited further into the site and would therefore have relatively little impact on the street scene.

The proposed residential block A is 3 storey. The scale of this building has been designed in order to integrate it into the existing street pattern, on Horton Road. It is considered that this block would not appear unduly prominent within the street scene and would be compatible with the scale of surrounding development. The scale of the buildings have been designed in order to integrate it into the existing street pattern, on Horton Road. It is considered that the proposed building will fit in with the scale of existing commercial and residential buildings to the south and will not obstruct views to any key focal points.

With regard to Block B at the rear of the site, one of the key areas of concern with the proposed development is the relationship of this building to the Grand Union Canal. The Urban Design Officer raises concerns with regard to the height of this block in terms of the appearance of this building viewed from the canal. Block B would be 4 and a half stories fronting the canal, approximately 12.5m in height to to the eaves and 15.7 metres to the ridge. The block would then reduce to 4 stories further back into the site (11 metres in height to to the eaves and 13.4 metres to the ridge). However, the block would be set in 14.2 metres from the canal. Although this block would be taller than other buildings fronting the canal in the immediate vicinity, it is noted that the height of this building is not dissimilar from other recently approved canal side development in the area. The site falls within a town centre location and given the intervening landscaped area and tree planting between the block and the tow path, it is not considered that the block would appear unduly prominent when viewed from the canal.

In addition, to resolve concerns from the Canal and Rivers Trust that the development will impact on the quality of the environment enjoyed by users of the towpath, the developers have agreed that this could be alleviated through other improvements to the quality of the towpath.

It is not considered that Block B would appear unduly prominent within the street scene as it is set deep within the site, at least 58 metres from the road frontage.

The proposals respond to the local architectural context, including the areas canal heritage, whilst addressing the more domestic scale of properties onto Horton Road. It is considered that the layout would satisfactorily reflect the established suburban character of the townscape context of the site.

Appearance

The scheme is accompanied by illustrative material, as set out within the Design & Access Statement, which identifies the possible appearance of the proposed residential blocks. The external design of the buildings and proposed building materials, such as facing bricks, render, and tiled roofs maintain a balanced and appropriate design response with regard to the scale and context of the site. It is considered that a condition should be imposed on any permission requiring the submission of external materials details prior to the commencement of works.

Subject to compliance with the above mentioned condition, it is considered that the scheme is compliant with Policies BE13, BE19 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), relevant London Plan policies and design guidance.

7.08 Impact on neighbours

Outlook and Light

Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded. Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas.

The supporting text to Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states 'that while some proposals of substantial width, height and depth, may not cause loss of amenity by reason of daylight or sunlight, these may nonetheless still be over-dominant in relation to the adjoining property and/or its private amenity space. This in turn can result in a depressing outlook detracting from residential amenity'. The Council's Supplementary Planning Document 'Hillingdon Design and Access Statement' (HDAS) 'Residential Layouts' states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally 15m would be the minimum acceptable separation distance.

The closest residential properties to the site are to the east within Knowle Close and to the terraced properties to the east and west of the site with a frontage onto Horton Road.

Outlook

In relation to outlook, adequate distance has been maintained to avoid over dominance, in compliance with design guidance. Block A steps away from the existing adjacent gardens to avoid overdominance from adjacent rear gardens, whilst a distance of at least 15 metres is maintained between Block C and the rear of adjoining properties fronting Horton Road. The proposal complies with the guidance and is not considered to result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Sunlight/Overshadowing

Similarly, it is not considered that there would be a material loss of daylight or sunlight to neighbouring properties, as the proposed buildings would be sited a sufficient distance away from adjoining properties. Given its orientation and relationship with neighbouring residential windows, and as demonstrated in the daylight/sunlight shadow diagrams within the DAS), the proposals would not create a material loss of daylight or sunlight to neighbouring properties or gardens.

It is also considered given its layout that there will be a good level of day lighting for the proposed development. The proposal is considered to be consistent with Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies(November 2012) and relevant design guidance.

Privacy

Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the design of new buildings should protect the privacy of occupiers and their neighbours. Hillingdon Design and Accessibility Statement (HDAS) Supplementary

Planning Document: Residential Layouts, which was also specifically set out in the pre-application response, sets out a minimum distance of 21m between facing habitable room windows, as measured at a 45 degree line from the centre of the nearest first floor window.

Whilst the scheme has been designed to ensure that the majority of units are dual aspect, these have also been carefully considered so that in critical positions windows do not overlook neighbouring gardens or windows.

Building A has been designed to increasingly step back from the boundary with No 38a. to ensure that a minimum of 21m is maintained between habitable windows which fall within the 45 degree line of vision. It is considered that the careful use of setbacks has resulted in an acceptable relationship to neighbouring residential properties in this regard. Where Block A is less than 21m away from its neighbours to the east and west (fronting Horton Road), it faces existing blank flank walls with no windows. Flats to the east side of Building A that could potentially overlook the neighbours have windows facing south and carefully designed balconies with appropriate screening to encourage views towards the canal. Other windows to the east elevation face the blank flank wall of the neighbouring building or use obscure glazing to non-habitable rooms. In summary, the building steps away from the existing adjacent gardens to avoid overlooking into gardens. whilst windows have been sensitively placed to avoid directional overlooking into habitable rooms.

Building B is over 28m away from the nearest neighbouring building to the east, 76-87 Knowles close.

Flats with habitable rooms to the west side of Building C that could potentially overlook the neighbours to the north east have windows facing south and carefully design balconies with appropriate screening to ensure there is no overlooking. Building C within the development is at least 15m from the rear of the terrace houses on Horton Road with the only north facing windows within this building serving a stair core (non-habitable windows) to the building, which can be treated with obscure glazing, to ensure there is no overlooking issue. The windows to the west elevation fall within the overlooking zone of the neighbouring Crusader House, but the design of the window bays prevent overlooking by angling the clear glazing to the south.

Subject to conditions to ensure that the first and second floor secondary east facing windows to habitable rooms in Block A and the north facing landing windows in Block C are obscure glazed and none opening (except at top vent level), it is not considered that there would be a loss of privacy to adjoining occupiers, in accordance with Policy BE24 of the Local Plan Part 2 and relevant design guidance.

7.09 Living conditions for future occupiers

External Amenity Areas

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) 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.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, suggests that the following shared amenity space for flats

and maisonettes is provided:

1 bedroom flat - 20m² per flat

2 bedroom flat - 25m² per flat

3+ bedroom flat - 30m² per flat

Based on the current accommodation schedule, this would equate to a total of 1,255 m² of shared and private amenity space for 50 dwellings. The current development proposal provides 903 m² of useable communal amenity space, including 100 m² of play space provision. The majority of the units also benefit from private space in the form of balconies or small terrace garden areas, which make up an additional area 865 sqm. This would provide an overall total of 1,768 m² of amenity space which would exceed the relevant standards contained in the HDAS. The amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Local plan.

The children's play space would be located within the central communal amenity area, which has good natural surveillance from the proposed apartments either side. The site is also within easy walking distance of Yiewsley Recreation Ground (approximately 450m to the north, which offer child play facilities for elder children), and Kingston playing fields (approximately 600m east).

Each of the units benefit from a reasonable level of privacy, outlook and light and overall, it is considered that good environmental conditions can be provided for future occupiers in compliance with relevant UDP saved policies and supplementary design guidance.

Unit size

Planning policy requires that all new housing should be built to Lifetime Homes standards, with 10% of new housing designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Policy 3.5 of the London Plan endorses a range of minimum unit sizes for new residential development in London. All the individual flats meet London Plan minimum floorspace standards set out at Table 3.3 and those set out within the London Housing Design Guide, providing a good standard of accommodation to future residents. In addition, the submitted plans and documentation, including the planning statement and Design and Access Statement illustrate that lifetime homes and wheel chair standards could be achieved, in accordance with London Plan Policy 3.8 and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

Outlook and Light

The units have been designed wherever possible to be dual aspect with no north facing single aspect units. Only 11 of the flats (22%) are single aspect and are orientated to ensure they receive good levels of lighting. All of these flats also either have a private garden or balcony as well as access to the two communal amenity areas within the scheme. Each of the units are considered to benefit from a reasonable level of outlook and light, in compliance with Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), HDAS: Residential Layouts and the provisions of the London Plan.

Privacy

Saved Policy BE24 states that the design of new buildings should protect the privacy of

occupiers and their neighbours. A minimum separation distance of 21 metres is required to avoid overlooking and loss of privacy. It is considered that the design of the development would protect the privacy of future occupiers, in accordance with Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and relevant design guidance.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The National Planning Policy Framework (NPPF) at Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 35 of NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Local requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states:

The LPA will not grant permission for developments whose traffic generation is likely to:

- (i) unacceptably increase demand along roads or through junctions which are already used to capacity, especially where such roads or junctions form part of the strategic London road network, or
- (ii) prejudice the free flow of traffic or conditions of general highway or pedestrian safety

Traffic Generation

The applicant has submitted a Transport Assessment to consider the traffic impacts on the existing road capacity. It demonstrates that the level of increase in peak hour traffic resulting from the proposed development can be accommodated on Horton Road. The proposed residential use is likely to result in fewer car trips than the existing use. Even if the existing use were not discounted, the potential 37 all-day residential car trips generated by the proposal is unlikely to have any significant impact upon the local highway network. The Highway Engineer therefore raises no objections on traffic generation grounds.

Access

The Highways Engineer advises that the proposed width of the shared surface should be revised up to 6m, in order to accommodate the access and egress manoeuvres of vehicles associated with the site. These issues can be addressed by imposing a condition requiring the submission and approval of the final details of the on site highway works.

A swept path analysis of all required delivery and servicing vehicles has been completed. The Highway Engineer is satisfied that all required vehicles can adequately use the internal site layout.

In light of the above considerations, subject to conditions, it is considered that the development would not give rise to conditions prejudicial to free flow of traffic and highway and pedestrian safety. The development therefore accords with Policy AM7 of the Hillingdon Local Plan Part 2.

Parking

It is considered that the proposals strike the requisite balance between parking restraint, to promote alternative travel modes and the provision of adequate parking. The proposed level of parking meets LBH's UDP standards as well as all London Plan standards.

The London Plan Policy 6.1 states that 'the need for car use should be reduced, with Table 6.2 stating that there should be a maximum of 1 space for 1-2 bed units.

The application proposes a total of 54 parking spaces, including 10% of these spaces for people with a disability. This equates to 1.08 spaces per unit. The Council's standards allow for a maximum provision of 1.5 spaces per residential unit, a total of 75 spaces in this case. The site has a PTAL rating of 2-3 and it is considered that residents of the proposed development would have relatively good access to all day to day facilities and to the wider London area, via good public transport connections. The proposed 1.08 parking spaces per dwelling therefore meets the NPPF policy guidance by being in line with expected existing and future need, taking into account the type, mix and use of the development.

It also evident from the submitted drawings that reversing vehicles from the parking bay closest to the entrance could potentially conflict with vehicles entering the development. This may result in the loss of one parking bay from the development. The loss of one parking space would still result in the proposed parking provision meeting the London Plan and Hillingdon parking standards.

As such, the Council's Highways Engineer has raised no objection to the level of car parking. The proposal is therefore considered to comply with Local Plan Part 2 Saved Policies AM14 and AM15 and London Plan Policy 6.1. In addition the provision of electric charging points can be secured by condition. The proposal therefore accords with the aims of Policy AM14 and AM15 of the Local Plan Part 2.

The submitted plans indicate that secure cycle storage can be provided for 50 cycles, in the form of cycle stores within the demise of Blocks A and B. The scheme would be in accordance with the Council's standards and Local Plan Part 2 Saved Policies AM9.

7.11 Urban design, access and security

SECURITY

The metropolitan Police Crime Prevention Officer has expressed concerns over the proposals to create a new public route from Horton Road to the canal and has suggested a fence around the development to close it off from the canal, together with a fence around the central landscaped space (play area). Details of fencing and other security arrangements, including the canal side boundary treatment and CCTV have been secured by condition.

7.12 Disabled access

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers likely have a defined model that meets best practice design guidance. The submitted documentation has explained how the principles of access and inclusion have been applied to this scheme.

The Access Officer has made a number of observations in relation to the original

submission. In response to these comments, a separate set of accessibility plans have been submitted which demonstrate compliance with the 16 Lifetime Homes criteria and general compliance with Accessible Hillingdon SPG, including the SPG 'Wheelchair Standard Homes' for the wheelchair units. The later are all located on the ground floor of the three blocks (5 units). Wheelchair parking spaces have been moved such that each building has a wheelchair space for its wheelchair flats. The internal layout of the wheelchair flats have been adjusted where possible, to meet the general principles of the guidance. Examples of these changes include increasing main bedroom size, increasing bathroom size, and increasing door sizes. In addition, the site entrance has been updated pulling back the wall to allow for a safer transition from the footpath to the shared surface.

Although lifts are not provided the applicants have stated that the common stairs are capable of being retrofitted with a chairlift, to provide the required accessibility and adaptation of the buildings. It is not considered that the lack of lifts in the 3 blocks is a sustainable reason to refuse the application, as this is not one of the Lifetime Home criteria and all of the disabled units are located on the ground floor.

The Access officer has reviewed the revised plans and raises no objections. Subject to conditions, it is considered that lifetime homes and wheel chair standards can be achieved, in accordance with the London Plan Policies 3.8, 7.1 and 7.2 and in general compliance with the Council's Supplementary Planning Document "Accessible Hillingdon".

7.13 Provision of affordable & special needs housing

The development would introduce a total of 50 dwellings, therefore triggering the affordable housing requirement threshold of 10 units as set out in London Plan policy 3.13. A full GLA Toolkit Appraisal has been carried out in support of this application

Policy H2 of the Hillingdon Local Plan: Part 1- Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council note however, subject to the provision of robust evidence, it will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough as well as the viability of schemes.

The statement in support of this application and the Financial Viability Appraisal (FVA) concludes that the scheme cannot support any affordable housing. The FVA has been heavily scrutinised and is accurate. It is not considered that affordable housing could be achieved without reducing other obligations (which officers do not feel would be appropriate). However, the issue of affordable housing will be subject to review

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Local Plan Part 2 Policy BE38 stresses the need to retain and enhance landscape features and provide for appropriate (hard and soft) landscaping in new developments.

An arboricultural survey has been carried out making an assessment of existing trees on and within the vicinity of the site. Within the site there are few trees. However, it benefits from the 'borrowed landscape' provided by mature off-site trees along the eastern boundary within the housing land, some of which are protected by TPO No.365. There are also established off-site trees on the towpath, along the southern boundary. The trees would be largely unaffected by the development proposals, other than the removal of an ash (T5) along the tow path and the need to remove a few insignificant and/or poor quality trees to the west side of the site. The development of the site would give rise to new landscaping opportunities that would potentially benefit the visual amenity of this part of

West Drayton.

One of the key design objectives is to provide an attractive visual and physical link between Horton Road and the canalside. This has partly been achieved by the introduction of an estate road which leads directly to the canal, with a canal side landscaped area.

The Tree and Landscape Officer raises no objections subject to conditions to ensure that the detailed landscape proposals preserve and enhance the character and appearance of the area and off It is considered that the scheme is on the whole acceptable and in compliance with Saved Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

ECOLOGY

Saved Policy EC2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks the promotion of nature conservation interests. Saved policy EC5 seeks the retention of features, enhancements and creation of new habitats. London Plan Policy 7.19[c] seeks ecological enhancement. Although the trees in the site may be valuable for biodiversity, the application site itself is not considered to have a high ecological value, due to the lack of potential for protected species. However, it is not appropriate to only protect sites with protected species, which by their nature are not abundant. Policy 7.30 seeks the protection of the Blue Ribbon Network (a network of strategic waterways identified within the London Plan with measures taken to improve the habitat and amenity value of the waterways).

A Phase 1 Habitat Survey, protected species assessment and bat survey of the site were carried out on 28th May 2013. The bat survey found no evidence of bats and the assessment concludes that there is very limited potential for single or small numbers of bats at this site. The only ecological constraints identified in relation to this site are the presence of *Fallopia japonica* (Japanese Knotweed) and the possible presence of nesting birds. The former would need to be treated by a specialist eradication company and this is secured by condition. Avoidance and precautionary measures can be applied to avoid impacts on nesting birds when site clearance begins.

The Canals and Rivers Trust support the introduction of habitat enhancements and it is considered that the proposed soft landscaping adjacent to the canal will contribute towards Local and London Plan policies to improve the habitat and amenity value of the waterway.

A condition is recommended requiring the submission and approval of an ecological enhancement scheme. The scheme shall include detailed measures to promote and enhance roosting and foraging opportunities for bats including the incorporation of new roosting facilities within the fabric of the buildings and also demonstrate how the development will contribute to wider wildlife benefits, through the use where feasible, of nectar rich green roofs and walls, habitat walls and wildlife specific landscaping.

Subject to this condition, it is considered that the ecological mitigation is considered satisfactory. The proposal therefore complies with Policy 7.19 of the London Plan which requires that development protects and enhances biodiversity, and Local Plan Part 1 Policy EM7 and relevant Local Plan Part 2 policies.

7.15 Sustainable waste management

Refuse is provided in 2 refuse stores at ground floor level in Blocks A and B. The level of waste and recycling provision is acceptable and vehicle tracking diagrams have been submitted demonstrating that the development can be adequately serviced by refuse vehicles.

7.16 Renewable energy / Sustainability

Sustainability policy is now set out in the London Plan (2011), at Policy 5.2. Part A of the policy requires development proposals to make the fullest contribution to minimising carbon dioxide emissions by employing the hierarchy of: using less energy; supplying energy efficiently; and using renewable technologies. Part B of the policy currently requires non domestic buildings to achieve a 25% improvement on building regulations. Parts C & D of the policy require proposals to include a detailed energy assessment.

At the time of the application being submitted, the 2011 London Plan required major developments to demonstrate a 25% reduction from a 2010 Building Regulations compliant development. A Sustainability Statement has been submitted in support of the application. This report demonstrates how a variety of technologies could be incorporated into the design to reduce the CO₂ emissions for an approximate average of 25% reduction in CO₂ over building regulations 2010.

A pre-assessment report has also been carried out in relation to the Code for Sustainable Homes (November 2010 technical guide). The report shows how the proposed scheme can achieve Code Level 4 through a combination of high performance building fabric, high efficiency gas boilers and photovoltaic panels. A condition is therefore recommended requiring an Interim certificate to be submitted prior to commencement, showing the development complies with Level 4 of the Code for Sustainable Homes. In addition prior to the occupation of the development a completion certificate showing the development complies with Code 4 of the Code for Sustainable Homes will be required. This is also covered by condition.

Subject to a condition securing that the development achieves Level 4 of the Code for Sustainable Homes, it is considered that the scheme will have satisfactorily addressed the issues relating to the mitigation and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with Policies 5.2, 5.13 and 5.15 of the London Plan, Policy PT1.EM1 of Hillingdon Local Plan Part 1 and the NPPF.

7.17 Flooding or Drainage Issues

Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. The site falls outside any flood zones as defined in the Council's own Strategic Flood Risk Assessment (SFRA) and is with flood zone 1 on the Environment Agency maps. Although a flood risk assessment is therefore not a requirement, given the proximity of the canal, a Flood Risk and Drainage Strategy has been submitted, to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF.

The Flood Risk and Drainage Strategy concludes that as the site is within Zone 1 of the Environment Agency (EA) flood zone maps, there is no risk of flooding from rivers and sea, with an annual probability of under 0.1%. Recommendations are however proposed and form part of the drainage strategy of the site.

- A new linear drain across the site entrance be introduced to prevent surface water runoff into the development site from Horton Road;
- The detailed drainage design of the proposed infiltration techniques be carried out to

meet the requirements of BRE365, Ciria SuDS guidance and Building Regulations Part H; and;

· Further assessment of groundwater levels will take place as part of the intrusive site investigation.

The report concludes that the development proposals comply with the guidance provided in the NPPF, and the London Plan (2011), and that no reason exists to object to the proposals in terms of flood risk or drainage.

The Canal & River Trust maintains the water level of the adjoining Grand Union Canal, using reservoirs, feeders and boreholes, and thereafter manages the water by transferring it within the canal system. The level of the water in canals is normally determined predominantly by the use of weirs and is therefore controlled. The Trust notes that water levels in river navigations are affected by the flow in the river and will fluctuate more widely than canals.

The Flood and Drainage Officer notes that the FRA does not provide calculations to demonstrate that the area set aside for suDS is sufficient and points out that infiltration tests must be done rather than assuming infiltration is appropriate from previous arrangements. Given that a final drainage strategy has not been agreed, a condition is recommended requiring the submission and implementation of a detailed surface water drainage scheme, based on the agreed Flood Risk Assessment(FRA). The drainage strategy would have to demonstrate the surface water run-off generated to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme would also need to include provision of on-site surface water storage to accommodate the critical duration 1in 100 year storm event, with an allowance for climate change. Subject to compliance with this condition, it is considered that the scheme will have satisfactorily addressed drainage and flood related issues, in compliance with the Hillingdon Local Plan: Part 2 Policies OE7 and OE8, Policies 5.13 and 5.15 of the London Plan and the aspirations of the NPPF.

7.18 Noise or Air Quality Issues

Policy 7.15 of the London Plan seeks to reduce noise and minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals. A noise assessment has been carried out in support of the application and concludes that the principle of residential accommodation is acceptable in this location, subject to mitigation measures outlined within the report.

The Government's National Planning Policy Framework (NPPF) which replaces PPG24 (Planning and Noise) gives the Government's guidance on noise issues.

A baseline noise survey was undertaken to establish prevailing noise levels across the development site.

The application site is on a busy high road and sited next to commercial premises. It is therefore reasonable to expect that traffic and industrial noise from the neighbouring print works is likely to be high enough to affect the residential amenities of future occupiers. Although the print works operate occasionally during the night, it is noted that when the site is not in operation prevailing background noise levels at night will be significantly lower at this location. It should also be noted that there are numerous existing residential properties in the area that are subject to the same noise environment.

Based on the results of the noise survey, guidance on maximum allowable noise

emissions for any proposed plant serving the development has been proposed to ensure the local authority's emissions criteria can be met at nearby noise sensitive receptors. It is concluded that the site is suitable for residential development subject to a suitable scheme of mitigation measures being incorporated into the design. Further detail on noise control measures will be provided during detailed design.

It is considered that flatted development is acceptable in principle, subject to adequate sound insulation. The acoustic assessment contains recommendations, including a 2.5 metre high acoustic fence on the boundary with the neighbouring commercial premises, which, if implemented, would reduce noise to levels that comply with reasonable standards of comfort, as defined in British Standard BS 8233:1999 'Sound insulation and noise reduction for buildings - Code of Practice'. It is considered that the issue of sound insulation can be addressed by the imposition of suitable conditions, as suggested by the Council's Environmental Protection Unit. Subject to compliance with these conditions, it is considered that the scheme would be in compliance with Policy OE5 of the Hillingdon Local Plan part 2.

Air Quality

No information was submitted with regard to air quality. Besides the impact of the development on the existing residents, air quality consideration also needs to be given to the impact on the proposed development of existing air quality in the area, as a number of new sensitive receptors are being introduced to the site.

The proposed development is within the declared AQMA and in an area that is likely to be slightly below the European Union limit value for annual mean nitrogen dioxide (40.0 mg/m³). Modelling undertaken by CERC for Hillingdon indicated the worst location on site exceeded the limit value at 41.8 mg/m³ and was just below the limit value adjacent to Horton Road varying from 39.5 mg/m³ to 39.29 mg/m³.

There is a NO_x diffusion tube (HD51) located near the junction of Horton Road on Colham Road (approximately 250 metres from the High Street and 185 metres from the railway). This tube location has measured bias adjusted annual mean for NO₂ over the last few years as follows: 2008 - 36.2 mg/m³, 2009 - 34.3 mg/m³, 2010 - 34.2 mg/m³, 2011 - 33.2 mg/m³, 2012 - 36.2 mg/m³. As the application site is located nearer to the High Street and the Railway line, it is possible the NO₂ annual mean on the application site is higher, however, it is anticipated it is likely to be a little below 40 mg/m³.

The development is introducing sensitive receptors into a poor air quality area. As no air quality assessment has been provided, it is unclear if air quality will improve or by how much, as a consequence of the development. The Council's Environmental Protection Unit has therefore requested conditions to provide details of the final energy provision at the site. and a Section 106 obligation up to £12,500 for contributions to the air quality monitoring network in the area.

Subject to the above mentioned conditions and planning obligation, it is considered that the impact of the development on the air quality of the area can be mitigated, to the extent that refusal of the application on these grounds would not be justified, in accordance with Policy EM8 of the Local Plan Part 1.

7.19 Comments on Public Consultations

The main issues raised have been dealt with in the main body of the report.

- Access from adjoining premises whilst building is in progress is not a planning matter.
- Traffic generation and parking provision has been assessed by the Highway Engineer and is considered acceptable
- The parking provision has been assessed and is adequate to meet the needs of the development.
- None of the development proposed falls outside the application site. The erection of a 2.5m high solid timber acoustic fence on the boundary with the adjoining commercial premises does not raise any planning related issues.
- There are no policies protecting commercial premises from loss of privacy.
- Ancient rights of light are covered by separate legislation.
- The issue of noise from surrounding commercial premises affecting future occupiers is addressed in the relevant section of this report.
- The issue of Fire Assessments and evacuation routes of adjoining commercial site is covered by separate legislation.
- Damage to adjoining properties during construction activities is subject to separate legislation and is not a planning matter.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees, including the Canals and Rivers Trust.. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development, which have been agreed with the applicant:

- (i). Transport: All on site and off site highways works as a result of this proposal, including improvements to the site access.
- (ii) Education: The applicant provides a financial contribution towards school places in the area commensurate with the estimated child yield of the development amounting to £176,170
- (iii) Health: The applicant provides a financial contribution of £23,068.85 towards health care in the area
- (iv) Libraries: The applicant provides a financial contribution of £2,448.81 towards library provision in the area
- (v) Construction Training: either a construction training scheme delivered during the construction phase of the development or a financial contribution of £35,000
- (vi). Air Quality: The applicant provides a financial contribution in the sum of £12,500.
- (vii) Community Facilities/Public Realm, including towpath improvements: The applicant provides a financial contribution of £50,000
- (vii) Affordable Housing review mechanism
- (viii) Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement.

The applicant has agreed to these proposed Heads of Terms, which are to be secured by way of the S106 Agreement. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.21 Expediency of enforcement action

There are no enforcement issues associated with this site.

7.22 Other Issues

CONTAMINATED LAND

A Geo-Environmental Desk Study has been submitted in support of the application. The qualitative assessment of risk with regard to the future residential development is considered 'moderate'. Potential sources of contamination identified at the site include made ground under the areas of hard standing and possibly associated with the infilled dock and contamination from fuel storage and spillages at the site. The report recommends ground investigations to identify contamination at the site, which should include a ground gas/vapour assessment. Any assessment should also include groundwater testing where this is found.

The Environmental Protection Unit's concerns relate primarily to human health with regard to any groundwater contamination and raises no major concerns with regard to ground contamination. However, in light of the above assessment, conditions are recommended to effect the removal of the oily ground and any unknown contamination to assess gas levels and ensure that imported soils are free from contamination. Subject to these conditions, it is considered that the proposal can be implemented without the future occupiers of the development being subject to any risks from soil or ground water contamination, in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

The report also identifies the presence of Japanese knotweed on site and a condition is recommended requiring a scheme of eradication.

BLUE RIBBON NETWORK (The provision of wharfage, impact on the canal)

Policy AM 18 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires developments adjoining the Grand Union Canal, where appropriate, to secure canal side facilities for canal borne freight, as well as for recreation, amenity and nature conservation. London Plan (July 2011) policy 7.26 states that new development close to navigable waterways should seek to maximise water transport for bulk materials, particularly during demolition and construction phases, while Policy 7.30 seeks the protection of the Blue Ribbon Network (a network of strategic waterways identified within the London Plan with measures taken to improve the habitat and amenity value of the waterways).

These, and other issues, have been raised in the consultation responses from The Canals and Rivers Trust, which has recommended a condition requiring a feasibility study to assess the potential for moving freight by water during the construction cycle and occupation phase of the development (waste and recyclables). The Trust has also recommended a series of conditions to protect and enhance the canal side environment and has sought a contribution towards towpath improvements.

Paragraph 4.23 of the Hillingdon Local Plan: Part 1- Strategic Policies states the Grand Union Canal will be a key open space and blue/ green corridor with improved public access, strong biodiversity habitats, and increased opportunities for recreation and leisure activities. In addition, the Council is seeking to maximise the potential of the Grand Union Canal as a regeneration opportunity. Projects that help to meet this objective, such as the

upgrade of the canal towpath will be supported. The proposed scheme is considered to contribute towards these policy objectives.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in "Probity in Planning, 2009".

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have "due regard" to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different "protected characteristics". The "protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have "due regard" to the above goals means that members should consider whether persons with particular "protected characteristics" would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances."

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

No objection is raised to the principle of the residential use of this site. The density of the proposed development falls within London Plan guidance. It is considered that the design, scale and layout of the development will introduce a built form that is appropriate to its town centre context and character of the area and views from the neighbouring Grand Union Canal.

Overall, it is considered that the proposed development would provide good living conditions for all of the proposed units and protect the residential amenity of surrounding occupiers in terms of outlook, privacy and light.

The applicant has offered an acceptable package of contributions to be secured by way of a proposed S106 Agreement. In addition, access, parking and highway safety issues have been satisfactorily addressed.

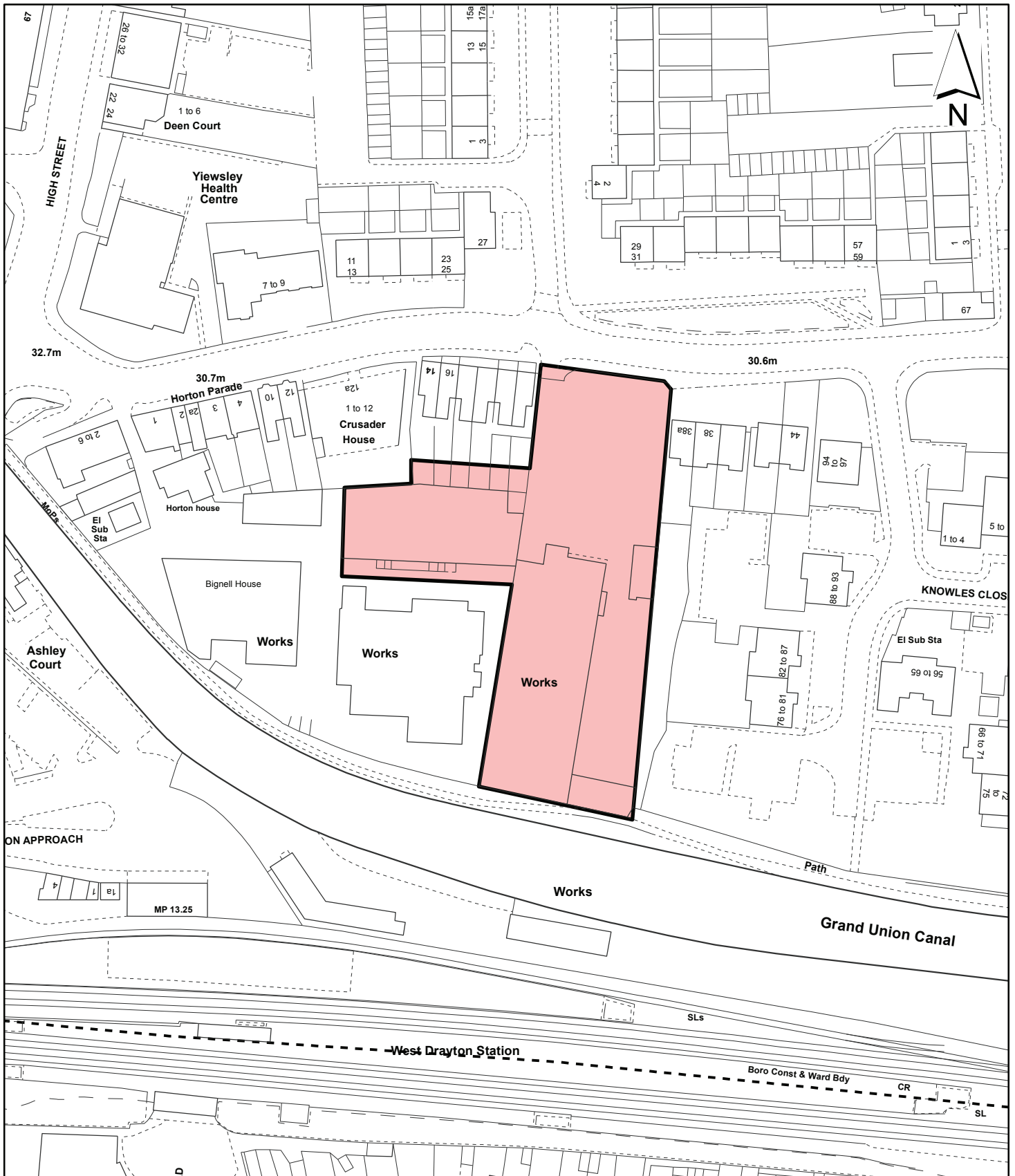
It is recommended that the application should be supported subject to a Section 106 Legal Agreement and conditions.

11. Reference Documents


- The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 2012)
- Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
- London Plan 2011
- National Planning Policy Framework (NPPF)
- The Greater London Authority Sustainable Design and Construction (2006)
- Council's Supplementary Planning Guidance - Community Safety by Design
- Council's Supplementary Planning Document - Air Quality
- Hillingdon Supplementary Planning Document: Accessible Hillingdon (January 2010)

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Notes

 Site boundary

For identification purposes only.

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Site Address	
26-36 Horton Road Yiewsley	
Planning Application Ref:	Scale
3507/APP/2013/2327	1:1,250
Planning Committee	Date
Major Application	December 2013

**LONDON BOROUGH
OF HILLINGDON**

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