

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

**Address** KITCHENER HOUSE WARWICK ROAD WEST DRAYTON

**Development:** Erection of a part single, two, three and 4 storey building to provide 23 residential units, consisting of 14 x 2 bedroom, 9 x 1 together with 250sqm of retail/commercial space, with associated parking, cycle and bin storage and amenity space, involving demolition of existing buildings.

**LBH Ref Nos:** 18218/APP/2013/2183

**Drawing Nos:** Transport Statement Rev. C  
12034-02-01  
12034-02-02  
12034-02-03  
12034-02-04  
12034-02-05  
12034-02-06  
12034-02-07  
12034-02-08  
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12034-02-11  
12034-02-12  
12034-02-13  
12034-02-14 Rev. B  
12034-02-15 Rev. A  
12034-02-16. Rev. A  
12034-02-17 Rev. A  
12034-02-18. Rev. A  
12034-02-19 Rev. C  
12034-02- 20 Rev. B.  
12034-02-21  
12034-02-22  
12034-02-23 Rev. B  
12034-02-24 Rev. A  
12034-02-25 Rev. A  
12034-02-26  
12034-02-27 Rev. A  
12034-02-28 Rev. A  
12034-02-29 Rev. A  
12034-02-30 Rev. A  
12034-02-31 Rev. A  
12034-02-32 Rev. A  
12034-02-33 Rev. A  
12034-02-34 Rev. A  
12034-02-35 Rev. A  
12034-02-36  
12034-02-37  
12034-02-38  
12034-02-39  
12034-02-40  
12034-02-41

12034-02-42  
Bat Survey dated 14 June 2013  
Low and Zero Carbon Technologies Options Appraisal dated July 2013  
Design & Access Statement  
Air Quality Assessment dated 6 June 2013  
Phase 1 Habitat Survey dated 10 June 2013  
Noise Impact Assessment (Report No. 3158/05/13) dated 29 March 2013  
Contamination Report (Report 163/DS) dated April 2013  
Community Consultation document  
12034-02-43

<b>Date Plans Received:</b>	31/07/2013	<b>Date(s) of Amendment(s):</b>	18/10/2013
<b>Date Application Valid:</b>	06/08/2013		15/10/2013

#### **DEFERRED ON 30th October 2013 FOR SITE VISIT .**

The application was heard by the Major Applications Planning Committee on the 20th November 2013. The Committee resolved to approve the application subject to appropriate conditions and a legal agreement.

As part of the progression of the S106 agreement, the S278 aspects of the scheme were discussed with non development control Highways Officers and the Cabinet Member for Planning Transportation and Recycling. Through two separate meeting it was decided that the provision of a dedicated on-street servicing bay was not the preferred option. The Council's current highway policy is to discourage dedicated service bays for individual retailers as this can create a precedent which if mirrored across the borough could cause pedestrian safety concerns.

In this particular case an alternative option of widening the public highway by 0.9m would create sufficient space (6.2m between kerbside and edge of on-street parking bays) for vehicles to safely pass by a stationary delivery vehicle. Subject to a 10am - 2pm servicing restriction (which would be included in the traffic order) and maximum 12m length for delivery vehicles it is considered that servicing on double yellow lines would be acceptable in this instance on pedestrian and highways safety grounds. It should be noted that double yellow lines allow up to 20 minutes for servicing of commercial premises.

Three pay and display bays would be retained on the eastern edge of the carriageway which would be available for use by any persons, including those who may be employed at the retail unit. The legal agreement would ensure the provision of CCTV to monitor servicing of the site and the Council's legal team consider that the legal restriction would be enforceable and appropriate.

The amended highways scheme has been reviewed by the Transport & Projects Senior Manager and the Street Scene & Traffic Management Service Manager within the Local Highways Authority, both of whom consider the proposal is acceptable both in terms of servicing provision for the retail unit and in terms of vehicular and pedestrian safety.

The application is recommended for approval subject to amended Heads of Terms as set out in this report.

## PREVIOUS DEFERRED DETAILS

The scheme was deferred for a site visit and for officers to address a series of queries/concerns raised by the committee Members. These can be summarised as 11 concerns:

1. A concern over the impact of the development upon the setting of the development in respect to scale, height and bulk of the development to the adjacent locally listed West Drayton Railway Station.

### Officer Response:

The Principal Conservation officer has stated "West Drayton Station is Locally Listed and the element closest to the development site is the rear, rather than the main entrance of the building. This part of the station comprises two storeys, it is of yellow brick with decorative red brick dressings, original infilled window recesses and openings, and a modern metal canopy over the entrance. To either side are high curved brick walls that together with the station building create an attractive and architecturally robust set piece, which terminates views towards the northern end of Warwick Road. The station platforms to the rear of the building are at first floor level and the trees along the railway embankment screen the development site when viewed from platform level.

In terms of the impact of the proposal on the setting of the Locally Listed Station, the 2 storey elements of the new structure, which front Warwick Road, would be most prominent in views on the approach to the building. Although the taller elements of the new building would be closest to the station, they would be set back and clad in dark coloured materials, this would reduce their visual impact, making these parts of the structure more recessive and less prominent in views. Whilst the new building would be taller in part than the station and would most certainly change its setting, its position, design and use of materials, including the use of a traditional yellow brick to reflect the materials of the older building, would minimise any negative impact on the historic building.

The statutory listed buildings closest to the site are the De Burgh Arms and The Railway Arms. Whilst there may be gap views of the proposed building to the south of the latter, the proposed development is some distance away and is unlikely to have any significant impact on their setting.

2. The proximity of the residential apartments to the railway (i.e the associated noise) and Members want to know in more detail if the acoustic attenuation of flats and amenity areas is acceptable.

### Officer Response:

The EPU Officer has provided the following further comment. "The noise assessment has provided for acoustic glazing to the flats which would allow for a reduction in the dBA values, enabling the rooms to satisfy the WHO guidelines and that of the current British Standards. Concerns were raised about the noise levels on the balconies but this has been remedied by discussions with the agent and agreement for the installation of higher acoustic screens for the balconies affected. There is no proposal for air condition units or noise sensitive plant. However these can be controlled by condition. Ventilation will be provided by attenuated passive vents, so as not to decrease the acoustic effectiveness of the glazing." The flats nearest to the railway line all have 2 dual aspect balconies, so have a 2nd balcony not facing directly the railway. The measures to address noise are all detailed in the acoustic report that would form a compliance document to any approval. The private balconies on the proposed 4

storey block, set nearest to railway line will provide outdoor amenity space these balcony areas to within this calculation.

3. Concerns were raised about the lack of parking for customers and staff of the retail unit.

Officer Response:

The Highway Engineer has provided the following comment: "The maximum parking requirement to be provided within the boundary of the site for the proposed retail use, in accordance with the London Plan, is 6 to 7 parking spaces, based on the current PTAL index of 2/3. However, it is noted that along Warwick Road to the east of the site, kerbside parking is controlled, which allows for limited waiting for up to 2 hrs with the first 30 minutes free, or unlimited parking for permit holders. From site observations it is noted that out of peak times, there is available parking capacity that can be used for short stay parking by customers. During peak times, although the availability of car parking is reduced, there is still some available capacity. In addition, it is considered that a significant number of customers would arrive on foot, due to the site being located within a residential area and pass-by trade associated with West Drayton rail station. To conclude the level of parking provision is considered adequate.

4. Concerns were raised about the viability of controlling the hours when deliveries and members want to know in more detail if the legal agreement would be adequate to control this.

Officer Response for 20th November 2013 Major Applications Planning Committee:

The Highway Engineer has expressed reservations about the possibility to enforce a Service & Delivery Plan for hours of delivery by s106 legal agreement. However the Legal Team believe the appropriate degree of control over hours of servicing can be achieved by the proposed on-street service delivery bay through the imposition of a traffic order on hours of operation on the delivery bay and through the applicant agreeing to fund the monitoring of these by CCTV. The new traffic order and the CCTV monitoring could be contained within the scheme's legal agreement. The Legal Team are confident these are enforceable within the terms of the legal agreement.

The applicant has stated they are agreeable to these alterations to be added to the Legal Agreement and this is now recommended by officers.

Updated Officer Response on changes since the 20th November 2013 Major Applications Planning Committee:

The scheme currently under consideration would provide a double yellow line in place of the previous delivery bay. The Local Highways Authority have advised that they prefer this solution to that previously agreed by the committee and that the solution is acceptable in both terms of servicing management, highway and pedestrian safety. A servicing a delivery plan would be retained under the legal agreement and the Council's Legal Team advise that this would provide adequate control to ensure inappropriate servicing by large delivery vehicles did not take place.

5. Concerns were raised about the viability of road widening and exactly who owns the pavement/road.

Officer Response:

The Highway Engineer has stated the works to widen the carriageway along Warwick Road

will result in reducing the width of the of the foot way along the western side of the carriageway to approximately 2.3m, which is considered acceptable. The scale of the works to widen the carriageway and narrow the foot way will be relatively small and would be undertaken under a Section 278 Agreement.

The ownership of the foot way would not impact upon these s278 works as it all falls within adopted highway.

6. Concerns were raised about the impact of the proposal in terms of loss of distributed daylight to near by neighbouring properties and these properties skyline notably from the three 3 bungalows at No 2, 4 and 6 Warwick Road.

#### OFFICER RESPONSE:

Additional scaled plans have been provided that show a section in a plane perpendicular to the main window wall of the most affected windows at 4 and 19 Warwick Road and that show the proposed development would fall below this line. The BRE guidance advises that this demonstrates the development would be acceptable in terms of the BRE standards and therefore there is no need for a more detailed assessment to be carried out.

Shadow diagrams have also been produced since the Committee meeting that show the scheme will not cast a fresh shadow on these bungalows or any other property including No 19 and No 21 Warwick Road.

7. Concerns over the height and bulk of the building in terms of being overly dominant to neighbours and the streetscene more generally.

#### OFFICER RESPONSE

The Principal Conservation officer has reviewed the scheme and given the 4 storey element is set towards the railway, has expressed no concern in terms of over-dominance to the properties on Warwick Road to the south.

The applicant has provided additional drawings of the proposed profile of the development and the existing development on the site that shows the proposed south facing building line would be set further away from Nos 2, 4 and 6 Warwick Road than the existing buildings on site and lower in height than the existing buildings at this front (south facing) building line.

8. Concerns were raised about the future use of Tachbrook Road which may become misused and the subject of anti social behaviour.

#### Officer Response

Tachbrook Road presently provides for a relatively hostile and poorly kept street environment and this negative quality is reinforced by the array of existing uses that surrounding the highway/encroach upon it, including some unauthorised open yard based operations. The scheme would provide for a marked improvement in the street environment, would provide for greater natural surveillance from the proposed upper floor residential windows & associated balconies. Approval of this scheme is also liable to encourage a re-development scheme being brought forward for the open 'yard site' on the other side of Tachbrook Road. Taking all these contributory factors together it considered this scheme would reduce the risk of anti social behaviour compared to the existing circumstances.

9. Concerns were raised in respect of the degree of defensible space/outlook space that would be achieved for the single residential unit that is proposed for the ground floor flat, that is a 2

bedroom maisonette set out over two floors and is dual aspect. An additional section drawing has been provided showing the 3.5m depth of the defensible space in front of main ground floor habitable rooms, plus details of structural planting at the back of the pavement and a proposed park railing type fence. This distance and boundary treatment is considered adequate to provide an appropriate level of defensible space whilst providing adequate outlook from the property.

#### 10. Air conditioning

The scheme does not currently propose the use of mechanical ventilation, however a condition is recommended to ensure an appropriate unit is proposed after further detailed design.

#### 11. Roof Top Amenity Space

In relation to the provision of roof top amenity space, officers would comment that there is no policy requirement either in the development plan or the HDAS which requires amenity space to be at ground floor level. It is in fact common for schemes within town centres to be largely or solely dependant on roof top amenity space and balconies.

The scheme is also located extremely close to public transport and within a reasonable distance of public open space at Lantern Way and Drayton Hall. The scheme is considered to be policy compliant with regard to amenity space and refusal would not be justified on these grounds.

### **Reason for Urgency**

The application was considered by the Major Applications Planning Committee on the 20th November 2013, however due to subsequent discussions with the Local Highways Authority amendments to the previously considered highways works are proposed.

The applicant has advised that in order to ensure the development can be delivered they need to receive a planning permission during December 2013. Given that the Local Planning Authority has a duty to pro-actively work with applicants to deliver sustainable economic development and to ensure that the positive benefits of this development can be achieved it is considered that the amendments to the highways works warrants urgent consideration.

### **1. SUMMARY**

The application seeks full planning permission for the erection of a mixed use scheme (residential/retail) consisting of 23 flats, 14 x 2 bedroom, 9 x 1 bedroom flats (of which 2 of the 1 bedroom units would be disabled units) together with 250 square metres of A1 retail space located on the ground floor (towards the West Drayton Station entrance) contained within a part single storey, part 3 storey and part 4 storey building with car parking on the ground floor and outdoor amenity space provided by means of two communal roof terraces, a series of private roof terraces and private balconies.

The scheme would involve the demolition of the existing set of buildings on site and the loss of a set of small office spaces and light industry works shops (B1(a) and B1 (c) Use Class) and the loss of an relatively large unauthorised car wash operation.

The site is 0.11 hectares (0.28 of an acre). The northern boundary of the site backs onto the foot of the railway embankment that serves a platform to West Drayton Railway Station. The station will be served by Crossrail trains that are scheduled to arrive in 2018.

Immediately to the north east of the site is the southern entrance to the station. Warwick



Road weaves around the southern and eastern edge of the site and is residential in character with predominantly 2 bedroom houses finished with pitched roofs although there are 2 bungalows due south of the site, on the opposite side of a the road and one 3 storey (flat roof) block set further to the south west of the site.

There is no objection to the principle of a mixed use development in planning policy terms given: the site's location within the designated town centre, that some of the uses are unauthorised uses; the site is not located on a designated Industrial and Business Area and B1(a) uses (offices) that are not afforded protection by policies within the Hillingdon Local Plan: Part One (November 2012) and Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The density of the development accords with the recommendations of the London Plan. The scheme would not result in any significant detrimental impact on the amenity of nearby residential properties in respect to privacy, overlooking, loss of daylight/sunlight or over-dominance. The level of car parking provision and vehicle access arrangements for the retail and residential are considered acceptable. The internal floor areas to the additional units comply with the London Plan's minimum space standards and the private external amenity space areas meets the Council's minimum standards.

The proposal would not provide any on site affordable housing units. A Financial Viability Appraisal for affordable housing was submitted any its financial analysis accepted. Subject to a S106 agreement, the proposal is recommended for approval.

## **2. RECOMMENDATION**

**1. That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to**

**A) To 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) Highways including but not exhaustively the following**

**(a) Provision of double yellow lines along the western side of the carriageway to the east of the site**

**(b) Provision of a realigned pavement and kerb edge on the eastern edge of the site and the provision of a section of pavement where presently there is none.**

**(c) Provision of pavement on eastern edge of site where presently there is none.**

**(d) Provision of CCTV to manage compliance with the traffic order.**

**(e) A Service and Delivery Plan limiting the hours of delivery by large service vehicles to the hours of 10am and 2pm Monday to Saturday and not at all on Sunday, Bank Holidays and Public Holidays and ensuring vehicles will use the delivery bay.**

**(f) All future occupants of the development removed the opportunity to gain Hillingdon resident's on street parking permits, for the life of the development**

**(ii) Public Realm: A contribution of £5,000 in respect to public realm improvements**

arising from Cross Rail improvements to the West Drayton Station surroundings

(iii) Education: a contribution in the sum of £62,652 should be secured.

(iv) Health: a contribution in the sum of £8,872.64 (£216.67 x 40.95) should be secured.

(v) Libraries: a contribution in the sum of £941.85 (£23 x 40.95) should be secured.

(vi) Construction Training: either a financial contribution or an in kind scheme delivered equivalent to the formula of £2,500 for every £1m build cost + number of units /160 x £71,675= total contribution, including the submission of an Employment Strategy for construction phase and end user phase (the latter in respect to the retail unit)

(vii) Air Quality: a financial contribution towards air quality should be secured in the sum of £12,500.

(viii) Affordable Housing: A time review mechanism is to be put in place.

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

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

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

'The applicant has failed to deliver necessary offsite highway and public realm works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of education, air quality, health facilities, library improvements, construction and employment training) The proposal therefore conflicts with Policy BE19, AM2, AM7, OE16, R7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPG.'

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, Green Spaces and Culture prior to issuing the decision.

1 COM3 Time Limit



The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

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

**2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 12034-02-01, 12034-02-02, 12034-02-09, 12034-02-10, 12034-02-12, 12034-02-13, 12034-02-14 Rev. B, 12034-02-15 Rev. A, 12034-02-16. Rev. A, 12034-02-17 ,Rev. A, 12034-02-18. Rev. A , 12034-02-19 Rev. C, 12034-02- 20 Rev. B, 12034-02-23 Rev. B, 12034-02-24 Rev. A, 12034-02-25 Rev. A, 12034-02-26, 12034-02-36, 12034-02-37, 12034-02-38, 12034-02-39, 12034-02-43, 12034-02-45 and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

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

**3 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:  
Reduction in energy use and renewable technology installation [Report/Drawing ]

Energy Provision: Low and Zero Carbon Technologies Options Appraisal dated July 2013  
External Appearance/Materials: Drawing 12034-02-040 (Material Schedule)  
Noise and Vibration Control & Attenuation: Noise Impact Assessment (Report No. 3158/05/13) dated 29 March 2013  
Compliance with Lifetime Homes: Lifetime Homes Checklist (Document 12034-02-26)  
Secure by Design Compliance: Secure by Design Checklist (Document 12034-02-42)  
Allocated Car Parking for Residential Units: (Document 12034-02-14 Rev. B)

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

**REASON**

To ensure that the development complies with the objectives of Policies BE19 and OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 COM15 Sustainable Water Management**

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 proceed in accordance with the approved scheme.

- vi) a sustainable drainage plan shall be submitted that shows the soakaways should not be constructed within 20 metres of the railway boundary.

#### 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.

### **5 COM22 Operating Hours**

The retail unit within the scheme shall not be open to the public except between 07:00 and 23:00

#### REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **6 NONSC Control of Advertisements and views into the retail unit**

1. Any future occupant to the retail unit retain for the life of the development that a minimum 70% of the approved glazed frontage to the retail unit with unobstructed views into the retail premises without any window transfers or shop shelf stands or equivalent barriers within 1.5m of the windows.

2) Notwithstanding the provisions of Town and Country Planning (Control of Advertisements) Regulations 2007 (or any order revoking and re-enacting that Order with or without modification) no advertisement or other signage shall be attached to the shop front without full details of the advertisements/signage been submitted to and approved in writing by the Local Planning Authority.

#### REASON

In order to maintain an active frontage at street level, to safeguard the future visual integrity and attractiveness of the development and to retain the high degree of natural surveillance for pedestrians walking to and from West Drayton Station and in accordance with policies BE19, BE27 and BE28 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and relevant policies of the London Plan.

### **7 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995**

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the A1 retail unit within the development shall be used only for purposes within Use Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

#### REASON

In accordance with policies OE1, BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan policies 3.5, 7.5 and 7.6.

## **8 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
  
2. Details of Hard Landscaping
  - 2.a Details of the enclosed refuse storage facilities serving the retail unit and the residential units
  - 2.b Cycle stores including provision of 28 bicycles for the residential occupiers and 4 bicycles for shoppers or shop staff
  - 2.c Means of enclosure/boundary treatments, including details of a trespass proof fence (of at least 1.8m in height) adjacent to the railway boundary.
  
  - 2.d Hard Surfacing Materials
  - 2.e External Lighting
  
3. Living Walls and Roofs
  - 3.a Details of the inclusion of 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/seedling 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
  - 6.c A no excavation buffer alongside the boundary to the railway land.

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, provide adequate facilities and safeguard the safety if the railway embankment 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) of the London Plan (July 2011)

## **9 NONSC Traffic Arrangements**

Development shall not begin until details of all the traffic arrangements to the scheme (including the re-alignment of the kerb and footway, details of the new section of pavement to the south west of the station entrance where there is currently none, the vehicle crossover, the retail unit service and delivery bay, kerb radii, the sightlines at road junctions, the means of surfacing, the details of the roller blind shutter providing access to the residential car park including means of key entry) have been submitted to and approved in writing by the Local Planning Authority.

Thereafter the traffic arrangements must be permanently retained and used for no other purpose at any time.

#### REASON

To safeguard pedestrian and vehicular safety and convenience in compliance with Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

#### **10 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.

#### **11 NONSC Nose and vibration protection measures**

No development shall take place until full details have been submitted to and approved in writing by the Local Planning Authority of the acoustic measures that accord with the principles, recommendations of the noise attenuation measures and acoustic values set out in the submitted Acoustic Report specifically including

1) Evidence, using test results from a reputable test laboratory that demonstrate the glazing to the residential units and the doors serving the balconies provide for:

1a) all the living spaces to provide a minimum Rw of 39dB

1b) all the bedrooms a minimum 46dB

1c) with the exception of the living rooms on the ground floor and those facing to the south a minimum 35dB and for these bedrooms a minimum 38dB.

2) Details of the alternative means of ventilation to all habitable rooms, including details for the bedrooms of a Passivent or similar proprietary system.

3) With regard to the avoidance of future vibration, details of the construction of the building that includes the adoption of a solid rigid forms (such as continuous concrete slabs at each floor level together with concrete columns or a anti vibration design specification equivalent) and no the use of lightweight forms of construction.

4) Details of measures to prevent noise transmission from the ground floor commercial

use to the residential occupiers above.

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

REASON

To safeguard the future amenity of occupants of the development and to ensure that the development complies with the objectives of Policy OE5 to of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**12 NONSC No Piling without prior submission of details**

Piling or any other foundation designs shall not be permitted other than with the prior express written consent of the Local Planning Authority where vibro-compaction/displacement piling plant is to be used including the prior submission of a method statement in regarding their use.

REASON

To safeguard the integrity of the railway embankment and other railway structures.

**13 NONSC No excavations near railway embankment**

No excavations should be carried out near railway embankments, retaining walls or bridges without prior written consent of the Local Planning Authority.

REASON

In the interests of public safety and to safeguard the integrity of the railway embankment and other railway structures.

**14 RES18 Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

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

**15 RES26 Contaminated Land**

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

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

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also

clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

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

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

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

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **16 NONSC Details of energy provision**

Before the development is commenced, 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 pollutant emission rates with or without mitigation technologies. Where a scheme to mitigate emissions is required, this shall be submitted to the LPA for approval. The said scheme should be implemented, and maintained for the life of the development.

REASON:

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

Note:

This condition relates to the operational phase of residential or commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at [www.defra.gov.uk](http://www.defra.gov.uk). The Council would recommend using ultra low NOx gas CHP, to limit emissions.

#### **17 NONSC Ingress of Polluted Air**

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

REASON:

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



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

**18 COM31 Secured by Design**

The building(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 building 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.

**19 NONSC Details of excavation and earthworks**

All excavations / earthworks carried out in the vicinity of the railway land Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

**REASON**

To protect Network Rail structural assets and in the interests of rail users and general public safety in accordance with policies of the London Plan.

**20 NONSC Level access**

Level access shall be provided to and into the dwelling houses and the retail unit, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000 (2004 edition), and shall be retained for the life of the development.

**REASON:**

To ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations

**21 COM6 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been

submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**22 RES17 Sound Insulation**

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

**REASON**

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 7.15.

**23 NONSC Car Parking Management Plan**

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The allocation scheme shall ensure that one parking space is allocated to each residential unit (23 in total) and that 2 wheelchair parking spaces are allocated to wheelchair accessible/adaptable units and another 2 parking bays capable of future adaptation to wheelchair accessible parking dimension standards. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan. (July 2011).

**24 NONSC Gates**

Prior to the commencement of the development, details of the operation of the main access way gate by disabled persons, and manual operation of any gates in the event of power failure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the secure access arrangements shall be installed in accordance with the approved details and maintained so long as the development remains on site.

**REASON**

In order to ensure the development achieves an appropriate level of accessibility in accordance with Policy 3.8 of the London Plan (July 2011)

**25 NONSC Privacy screens**

Within 1 month of occupation of the building, an audit of the erected privacy screens shall be undertaken to establish effectiveness and compliance with the approved plans, the audit shall identify any remedial actions necessary to prevent overlooking of neighbouring properties.

Any measures identified in the audit as being necessary to prevent overlooking shall be implemented within 3 months of occupation of the building and shall thereafter be retained for the life of the development.

#### REASON

To prevent overlooking and to accord with policy BE24 of the Hillingdon Local Plan Part 2 Saved UDP Policies (November 2012).

#### **26 COM20 Air extraction system noise and odour**

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

#### REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two 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 I53 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE27	Advertisements requiring express consent - size, design and location
BE28	Shop fronts - design and materials
BE29	Advertisement displays on business premises
BE18	Design considerations - pedestrian security and safety
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.
BE22	Residential extensions/buildings of two or more storeys.
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
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
H4	Mix of housing units
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LLP 3.18	(2011) Education facilities
LPP 2.14	(2011) Areas for regeneration
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.17	(2011) Health and social care facilities
LPP 3.18	(2011) Education Facilities
LPP 5.17	(2011) Waste capacity
LPP 3.3	(2011) Increasing housing supply
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 4.7	(2011) Retail and town centre development
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.5	(2011) Decentralised energy networks
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
NPPF	
R16	Accessibility for elderly people, people with disabilities, women and children
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

### **3            I2            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.

### **4            I5            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement

from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

## **5            I11            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).

## **6            I12            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.

## **7            I13            Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

## **8            I15            Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

**9**            I19            **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).

**10**            I23A            **Re-instatement of a Vehicle Access.**

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**11**            I23B            **Heavy Duty Vehicle Crossover**

Prior to work commencing, you are advised to submit an application for a Heavy Duty Vehicle Crossover to Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW to prevent damage to the highway from construction vehicles entering and leaving the site.

**12**            I60            **Cranes**

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

**13**

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk) so that the risk of their works can be assessed and enter into a Basic Asset Protection Agreement (BAPA).before works begin.

**14**



If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to railway line boundary and make provision for its future maintenance and renewal without encroachment upon the railway operator's land. The railway operators existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way.

#### **15**

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

#### **16**

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary.

Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent the rail infrastructure operator from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus

Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Permitted:

Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvania), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

#### **17**

Any scaffold which is to be constructed adjacent to the railway should be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding should be positioned, that in the event of failure, it will not fall on to Network Rail land.

#### **18**

The set of drawings contained within the Transport Statement including 1 untitled drawing, and Drawings 2013/1754 -002 Rev. B, /007 Rev. D, /008 Rev. C, 009 Rev. D, 010 Rev. D should not be treated as approved drawings in respect to the internal

arrangements on the ground floor (e.g. layout and location of refuse stores, car parking bays). They are material only in regard to the highway/vehicle movements aspect of the scheme).

**19**

All future parties to the approved scheme should take attention to condition 3 (general compliance with supporting documentation) and the individual allocated car parking plan for the residential units: (Document 12034-02-14 Rev. B)

### **3. CONSIDERATIONS**

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

The site is loosely rectangular in shape with 2 'long' boundaries facing west and east. Warwick Road is located to the south of the site and runs due east/west before linking through to Station Road to the south west. On the site is Kitchener House that wraps around three sides of the site and is of brick construction and two storey in height and finished with a flat roof. On the south west corner of the development site is a 2 storey detached building that was built as a shop on ground floor with residential above and is finished with a ridged roof and appears to be vacant office space. The site is located in the designated West Drayton Town Centre and has a Public Transport Accessibility Level (PTAL) of 2 although this PTAL shall improve with the arrival of Crossrail.

A separate cul-de-sac spur road (also known as Warwick Road) runs along the eastern site boundary and serves at the south entrance to West Drayton over-ground Railway Station for pedestrians and vehicles to drop off/collect. The West Drayton Station is locally listed as one of Brunel's built Great Western Railway station.

Immediately to the west of site is a highway that is known as Tachbrook Road, which is not an adopted highway and is land not registered at the Land Registry and which serves as a vehicle entrance to the car wash that operates from the site (with vehicles exiting from the car wash operation through the building and past the station entrance).

To the west of Tachbrook is a plot of open land that appears to be used for unauthorised storage purposes and parking of vehicles and beyond that the Blues Bar Public House fronting Station Road and to the north of that adjacent to railway the Railway Arms a Grade II listed building.

Immediately to the south of the site on the opposite side of Warwick Road are three detached bungalows (Nos. 2, 4 and 6 Warwick Road). Warwick Road is residential in character and mainly a mix of 2 storey semi-detached houses some other detached houses and a short terrace of houses located to the south west of the site. Warwick Road and all the surrounding residential streets benefit from a control parking management scheme with permit parking for residents and a number of 2 hour maximum parking metre bays (that also each provide a maximum 30 minute no fee parking, including 7 such parking bays adjacent to the site on the spur road approach to the station).

#### **3.2 Proposed Scheme**

The proposed scheme would involve the erection of a part single, part two, part three and part 4 storey building to provide 23 residential units and a ground floor retail unit of 250sq.m. The main frontage to the retail unit would face east and front the spur road that serves the southern entrance to West Drayton Rail station. The retail unit would also have

a shorter length of glazed frontage facing south as the shop unit would turn the street corner to the main west-east length of Warwick Road.

The scheme would consist of 14 x 2 bedroom, 9 x 1 bedroom flats (2 of these 1 bedroom units would be fully wheelchair accessible). The car parking to the residential units would be contained within the ground floor of the scheme with 1 allocated car parking space per flat with vehicular access by entrance in the north east corner of the site next to the station entrance and in the same location as an exit to the current drive through car wash operation. The outdoor amenity space for the scheme would be provided through 2 communal roof terraces, a series of private roof terraces in addition there would be a set of private balconies to a number of the residential flats. The scheme would involve the demolition of all the existing buildings on site. Secure bin stores would be built into the main frame of the building and serviceable direct from the street. Secure cycle provision would be contained within the car park area. The car parking would be entirely masked from the street to the east and south (and the railway embankment to the north) by the retail unit, two entrance lobbies serving the 2 unlinked residential cores and by a maisonette flat that is set on ground and first floor on the south west corner of the site. The undercroft car parking would also be largely masked from the street by a brick screening feature.

The south frontage to the scheme would be articulated in a manner as to read as the principal frontage to the scheme with a small landscaped area to street, a pedestrian entrance to 1 of the 2 residential building cores (and to the car park) and the introduction of a 'lighter architectural form' on the south west corner consisting a glazed feature that runs from the ground floor up to the 3rd storey.

With Tachbrook Road to the west of the site not being an adopted road, or indeed any other party having known legal possession of it the applicant has stated in their submission (accompanied by legal advice) that the proposed development would have no legal guarantee of a future right away across Tachbrook Road and this informed/compelled the designer's of the scheme to provide the proposed vehicle access to the residential car park from the eastern side to ensure access and to avoid the need to create a vehicle entrance through the southern site edge that was considered undesirable in urban design terms and problematical in highway terms. The scheme provides no on-site servicing to the retail unit, instead the scheme proposes that the unit be serviced from double yellow lines on the western side of the adjoining carriageway. A service delivery plan secured by legal agreement would limit the size of service delivery vehicles and limit the hours of servicing. Highway works secured by a legal to the scheme would (i) provide a pavement on the eastern edge of the site where there is none now (ii) reduce the width of the existing pavement to the eastern facilitate frontage to help facilitate service deliveries to manoeuvre past parked cars on the spur road and (iii) provide a short section of pavement outside the side adjacent to the station entrance where presently there is none to improve pedestrian safety.

The application is accompanied by a Financial Viability Assessment that record the scheme would not prove viable if affordable housing was provided as part of the scheme or financial contribution in lieu. The Council have independently reviewed the FVA and accept its conclusions.

### **3.3 Relevant Planning History**

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

22870/APP/2012/899 - Change of use from Use Class B1 (Business) to Use Class C3 (Residential) and single storey rear extension to create 3 x studio apartments with

associated amenity space and parking involving demolition of existing rear element, installation of Juliette balcony to rear and alterations to elevations. Granted on 16 April 2012.

This approval related to the section of the site known as No 15 Kitchener House contained with the dual pitched roof building on site located in the south east corner.

#### **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.E5 (2012) Town and Local Centres
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM6 (2012) Flood Risk Management
- PT1.H1 (2012) Housing Growth

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- BE13 New development must harmonise with the existing street scene.
- BE27 Advertisements requiring express consent - size, design and location
- BE28 Shop fronts - design and materials
- BE29 Advertisement displays on business premises
- BE18 Design considerations - pedestrian security and safety
- 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.
- BE22 Residential extensions/buildings of two or more storeys.
  
- 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
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- H4 Mix of housing units

LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LLP 3.18	(2011) Education facilities
LPP 2.14	(2011) Areas for regeneration
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.17	(2011) Health and social care facilities
LPP 3.18	(2011) Education Facilities
LPP 5.17	(2011) Waste capacity
LPP 3.3	(2011) Increasing housing supply
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 4.7	(2011) Retail and town centre development
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.5	(2011) Decentralised energy networks
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
NPPF	
R16	Accessibility for elderly people, people with disabilities, women and children
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **4th September 2013**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

A press notice for the application was placed in the local newspaper. A site notice was displayed

and the owner/ occupier of 11 neighbouring properties were consulted individually on the planning application.

The applicant also undertook a limited exercise in community consultation placing a leaflet of the scheme and contact details for feedback through the letter box of about 40 properties.

Two written responses were received from neighbours to the Council's statutory process of consultation, both neighbours are objecting to the scheme. The reasons of objection can be summarised as follows:

1. The scheme is a shocking proposal. Warwick Road is already very busy and building another 23 flats will make the roads very dangerous for children and the elderly. The building itself will be far too tall, blocking light and overlooking many houses.

2. Whilst we welcome the redevelopment of the site, the planned elevations are substantially taller than the immediate neighbours and overbearing and impeding the current skyline of several properties. Whilst such a development would be fine in a high street environment it is not amenable to the site on which it is planned the properties in the immediate vicinity of the proposed development consist of 2 stories houses, single story bungalows and 2 story maisonettes.

3. The provision of A1 premises provides no discernible benefit to the local community. It is clear from a simple observation of West Drayton and Yiewsley High Street that there are a large number of vacant commercial premises, particularly those that have been incorporated into a residential development. There is an abundance of active commercial premises within a few minutes walk of the site that provide all the necessary amenities to local residents. The transport implications of having an A1 premises would not in any way add to the amenity of the site. The space would be far better used for residential accommodation. The size of the unit lends itself to a 'Tesco Metro' type operation, the servicing of this type of outlet is by articulated vehicle that would bring unacceptable highway issues to the narrow surrounding streets.

4. With the recent amendments to permitted development (prior consent applications) the A1 could be converted to residential use without express consent. This is indicative the applicant is seeking to smuggle another residential unit in via the back door.

5. The proposed development would have a significant effect on the distributed daylight in the premises of 4 Warwick Road as a result of increased elevation and massing to the existing buildings on site based on BRE report "Site layout planning for daylight and sunlight - a guide to good practice" by PJ Littlefair.

6. The bulk of the housing in the immediate area is family housing of low density and with generous garden areas. The scheme should provide for larger sized residential units in keeping with the existing residential mix of the area. It is an anomaly this site is designated as town centre. The housing density proposed is too great for the area and exceeds London Plan Housing SPG density matrix.

7. The scheme provides for no visitor parking in an area with a controlled parking zone, therefore insufficient car parking provision. The scheme provides for no parking 2 wheeled motor vehicles.

8. The developments design is incongruous with the area and fails to comply with the requirements of policy BE13.

CROSSRAIL:



Crossrail is a proposed new railway that will link Heathrow and Maidenhead in the west to Shenfield and Abbey Wood in the east using existing Network Rail tracks and new tunnels under Central London. The Crossrail Bill which was introduced into Parliament by the Secretary of State for Transport in February 2005 was enacted as the Crossrail Act on the 22nd July 2008. The first stage of Crossrail preparatory construction works began in early 2009. Main construction works have started with works to the central tunnel section to finish in 2018, to be followed by a phased opening of services. Crossrail Limited administers a Direction issued by the Department for Transport on 24th January 2008 for the safeguarding of the proposed alignment of Crossrail. The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction. The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.

#### NETWORK RAIL:

Whilst there is no objection in principle to this proposal I give below my comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

#### SAFETY

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk) so that the risk of their works can be assessed and enter into a Basic Asset Protection Agreement (BAPA).before works begin.

#### FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

#### DRAINAGE

Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 20 metres of Network Rail's boundary.

#### GROUND LEVELS

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

#### SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

#### PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

#### EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway Undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

#### ENVIRONMENTAL ISSUES

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

#### LANDSCAPING

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Permitted:

Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

#### PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

#### SAFETY BARRIER

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway or damaging the lineside fencing.

CASE OFFICER RESPONSE:

The issues raised by Network Rail in respect to fencing, landscaping drainage, levels, piling, excavation, earthworks, the effects of noise and vibration are dealt with by a series of pre-commencement conditions that require the written agreement of Network Rail and/or the local planning authority for the relevant works and measures to be undertaken. With regard to scaffolding in proximity to Network Rail land an informative is applied. In regard to concerns raised in respect of erection of safety barrier this is not considered applicable to this site as the railway line is on land far above the level of the development site.

#### METROPOLITAN POLICE CRIME PREVENTION DESIGN ADVISOR

The scheme is informed by Secure by Design principles including good levels of natural surveillance, defensible space is provided in front of the ground floor residential unit, the undercroft car parking is secure and would benefit from CCCTV. The bin stores are well located, of a robust design being integrated into the building frame. The cycling stores are in a secure location. A Secure by Design checklist has been submitted as part of the supporting documentation No objection subject to a condition in respect to the scheme achieving Secure by Design accreditation

#### **Internal Consultees**

##### URBAN DESIGN OFFICER:

The revised scheme is of a careful design, with interesting architecture elements such as the first floor arcaded screen to the rooftop amenity space and glazed corner features. The discrete stepped and recessed top floors, would minimise the visual impact of building so that it would sit comfortably within the existing townscape. The choice of traditional materials for the elevations, such as yellow stock brick, would also reflect the materials of surrounding local buildings, including the nearby Locally Listed station. At ground floor, the active frontages onto the principal streets would create a more welcoming, attractive and probably safer approach to the station than currently exists.

##### CONSERVATION OFFICER:

West Drayton Station is Locally Listed and the element closest to the development site is the rear, rather than the main entrance of the building.

This part of the station comprises two storeys, it is of yellow brick with decorative red brick dressings, original infilled window recesses and openings, and a modern metal canopy over the entrance. To either side are high curved brick walls that together with the station building create an attractive and architecturally robust set piece, which terminates views towards the northern end of Warwick Road.

The station platforms to the rear of the building are at first floor level and the trees along the railway embankment screen the development site when viewed from platform level.

In terms of the impact of the proposal on the setting of the Locally Listed Station, the 2 storey elements of the new structure, which front Warwick Road, would be most prominent in views on the approach to the building. Although the taller elements of the new building would be closest to the station, they would be set back and clad in dark coloured materials, this would reduce their visual impact, making these parts of the structure more recessive and less prominent in views. Whilst the new building would be taller in part than the station and would most certainly change its setting, its position, design and use of materials, including the use of a traditional yellow brick to reflect the materials of the older building, would minimise any negative impact on the historic building.

The Listed Buildings closest to the site are the De Burgh Arms and The Railway Arms. Whilst there may be gap views of the proposed building to the south of the latter, the proposed development is

some distance away and is unlikely to have any significant impact on their setting.

#### WASTE DEVELOPMENT MANAGER:

##### Residential Provision:

a) I would estimate the waste arising from the residential development to be 3,350 litres per week based on the mix on 1 and 2 bedroom units. The waste could therefore be accommodated in a total of 3 x 1,100 litre bulk. Leaving space for an additional container, would be advisable, to provide for additional recycling bins at a later point.

b) The details of the design of the bin enclosure can be addressed by condition [as dealt with in a sub-section of the landscape condition].

##### Commercial Unit:

c) The occupiers would have to make an arrangement with either the Council or a licensed waste carrier for the collection of the waste produced from the premises.

d) The producers of waste from commercial premises have a Duty of Care to contain the waste safely until it is collected by the Council or a licensed waste carrier. They can best comply with this through the use of bulk bins or presenting sacks on the day of collection.

Conclusion: No objection

#### ENVIRONMENTAL PROTECTION UNIT:

An Air Quality Assessment by Aether, dated June 2013 was submitted and a land contamination: Environmental Desk Study Report by Alpha Environmental.

It is recommended the following conditions are included in any permission that may be given.

##### Air Quality:

The proposed development is within the declared AQMA and in an area which currently appears to be exceeding the EU limit value based on CERC modelling for 2011 carried out on behalf of the London Borough of Hillingdon. The emission sources in the modelling appears to be from the main road and the railway, which appears to be contributing significantly to the modelling output. Air quality has been modelled using a mapped background of 32.7 mg/m<sup>3</sup> which is considered to be in line with local monitoring and representative of a worst case scenario, for baseline year 2011 and future year 2016. The report considers both with and without development assuming both a drop in background levels and no drop in background. The no drop in background outputs seem reasonably realistic and possibly conservative (although the traffic in the area does appear to be an underestimate). The new receptors as a consequence of the development were considered, consisting of three locations at ground level, thought to be at the building facade (although only one residential unit is indicated on the ground floor plans at receptor 1). It has been assumed the NO<sub>2</sub> levels at the facade of floor one and above will be lower. The NO<sub>2</sub> levels at the worst affected receptor location (bearing in mind railway emissions were not considered) for baseline year 2011 was 35.8 mg/m<sup>3</sup>, without development 2016 is indicated to be 35.6 mg/m<sup>3</sup> and with development 2016 is indicated to be 35.4 mg/m<sup>3</sup>. With development is indicated to result in a reduction in NO<sub>2</sub> of 0.2 mg/m<sup>3</sup> at all three receptor locations as a consequence of the change in use for part of the site, which is identified as a hand carwash. The model output suggest the facade is likely to be below the EU limit value for NO<sub>2</sub> of 40 mg/m<sup>3</sup>. There is a negligible reduction in NO<sub>2</sub> as a

consequence of the development.

As the development is in an area already suffering poor air quality and is likely to make the air quality worse the following are requested: Section 106 Section 106 obligation for a £12,500 should be sought for contribution to the air quality monitoring network in the area. The likelihood the EU limit value would be exceeded at the facade of the building is probably low, although it cannot be entirely ruled out for the ground floor apartment. The use of natural ventilation seems acceptable, however the ground floor bedroom, if it remains a bedroom, should also have alternative means of ventilation.

The ingress of polluted air condition is recommended for the ground floor bedroom and should also be considered with regard to any exhaust flue at the site and in relation to ventilation of the car park, due to a lack of detail with the application.

Air Quality Condition 1:

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

REASON:

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

Notes: In areas where there the air pollution levels are above, or close to, the national and European limits, this is designed to safeguard the future residents/users of the site from the ingress of the poor outdoor air quality. The design must take into account climate change pollutants and ensure there are no trade-offs between local and global pollutant emissions. Suitable ventilation systems will need to: take air from a clean location or treat the air and remove pollutants; designed to minimise energy usage; be sufficient to prevent summer overheating; have robust arrangements for maintenance. Based on the Low and Zero Carbon Technologies Options Appraisal, July 2013 the use of a gas fired CHP was indicated to be the most suitable option for the site. The Code for Sustainable Homes Pre-Assessment Report indicated boilers that emit less than 40mg/kWh of NOx is assumed to be used to pick up three points. No details of the unit, or the flue details have been provided. The following condition is recommended with regard to energy generation on site. We would recommend using ultra low NOx gas CHP, to limit emissions.

Air Quality Condition 2

Details of Energy Provision

Before the development is commenced, 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 pollutant emission rates with or without mitigation technologies. Where a scheme to mitigate emissions is required, this shall be submitted to the LPA for approval. The said scheme should be implemented, and maintained for the life of the development.

REASON:

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

Notes: This condition relates to the operational phase of residential or commercial development



and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at [www.defra.gov.uk](http://www.defra.gov.uk).

#### Soil Contamination:

The desk study is quite limited and has not identified any specific contamination issues, although there was a reference to possible asbestos roofing. Our records indicate there were previous applications for a light engineering electrical assembly work and aluminium window and door manufacturing. There are also references to a former air raid shelter on site and some fire damage at the site. The proposed development is such that direct contact pathways are minimised, however suitable assessment of gas and vapour contamination is required as well as any contamination that could affect building materials and water pipes etc. The application also seems to have areas of green landscaping at and above ground level, therefore please ensure any imported soils are tested for contamination.

The standard contaminated land condition (RES 26) is recommended.

#### RES26 - Contaminated Land (i)

#### Noise:

No objection subject to the recommendations made in the submitted acoustic report are implemented.

#### TREES & LANDSCAPE OFFICER:

##### Landscape Character / Context:

The site is occupied by a group of four industrial buildings on the edge of West Drayton Town Centre. Situated immediately to the south of West Drayton station, there is access to the station and a turning circle to the east of the site. The west is bounded by Tachbrook Road and the south by Warwick Road which is a residential street featuring a mix of housing styles.

The only vegetation nearby is the wooded embankment of the railway on the northern boundary. There are no Tree Preservation Orders or Conservation area designations affecting the site or the immediate surroundings.

##### 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.

- No trees or other landscape features of merit will be affected by the proposal. Existing off-site trees are indicated on Hester drawing No. 12034-03-004.
- Lilacs Land Consultants Phase 1 Habitat Survey confirms that the site has no significant natural habitats, requiring further surveys.
- The Design & Access Statement considers landscaping in section 14.
- The D&AS describes the proposal as having communal amenity decks with paving and plants in containers together with roof-edged areas of Sedum (green / non-amenity) roof. These are illustrated on drawing No. 12034-02-025 Typical Sections and in the series of rendered Proposed Visuals.
- At ground level there will be a modest area of planting beside the communal entrance to Block A and unit 1 (see 14.2) and Ground-floor Plan, drawing No. 12034-02-014.
- While the available amenity / green space is modest, the illustrative landscape proposals indicate that the site will be enhanced, subject to detail.
- The illustrations show the edges of the garden decks to be hedged. 'Structural' planting in the form of hedges or large plants / small trees (albeit containerised) will be necessary to produce the



desired quality of landscape.

· 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. Full supporting details will be required (including the provision of watering points) to roof garden proposals are implemented and maintained in accordance with the indicative proposals.

Conclusion:

No objection subject to the above observations and conditions RES9 (parts 1,2,3,4,5 and 6).

FLOOD AND WATER MANAGEMENT OFFICER:

No objection subject to imposition of a standard condition dealing with standard water management efficiency condition that addresses the provision of details of a sustainable urban drainage scheme for the site.

ACCESS OFFICER:

No objection. The following condition should be provided to any approval.

Level access shall be provided to and into the dwelling houses, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000 (2004 edition), and shall be retained in perpetuity.

REASON: to ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations.

SUSTAINABILITY OFFICER:

I have no objections to the proposed development.

LOCAL PLANNING AUTHORITY HIGHWAY ENGINEER:

(Comments on the scheme considered by the Major Applications Planning Committee on the 20th November 2013)

The development proposals are for the construction of 23, 1 and 2 bedroom apartments and a 250m<sup>2</sup> retail unit within the existing site. As part of the proposals, car and cycle parking will be provided for the residential use at 1 parking space per apartment. There are no proposals to provide car parking for the retail use at the site, however, 4 cycle parking spaces will be provided for the use of staff.

Access to the site will be provided from Warwick Road, adjacent to the pedestrian entrance of West Drayton train station, with servicing of the proposed retail use being undertaken along Warwick Road (east of the site). In order to facilitate servicing along the adjacent highway, it is proposed to amend the existing Pay and Display/Permit Holder parking bays and associated traffic orders to allow servicing by 12m delivery vehicle's between the hours of 0700 and 1100.

When reviewing the Transport Statement submitted in support of the proposals, an assessment of the existing and proposed trip generation at the site has been undertaken using the TRICS and TRAVL Databases. However, it is noted that the number of selected sample sites are limited and not all sites are representative.

From assessment of the PTAL index within the adjacent area, this has been identified as 2/3, which is classified as poor to moderate. As a result, it is considered that the proposed car parking provision of 1 parking spaces per apartment is acceptable.

When reviewing the proposed access arrangements at the site, it is noted that the width of the vehicle access will be 3.2m, which will not allow two vehicles to pass side by side when entering and exiting the site. This will require vehicles to queue along the adjacent highway, within the turning area adjacent to the pedestrian entrance of West Drayton train station.

When considering servicing of the proposed retail use, it is noted that Warwick Road, (east of the site) is a cul-de-sac and provides pedestrian access to West Drayton rail station and vehicle access to approximately 8 residential garages. In addition, from site observations during the morning and evening peak times, it is noted that there is a high pedestrian demand along Warwick Road associated with the adjacent rail station, which becomes congested due to the demand for kerbside parking, including by those who are dropping off/picking up rail passengers, which would potentially be increased under the Crossrail development. Furthermore, it is noted that the arrival and departure of rail passengers continues throughout the day.

While it is noted that the delivery of items such as newspapers and magazines are normally undertaken by small panel type vans, the size and type of delivery vehicles used by third parties for other goods will be outside the applicant's control.

The Council has visited a number of other similar stores and have found vehicles of up to 14m are used for servicing. Deliveries were often made on a multi drop basis and at times, more than one delivery vehicle would arrive at a particular store, leading to conditions detrimental to highway and pedestrian safety and the free flow of traffic.

When taking account of the size, type and the frequency of deliveries used on a multi drop basis, these will also be outside of the control of the applicant. While the council would have powers to require compliance with a Service Management Plan through a S106 Agreement, the temporary nature of any breach would make enforcement difficult. In any event, however onerous the penalties, it would not be desirable to rely on a scheme, which requires a high and constant level of management intervention throughout the life of the development, which may include a change of operators. Furthermore, the window of servicing opportunity provided by the proposed changes to parking bays, would not be adequate for all deliveries.

When considering the adopted Hillingdon Local Plan, this requires sufficient space for the standing and manoeuvring of all goods vehicles that are likely to serve a development at any one time, to be provided within the site. Layouts should allow all vehicles to enter and leave the site in a forward gear.

It is considered that to allow servicing from the kerbside at this location would be detrimental to highway safety and would increase the risks of vehicle and pedestrian conflicts along Warwick Road, setting an unacceptable precedent when considering future development proposals of a similar nature.

In addition, it is noted that the development proposals will reduce the availability of kerbside parking between 0700 hrs and 1100 hrs, at a time when parking is required for the dropping off and picking up of rail passengers. This would be further exasperated due to the lack of car parking to serve the proposed retail use and the potential increased demand associated with the proposed Crossrail development. Furthermore, it is noted that the size of the proposed servicing bay provided within the Transport Statement is substandard and will not allow a serving vehicle to completely park within the bay.

Therefore, an objection is raised, as the development proposals would be contrary to Policy AM7, AM8 and AM14 and guidance on loading arrangements of the adopted Hillingdon Local Plan, 2012, (Part 2).

**CASE OFFICER COMMENT:**

The comments of the Highways Officer are noted, however the application must be considered having regard to the National Planning Policy Framework, the development plan in its entirety and other material considerations. A full commentary is provided in the relevant highway section of the report. The applicant has also provided a revised set of plans showing the vehicle entrance widened to 4.1m to provide cars to pass each other (entry/exit) at the same time address their concern.

**LOCAL HIGHWAYS AUTHORITY MANAGER:**

I have no objection to the amended proposal, which involves the provision of double yellow lines on the eastern side of the carriageway.

As you may know, vehicles are allowed to load and unload on double yellow lines (i.e. markings on the carriageway without 'loading blips' on the kerbs) although there are conditions to this.

**7. MAIN PLANNING ISSUES**

**7.01 The principle of the development**

The site is located within West Drayton Town Centre. The site is not located within a designated Industrial and Business Area. Map 5.1 in the Local Plan identifies the wider West Drayton area as a proposed Area of Growth for hotel and office. However paragraph 5.12 of the Local Plan and Policy E1 of the Local plan does identify this section of Warwick Road as an area suitable for the managed release of industrial land, based on a survey of existing industrial land in the Borough undertaken by the Council as part of the production of the Employment Land Study evidence base to the Local Plan.

Part One Local Plan Policy H1 identifies the housing need in the area over the plan period.

Policy LE4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) Proposals which involve the loss of existing industrial floorspace or land outside designated industrial and business areas will normally only be permitted if:-

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

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

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

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

Policy H4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states that a mix of housing units of different sizes should be provided in residential developments and in particular one and two bedroom units within Town Centre locations will be preferable. 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.

In view of the following: (i) the site being recognised as an area suitable for release from industrial land; (ii) with the Council have no policy in place to protect B1 (a) office space; (iii) given the condition of the existing buildings not readily lending themselves to modern industrial floor space; (iv) and the constraints on the site in respect of servicing by large number of heavy goods lorries, it is not considered the scheme on balance is contrary with Policy LE4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012). The provision of residential accommodation in this sustainable location is consistent with Policy H1 of the Hillingdon Local Plan: Part One, and the Council's achievement of the target provision of new housing.

On the basis that there is an established need for housing, and that the re-use of brownfield land is encouraged provided site specific issues are addressed the principle for the re-use of the site for residential and retail use is acceptable.

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

London Plan Policy 3.4 seeks to maximise the potential of sites. The site is in Major Town Centre with an urban character with a PTAL of 2 3. The London Plan (2011) provides for a density range between 70-170u/ha or 200-450 habitable rooms per hectare (hr/ha) for sites with a PTAL 2 in an urban location and with an indicative average unit size of 2.7hr-3.0hr/unit.

The proposed scheme has 301.5 habitable rooms per hectare and therefore falls within the London Plan recommended density. Subject to the scheme achieving an appropriate design in relation to other planning policies and other material considerations the proposed density is considered acceptable.

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

The site is not located within an Archaeological Priority Area or an Areas of Special Local Character or a Conservation Area. The application site is adjacent to the rear entrance at West Drayton Station which is locally listed. The Council's Design and Conservation Team have reviewed the proposal in detail and their full comments are provided in Section 6 of the report. In summary, they consider the proposal would not have a harmful impact in relation to the setting of this structure, and if anything would enhance it, providing a more welcoming approach to the station.

#### **7.04 Airport safeguarding**

The scheme raises no air safety implications.

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

Not applicable to this application.

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

The mixed use scheme would have a good degree of prominence in the streetscape and wider locality given the building envelope would have 3 street frontages, the site is located next to the entrance to West Drayton station and the scheme would rise in part to 4 storeys, which is a greater storey height than exists on the site presently or on other surrounding sites located to the south of the main railway line.

The existing residential and commercial buildings on Warwick Road are predominantly two storey buildings (primarily semi-detached houses) with pitched roofs, although

immediately to the south of the site on the opposite side of Warwick Road are 2 in number single storey detached bungalows, and further to the south west of the site a 3 storey development.

Set against this existing built environment the proposed scheme would represent a larger in footprint and taller in scale development compared to its immediate neighbours. However the design of the scheme seeks to avoid an undue overbearing appearance in the townscape and to its immediate neighbours through its general design approach and through the adoption of a number of specific design elements to the scheme, these include:

1. Visually breaking the development into different massing elements that help articulate the step down from the 4 storey element (set up against the high railway embankment to the north) down to the single storey retail element on the east elevation, that in turn part wraps around around the 3 storey residential element to the scheme.

2. To aid the massing/articulation of the block and to break up its massing different facing materials to the elevations are proposed including a yellow London Stock brick, a contrasting red brick, a glazed tile to the retail unit & the 'framing wall device' to the roof terrace set above the retail unit, and use of zinc cladding on the 4th storey and elsewhere. All these materials are tripe and tested, robust and weather well

3. Setting the building line for the residential component on the southern frontage further back from the building line of the existing development (i.e. Kitchner House) and softening this street frontage with planting.

4. Providing an active glazed frontage elevation at street level on the eastern elevation serving the station entrance

5. Stepping the build line to the upper floors on the east elevation further back from the street than the existing 2 storey building facing east.

6. The front of the 4th storey is set back from the lower storeys and clad in dark zinc, these features taken together would reduce its visual bulk and impact as viewed from street level.

7. Revisions to the scheme to accentuate the recess on the window frames to offer opportunities for fuller shadow lines to provide more perception of depth and visual interest.

8. The introduction on the south west corner of a greater proportion of void to solid (i.e. more glazing to brick) across the 3 storeys to act as a vertical feature, that is light in design and would help announce the development when the scheme would be first viewed when approaching the site along Warwick Road from the Station Road end.

The Council's Supplementary Planning Document (SPD) HDAS: Residential Layouts requires that new housing development, of whatever scale, should not be viewed in isolation. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. The National Planning Policy Framework emphasises the need for good design and paragraphs 56 & 64 state "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute



positively to making places better for people.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) the importance of designing new development to harmonise with the existing streetscene, while Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area.

From an urban design point of view, the regeneration of the site would be welcomed in principle to consolidate the existing urban fabric, improve the character and appearance of the area and achieve a more attractive, safe and well functioning neighbourhood with a building that will improve and complement the southern entrance to West Drayton Station

The Council's Urban Design Officer considers that the scale, height and massing of the proposed development is appropriate for the site, and responds well to the scale of the existing built environment and considers the design to have integrity and show some signs of architectural merit.

The proposed design approach has been significantly modified since pre-application stage and since submission as a planning application following discussions with planning officers to address initial concerns over the appearance, scale, massing and visual amenity of the scheme. The use of brick will provide a unity to the scheme would be robust, have longevity and weathers well and is harmonious with the local vernacular. On balance it is considered the scheme would provide a reasonably attractive form, harmonious with the adjacent buildings and avoids over-dominance to neighbours and to wider general townscape. The applicant has also provided in writing a commitment to secure for the future the open appearance of the shop front.

Overall, it is considered that the scheme would provide for an attractive mixed use scheme with the refuse storage and car parking elements well integrated, discrete and not featuring strongly in the streetscene. There is also scope for a series of small private and larger shared open roof based spaces that would create a sense of place within the development. The proposal would appropriately harmonise and integrate with the existing character and appearance of the area in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

Policy BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires new residential developments to be designed to protect the outlook of adjoining residents. The design guide 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings.

Policies BE20 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seek to ensure that new development does not generate adverse impacts in respect to significant loss of sunlight/daylight because of the orientation of the site, and the size and siting of the proposed building.

Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)



requires that new buildings should protect the privacy of residential neighbours. The Council's 'Residential Layouts' supplementary planning document requires new development to avoid the introduction of non-obscured window located within 21 metres of existing habitable rooms and which are within a 45 degree radius from the centre of the new window.

The nearest residential properties with habitable room windows facing the site are No. 4 and No 6 Warwick Road and these are located a minimum 21 metres from the 2nd and 3rd storey element of the scheme that contains habitable rooms accordingly the scheme complies with Policies BE20 and BE21.

With regard to daylight/sunlight the scheme is located to the north of No 2 and No 4 Warwick Road so there is no potential for overshadowing or significant loss of sunlight/daylight to occur. With regard to the rear gardens of Nos. 19 and 21 Warwick Road a shadow diagram has been produced by Council officers that demonstrates that the rear elevation of these properties and their respective rear gardens will be cast in no additional shadow from the proposed scheme due to these rear gardens and rear elevations being cast in shadow from their own dwelling houses and the garages/ rear garden boundary walls. Accordingly the scheme complies with Policy BE20 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

With regard to issues of privacy all the nearest residential properties to the scheme are separated from the development by intervening streets. In respect to the potential loss of privacy overlooking into the rear gardens of No 19 and No 21 Warwick Road the applicant has provided a section drawing with a view cone taken from the outdoor amenity space that satisfactorily demonstrates no overlooking would practically result from the roof terrace into the gardens of No 19 and No 21. With respect to the nearest proposed habitable room windows facing towards No. 19 and No 21 Warwick Road the distance would be greater than 21m therefore complies with the Council' policy. Furthermore the vista would be 'disrupted' by a brick framing device surrounding the outdoor amenity space. It is also worth noting the new habitable room windows on this east elevation would be set further away from No. 19 than the existing 1st floor window in the east elevation of Kitchener House. In respect to No 2 Warwick Road there no non-obscured habitable windows facing the site. With regard to privacy in respect to No. 4 and No. 6 Warwick Road a section drawing has been taken with a view cone taken from the outdoor amenity space above the ground floor that faces south that demonstrates there would no overlooking into No 4 from an individual using this roof terrace. There would be minimum 21m separation distance between the habitable room windows in the south elevation and No 4 Warwick Road. Accordingly the scheme complies with the minimum separation distance to secure privacy to residential neighbours and accordingly complies with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

The scheme is considered to comply with all relevant guidance within the SPD HDAS: Residential Layouts and the London Plans minimum internal space standards.

The London Plan (July 2011) requires all 1 bedroom flats to provide a minimum 50sq.m of floor area and all 2 bedroom 3 person flats to provide a minimum of 61sq.m and all 2 bedroom 4 person flats 70sq.m. All the 1 and 2 bedroom flats would meet these standards. In addition the scheme was revised followings discussions with Council officers to where possible set bedrooms against bedrooms on party walls to minimise the risk of noise transfer associated with main living/dining areas. In addition the design of the scheme was divided into 2 building cores to remove the requirement for an extended

windowless internal corridor and to minimise the number of flats on any floor served by one core in line with recommendations made in the adopted Mayor's Housing Supplementary Planning Guidance and consistent with minimising the risk of anti social behaviour.

The scheme proposes 1 in number two bedroom maisonette that contains a habitable room (a bedroom) located on the ground floor. This arrangement is considered acceptable, notwithstanding the proximity of the bedroom windows that faces Tachbrook Road (to the east) given the unit and the bedroom itself is dual aspect and has a 3.65m deep garden in front of it (on its south facing elevation) that would be fronted with a park style railing and structural hedging to providing a defensible space. It is also worth noting this unit has a 2nd bedroom on the 2nd storey where the main living/dining room space would be located.

Policy BE23 of the of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires the provision of external amenity space which is sufficient to protect the amenity of the development and surrounding buildings and which is usable in terms of its shape and siting. The council's HDAS Residential Layout provides further guidance on this issue and indicates that in flatted development communal amenity space should be provided in a quantum equating to 20sq.m per 1 bedroom unit and 25sq.m per 2 bedroom unit. With 14 x 2 bedroom units and 9 x 1 bedroom units the total minimum useable outdoor amenity space should be equal to 530sqm.

The application would provide for 388sq.m of usable communal amenity space (these calculations exclude the area of sedum roof treatment on the fringes of the outdoor spaces). In addition 7 of the individual residential units would have their own private roof terraces ranging in size from 12sq.m to 60sq.m (totalling 219sq.m). Alongside this 11 of the residential units would have private balconies all in excess of 3.5sq.m.

The design of the 2 private roof terraces located upon the roof of the ground floor retail unit (facing east) have also been amended since the original submission with the addition of a framing device to the street. This alteration is designed to provide greater sense of definition and solidity to this external space and to provide a greater perception of privacy both to the users of these roof terraces and to neighbours. A glazed screen would prohibit the occupants of these gardens from getting within 1.65m of the front of the roof terrace to avoid overlooking to neighbours.

Taken in consideration the mix of communal space, private roof terraces is considered to readily meet meets the external amenity space standards set out in the Council's Residential Layouts SPD and complies with Policy BE23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012). Overall, it is considered that the proposed development would result in an appropriate residential environment for future occupiers. No objection is therefore raised in this regard and the scheme is considered to comply with Policy 3.5 of the London Plan.

Following the deferral of the application, the applicant has provided further informatio, and officers have undertaken further assessment of the scheme in relation to dominance, shadowing and loss of light, This additional information and further assessment has simply served to reinforce the original conclusion that the scheme would have no unacceptable impacts in this respect and confirm that the development would be fully policy compliant.

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

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted car parking standards.

Policy AM8 states the Council will accord priority to the needs and comfort of pedestrians in the design and implementation of road construction and traffic management schemes except where safety considerations dictate otherwise. In particular it will seek to minimise the diversion of pedestrian routes from pedestrian desire lines and the delays experienced by pedestrians at signal controlled road crossings.

Policy AM9 of the UDP requires cyclist facilities to be provided for development proposals

The scheme provides 1 on-site allocated car parking bay in the undercroft car park per residential unit, including 2 marked out to the standard dimensions required for disabled users and 2 others parking bays that are capable of adaptation to the full wheelchair standards. This level of provision is consistent with the Council's adopted parking standard, Accessible Hillingdon SPD and the standards set out in the London Plan.

12 electrical car charging points are detailed on plan located within the undercroft car parking, each point able to serve 2 bays that more than meets the London Plan standards. 32 secure cycle standard are proposed in the car park and would benefit from key entrance and CCTV and the requirements secured by planning condition of the Secure by Design accreditation .

With respect to demand for car parking arising from the retail unit a Transport Statement has been submitted that present evidence that the retail aspect of the scheme would not increase net demand for car parking provision on the surrounding street or result in significant additional traffic on the surrounding road network from customers to the retail unit if compared to the existing set of uses on the site. The Council's Highway Engineer has reviewed the Transport Statement and is minded to concur with that conclusion. Informing this view is the relative small floor area of the retail unit, the proximity to the railway station and the reasonable expectation the customer draw will be very local with large number of the customers arriving by foot. Furthermore the site is located in a control parking zone safeguarding against pressure on residents parking. The scheme proposes a net retention of 6 of the 2 hour metre car parking bays located on the spur road to the east of the site that include a maximum 30 minutes free car parking without a fee.

The Highway Engineer has raised concerns and an objection to the scheme on highway grounds based upon:

1. The servicing of the retail unit from street
2. The resultant loss of 2 metred parking bay during the hours of operation of the on-street service delivery bay placing pressure upon on street car park
3. The pedestrian and vehicle conflict arising from the large delivery lorries servicing the retail unit with a requirement to reverse these service lorries in the spur road resulting in pedestrian vehicle conflict as rail passengers leave/enter West Drayton Station.
4. The inadequate length of the on street service delivery bay proposed.

The applicant has provided further information including following receipt of these Highway Comments and it is considered these help to address these concerns or could be address by planning condition and the legal agreement. These include a wider entrance to the undercroft car park to permit two vehicles to pass each other.

Swept analysis has been provided to demonstrate 12 metre long service delivery lorries

could reverse in front of the station and enable vehicles to pass parked vehicles on each side of the road, albeit single lane.

With regard to the potential pedestrian/vehicle the applicant has revised the expressed a revised Service & Delivery Plan that would limit the maximum size of vehicles to 12 metres and restrict deliveries for larger vehicles to between 10am and 2pm, and control the use of the on-street servicing bay, controlled by legal agreement thereby avoiding the peak rail commuter hours in the morning and early evening thereby minimising the pedestrian conflict or the pressure upon on street car parking.

Furthermore the applicant has highlighted that the 6 or 7 service deliveries that might occur a day to service the retail store of this size it is not unreasonable to suppose the majority of these would be smaller light vans or transit vehicles.

Notwithstanding the anticipation of greater use of this station entrance following the arrival of Crossrail and the concerns maintained by the Highway Engineer Team it is not considered on balance sustainable to refuse the scheme on inadequate car parking or highway safety ground in view of the legal agreement that is considered is capable of limiting the size of the service delivery vehicles to 12 metres and to deliveries to 10am to 2pm. In arriving at this conclusion consideration is given:

- (i) To the fact it is a straight spur road with reasonable sightlines;
- (ii) The Swept analysis provided and the speed and number of vehicles that use and can be anticipated to use this cul-de-sac during the middle of the day;
- (iii) The small number of 12 metre lorries servicing a retail unit of this scale;
- (iv) Slow speed of vehicles moving
- (v) Good visibility for both vehicles and pedestrians
- (vi) Additional pathways:
- (vii) The comparison of the existing vehicle movements from the site including unregulated movements associated with the car wash operation and what is proposed.

The conclusion is also informed by the scheme under s278/s106 highway works, taking into account the proposed mitigation measures the scheme. The scheme would not result in a materially worse situation with regard to highway safety. The significant benefits of the scheme are improved appearance to the streetscene, creation of active frontages, new job growth to the area and additional residential accommodation. Significant weight needs to be given to these in assessing the application and it is not considered that any highways concerns exist that would outweigh these benefits.

The scheme is considered to comply with Policy AM7, AM8 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

URBAN DESIGN:

Issues of design and access are addressed in Section 7.07 of the report.

SECURITY:

The application has been reviewed by the Metropolitan Police Crime Prevention Design Adviser who is satisfied with the general design, including bin stores, cycle store and undercroft car parking. He is also satisfied, subject to the provision of closed circuit surveillance, appropriate access control and to a condition requiring the development to achieve Secured by Design accreditation, that the development as a whole would provide

for a secure environment.

ACCESS:

Issues of access are addressed in Section 7.12 of the report.

#### **7.12 Disabled access**

The details submitted indicate all the residential units to the scheme would be built to Lifetime Homes standards. 2 flats located on the first floor would be fully wheelchair accessible. Provision of these 2 fully wheelchair accessible flats would meet the 10% requirement, 2 disabled car parking spaces would be provided and 1 lift would be provided to allow access the wheelchair units. In addition provision is made for the installation of a stair lift to the 1st floor disabled units in the eventuality the lift is broken down and the 2 allocated units are occupied by wheelchair bound residents.

The development proposal would satisfy both Lifetime Homes and is considered to comply with Policies 6.4, 7.1 and 7.6 of the London Plan and the Council's Accessible Hillingdon Supplementary Planning Guidance.

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

The Council's Housing Section has advised that 35% of the development should be provided for as affordable housing in accordance with the Council's Affordable Housing Supplementary Planning Document, the Planning Obligations Supplementary Planning Document and the amended London Plan.

Policy 3.11 of the London Plan advises that Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes having regard to their affordable housing targets.

Policy 3.12 of the London Plan states negotiations on sites should take account of their individual circumstances including development and states the Mayor wishes to encourage, not restrain, overall residential development. Boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis

The Council's Planning Obligations SPD further advises that in circumstances where a proposed development does not propose to meet the affordable housing requirements in full a financial viability appraisal (FVA) will be required and will need to be validated.

In this instance the applicant has submitted a FVA which has been validated by an independent third party, demonstrating that the development cannot afford to provide the affordable housing provision.

The submitted financial viability assessment has been reviewed by the Council's independent assessor, who following the submission of additional information has confirmed that the assessment is robust and that the scheme could not provide affordable housing at the current time.

Sale prices in this particular area are relatively low, however this situation may well change with the introduction of Cross Rail in 2018. The scheme would have a 3 year permission, and implementation could therefore occur in late 2016, when market conditions may have changed (given the more imminent arrival of Cross Rail). Should members be of the view that the benefits of the scheme are such that it should be approved, then a review mechanism should be included in the legal agreement so that viability can again be tested closer to the implementation (to see if market conditions have



changed in a way that would enable affordable housing to be provided.

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

TREES and LANDSCAPING:

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. There are no trees or other planting on site.

The Design and Access Statement and the submitted plans provide illustrative landscape proposals including paved roof gardens with planting in containers together with roof-edged areas of sedum. The Council's Trees & Landscape Officer considers the scheme acceptable subject to full landscape details provided by means of condition. Subject to a condition to provide full details of a landscaping the scheme is considered to be compliant in relation to Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

ECOLOGY:

A Phase 1 Habitat Survey was submitted with the application. The survey confirms that the site has no significant natural habitats requiring further surveys.

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

The scheme provides two separate refuse enclosures integrated into the main building frame that have doors that open externally onto the street. The refuse and recycling provision located on the east elevation adjacent to the entrance to the undercroft car park would serve the retail unit. The refuse enclosure on the south elevation would serve the residential scheme. An internal door via the adjacent residential lobby would provide easy access to the refuse store for future residents of the building core located at the north end of the site (via the undercroft car park).

The capacity of the refuse and recycling stores satisfies the Council's Waste Strategy Manager. The location, the design with the enclosures integrated fully into the building would be robust and not be visually intrusive in the streetscene. The location of the bin stores is appropriate and convenient to all the future residents and to servicing by the refuse vehicles direct from the pavement. As such the scheme complies with Policy 5.17 of the London Plan.

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

Policies 5.1, 5.2, 5.3, 5.13, 5.14, and 5.15 of the London Plan require all developments to make the fullest contribution to achieving sustainable design and reducing carbon dioxide emissions. Specifically with reference to Major Developments, developments are required to identify energy efficiency savings and the provision of 40% reduction in the buildings carbon dioxide emissions through energy saving measures and use of on site renewable technology.

The residential scheme would contain a community heat pump for energy generation.

The Council's Sustainability Officer has no objection to the scheme subject to appropriate conditions. Subject to conditions in respect of sustainable drainage, Code Level 4 for Sustainable Homes and an energy statement showing 40% reduction in CO2 from 2010 Part L Building Regulations, it is considered that the application would comply with requirements relating to sustainability and renewable energy.

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



The site is not within a flood zone, and no other drainage issues have arisen. Should the scheme be approved a standard water management efficiency condition would be applied that including the provision of details if a sustainable urban drainage scheme for the site.

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

##### **NOISE:**

A noise assessment was submitted with the application. The report acknowledges the presence of the railway located immediately to the north of the site and this would necessitate a higher specification glazing to the habitable room windows and attenuated ventilators to the habitable rooms. The acoustic report also lays out specific minimum standards for the acoustic qualities of the glass balconies and to avoid vibration impacting the future the superstructure of the scheme is of solid, rigid forms using continuous concrete slabs at each floor level together with concrete columns, or something comparable, as opposed to lightweight frame construction. The acoustic report details the estimated noise levels to the 3 principal outdoor amenity space roof terraces will be no greater than 55db with the 4 storey element providing acoustic screening to the third floor roof terrace. It is noted all the residential units located on the north end of the site are dual aspect flats to avoid the flats needing to open the north facing windows (to the railway station) being opened to gain fresh air.

The acoustic report contains recommendations which the Environmental Protection Unit Team have reviewed and the measures 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'.

Subject to the full recommendation of the acoustic report the scheme will provide adequate noise attenuation internally to the residential units and to the primary outdoor amenity spaces serving the scheme. As such the scheme is considered to comply with Policy 0E5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

##### **AIR QUALITY & LAND CONTAMINATION:**

Local Plan Policy EM8 sets out a need to ensure that proposals take into account potential contamination, do not cause a deterioration in local air quality levels. The Environmental Protection Team have reviewed the submitted air quality report and concur with the report conclusions that the scheme will in net effect be neutral in respect to air quality in the locality. The land contamination desktop assessment has been submitted and subject to standard conditions recommended by EPU the scheme is considered satisfactory in respect to air quality and land contamination and a commitment to financial contribution to air quality monitoring in the area secured by legal agreement

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

Case Officer Responses to the individual points raised:

Points 1 and 8 - are dealt with elsewhere in the body of the report.

Points 2 and 5 - are dealt with elsewhere in section 7.07 and 7.08 of the report. The scheme has been designed at the south end with the development at the back of the pavement rising to only 2 storeys and then set behind that to 3 storeys finished with a flat roof which is comparable in height to the two height of the two storey houses with ridge roof found elsewhere on Warwick Road as such the scheme in relation to the bungalows opposite at Nos 2, 4 and 6 Warwick Road is not considered unduly high or overbearing. The scheme would not breach BRE guidelines in respect to light to these properties

located to the south of the site or any other surrounding properties.

Point 3 - As a general principle the Council are sympathetic to mixed use scheme in designated town centre with active street frontage they provide. Residential units on the eastern frontage would be problematical as some of these units would be single aspect and with limited scope for defensible spaces before them. The location of the retail unit next to the station entrance provides a reasonable prospect of finding a tenant given the footfall past the site from residents to the new residential development in Porters Way (NAT's site) and elsewhere to the south of the railway. The highway issues of retail unit are addressed elsewhere in the report.

Point 4 - A planning condition would be attached to any approval that would prohibit change of use from retail (A1 use) by removing existing general permitted development rights to retail units to convert without express planning permission from retail to residential.

Point 6 - The density if the scheme is well within the London Plan range for sites of this PTAL rating. The scheme is located in designated town centre where adopted policy encourages smaller 1 and 2 bedroom residential units. The outdoor amenity provision exceeds the Council's minimum standards.

Point 7 - Dealt with elsewhere in the report. The car parking provision is consistent with the Council's adopted parking standards. Allocated visitor car parking spaces are not encouraged by planning policy with respect to residential components of new development schemes.

## **7.20 Planning obligations**

Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

The Heads of Terms are set out below:

(i) Highways including but not exhaustively the following

(a) Provision of double yellow lines along the western side of the carriageway to the east of the site

(b) Provision of a realigned pavement and kerb edge on the eastern edge of the site and the provision of a section of pavement where presently there is none.

(c) Provision of pavement on eastern edge of site where presently there is none.

(d) Provision of CCTV to manage compliance with the traffic order.

(e) A Service and Delivery Plan limiting the hours of delivery by large service vehicles to the hours of 10am and 2pm Monday to Saturday and not at all on Sunday, Bank Holidays and Public Holidays and ensuring vehicles will use the delivery bay.

(f) All future occupants of the development removed the opportunity to gain Hillingdon resident's on street parking permits, for the life of the development

(ii) Public Realm: A contribution of £5,000 in respect to public realm improvements arising from Cross Rail improvements to the West Drayton Station surroundings

(iii) Education: a contribution in the sum of £62,652 should be secured.

(iv) Health: a contribution in the sum of £8,872.64 (£216.67 x 40.95) should be secured.

(v) Libraries: a contribution in the sum of £941.85 (£23 x 40.95) should be secured.

(vi) Construction Training: either a financial contribution or an in kind scheme delivered equivalent to the formula of £2,500 for every £1m build cost + number of units /160 x £71,675= total contribution, including the submission of an Employment Strategy for construction phase and end user phase (the latter in respect to the retail unit)

(vii) Air Quality: a financial contribution towards air quality should be secured in the sum of £12,500.

(viii) Affordable Housing: A time review mechanism is to be put in place.

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

Not applicable.

#### **7.22 Other Issues**

None.

### **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

## 10. CONCLUSION

Full planning permission is sought for the redevelopment of the site for a mixed used scheme. The proposed development is acceptable in principle and the density of development, the internal space standard, the level of useable outdoor amenity space and the level of residential parking provision all accord with the recommendations of the London Plan and Hillingdon Local Plan. The scheme is considered to have considerable urban design merit and is not to be over-dominant to neighbours or raise privacy issues.

It is acknowledged that the on street servicing of a 250sq.m retail unit does raise some potential for pedestrian/vehicular conflict as service lorries reverse in the spur road to the station. However in light of the SWEPT analysis demonstrating the servicing is practical and with a legal agreement in place to control the size and hours of servicing to outside peak commuters hours it is not considered these concerns provide an adequate reason of refusal or a reason of refusal that is sustainable on Appeal especially mindful it is a cul-de sac road, with no existing houses fronting it, with low traffic speeds, reasonable sight lines and limited vehicles movement and pedestrian footfall outside peak rail commuter hours when deliveries would occur.

The National Planning Policy Framework is clear that there should be a presumption in favour of sustainable economic development, set alongside bring forward development schemes that embody good design. The application proposals deliver on these twin objectives complies on balance with relevant Hillingdon Local Plan Policies (November

2012) Part One and Part Two, London Plan (July 2011) and the National Planning Policy Framework (March 2012) and accordingly, approval is recommended subject to appropriate conditions and a S106 Legal Agreement.

## **11. Reference Documents**

Hillingdon Local Plan: Part One (November 2012)

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

London Borough of Hillingdon's HDAS 'Accessible Hillingdon' Supplementary Planning Document (May 2013)

London Borough of Hillingdon's HDAS 'Residential Layouts' Supplementary Planning Document (December 2008)

Planning Obligations Supplementary Planning Document (July 2008)

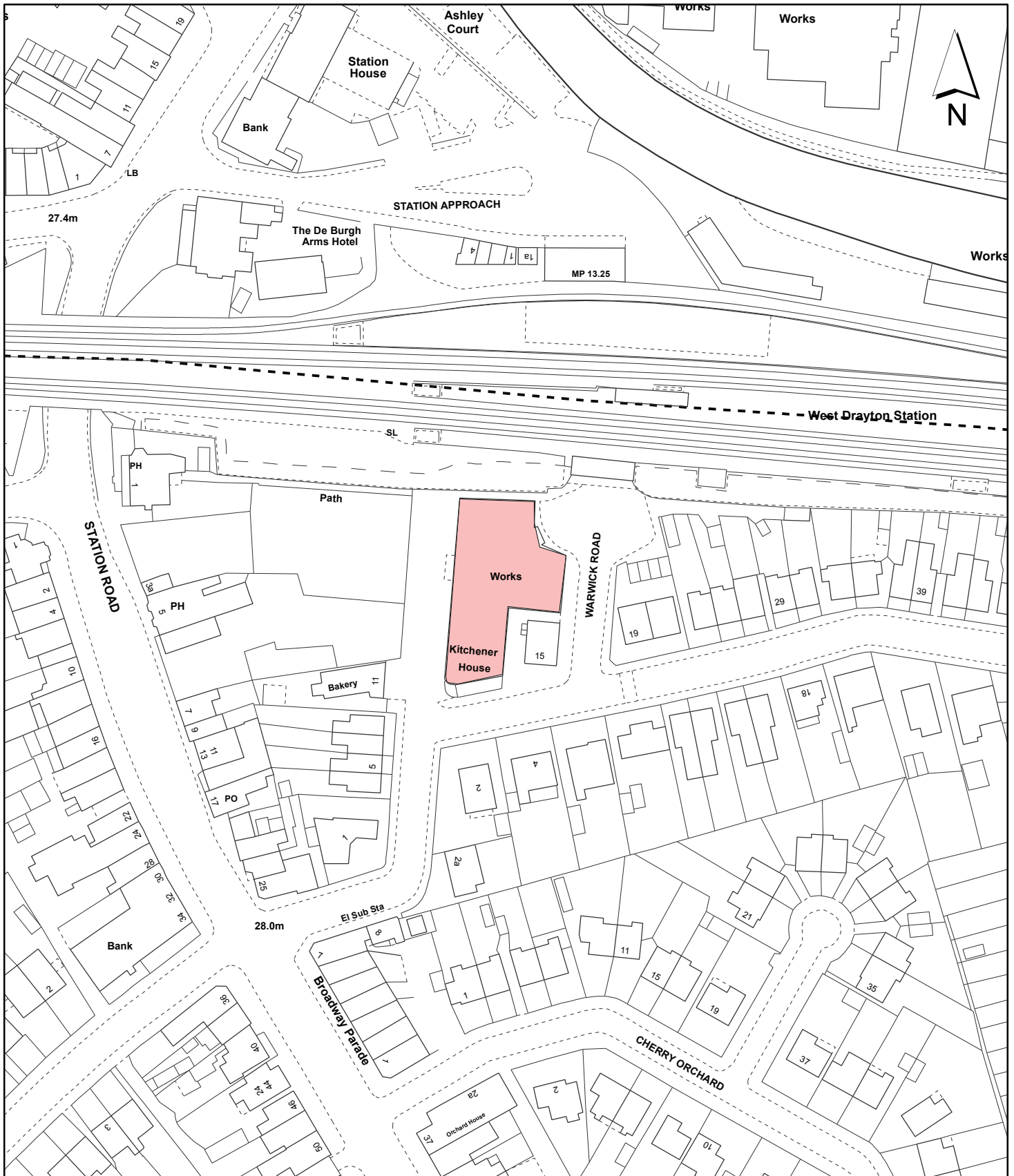
Revised Chapter 4: Education Facilities of the Planning Obligations SPD (adopted 23 September 2010)

London Plan (July 2011)

National Planning Policy Framework (March 2012)

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**Kitchener House  
 Warwick Road  
 West Drayton**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

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

Planning Application Ref:  
**18218/APP/2013/2183**

Scale  
**1:1,250**

Planning Committee  
**Major  
 Applications**

Date  
**November  
 2013**



**HILLINGDON**  
 LONDON