

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

**Address** 262-270 FIELD END ROAD EASTCOTE

**Development:** Change of Use of 4 storey commercial premises (Use Class B1 & D1) to Residential (Use Class C3) to comprise 12 x 2 bedroom flats, 13 car parking spaces and amenity space.

**LBH Ref Nos:** 18454/APP/2013/2449

**Drawing Nos:** Site Water Pollution Control  
Site Air Pollution control  
Landscape Specifications  
Transport Assessment  
Unnumbered Location Plan  
1157/201/A  
1157/202/A  
1157/203/B  
1157/204/A  
1157/205/A  
1157/206/A  
1157/207/C  
Design & Access Statement (1157/B1)  
Sustainable Energy Assessment

**Date Plans Received:** 23/08/2013                      **Date(s) of Amendment(s):**

**Date Application Valid:** 11/10/2013

### 1. SUMMARY

Planning permission is sought for the change of use of the building from a tutorial college (Class D1) on the ground floor and offices (Class B1) on the first and second floors, to residential (Use Class C3), comprising 12 x 2 bedroom flats, together with 13 car parking spaces and amenity space.

37 local residents, businesses and local amenity groups were consulted. No responses have been received.

There is no land use policy objection to the principle of a residential use development of this edge of centre site. The loss of the Class B1 and d1 uses and the proposed use of the building for residential purposes is not considered to affect the role and function of the Eastcote Minor Town Centre, or to detract from its attractiveness for local shoppers.

The proposed regeneration of the site for residential development will make efficient use of the land, and will have a minimal impact on the visual, design and landscaped quality of the area and the appearance of the street scene and neighbouring properties.

Good environmental conditions can be achieved for future occupiers, whilst the proposal would not detrimentally impact on the residential amenity of neighbouring occupiers. In addition, highway, and drainage issues have been satisfactorily addressed. Accordingly, the application is recommended for approval, subject to conditions and the signing of a S106 Legal Agreement.

## **2. RECOMMENDATION**

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

**(i) Transport: All on site and off site highways works as a result of this proposal**

**(ii) Health: The applicant provides a financial contribution of £5018 towards health care in the area**

**(iii) Libraries: The applicant provides a financial contribution of £532 towards library provision in the area**

**(iv) Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution of £5,375**

**(v) Community Facilities/Public Realm: The applicant provides a financial contribution of £10,000**

**(vi) Affordable Housing review mechanism**

**(vii) Education: The applicant provides a financial contribution towards school places in the area commensurate with the estimated child yield of the development amounting to £26,013**

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

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

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

**D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by 10 January 2013, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture, then the application may be referred back to the Committee for determination.**

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

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

### **1 RES3 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 RES4 Accordance with Approved Plans**

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

1157/201/A  
1157/202/A  
1157/203/B  
1157/204/A  
1157/205/A  
1157/206/A  
1157/207/C

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

**REASON**

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

**3 RES7 Materials (Submission)**

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

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

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**4 RES18 Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with Lifetime Homes Standards, 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.

**5 RES25 No floodlighting**

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

**REASON**

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

## **6 RES15 Sustainable Water Management (changed from SUDS)**

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

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

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

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

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

### **REASON**

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

## **7 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 Refuse Storage
  - 2.b Cycle Storage for 12 cycles
  - 2.c Means of enclosure/boundary treatments, including walls and railings
  - 2.d Car Parking Layouts for 13 vehicles (including demonstration that 1 of the parking spaces is served by electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures
  
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

#### 4. Schedule for Implementation

#### 5. Other

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

5.b Proposed finishing levels or contours

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011).

#### **8 RES17 Sound Insulation**

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

#### REASON

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

#### **9 RES22 Parking Allocation**

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. 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).

#### **10 RES24 Secured by Design**

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

#### REASON

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

**11 SUS2 Energy Efficiency Major Applications (outline where energy s**

Prior to the commencement of development a detailed energy assessment shall be submitted showing how the development will reduce carbon emissions by 25% from a 2010 Building Regulations compliant development. The assessment shall clearly show:

- 1) the baseline energy demand (kwhr and kgCO<sub>2</sub>) for each element of the regulated energy use (e.g. space heating, hot water and electricity) for all the relevant uses (e.g. residential, commercial etc
- 2) the methods to improve the energy efficiency of the development and how this impacts on the baseline emissions.
- 3) how renewable energy will be incorporated into the development, including plans and drawings showing the use of technology (e.g. roof plans and elevations showing PVs) and how the chosen technology impacts on the baseline emissions.
- 4) how the technology will be maintained and managed throughout the lifetime of the development.

The development must proceed in accordance with the approved details.

**REASON**

To ensure appropriate carbon savings are delivered in accordance with Policy 5.2 of the London Plan (2011).

**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.

A7	Developments likely to increase helicopter activity
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE38	Retention of topographical and landscape features and provision of



	new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
S12	Service uses in Secondary Shopping Areas
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
NPPF	

### **3            I1                    Building to Approved Drawing**

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

### **4            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).

### **5            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.

### **6            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).

## **7 114C Compliance with Building Regulations Access to and use of**

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

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

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

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

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

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

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

## **8 115 Control of Environmental Nuisance from Construction Work**

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

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



Sundays, Bank or Public Holidays.

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

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

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

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](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.

#### **9 119 Sewerage Connections, Water Pollution etc.**

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

#### **10 121 Street Naming and Numbering**

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

#### **11 125A The Party Wall etc. Act 1996**

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

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

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

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

#### **12 143 Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public

highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

### 13

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £xxx.00 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website [www.hillingdon.gov.uk/index.jsp?articleid=24738](http://www.hillingdon.gov.uk/index.jsp?articleid=24738)"

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site is located on the south west side of Field End Road, at its junction with Kildare Close, and comprises a 3 storey office plus basement block with associated parking spaces at rear. To the south east lies Kildare Close and to the north west lies 256-260 Field End Road, a 3 storey office block. A lay-by lies in front of the application property and to the rear, beyond the service yard and car park, lies a terrace of single storey industrial buildings in Kildare Close. The street scene is predominantly commercial in character and appearance and the application site lies within the secondary shopping area of the Eastcote Town Centre, as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

### 3.2 Proposed Scheme

Planning permission is sought for the change of use of the building from a tutorial college (Class D1) on the ground floor and offices (Class B1) on the first and second floors to residential (Use Class C3), comprising 12 x 2 bedroom flats, together with 13 car parking spaces and amenity space.

### 3.3 Relevant Planning History

18454/APP/2010/1424     262-270 Field End Road Ruislip

Change of use of ground floor from Class B1 (Office) to Class D1 (Non-residential Institutions) for use as tutorial college.

**Decision:** 18-08-2010     Approved

18454/APP/2012/2568     262-270 Field End Road Eastcote

Conversion of existing four storey B1 unit into C3 Residential use comprising 11 x 2 bed flats and 1 x 1 bed flat with associated parking and amenity space.

**Decision:** 07-12-2012     Withdrawn

### Comment on Relevant Planning History

Planning permission was granted on 18 August 2010 for the change of use of the ground floor from offices to a tutorial college within class D1 (Application Ref: 18454/APP/2010/1424).

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

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

#### Part 1 Policies:

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

#### Part 2 Policies:

A7	Developments likely to increase helicopter activity
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

S12	Service uses in Secondary Shopping Areas
LPP 5.1	(2011) Climate Change Mitigation
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HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
NPPF	

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th November 2013**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

The application has been advertised under Article 13 of the Town and Country Planning General Development Management Order 2010 as a Major Development. 37 adjoining owner/occupiers have been consulted. No comments have been received.

EASTCOTE RESIDENTS ASSOCIATION - No response.

EASTCOTE VILLAGE CONSERVATION PANEL - No response.

THE EASTCOTE ASSOCIATION - No response.

### Internal Consultees

ACCESS OFFICER

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted May 2013. Notwithstanding the brief within the Design & Access Statement, which states that the flats would be built to the Lifetime Homes Standards, with plans including reference to a wheelchair standard dwelling, a building with five steps up to the main entrance is fundamentally inaccessible.

As the building is existing, there would be no requirement to provide accessibility for wheelchair users as part of this planning application. However, the flats should be designed internally to meet the above policy requirements as substantial internal works will take place. The plans as submitted lack the necessary detail to demonstrate compliance with the Lifetime Home Standards.

Conclusion: Revised plans that incorporate the Lifetime Home Standards should be requested.

(Officer Comment: The submitted plans demonstrate that the layout of the flats and access routes are appropriate. Other detailed aspects of Lifetime Homes, such as the height of plug sockets can

be secured by condition).

#### ENVIRONMENTAL PROTECTION UNIT

After reviewing the Noise Assessment I can confirm that I have no objection to the application, subject to the mitigation measures set out in the report being strictly adhered to. therefore, to ensure that the scheme is laid out sufficiently, I would recommend the following conditions be proposed to ensure the proposed development satisfies the requirements of this Borough's Noise SPD, Section 5, Table 2. This is based on BS 8233:1999 Code of Practice for internal noise criteria for residential dwellings.

#### Condition 1:Road Traffic Noise

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved by the Local Planning Authority (LPA). The noise protection scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of measures as may be approved by the LPA. The scheme shall thereafter be retained and operated in its approved form for so long as the use hereby permitted remains on the site.

Reason: To safeguard the amenity of the new residential properties

The standard Construction Site Informative should be added.

#### TREE AND LANDSCAPE OFFICER

LANDSCAPE CHARACTER / CONTEXT: The site is occupied by a four-storey office building fronting onto Field End Road. A service yard of hard-standing to the rear of the building is accessed via Kildare Close at the southern end. There is no soft landscape or amenity space at present and no trees or other landscape features nearby which could be affected by development.

PROPOSAL: The proposal is for a change of use from offices (Use ClassB1) to Residential (Use Class C3) to comprise 12 x 2 bedroom flats, 13 parking spaces and amenity space.

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.
- A Design & Access Statement, by Chess, makes no specific reference to landscape enhancement or objectives. However, it does state (2.04) that an area of 258m<sup>2</sup> of external amenity space is to be provided to the rear of the building - on two levels. The layout drawing shows an indicative layout.
- Indicative specifications are provided for topsoiling, planting and maintenance. These will need to be tailored to a specific landscape plan, through conditions.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

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

#### SUSTAINABILITY OFFICER

the application is acceptable subject to a condition to ensure a 25% reduction in energy use, which

is entirely achievable given the context of the development.

#### FLOOD AND DRAINAGE OFFICER

The following condition should be imposed in the event of an approval.

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
  - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
  - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).
  - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

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

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

#### REASON

(i) To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25.

(ii) To ensure that surface water run off is handled as close to its source as possible, in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

#### HIGHWAY ENGINEER

The site has a PTAL of 3 and is located close to Eastcote Station. The transport statement compares the trip generation of the proposed residential use with the consented office use based on sample sites from the TRICS database. The proposed use results in a reduction of 15 two way vehiculartrips and a reduction of 13 two way trips during the PM peak.

13 car parking spaces and 12 cycle parking spaces are provided for the 12 two bed flats. The Council's parking standards permit a maximum of 1.5 spaces per unit irrespective of the number of bedrooms per unit, where as the London Plan standards are more specific and specify less than 1



space per unit of 1 to 2 bedrooms. In view of the site's middle of the range PTAL, good public transport links and location within a CPZ where parking on street is prohibited between 8.00 and 18.30 hours, no objections are raised on the level of parking provision.

Refuse bins are located at the entrance to the car park, a location that can be accessed by the Council's refuse vehicle. However the bin location is more than the 30 metre walk distance from some of the flats. It is not considered that a refusal on the the grounds of the excess walk distance for some units is likely to stand up at appeal. If there were no minor external changes to the building the proposal would have been implemented under permitted development via the prior approval route.

No objections are raised on highway grounds.

## **7. MAIN PLANNING ISSUES**

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

The application site is designated as being located within the secondary shopping area of the Eastcote Minor Town Centre UDP Proposals Map. It is neither a Strategic Industrial Location nor a Preferred Industrial Location in the London Plan, an Industrial and Business Area in the adopted UDP or a Locally Significant Industrial Site (LSIS) and Locally Significant Employment Location site (LSEL) in the Hillingdon Local Plan: Part 1- Strategic Policies. Saved Local Plan Part 2 Policy LE4 relates to the loss of employment land outside identified Industrial and Business Areas.

Policy LE4 advises that 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.

The applicant has not provided detailed evidence to suggest that the site is unsuitable for continued B1 or D1 use, in particular, evidence to demonstrate that there has been no market interest in the use of the ground floor for Class D1 use or for continued office use of the upper floors. Nevertheless, the applicants contend that the viability of its current uses has been under pressure, with the security of tenure declining, indicative of the declining demand for B1 units in the area.

It is noted that there is currently 358 ha of designated employment land in the Borough, with the Employment Land Study (2009) concluding that employment has become increasingly office based and such uses have tended to consolidate in accessible and designated business / office parks in Uxbridge, Stockley Park and around Heathrow. It is recognised that there has been a steady decline in industrial and warehousing floorspace. However, the Council has maintained an effective employment land supply, such that any release of land over the past 10-20 years has not harmed employment or business functions within the Borough. In this context, isolated employment sites, such as the application site are considered to be unattractive to prospective users.

In addition, the applicant points out that the building as originally approved included 6 one bedroom flats (refs:18454/C/84/1997 and 18454/81/1479). As such, the principle of

residential development on this site has already been accepted.

The NPPF, The London Plan (2011), the adopted Hillingdon Local Plan: Part 1- Strategic Policies and the saved Hillingdon Unitary Development Plan Policies (2007) all support the provision of residential accommodation in appropriate locations. London Plan Policy 3.3 (increasing housing supply) seeks to increase London's housing supply, enhance the environment, improve housing choice and affordability and to provide better accommodation for Londoners. Local Plan Policy PT1.H1 affirms the London Plan targets to deliver 4,250 new homes in the Borough from 2011 to 2021 or 6,375 dwellings up to 2026. The proposal includes 12 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy.

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

Policy H4 the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) also seeks to encourage additional housing in town centres. The supporting text states: "The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly one or two-bedroom units."

The site falls on the periphery of the secondary shopping area. Saved Local Plan Part 2 Policy S12 sets out acceptable uses at ground floor level within shopping frontages of secondary areas. Although the site falls on the edge of the secondary shopping area, the building was never designed to provide an active shopping frontage. The building was designed with the ground floor elevated above street level and set back from the front boundary, behind air vents serving the undercroft parking area. The site has never had any retail or service uses on the ground floor. Historically the whole building was used as offices and currently the upper ground floor of the building is occupied by a Tutorial College (Class D1 use).

As such, the proposed development would not result in the loss of retail or service uses at street level and as such, it is not considered that the loss of the Tutorial College would harm the viability or vitality of the centre.

The proposed use for residential purposes is not considered to affect the role and function of the shopping centre, or to detract from its attractiveness for local shoppers.

Approval for the loss of employment and future residential use of the application site could be considered an appropriate "windfall" site, assisting in providing a balanced approach to future development and much needed housing units in the Borough. The principle of the proposed use does not conflict with the strategic objectives of the NPPF, London Plan, or the the adopted Development Plan and emerging policy. No objections are therefore raised to the principle of residential use on the site.

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

London Plan Policy 3.4 sets out density requirements for new residential development within London Boroughs within Table 3.2. In urban areas with a PTAL rating of 2-3, it is suggested that a scheme comprising 1, 2 and 3-bed units should show a density between 70 and 170 dwellings per hectare (dph), or 200-450 hr/ha. The application scheme represents a density of 178 dph, or 520 hr/ha. This level of development is slightly above the guidelines set out within Table 3.2 density matrix of the London Plan, assuming a PTAL of 3.

Since this a conversion of an existing building, there would be no major changes to the external fabric of the building or built form of the site. Nevertheless, it will be important to demonstrate that the units will have good internal and external living space, and that the scale and layout of the proposed development is compatible with sustainable residential quality, having regard to the specific constraints of this site. As set out elsewhere in this report, it is considered that this residential scheme has been designed to meet the relevant policy standards and targets.

#### UNIT MIX

In ensuring a range of housing choice is provided to residents, Policy 3.8 states that new developments should offer a range of choices, in terms of the mix of housing sizes and types, and ensuring that all units are built to Lifetime Homes Standards. The proposed scheme provides 12 x 2 bed units and is therefore compliant with London Plan Policy 3.8.

Saved Policies H4 and H5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres, while larger family units are promoted elsewhere. This mix of 2 bedroom units is considered appropriate for this town centre location.

In conclusion, the proposed development accords with the requirements of national policy and the Development Plan by making effective and efficient use of Brownfield Land, whilst respecting the surrounding context.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas or Listed Buildings within the vicinity.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues related to this development.

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

There are no Green Belt issues associated with this site.

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

Part 1 policy BE1 requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. Policy BE26 seeks to ensure that within town centres, the design, layout and landscaping of new buildings should reflect the role, overall scale and character of town centres as a focus for shopping and leisure activity. The supporting text to Policy BE26 states that the design of buildings and external spaces should increase the visual and functional attractiveness of town centres, in order to attract people and investment; and new buildings should maintain the feeling of bulk and scale of the town

centres while creating variety and interest in themselves.

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

No external alterations are proposed to the front elevation. The existing escape staircase discharging into Kildare Close will be removed and the western (rear) elevation amended by the inclusion of additional windows. No other changes to the elevation of the building are proposed. To the rear of the building, two external amenity areas are proposed on two levels. The lower level amenity space would be provided in the north west corner of the site at lower ground level, whilst the upper level amenity space would be created at upper ground level. It is considered that subject to detailed design, these areas would enhance the amenity and character of the area. Overall, it is not considered that the proposal would harm the character and appearance of the street scene or character of the area, in compliance with relevant Local and London Plan policies.

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

Saved Policy H8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states amongst other things, that the conversion or change of use of premises to residential use will only be acceptable if a satisfactory residential environment can be achieved. Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded. Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas. Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the design of new buildings should protect the privacy of occupiers and their neighbours.

The nearest residential properties lie above commercial units located opposite the application property, and above the commercial units to the south east, on the opposite side on Kildare Close. The proposed use would be located within the building and the amenity deck would be located an appropriate distance from nearby properties, such that it is not considered that the proposal would result in an over dominant form of development or a material loss of daylight or sunlight and privacy to neighbouring properties, in compliance with the above mentioned policies.

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

Saved Policy H8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states amongst other things, that the conversion or change of use of premises to residential use will only be acceptable if a satisfactory residential environment can be achieved.

External Amenity Areas

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats. Hillingdon Design and Accessibility Statement (HDAS) Supplementary

Planning Document - Residential layouts, suggests that 25m<sup>2</sup> per flat should be provided for two bedroom flats. Based on the current accommodation schedule, this would equate to a total of 300m<sup>2</sup> of shared and private amenity space for 12 dwellings. The current development proposal provides for an area of 258 m<sup>2</sup>, which is slightly under the recommended standards.

However, this is a town centre location and the Cavendish Recreation Ground is within 300m of the site. In addition, it is noted that the first and second floor flats could be converted from office to residential use as permitted development, via the prior approval route, without the provision of any external amenity space. In light of these considerations, it is considered that the communal amenity space provided is acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### Unit size

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

#### Outlook and light

Each of the units benefit from a reasonable level of privacy, outlook and light. The first floor of the accommodation is a raised upper ground floor, elevated above street level. Furthermore, the front elevation of the building is set back from the site boundary. In addition, the upper ground floor flats are dual aspect. and overall, it is considered that good environmental conditions can be provided for future occupiers in compliance with relevant UDP saved policies and supplementary design guidance.

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

The National Planning Policy Framework (NPPF) at Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 35 of NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians. Local requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states:

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

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



## Traffic Generation

The proposed development would not lead to a significant increase in traffic generation given its proposed use and location. As such, it is considered that the development would not give rise to conditions prejudicial to free flow of traffic and highway and pedestrian safety. The development therefore accords with Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## Parking

It is considered that the proposals strike the requisite balance between parking restraint, to promote alternative travel modes and the provision of adequate parking. The proposed level of parking meets LBH's UDP standards as well as all London Plan standards. The London Plan Policy 6.1 states that 'the need for car use should be reduced, with Table 6.2 stating that there should be a maximum of 1 space for 1-2 bed units.

The application proposes a total of 13 parking spaces, including 10% of these spaces for people with a disability. This equates to 1.1 spaces per unit. The Council's standards allow for a maximum provision of 1.5 spaces per residential unit, a total of 18 spaces in this case. The site has a PTAL rating of 3 and it is considered that residents of the proposed development would have relatively good access to all day to day facilities and to the wider London area, via good public transport connections. The proposed 1.1 parking spaces per dwelling therefore meets the NPPF policy guidance by being in line with expected existing and future need, taking into account the type, mix and use of the development. As such, the Council's Highways Engineer has raised no objection to the level of car parking and has confirmed that all the parking spaces would be of sufficient dimensions and usable. The proposal is therefore considered to comply with Local Plan Part 2 Saved Policies AM14 and AM15 and London Plan Policy 6.1. In addition the provision of electric charging points can be secured by condition.

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

Details of security arrangements, including CCTV can be secured by condition, in the event of an approval.

### **7.12 Disabled access**

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

The Access Officer notes that as the building is existing, there would be no requirement to provide accessibility for wheelchair users as part of the scheme. However, the flats should be designed internally to meet the Lifetime Home Standards. Subject to conditions, it is considered that lifetime Homes standards can be achieved, in accordance with the London Plan Policies 3.8, 7.1 and 7.2 and in general compliance with the Council's Supplementary Planning Document "Accessible Hillingdon".

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

The development would introduce a total of 12 dwellings, therefore triggering the affordable housing requirement threshold of 10 units as set out in London Plan policy 3.13. A full GLA Toolkit Appraisal has been carried out in support of this application.



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

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

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

##### TREES AND LANDSCAPE

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

The Tree and Landscape Officer notes that no trees or other landscape features of merit will be affected by the proposal and that an area of 258m<sup>2</sup> of external amenity space is to be provided to the rear of the building on two levels. The layout drawing shows an indicative layout and in addition, indicative specifications are provided for top soiling, planting and maintenance. These could be tailored to a specific landscape plan, through conditions.

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

##### ECOLOGY

Saved Policy EC2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks the promotion of nature conservation interests. Saved policy EC5 seeks the retention of features, enhancements and creation of new habitats. London Plan Policy 7.19[c] seeks ecological enhancement.

The application site itself is not considered to have a high ecological value, due to the lack of potential for protected species. New soft landscaping is proposed as part of the development and the proposal is therefore not considered to conflict with Policy 7.19 of the London Plan which requires that development protects and enhances biodiversity, Local Plan Part 1 Policy EM7 and relevant Local Plan Part 2 policies.

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

Refuse is provided in a refuse store at ground floor level at the rear of the block. The level of waste and recycling provision is acceptable and the development can be adequately serviced by refuse vehicles.

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

Sustainability policy is now set out in the London Plan (2011), at Policy 5.2. Part A of the policy requires development proposals to make the fullest contribution to minimising carbon dioxide emissions by employing the hierarchy of: using less energy; supplying energy efficiently; and using renewable technologies. Part B of the policy currently requires

non domestic buildings to achieve a 25% improvement on building regulations. Parts C & D of the policy require proposals to include a detailed energy assessment.

At the time of the application first being submitted, the 2011 London Plan required major developments to demonstrate a 25% reduction from a 2010 Building Regulations compliant development.

A Sustainability Energy Assessment has been submitted in support of the application. This report demonstrates how a variety of technologies could be incorporated into the design to reduce the CO2 emissions for an approximate average of 20% reduction in CO2 over building regulations 2010. It is proposed to upgrade the insulation and provide air source heat pumps to each dwelling. However, no details have been provided. A condition is therefore recommended requiring the development not be occupied until a detailed energy assessment shall be submitted and approved in writing.

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

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

Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. The site falls outside any flood zones as defined in the Council's own Strategic Flood Risk Assessment (SFRA) and is with flood zone 1 on the Environment Agency maps. A flood risk assessment is therefore not a requirement for this scheme.

Given that a final drainage strategy has not been agreed, a condition is recommended requiring the submission and implementation of a detailed surface water drainage scheme, which would need to demonstrate the surface water run-off generated to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme would also need to include provision of on-site surface water storage to accommodate the critical duration 1 in 100 year storm event, with an allowance for climate change. Subject to compliance with this condition, it is considered that the scheme will have satisfactorily addressed drainage and flood related issues, in compliance with the Hillingdon Local Plan: Part 2 Policies OE7 and OE8, Policies 5.13 and 5.15 of the London Plan and the aspirations of the NPPF.

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

Policy 7.15 of the London Plan seeks to reduce noise and minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals. A noise assessment has been carried out in support of the application and concludes that the principle of residential accommodation is acceptable in this location, subject to mitigation measures outlined within the report. The Government's National Planning Policy Framework (NPPF) which replaces PPG24 (Planning and Noise) gives the Government's guidance on noise issues.

A baseline noise survey was undertaken to establish prevailing noise levels across the development site. The application site is on a busy high road and sited next to commercial premises. It is therefore reasonable to expect that traffic and industrial noise from the neighbouring commercial premises is likely to be high enough to affect the residential amenities of

future occupiers.

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

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

No comments have been received to the public consultation.

#### **7.20 Planning obligations**

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

The Council's Section 106 Officer has reviewed the proposal. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the

development, which have been agreed with the applicant:

(i) Transport: All on site and off site highways works as a result of this proposal.

(ii) Health: The applicant provides a financial contribution of £5,018 towards health care in the area

(iii) Libraries: The applicant provides a financial contribution of £532 towards library provision in the area

(iv) Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution of £5,375

(v) Community Facilities/Public Realm: The applicant provides a financial contribution of £10,000

(vi) Affordable Housing review mechanism

(vii) Education: The applicant provides a financial contribution towards school places in the area commensurate with the estimated child yield of the development amounting to £26,013

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

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

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

There are no enforcement issues associated with this site.

#### **7.22 Other Issues**

There are no other issues associated with this development.

### **8. Observations of the Borough Solicitor**

## General

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

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

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

## Planning Conditions

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

## Planning Obligations

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

## Equalities and Human Rights

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

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

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

## 9. Observations of the Director of Finance

Not applicable.

## 10. CONCLUSION

No objection is raised to the principle of the residential use of this site. The density of the proposed development is slightly above London Plan guidance. However, this is scheme is for the conversion of an existing building. As a result, there would be no material change to the design, scale and layout of the site. the proposal is therefore considered appropriate to its town centre context and character of the area. In addition, the proposed development would provide good living conditions for all of the proposed units and protect the residential amenity of surrounding occupiers in terms of outlook, privacy and light.

The applicant has offered an acceptable package of contributions to be secured by way of a proposed S106 Agreement. In addition, access, parking and highway safety issues have been satisfactorily addressed. It is recommended that the application should be supported, subject to a Section 106 Legal Agreement and conditions.

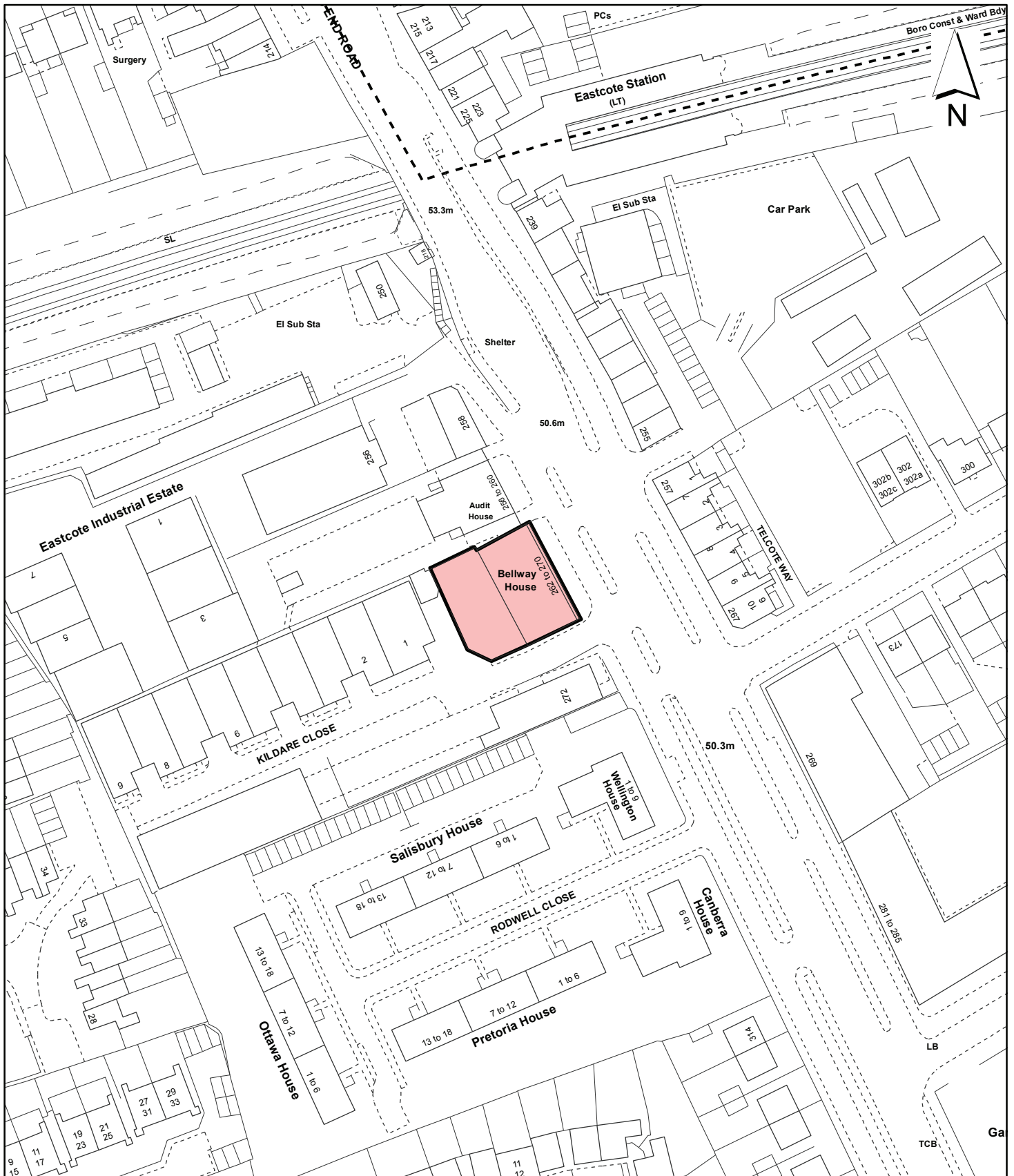
## 11. Reference Documents

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


**Contact Officer:** Karl Dafe

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**262-270 Field End Road  
Eastcote**

**LONDON BOROUGH  
OF HILLINGDON  
Residents Services**

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Telephone No.: Uxbridge 250111

Planning Application Ref:

**18454/APP/2013/2449**

Scale

**1:1,250**

Planning Committee

**Major Application**

Date

**January  
2014**