

Report of the Head of Planning, Sport and Green Spaces

Address RAINBOW AND KIRBY INDUSTRIAL ESTATES TROUT ROAD YIEWSLEY

Development: Demolition of existing premises and erection of 99 residential units (C3), 50 unit extra care/dementia sheltered housing scheme (C3), 1,529.4sqm light industrial floorspace comprising 17 business units (B1c) and 611.30sqm of restaurant/cafe (A3) floorspace associated open space, car parking and landscaping. (Outline Application)

LBH Ref Nos: 38058/APP/2013/1756

Drawing Nos: AA1832/2.3/008R
AA1832/2.3/011R
AA1832/2.3/012RA
AA1832/2.3/014R
AA1832/2.3/016R
AL1832/2.1/03R
AL1832/2.1/01R
AL1832/2.1/02R
AA1832/2.3/15R
AA1832/2.3/17R
AA1832/2.3/13R
A1832/2.1/01D
AA1832/2.3/014A
Design & Access Statement
Planning Statement
AA1832/2.1/021RA
AA1832/2.1/022RA
AA1832/2.1/23RA
AA1832/2.1/024RA
AA1832/2.1/025RA
AA1832/2.3/004R
AA1832/2.3/001RA
AA1832/2.3/003R
AA1832/2.3/006R
AA1832/2.3/007R
Ground Investigation report
Bat Survey
Employment Report
Habitat Survey
Air Quality Assessment
Tree Survey
Energy Statement
Flood Risk Assessment
Foul sewage & utilities assessment
Noise impact assessment
Transport Assessment

Date Plans Received: 25/06/2013 **Date(s) of Amendment(s):** 07/08/2013

Date Application Valid: 07/08/2013 09/01/2014

1. SUMMARY

The current application proposes the erection of 99 residential units (Use Class C3), 42 extra care units (Use Class C3) and 8 dementia bedsits (Use Class C2). The proposed extra care and dementia units seek to provide the affordable housing across the application site providing 33% of affordable housing. In principle the uses are considered to be acceptable.

Landscaping and appearance have been reserved for consideration at a future date. It is considered that the scheme is acceptable in terms traffic, parking, scale, site access and layout.

The proposal will provide regeneration to the Yiewsley/West Drayton town centre and provide an additional retail unit along the High Street frontage to further secure the vitality of the town centre.

The development delivers a sustainable redevelopment proposal of a brownfield site in a town centre location whilst also retaining employment floorspace to serve the Borough.

Subject to appropriate conditions and planning obligations, this outline planning application is considered to accord with local, regional and national planning policy requirements.

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) A s278 shall be entered into to secure the following highways works:

- pedestrian footway widen and redesign improvement schemes and schemes to mitigate other deficiencies highlighted in the PERS Audit.
- Improvements of the Uxbridge to Heathrow Cycle Route and the upgrade of the cycle route along the Grand Union Canal
- Measures for improving pedestrian safety mainly by enhancing pedestrian visibility when crossing adjacent site junctions.

ii) Affordable Housing: Deliver the Extra Care Home as affordable housing component (32%).

iii) Health: a contribution in the sum of £46,022.87.

iv) Public Realm: a contribution of £75,000.

v) Community facilities: a contribution of £40,000.

vi) Libraries: a contribution in the sum of £4,885.43.

vii) Construction Training: a contribution equal £2500 per £1m build cost and a financial contribution of £66,747.34 for the work place coordinator.

viii) Education: a payment in the sum of £299,083

ix) Employment Strategy: the Employment Strategy will need to demonstrate how the employment aspect of the development will be effectively marketed so as to endeavour to secure long terms B1 employment on the site.

x) Project Management and Monitoring Fee: Financial contribution equal to 5% of all financial contributions.

xi) Future residents of the scheme will not be entitled to to parking permits

xii) Travel Plan

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 within 3 months of the date of this Committee resolution, 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 COM1 Outline Time Limit

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

2 COM2 Outline Reserved Matters

Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to the local planning authority before the expiry of three years from the date of this permission and approved in writing before any development begins. The submitted details shall also include details of:

- (i) Phasing of the development including the order and timing of development.
- ii) The internal layouts of each building
- iii) External materials. Details should include information relating to make, product/type, colour and photographs/images.
- iv) Energy measures
- v) Plant & machinery
- ix) Refuse storage

The development shall be carried out in accordance with the approved details.

REASON

To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (As Amended).

3 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

A1832/2.3/008R
AA1832/2.3/011R
AA1832/2.3/012RA
AA1832/2.3/014R
AA1832/2.3/016R
AL1832/2.1/03R
AL1832/2.1/01R
AL1832/2.1/02R
AA1832/2.3/15R
AA1832/2.3/17R
AA1832/2.3/13R
A1832/2.1/01D
AA1832/2.3/014A
AA1832/2.1/021RA
AA1832/2.1/022RA
AA1832/2.1/23RA
AA1832/2.1/024RA
AA1832/2.1/025RA
AA1832/2.3/004R
AA1832/2.3/001RA
AA1832/2.3/003R
AA1832/2.3/006R
AA1832/2.3/007R

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).

4 NONSC Non Standard Condition

The total floorspace areas of the uses hereby approved shall be limited to the following:

Overall floorspace area of all uses shall not exceed 19,666.4 sqm (GIA)
Residential floorspace (Class C3) shall not exceed 17,526 sqm (GIA)
Retail (Class A3) shall not exceed 611 sqm (GIA)
Office/Light Industrial (Class B1) shall not exceed 1,529.4 sqm (GIA)
Car parking shall not exceed 152 vehicular bays

Residential floorspace comprises all residential units including extra care and dementia units.

REASON

To ensure the quantum of floorspace does not exceed the amount assessed in the application in order to provide an appropriate mix of land uses in accordance with policies 2.14, 3.1, 3.2, 3.3, 3.4, 3.5, 3.7 and 3.9 of the London Plan 2011.

5 NONSC Non Standard Condition

The residential accommodation hereby approved shall not exceed 99 residential units, 42 Extra Care Units and 8 Dementia Care units overall.

All residential units within the development shall be constructed in accordance with 'Lifetime Homes' standards and the adopted 'London Housing Design Guide' SPG 2012 and to Code for Sustainable Homes Level 4.

REASON

To ensure that the appropriate level of accessibility is achieved within the development in accordance with policies 2.14, 3.1, 3.2, 3.3, 3.4, 3.5, 3.7 and 3.9 of the London Plan 2011.

6 NONSC Non Standard Condition

The Extra Care Facility hereby approved used for an Extra Care Facility and for no other purpose including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

REASON

To ensure an adequate level of amenity for future occupiers and neighbouring properties and to protect the amenity and character of the area in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

7 COM6 Levels

No phase of the 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 relating to the relevant phase of the development 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 relevant phase of 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)

8 RES15 Sustainable Water Management (changed from SUDS)

No phase of the development approved by this permission shall be commenced until a scheme for the provision of sustainable water management for the relevant phase 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 each phase of the development shall be implemented and retained/maintained in accordance with the details for the relevant phase 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.

9 RES16 Code for Sustainable Homes

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

The relevant phase of 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 within the relevant phase.

REASON

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

10 RES17 Sound Insulation

No phase of the development shall 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 for the relevant phase. All works which form part of the scheme shall be fully implemented before the relevant phase of 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.

11 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

12 RES22 Parking Allocation

No unit in any phase hereby approved shall be occupied until a parking allocation

scheme for the relevant phase 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).

13 RES23 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

14 RES24 Secured by Design

The dwellings shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling within each relevant phase 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.

15 RES26 Contaminated Land

(i) Any phase of the development hereby permitted shall not commence until a scheme to deal with contamination for the relevant phase has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved in writing 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 of the relevant phase; 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 relevant phase 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

16 RES9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
 - 1.d Survey showing trees to be retained and removed.
 - 1.e Buffer zone along the canal
2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
3. Living Walls and Roofs
 - 3.a Details of the inclusion of living walls and roofs
 - 3.b Justification as to why no part of the development can include living walls and roofs
4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
5. Schedule for Implementation
6. Other
 - 6.a Existing and proposed functional services above and below ground
 - 6.b Proposed finishing levels or contours
 - 6.c Arboricultural method statement

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

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)

17 NONSC Non Standard Condition

Prior to the commencement of Phases adjoining the canal of the development hereby permitted, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority.

REASON

In the interest of preserving the setting and ecology of the canal environment in accordance with policy BE34 of Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

18 NONSC Non Standard Condition

If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of each phase. Thereafter the approved details for the relevant phase shall be implemented in accordance with the agreed details unless otherwise agreed in writing.

REASON

To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure in accordance with policy BE34 of Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

19 NONSC Non Standard Condition

Prior to the commencement of each phase of the development hereby permitted, a scheme for the provision of electric vehicle charging points for the relevant phase of development shall be provided. The details shall be submitted to and agreed in writing by the Local Planning Authority. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the relevant phase of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

REASON

To encourage the use of electric cars in order to reduce carbon emissions, and in accordance with the London Plan Housing SPG.

20 NONSC Non Standard Condition

Prior to the commencement of each phase of the development a Delivery and Servicing Plan to incorporate details of deliveries to the site, including size of vehicle, routing of deliveries, and times of deliveries for the relevant phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be

adhered to for the relevant phase thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON

In order to minimise the impact of the development on the local highway network, local amenity and traffic congestion and in accordance with policy BE1 of the Local Plan Part 1 2012.

21 NONSC Non Standard Condition

Prior to the commencement of each phase of the development a detailed energy assessment shall be submitted showing how the relevant phase development will reduce carbon emissions by 40% from a 2010 Building Regulations compliant development. The assessment shall clearly show:

1) the baseline energy demand (kwhr and kgCO₂) 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) the methods to improve the energy efficiency of the development and how this impacts on the baseline emissions:

2) the inclusion of phasing for CHP to service the whole site, the specification of the technology to be used, the inputs and outputs of the CHP unit and the 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 shall be implemented and retained in accordance with the details approved for each phase of the development.

REASON

To ensure appropriate carbon savings are delivered in accordance with London Plan Policy 5.2.

22 NONSC Non Standard Condition

Before each phase the development hereby approved is commenced a scheme for protecting the proposed accommodation in the relevant phase of development from external air pollution shall be submitted and approved by the LPA. Any works which form part of such a scheme shall be completed for the relevant phase before any part of the development is 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 Local Plan Part 2 (November 2012).

23 NONSC Non Standard Condition

Before each phase of 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 and approved in writing. This shall include suitable pollutant emission rates with and without mitigation technologies, which needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012 (September 2007).

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).

24 NONSC Non Standard Condition

Before the development of each phase of the development hereby approved is commenced, details to limit and/or control air pollution for any CHP for the relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be provided prior to the occupation of the relevant phase in which the CHP is to be constructed and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

25 NONSC Non Standard Condition

Prior to development commencing, the applicant shall submit a freight and construction management plan to the Local Planning Authority for its approval.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the 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.

LPP 1.1	2011)Delivering the strategic vision and objectives for London
LPP 2.1	(2011) London in its global, European and UK context
BE13	New development must harmonise with the existing street scene.
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.

BE25	Modernisation and improvement of industrial and business areas
BE26	Town centres - design, layout and landscaping of new buildings
BE31	Facilities for the recreational use of the canal
BE33	Proposals for the establishment of residential moorings
BE36	Proposals for high buildings/structures in identified sensitive areas
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H5	Dwellings suitable for large families
S12	Service uses in Secondary Shopping Areas
R1	Development proposals in or near areas deficient in recreational open space
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE2	Development in designated Industrial and Business Areas
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

3

In order to provide an appropriate accessibility standards are satisfied at the reserved matters stage, the following detailed advice is provided:-

It is noted that the design would incorporate a shared surface environment. A future

detailed application must ensure that the said environment clearly demonstrates:

- a. a design that successfully alerts motorists, cyclists and pedestrians to the shared surface environment;
- b. clear wayfinding for blind and partially sighted people; a design that minimises the risk of blind people straying into the path of moving vehicles;
- c. minimal use of bollards and similar obstacles; rationalised use of street furniture;
- d. defined car spaces to ensure vehicles are parked only in designated places;
- e. road narrowing, carefully positioned planters and/or other passive measures that force slow vehicle movement;
- f. an environment that is legible; to aid navigation, it should be possible to easily differentiate one area of the development from another.

2. Level access should be achieved across the site. Should it not be possible, due to topographical constraints, to achieve level access, gradients should not exceed 1:50, with a maximum crossfall of 1:60. The ramp leading to the promenade should be eliminated or be graded to accord with the above specifications.

3. All residential accommodation should comply with all 16 Lifetime Home standards (as relevant) with all details shown on plan. In addition, 10% of new housing should be built to Wheelchair Home Standards. Indicative layout should be submitted to ensure that the requisite standards have been considered and incorporated into the building footprints identified.

4. In addition to the provision referred to in point 2 above, an allocated parking space, within 40 m of the home, is required for each Wheelchair Standard Home. (This provision is also required in any car free elements/zones of the proposal.)

5. In line with the GLA 'Wheelchair Housing BPG', the wheelchair accessible flats should be evenly distributed throughout the site

6. All blocks of flats, as proposed, should feature a single communal entrance that serves all flats. In the smaller blocks, one Part M compliant passenger lift should be provided. In blocks containing 15 flats or more two lifts should be featured to allow for increased use and to maintain wheelchair access in the event of a lift breakdown.

7. From the internal face of the front door, the wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite.

8. The bathrooms/ensuite facilities should be designed in accordance with the pre-July 2010 Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

9. The Gross Internal Area required for the living areas within a specific size of dwelling (e.g. a two-bedroom flat) should be increased by approximately 10% to allow the successful integration of facilities within the wheelchair home standard units.

10. The limited parking proposed for the extra care facility is considered to be insufficient. Whilst it is accepted that every resident is unlikely to require a parking space, it would be common practice to expect a significant number of professionals to visit each day and for there to be a need for parking in excess of 16 spaces at any time. The parking provision

proposed for this facility should be increased to take account of members of staff who are likely be reliant upon a car (particularly when working a late shift), residents who may own an accessible vehicle, in addition to district nurses, care workers, physiotherapists, social workers and other visiting professionals and service providers.

4 128 **Food Hygiene**

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

5 147 **Damage to Verge**

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

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

6 148 **Refuse/Storage Areas**

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

7 149 **Secured by Design**

The Council has identified the specific security need(s) of the application site to be: (State specific security need(s)).

You are advised to submit details to overcome the specified security need(s) in order to comply with condition 13 of this planning permission.

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

8 15 **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.

9 I60 Cranes

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

10 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 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.

11

The applicant is advised of the following Disabled Access issues that will need to be addressed at reserved matters stage:

1. It is noted that the design would incorporate a shared surface environment. A future detailed application must ensure that the said environment clearly demonstrates:

- a. a design that successfully alerts motorists, cyclists and pedestrians to the shared surface environment;
- b. clear wayfinding for blind and partially sighted people; a design that minimises the risk of blind people straying into the path of moving vehicles;
- c. minimal use of bollards and similar obstacles; rationalised use of street furniture;
- d. defined car spaces to ensure vehicles are parked only in designated places;
- e. road narrowing, carefully positioned planters and/or other passive measures that force slow vehicle movement;

f. an environment that is legible; to aid navigation, it should be possible to easily differentiate one area of the development from another.

2. Level access should be achieved across the site. Should it not be possible, due to topographical constraints, to achieve level access, gradients should not exceed 1:50, with a maximum crossfall of 1:60. The ramp leading to the promenade should be eliminated or be graded to accord with the above specifications.

3. All residential accommodation should comply with all 16 Lifetime Home standards (as relevant) with all details shown on plan. In addition, 10% of new housing should be built to Wheelchair Home Standards. Indicative layout should be submitted to ensure that the requisite standards have been considered and incorporated into the building footprints identified.

4. In addition to the provision referred to in point 2 above, an allocated parking space, within 40 m of the home, is required for each Wheelchair Standard Home. (This provision is also required in any car free elements/zones of the proposal.)

5. In line with the GLA 'Wheelchair Housing BPG', the wheelchair accessible flats should be evenly distributed throughout the site

6. All blocks of flats, as proposed, should feature a single communal entrance that serves all flats. In the smaller blocks, one Part M compliant passenger lift should be provided. In blocks containing 15 flats or more two lifts should be featured to allow for increased use and to maintain wheelchair access in the event of a lift breakdown.

7. From the internal face of the front door, the wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite.

8. The bathrooms/ensuite facilities should be designed in accordance with the pre-July 2010 Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

9. The Gross Internal Area required for the living areas within a specific size of dwelling (e.g. a two-bedroom flat) should be increased by approximately 10% to allow the successful integration of facilities within the wheelchair home standard units.

10. The limited parking proposed for the extra care facility is considered to be insufficient. Whilst it is accepted that every resident is unlikely to require a parking space, it would be common practice to expect a significant number of professionals to visit each day and for there to be a need for parking in excess of 16 spaces at any time. The parking provision proposed for this facility should be increased to take account of members of staff who are likely to be reliant upon a car (particularly when working a late shift), residents who may own an accessible vehicle, in addition to district nurses, care workers, physiotherapists, social workers and other visiting professionals and service providers.

12

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 £591,990 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

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises the former Rainbow and Kirby Industrial Estates, which accommodate approximately an 2.15 hectare irregularly shaped plot, currently accessed via two access points from Trout Road, as well as the High Street and from St Stephen's Road. Parts of the site front the south east side of Trout Road, the western side of Yiewsley High Street, and the north west side of St Stephens Road, with the entire south west boundary bordered by the Grand Union Canal.

The site largely accommodates a range of single-storey and two-storey industrial buildings, many of which were in a poor state of repair, particularly those fronting Trout Road. Many of the buildings suffered significant fire damage on 19 March 2011 and have since been demolished. The site also encompassed a three-storey vacant office building, Gemeni House fronting the High Street, which has also now been demolished.

The site is bounded to the North West by existing industrial units and by Trout Road, beyond which are four-storey residential properties (including roof accommodation) and the recently completed Tesco Supermarket and ancillary parking.

To the North East the site is largely bounded by commercial properties fronting Yiewsley High Street. These range from single-storey to four-stories in height, fronting the street and include two supermarkets (Aldi and Iceland) and ancillary parking, as well as smaller retail units with offices and/or residential accommodation above. The former church immediately opposite the site's High Street frontage, and the George and Dragon Public House to the north.

The Grand Union Canal and towpath bound the site's South West boundary, beyond which are two-storey terraced residential properties and associated gardens, located in Peplow Close, and industrial units located in Bentinck Road.

To the South East, with the exception of industrial units located towards the canal, the site is largely bounded by a mix of two-storey detached and semi-detached residential properties located in St Stephens Road.

The former office building fronting the High Street falls within the Secondary Shopping Area of Yiewsley/West Drayton Town Centre. The remainder of the site falls within the Trout Road Industrial and Business Area.

The application site has a PTAL level of 3.

The application is in Outline form with access, layout and scale being determined at this stage.

3.2 Proposed Scheme

Of the 2.15ha of site area, 1.44ha are proposed for residential and mixed use, 0.41ha for extra care and dementia accommodation and 0.3ha for business and light industrial uses.

The redevelopment of the site will provide 99 no. market flats and 50 no. extra care and dementia flats with approximately 18,525m² GIA at a density of 80 dwellings per hectare.

The housing would comprise a total of 25 one-bedroom flats, 62 two-bedroom flats, and 12 three-bedroom flats. The extra care and dementia units will comprise 8 bedsits, 38 one-bedroom flats and 4 two-bedroom flats. The extra care and dementia accommodation will provide the required affordable housing element of the scheme. The split will be approximately 68% market dwellings and 32% affordable.

The start-up business units (B1) that are proposed will provide 1,529.40m² GIA of business floorspace and there will be an additional 611.30m² of restaurant/cafe (A3) floorspace. The development would range in height from two to five-storeys (including semi basement parking) across the site, with the units fronting the canal being 4 storey near Trout Road stepping down to 3 storey.

The buildings' heights are 3 storeys on the eastern boundary of the site in blocks R3 and R6; while two 4 storey blocks, R2 and R5, would frame the central green space. Block R5 has also got a ground floor cafe introduced facing the canal.

The mixed use block on the High Street has been kept at 3 storeys which represents a reduction from the 3-4 tall commercial storeys of the previous building. This reduction helps to bring the mass of the proposed block in line with the existing 3 storey properties along the High Street. The B1 business units (C1, C2 and C5) are two storeys.

The site will be accessed via 4 existing locations, two of which are situated off Trout Road. On Trout Road there will be a separate access for residential and a separate access for the business units. The business/industrial access will be located approximately 75m west of the Trout Road/High Street/Falling Lane junction and the residential access will be approximately 120m further west from this. These are current existing access points to the application site.

Vehicular access to the southern most part of the site would be provided via the third existing access which is located off St Stephen's Road and will facilitate 22 residential units within Blocks R7 and R8 in the south west of the development site.

The last access is from the High Street to the rear of Block M1. Pedestrian links would also be provided through the site between the High Street and the Canal and Trout Road. The proposed connection of the High Street to the canal towpath, through a series of public open areas, is the principal structuring design element of the layout. By opening the scheme to public access and offering enhanced landscaped open space, this increases the permeability and legibility within the application site. This structuring element will be a well-defined pedestrian route which will connect a series of high quality hard and soft landscaped spaces, including:

- a Piazza located just off Yiewsley High Street;
- a Community Park which has been designed as the main public space at the heart of the development to provide a focus for recreation and a gathering place for the local community;
- the Canal Square which opens the scheme to the canal and promotes activity along this frontage, providing an important destination space for pedestrians;
- and the Entrance Square, which is the primary vehicular access point of the scheme,.

A mix of surface level and under-croft parking would be provided for the various uses,

throughout the site. The parking accords with London Borough of Hillingdon's policy on car parking standards.

Ten percent of residential parking spaces are to be designated as disabled parking bays and will be designed to the required mobility standards. 16 parking spaces have been allocated for the extra care and dementia units. This provision is considered to be an acceptable level given the development's location.

Generally, the ground floor private sale flats are provided with private patios / gardens while the flats on the upper floors will benefit from generous balconies of circa 2m x 3.5m. All blocks have dedicated residents shared amenity space at ground floor. These areas are located in the immediate vicinity of each block and will be separated from public access areas by hedges and railings. The extra care dwellings will have private glazed winter gardens and this is further complemented by the dedicated communal amenity gardens that are separated from publicly accessed areas in the site. All public and residents' amenity space is overlooked by building frontage to provide natural surveillance and security.

In terms of appearance and materials, the palette of materials will reflect the local vernacular in a modern interpretation. The materials will consist of mainly brick and through coloured render with accents of mineral or timber boarding in key corners and features of the scheme. The materials strategy will be further developed during the subsequent design stages.

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

- Planning Statement

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

- Employment Report

The Report states that the alternative uses proposed of residential and small scale retail space (as well as 17 B1 start up units) do not conflict with the policies and objectives of the plan, as it is recognised in the Council's Core Strategy that there is an employment land release capacity of 17.3 ha, with 17.58 ha of employment land, including land at the Trout Road IBA, already identified for release.

The report states that the proposals are appropriate as much of the surrounding industrial land has previously been redeveloped to provide residential and mixed use schemes, and the majority of the application site is vacant and therefore not currently contributing to Hillingdon's employment provision. Regeneration of such a currently under-used site with a mixed use scheme provides an excellent opportunity for economic growth in the Borough. In addition, the proposals will help to meet the UDPs objectives in relation to affordable housing (by providing 50 extra care sheltered affordable housing units) and economic regeneration.

- Design and Access Statement

This report outlines the context for the development and provides a justification for the design rationale, the quantum of units, layout and scale. The history of the design

evolution is explained with illustrative indications of proposed landscaping of key new spaces and appearance of the proposed new buildings of the proposed development.

- Arboricultural Implications Assessment

The Assessment identifies that the most significant trees on the site are on its boundaries. It concludes that the recommended removal of vegetation can be easily mitigated by replacement planting and that principal trees (along the Grand Union Canal and to the rear of properties in St Stephens Road) can be effectively retained, subject to implementation of the protective measures detailed within the report.

The report considers that the post development landscape will be enhanced by the proposals and there are no foreseen significant arboricultural reasons why the development proposals should not be approved.

- Energy Assessment

The Energy Assessment has established the energy profile of the proposed development and considered the most appropriate solutions in terms of technical, practical and economic viability, to comply with the Councils requirement of Code for Sustainable Homes Level 3. Compliance with the London Plan and thus achieving Code Level 4 will be challenging and will require low or zero carbon technologies to be used. Options that will be investigated at the detailed application stage [reserved matters submissions] to achieve this include, extraction of heat/cooling from the canal; central energy centre and independent systems.

- Ecology

The Phase 1 Habitat Survey showed that there are no habitats of ecological importance that will be adversely affected by the proposed development works. The protected species assessment noted the potential presence of feeding Bats and nesting and feeding birds and any future mitigation measures should be directed towards these two areas.

Bat surveys were undertaken in September 2010 following an initial site assessment visit, completed in August 2010, which identified six buildings with some potential to support roosting bats, although no existing records of roosts have previously been confirmed from the site. The Bat survey concluded that the dusk emergence surveys and dawn re-entry surveys did not locate the presence of any extant bat roost during the autumn mating season in the bats' yearly life cycle. No bats were observed to utilise the site as a flight-line for commuting during either the dusk or dawn survey windows.

- Fouls Sewerage and Utilities

The Foul Sewerage and Utilities Assessment identified that as expected from the site's current use the site is already served by all utility services. The report concludes that the proposed development can be serviced by the appropriate level of infrastructure although it is recognised that there will need to be a level of investment in the various services to achieve this. The proposal allows for a new substation and new buried pumping station (locations to be agreed) but no other major infrastructure elements is considered necessary at this stage.

In relation to the surface water, it is anticipated that the proposals will result in a considerable net benefit, in flood reduction and ecological value. The proposals will result in an increase in discharge to groundwater assisting with groundwater recharge in London.

- Ground Investigation Contamination Report

The Ground Investigation Contamination Report identifies current users, proposed users, construction operatives, vegetation and controlled waters as receptors from contamination at the site. Multiple sources of chemical contamination have been identified at the site with pathways linking these sources to the receptors. Chemical testing indicated a moderate risk to human receptors. A moderate risk is also considered to exist to controlled waters. It concludes that further investigation at the site will be required in the future to further assess the identified sources and to cover area inaccessible during this investigation. As the report recommends it is intended that when more detailed proposals are prepared these issues will be investigated further and will be addressed.

· Air Quality Impact Assessment

The Air Quality Impact Assessment was carried out to assess both construction and operational impacts of the proposed redevelopment.

A qualitative assessment of the potential impacts during the construction phase shows that during this phase of the proposed development releases of dust and PM10 are likely to occur during site activities. Through good site practice and the implementation of suitable mitigation measures, the impact of dust and PM10 releases may be effectively mitigated.

Concentrations of NO2 and PM10 have been predicted using DMRB and compared with relevant air quality objectives set for the protection of human health. The assessment has shown that emissions from traffic associated with the proposed development are likely to have an insignificant impact on local air quality and that both NO2 and PM10 concentrations will remain below the objectives for these pollutants.

The Air Quality Assessment concludes that air quality does not pose a constraint to the redevelopment of the site as proposed.

· Planning Noise Assessment

The Noise Assessment shows that ambient noise levels adjacent to the development site known as the Rainbow Industrial Estate, Trout Road, Yiewsley have been measured and assessed relative to the criteria documented in Planning Policy Guidance 24 (PPG24): Planning and Noise.

Based on the assessment and the mitigation measures identified, The Noise Assessment concluded that it is not considered that noise poses a material constraint to the redevelopment of the site.

· Transport Assessment

The Transport Assessment clearly demonstrates that the proposal accords with national and local transportation policy and offers a site location with a reliable and free-flowing road network which enables the efficient movement of people. The site is well situated and offers alternative sustainable modes of transport, other than the private car. It is located within 250m of three bus stops and within walking distance to West Drayton Railway Station. Existing cycling and pedestrian routes improve the sustainability credentials of the site.

The proposed level of parking for the development is in line with the standards set out by London Borough of Hillingdon. The proposed 152 car parking spaces will provide sufficient parking space to cope with the demand without promoting the use of the private car. Given the high level of car use and ownership in LB Hillingdon car parking for the private residential element of the proposals is on a 1:1 basis. The provision of 131 cycles

spaces will also encourage alternative modes of transport.

The junction capacity assessments demonstrate that the proposed development will not have a detrimental impact on the local highway network. All junctions operate well within their practical capacity. It has also been demonstrated through the Transport Assessment that the proposed development will generate lower levels of vehicular traffic than that of the lawful commercial use of the site during peak periods.

· Flood Risk Assessment and Drainage

Given its size of 2.15 Ha, a Flood Risk Assessment (FRA) has been prepared. The FRA confirms that the existing site is predominantly impermeable hard standing and commercial buildings. It states that as a result the new proposed development, which includes public and private garden areas, will replace some of the paved areas of the site. It concludes that surface water run-off from the site will therefore be reduced as a result of this and the use of porous surfacing.

The FRA shows that the site is at low risk of flooding from the River Pinn, River Fray and the Grand Union Canal. It also states that the Environment Agency required a 5m buffer strip along the Grand Union Canal to allow access for maintenance and encourage conservation. This has been provided as part of the scheme as well as retaining the existing trees along the canal frontage.

· Statement of Community Involvement

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

· Viability Report

A confidential Financial Viability Assessment accompanies the application submission which has been independently assessed by external consultants on behalf of the Council.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no directly relevant planning history relating to the Rainbow or Kirby Industrial Estates, which is relevant to the proposal. However, it should be noted that planning permission was granted in November 2008 for the redevelopment of the former industrial area to the north west, to provide a Tesco Superstore, 101 residential units and associated landscaping, parking and access (ref: 60929/APP/2007/3744). In addition a planning application ref: 38058/APP/2012/1203 sought to provide a similar development proposal but was withdrawn in February 2013.

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

Part 2 Policies:

LPP 1.1 2011)Delivering the strategic vision and objectives for London

LPP 2.1	(2011) London in its global, European and UK context
BE13	New development must harmonise with the existing street scene.
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.
BE25	Modernisation and improvement of industrial and business areas
BE26	Town centres - design, layout and landscaping of new buildings
BE31	Facilities for the recreational use of the canal
BE33	Proposals for the establishment of residential moorings
BE36	Proposals for high buildings/structures in identified sensitive areas
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H5	Dwellings suitable for large families
S12	Service uses in Secondary Shopping Areas
R1	Development proposals in or near areas deficient in recreational open space
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE2	Development in designated Industrial and Business Areas
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **20th September 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

EXTERNAL CONSULTTEES

The application was advertised as a major development under Article 8 of the Town and Country Planning (General Development Procedure) Order 1995. A press notice was placed in the local newspaper, a site notice was displayed and 344 neighbouring residents were consulted individually in writing.

1 letter of support was received from the Yiewsley and West Drayton Town Centre Action Group:

Submitted on behalf of the Yiewsley & West Drayton Town Centre Action Group. Revised submission noted. There has been no change in views since the original application. The proposed mixed use development of the site will greatly enhance this rundown part of the town and is to be welcomed. However, expressions continue to be made as to the viability of the inclusion of retail/business use within the proposals.

ENVIRONMENT AGENCY COMMENTS

The Environment Agency had initially objected to the proposal and following discussions with the Council's Flood Risk Officer the Local Planning Authority have entered into an agreement with the Environment Agency which allows our internal Flood Risk Officer the authority to re-assess proposals and provide formal responses. As such, the above objections have been overcome following further discussions, please see full comments set out within the 'Internal Consultation' section of this committee report.)

CANAL AND RIVERS TRUST COMMENTS

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

Layout and Landscaping

In principle, we have no objection to the proposed redevelopment of the site as indicated in outline. We support the design of the canal square and cafe, set back slightly from the canal but providing a clear link through, opening up the canal environment to the site. The applicants should bear in mind that an access agreement will be required with the Trust's Estates team.

Ideally, we would not support car parking or car park grills on the canal elevation, but we acknowledge that the adjacent recent residential development on Trout Road has a similar treatment, and consider that because these are proposed a reasonable distance from the canal towpath, these can be screened with appropriate landscaping.

Towpath works

There are 21kms of towpath in LB Hillingdon, the greatest amount of the 15 London boroughs that our towpaths travel through. The proposal will bring more employees and visitors to the site and the canalside, who would likely make use of the adjacent canal towpath as a convenient transport link and valuable amenity resource, as well as encouraging increased use from existing communities making use of the link to the High Street. The development therefore presents an opportunity to improve this resource in order to mitigate this impact.

The towpath is proposed to be widened, which we support, and we would expect the development to upgrade this stretch of towpath, as well as improve the existing accesses to Trout Road. Alternatively we could consider a contribution towards the works, but we would need to discuss how the finished site boundary relates to the towpath.

As part of the onsite management of new landscaping, we would ask that the stretch of towpath alongside the site is included, in terms of litter collection and vegetation management, to assist the Trust in the increased management of the towpath that will be required to meet the raised expectations from that of the existing site. We would also seek adoption by the development of Legible London signage.

Lighting

We would request a condition regarding proposed lighting details for the site. Specifically, lighting should not spill onto the canalside, and lighting along the promenade should not lead people onto the towpath after dark, where there is no other lighting.

Surface Water Drainage

The Trust will need to grant consent for any surface water discharge from the site towards the canal or towpath, and we request an informative with contact details for our Utilities team.

Waterborne Freight Opportunities

The Council supports the use of waterborne freight along the Grand Union Canal in line with the London Plan, and we consider there would be opportunities to make use of this here, with appropriate pedestrian management of the towpath while materials were lifted over. However, we note that the site has already been cleared, and there may therefore be more limited opportunities for transport by water. We would normally suggest a condition for a feasibility study into this, but will leave this at the discretion of the LPA in this instance.

If the Council is minded to grant planning permission, it is requested a towpath contribution or works in kind be secured as part of the S106, and that the following conditions and informatives be attached to the decision notice:

Conditions

"Prior to the commencement of development hereby permitted, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with The Canal & River Trust."

"No development shall take place on site until full details of the proposed landscaping scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The landscaping scheme should include reference to plant species types, surface treatments, fences and walls, and any signage, together with the means of on-going

maintenance. The approved landscaping scheme shall be implemented by the first planting scheme after the development commences.

Reason:

In the interest of preserving the setting and ecology of the canal environment."

"Prior to the commencement of the development hereby permitted, full details of any proposed lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with The Canal & River Trust. Any approved lighting and CCTV scheme should be implemented prior to first occupation of the development.

Reason: In the interest of crime prevention, ecology, visual amenity and the canal setting."

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

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

Informatives

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

"The applicant/developer is advised that any access onto the canal towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) for more information."

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

(Officer Comment: The requested conditions and informatives are (where appropriate) included in the recommendation. Monies to secure a towpath contribution will also be secured.)

TRANSPORT FOR LONDON COMMENTS

The following comments represent the views of Transport for London officers and are made on a "without prejudice" basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to a planning application based on the proposed scheme. These comments also do not necessarily represent the views of the Greater London Authority.

The site is situated in Yiewsley, on Trout Road, which forms its north-west boundary. To the south-west it is bounded by the Grand Union Canal, to the south-east by St. Stephen's Road and to the north-east by the High Street, which are both borough highway. There are no sections of the Transport for London Road Network (TLRN) or Strategic Road Network (SRN) in close proximity to the site.

The nearest rail station is West Drayton, located 800m south of the site. This station provides

National Rail services to central London (Paddington) and Oxford, Reading, Twyford and Banbury to the west. In addition, four bus routes (222, U1, U3 and U5) serve the High Street adjacent to the site. Another route, the 350, also serves West Drayton station and the southern end of the High Street. The site is not served by the London Underground network. As such, the site has a moderate Public Transport Accessibility Level (PTAL) of 3, out of a range of 1 to 6 where 6 is the highest. This level may be further enhanced with the arrival of Crossrail services in 2019.

Car parking

A total of 152 parking spaces will be provided for the entire development (equating to 1.5 spaces per 1 and 2 bed unit and 2 spaces per 3 bed unit).

The proposed quantum of parking will need to be reduced to accord with the relevant London Plan standards which require less than one space per 1 and 2 bed units and a maximum of 1.5 spaces to cater for the 3 bed units. With consideration to the site's moderate accessibility, introduction of Crossrail at West Drayton station and overarching objectives contained within London Plan policy 6.13 'Parking' TfL considers that a maximum of 0.75 spaces per 1 and 2 bed units and 1 space per 3 bed units is more appropriate.

This would equate to a reduction of 27 spaces to serve the 1 and 2 bed units and 11 spaces to serve the 3 bed units. To facilitate this reduced quantum of parking on site it is recommended that a car club is introduced on site. The applicant is therefore encouraged to enter into discussions with local car club operators to determine the viability of introducing a scheme on site.

Similarly, TfL consider the quantum of parking proposed to serve the office floorspace to be excessive and requests that the quantum is reduced to six spaces or 1 space per 300m².

Irrespective of the quantum of car parking ultimately agreed on site, 20 % of all residential spaces should be fitted with active Electrical Vehicle Charging Points (EVCPs) with an additional 20% fitted with passive infrastructure. The office spaces would require 20% active and 10% passive. Furthermore, each wheelchair accessible unit should be allocated a dedicated Blue Badge bay in accordance with the London Plan Housing SPG.

The site currently resides within a Controlled Parking Zone (CPZ) and in order to reduce local on street parking pressure TfL requests that residents are made exempt for applying for a local parking permit. This will need to be included in the s106 agreement.

Cycle parking

A total of 133 cycle spaces are proposed to cater for the residential units with an additional 23 spaces to serve the office floorspace and 4 for the retail. The applicant should be aware that to ensure full compliance with the Revised Early Minor Alterations of the London Plan, 1 space per 40 residential units is required to cater for visitors to the site. This equates to a minimum of 3 spaces and these should be located within the public realm in accessible and convenient locations. To ensure that the cycle spaces are fit for purpose in accordance with London Plan policy 6.9 'Cycling' additional information on their location is requested.

Trip generation and modal split

A full multi-modal impact assessment has been provided which is welcomed however the applicant should have confirmed the level of occupancy at time of traffic surveys. Depending on occupation levels this site may be deemed brownfield and the assessment should have included gross trips.

While the use of the TRAVL database to calculate the existing and proposed mode share is acceptable a comparison should have been undertaken by comparing the TRAVL database with Census data for the proposed mode share for the development.

Notwithstanding these comments, it is considered that this development will not have an unacceptable impact on the local strategic highway or public transport networks.

Walking

It is welcomed that a Pedestrian Environment Review System (PERS) audit has been provided. TfL would recommend that in accordance with London Plan policy 6.10 'Walking' a contribution is sought to improve the footway along the river and for improving the environment on the High Street, Station approach and Horton Road.

Servicing, deliveries and freight

TfL welcomes the details on the number of refuse vehicles serving the development provided in the transport assessment, as well as the swept path analysis undertaken. TfL is satisfied with these arrangements, subject to a Delivery and Servicing Plan (DSP) being secured by condition and approved by Hillingdon Council prior to any occupation of the site.

To ensure full compliance with London Plan policy 6.14 'Freight' a construction and logistics plan (CLP) will also be required. The CLP should be a standalone document that enables construction impacts to be managed, minimising impact on the highway network and transport system. Similarly, this will need to be secured by condition and approved by Hillingdon Council prior to the commencement of any construction.

Travel planning

Two Travel Plans for the development site have been developed; a Residential Travel Plan for the dwellings and a Framework Travel Plan for the Business uses, cafe and care facility.

The content of these have been reviewed in accordance with the ATTrBuTE assessment tool and have failed. Information on how the Travel Plans will be secured is required, once included it is expected that Hillingdon Council secure, enforce, monitor, review and ensure the funding of the Travel Plan through the Section 106 agreement to ensure conformity with London Plan policy 6.3. 'Assessing effects of development on transport capacity'.

CIL

In accordance with London Plan policy 8.3, Community Infrastructure Levy, the Mayor agreed to commence CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within LB Hillingdon, where the Mayoral charge is £35 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. Further details can be found at: <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

Crossrail SPG

The mechanism for contributions to be made payable towards Crossrail has been set out in the Mayor's Supplementary Planning Guidance (SPG) 'Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy' (April 2013) and London Plan policies 6.5 and 8.3. The SPG states that contributions should be sought in respect of uplift in floorspace for B1 office, hotel and retail uses (with an uplift of at least 500sqm). To calculate the net increase in chargeable floorspace, account will only be taken of any building in lawful use for a continuous period of six months within the twelve months before planning permission is granted. The site is within the 1km charging zone of West Drayton station and therefore the applicant will need to provide the existing and proposed GIA floorspace to ensure the Crossrail contribution is calculated

correctly.

The applicant should note however, that the Mayor's CIL charge will be treated as a credit towards the Section 106 liability and therefore only the greater of the two sums will normally be sought. As the CIL charge will not be confirmed until development is about to commence, the Section 106 agreement will need to be worded so that if the Section 106 contribution based on the assumed CIL proves incorrect the contribution is adjusted accordingly (assuming it is still more than the CIL).

Summary

In summary, the application does not currently comply with the transport policies of the London Plan. A number of issues are highlighted in this report, including: the need to reduce car parking, provide sufficient numbers of disabled parking and EVCPs, enter into a car free legal agreement and explore the viability of introducing car club on site.

It is also recommended that the Council seek a contribution to implement the recommendations contained within the submitted PERS audit. The Travel Plans will need to be amended and finally figures for the GIA floorspace of the existing and proposed development are also required to assist TfL in calculating the appropriate contribution required under the Crossrail SPG.

Finally, both a DSP and CLP will need to be secured by condition. These matters should be resolved before the application can be deemed to be acceptable in strategic transport terms.

(OFFICER COMMENT: Whilst it is noted that the car parking provision exceeds the London Plan standards, the Council's adopted Parking Standards allow for a greater provision of on site car parking due to the nature of the borough and local requirements. It is therefore considered that the car parking provision is acceptable. Similarly the local car parking standards for B1 floorspace are greater than the London Plan policy requirements, and therefore the proposals accords with local policy requirements.

Conditions will be imposed to secure the following:

- 20% EVCP and 20% passive EVCP;
- Provision of 3 visitor cycle parking spaces within the communal areas;
- Delivery and Servicing Plan;
- Construction Logistics Plan.

The following will be secured through the Legal agreement at the site:

- Permit free development;
- Contribution towards improvements to the public footway;
- Travel Plan (to include car club opportunities).

Internal Consultees

ENERGY COMMENTS

The energy strategy submitted lacks substance even for a broad strategy. It is unclear how each aspect of the development will contribute to the required reductions. There is a suggestion regarding the use of CHPs and Photovoltaics but nothing of any substance to demonstrate the size, operation or their relationship with the baseline carbon footprint. The energy strategy does not therefore provide a sufficient level of information to demonstrate that the reduction targets can be met.

The following condition is therefore essential:

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 kgCO₂) 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) the inclusion of CHP to service the whole site, the specification of the technology to be used, the inputs and outputs of the CHP unit and the impacts on the baseline emissions:
- 4) 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.
- 5) 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 London Plan Policy 5.2.

ECOLOGY COMMENTS:

The development borders the Grand Union Canal which is a site of importance for nature conservation (Metropolitan Grade). The development is relatively open to the canal which I support, but the planting and landscaping represents a more contrived environment with limited natural areas. The development needs to promote and enhance ecology in accordance with London Plan and Local Plan policies. However, I am flexible as to how this can be achieved and would welcome further discussions when the following condition is being considered:

Prior to commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the building. The scheme shall aim to include an area of land dedicated to wildlife habitat. The development must proceed in accordance with the approved scheme.

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

Living Walls and Roofs

The development is within an air quality management area and needs to improve opportunities for wildlife. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. The following condition is therefore necessary:

Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans.

Reason

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan.

(Officer Comment: The requested conditions will be attached to the Planning Decision Notice.)

ACCESSIBILITY COMMENTS:

The proposal is to demolish all existing buildings and erect 99 flats consisting of a mixture of 1,2 and 3 bed units. An additional extra care/dementia sheltered housing unit is also proposed, which will comprise 42 extra care unit flats and eight dementia bedsits, along with 17 new business start-up units and cafe/restaurant units. All parking would be provided at ground level and within an undercroft facility.

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice), Policy 7.1 (Building London's Neighbourhoods and Communities), Policy 7.2 (Inclusive Environment) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

It is understood that the proposal seeks outline permission to redevelop the above site. However, to ensure that the finer points of the above policies can be successfully incorporated at the reserved matters stage, and particularly design features required that may affect a buildings height, appearance and footprint, it is paramount to consider the detail of accessibility and inclusive design at this stage.

The following issues should therefore be considered at this stage, and incorporated within a revised Design & Access Statement and/or shown on plan, as appropriate;

1. It is noted that the design would incorporate a shared surface environment. A future detailed application must ensure that the said environment clearly demonstrates:

- a. a design that successfully alerts motorists, cyclists and pedestrians to the shared surface environment;
- b. clear wayfinding for blind and partially sighted people; a design that minimises the risk of blind people straying into the path of moving vehicles;
- c. minimal use of bollards and similar obstacles; rationalised use of street furniture;
- d. defined car spaces to ensure vehicles are parked only in designated places;
- e. road narrowing, carefully positioned planters and/or other passive measures that force slow vehicle movement;
- f. an environment that is legible; to aid navigation, it should be possible to easily differentiate one area of the development from another.

2. Level access should be achieved across the site. Should it not be possible, due to topographical constraints, to achieve level access, gradients should not exceed 1:50, with a maximum crossfall of 1:60. The ramp leading to the promenade should be eliminated or be graded to accord with the above specifications.

3. All residential accommodation should comply with all 16 Lifetime Home standards (as relevant) with all details shown on plan. In addition, 10% of new housing should be built to Wheelchair Home Standards. indicative layout should be submitted to ensure that the requisites standards have been considered and incorporated into the building footprints identified.

4. In addition to the provision referred to in point 2 above, an allocated parking space, within 40 m of the home, is required for each Wheelchair Standard Home. (This provision is also required in any car free elements/zones of the proposal.)

5. In line with the GLA 'Wheelchair Housing BPG', the wheelchair accessible flats should be evenly distributed throughout the site

6. All blocks of flats, as proposed, should feature a single communal entrance that serves all flats. In the smaller blocks, one Part M compliant passenger lift should be provided. In blocks containing 15 flats or more two lifts should be featured to allow for increased use and to maintain wheelchair

access in the event of a lift breakdown.

7. From the internal face of the front door, the wheelchair standard flats should feature an obstruction free area not less than 1500 mm wide and 1800 mm to any door or wall opposite.

8. The bathrooms/ensuite facilities should be designed in accordance with the pre-July 2010 Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

9. The Gross Internal Area required for the living areas within a specific size of dwelling (e.g. a two-bedroom flat) should be increased by approximately 10% to allow the successful integration of facilities within the wheelchair home standard units.

10. The limited parking proposed for the extra care facility is considered to be insufficient. Whilst it is accepted that every resident is unlikely to require a parking space, it would be common practice to expect a significant number of professionals to visit each day and for there to be a need for parking in excess of 16 spaces at any time. The parking provision proposed for this facility should be increased to take account of members of staff who are likely to be reliant upon a car (particularly when working a late shift), residents who may own an accessible vehicle, in addition to district nurses, care workers, physiotherapists, social workers and other visiting professionals and service providers.

(Officer Comment: Conditions to secure full compliance with Accessibility Standards are recommended).

TREES AND LANDSCAPING

The site occupies an irregular plot of land covering approximately 2.15 hectares, on the edge of Yiewsley Town Centre. Formerly occupied by an industrial estate, it has now been cleared. It is accessed from and bounded by Trout Road to the north-west, the towpath of the Grand Union Canal to the south-west, the rear gardens of St Stephens Street (residential). There is also pedestrian access from the High Street.

The site is generally level. However, there the current/cleared ground level on the south-west boundary is below that of the canal towpath. There are trees on the site and nearby on neighbouring sites, generally along boundaries. The trees alongside the canal towpath are a particularly significant landscape feature, as are some of the trees to the rear of St Stephens Road.

Selected off-site trees in the garden of Oddicombe, on the north-west boundary, are protected by TPO No. 240. However, there is no evidence that these trees (6No. Douglas Fir and 1No. Rowan) have survived on the adjacent site.

Proposal

The proposal is an outline application to demolish the existing commercial premises and existing dwelling and erect 99 residential units (C3), 50 unit extra care/dementia sheltered housing scheme (C3), 1,529.4sqm light industrial floorspace comprising 17 business units (B1c) and 611.30sqm of restaurant/cafe (A3) floorspace associated open space, car parking and landscaping.

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.

· The Design & Access Statement sets out the design objectives for Landscape Design and Residents' Amenity in chapter 2.9.

- The scheme features a 'high quality public realm including a new community park and two public squares'. A new 'Green Walk' will create a central spine through the site providing pedestrian access to the High Street and canal towpath. Clear landscape design objectives are described in 2.9.1.
- The design brief for the public open spaces is provided in 2.9.2 and an indicative planting strategy in 2.9.3, with biodiversity (2.9.4) and private amenity provision at 2.9.5.
- PRP's drawing No. AL1832/2.1/01R, Illustrative Landscape Drawing provides the site layout with indicative hard and soft landscape treatments. Approximately 100No. new trees are indicated, together with a handful of existing / retained trees along the canal boundary and to the rear of St Stephens Road.
- Further details of the Community Park and Canal Square are illustrated in drawing Nos. AL1832/2.1/02R and 03R.
- A Tree Survey and Arboricultural Implications Assessment, to BS5837:2012 has been prepared by Landscape Planning Ltd.
- The survey assesses the condition and quality of 22No. individual trees, 14No. groups and 6No. hedges. There are no 'A' category trees, whose condition and quality would merit retention on a development site. Most of the surveyed vegetation is assessed to be category 'B' (fair) with approximately 6No. classified as 'C', 'C/D' or 'D'. The 'B' category trees should be retained within the masterplan if possible. The 'C' - 'D' category vegetation has a short useful life expectancy and is not normally considered to be a constraint on development.
- The report recommends that 11No. trees and 5No. groups be felled/removed. Most of these trees and groups are self-sets and shrubby material which would be unsuitable for retention.
- A Tree Protection Plan confirms that the boundary trees will be retained and protected.

Recommendations:

- 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.
- An Arboricultural Method Statement (AMS) is required to ensure that further details of any demolition and construction operations on site provide adequate safeguard for retained trees.
- The 'retained' trees indicated on the illustrative masterplan do not correlate with those recommended for retention in the tree survey. This detail should be clarified and all retained / off-site trees clearly marked.

No objection subject to the above observations and conditions RES6, RES8, RES9 (parts 1,2,5 and 6), RES10 and Res11.

(Officer Comment: Conditions securing further landscaping and aboricultural information will be attached to any future decision notice.)

AIR QUALITY COMMENTS

The proposed development is within the declared AQMA and in an area that is probably slightly below the European Union limit value for annual mean nitrogen dioxide (40.0 g/m³) especially adjacent to the High Street. The air quality assessment has used DEFRA background maps but indicates adjacent grids to the site were used as these figures were higher. However, it should be noted a decrease was indicated between the 2010 and 2011 maps, and it is less conservative in this respect. A background value for 2011 of 31 -g/m³ was used for the development opening year, and the report indicates very low traffic speeds were used (the assessment looks from contribution from traffic only) to compensate for potential under-prediction in the model, resulting in a traffic contribution of <0.1 -g/m³. (The transport assessment (SKM Colin Buchanan, May 2012) seems to suggest there will be fewer vehicle movements from the site compared to the former use, and it appears the air quality assessment may have considered a greater number of vehicle movements than the transport assessment suggests, although this is not entirely clear.)

As the development is in and may cause increases in an area already suffering poor air quality the following are requested:

Section 106

Section 106 obligation up to £25,000 should be sought for contribution to the air quality monitoring network in the area.

With regard to impact on the development, even with a higher background level, the modelled output for the chosen receptor locations nearer ground level, indicates the EU limit value will not be exceeded, bearing in mind the limitations of the modelling. It should be noted that the Energy Statement (Ramboll, May 2012) indicates CHP should be considered further for the site and this has not been modelled within the air quality assessment. No details with regard to the CHP have been provided as yet.

Specifically, with regard to residential flats to be located adjacent to the High Street and buildings adjacent to or likely to be impacted by the CHP flue, the following condition for the ingress of polluted air is recommended. This is in order to ensure polluted air is not drawn into the building, and to limit the exposure of residents to polluted air. (Please note that no BREEAM pre-assessment report or Code for Sustainable Homes pre-assessment report appears to have been submitted. Based on reports provided for other sites, very little consideration appears to be given to the impact of air pollution (NO₂) on indoor air quality in these assessments.)

Air Quality Condition 1: Ingress of Polluted Air

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

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

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.

The following conditions are advised in order to ensure relevant information with regard to the energy provision and to limit air pollution emissions from the energy provision at the site are provided, in order to ensure mitigation measures can be agreed and implemented if necessary, as part of the development. The CHP needs to be considered within the context of a wider air quality assessment. As not all the sources of pollution will be located at ground level, the facade of receptors above the ground floor also need to be consider in an air quality assessment. It is recommended an area about 10 times the appropriate flue height for the CHP is considered within the assessment.

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 suitable pollutant emission rates with and without mitigation technologies, which needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012 (September 2007).

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

Air Quality Condition 3 - Control of Air Pollution

Before the development is commenced, details to limit and/or control air pollution for any CHP shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be provided prior to the occupation of the relevant phase in which the CHP is to be constructed and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

The application appears to include a total of 154 parking spaces. The new submission includes travel plans submitted for the development. This needs to be given due consideration to ensure sustainable modes of transport are available to workers and residents.

LAND CONTAMINATION COMMENTS

Please note the Ground Investigation Report submitted is a draft copy and is incomplete, with a number of appended sections, including the updated conceptual site model and remediation proposals, missing from the draft version. It also indicates further investigation is required once the buildings are demolished. This would include completing further rounds of gas monitoring to help establish the ground gas risk at the site, including establishing the worst case scenario for the site. In light of the status of the submitted report, I would recommend including the full version of the standard contaminated land condition.

The report has identified made ground (including fill material such as ash, metal and plastic) in the areas investigated. The report identifies potential sources of contamination on site, including oil drums and indicated many areas exhibited surface staining from oil spillages. It also refers to former uses on site including a former abattoir and associated risks. It appears an electricity substation at the site will also be redeveloped, however the current investigation has not looked at PCB (polychlorinated biphenyls) contamination in the area of the substation at this time.

Ground investigations consisted of 7 trial pits excavated to a depth of 1.8 metres, and 5 combined gas and groundwater monitoring boreholes (thought to be of varying depth). Hydrocarbon odours were noted at DTS02 and DTS03 (additional investigatory locations, assumed to be related to geotechnical investigation). Fourteen soil samples were tested in total, four of which are indicated to be targeted samples. Not all soil samples were tested for all contaminants. Contaminants considered include metals, metalloids, cyanide, PAHs (polycyclic aromatic hydrocarbons) and TPH (total petroleum hydrocarbons). Of the areas investigated, the report identified one sample with cyanide concentration above the detection limit and slightly elevated lead at DTS04 in shallow soils. TPH was indicated in two samples from DTS02, with hydrocarbon odour noted at DTS03 (although below the guideline value, which was not provided). The report does not specify if only total TPH was considered in the investigation (although a distinction may have been made with the more volatile BTEX fraction, and also consideration of VOCs/SVOCs). This is assumed to be the case in the absence of test data. I would recommend suitable banding of TPH contamination to distinguish

between more volatile and more toxic constituents, or at the very least they need to provide relevant information to demonstrate that this has been done (a complete version of the report). The presence of PAHs was noted in 'numerous' samples across the site.

Please note a reference to a Halcrow phase 1 report in a planning report from 2002 also considered localised occurrences of PCBs, isocyanates, resins and solvents (some limited sampling of VOCs/sVOCs indicated in the 2011 draft report but no further information has been provided) possible at the site. The Lynch Hill gravel under the site is considered a principle aquifer. There is also a possibility that piled foundations may be used on site. The Environment Agency need to be consulted on the application with regard to this. The standard contaminated condition is provided below. The condition includes ground gas assessment.

Contaminated Land Condition:

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

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

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

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

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

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

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

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon UDP Saved Policies (2007)."

STRATEGIC TRANSPORT

These town centre locations should seek to promote car club opportunities and cycling.

(Officer Comment: Car Club opportunities will be investigated through the Travel Plan proposed to be secured at the site. Cycle parking provision is provided on site, including visitor spaces to encourage sustainable modes of travel.)

S106 COMMENTS

Proposed Heads of Terms:

1. Transport: inline with the SPD a s278/s38 agreement may be required to be entered into to address any and all highways matters arising from this proposal. Given the size of the residential component a travel plan is also sought to address sustainable transport measures arising from this level of development at this location. There may also be a need for a public transport contribution but TfL will advise on this point.

2. Affordable Housing: I note that it is proposed to deliver the 50 bed extra care/dementia unit as the affordable housing component on this development. This roughly equates to 32% of the scheme being delivered as Affordable Housing. An FVA is to be submitted to demonstrate that this is the maximum level of Affordable and type that can be delivered and this will be independently validated.

3. Education: in line with the SPD a contribution in the sum of £299,083 is sought. Please note that the sheltered housing component has not been counted.

4. Health: in line with the SPD a contribution in the sum of £46,022.87 is sought.

5. Community Facilities: in line with the SPD and if a bid is received then a contribution towards local community facilities in the sum of £40,000 could be sought.

6. Libraries: in line with the SPD a contribution in the sum of £4,885.43 is sought.

7. Public Realm/Town Centre: in line with the SPD and given the location of the scheme within the town centre and its location next to the canal a contribution towards the public realm is sought should be secured in the region of £75,000 to assist with the Yiewsley/West Drayton town centre improvement programme.

8. Construction Training: in line with the SPD a contribution or in-kind scheme delivered will be required to address training during the construction phase of the development. If the contribution is to be delivered as a financial contribution then it should be in line with the formula which is $\text{£2,500 for every £1m build cost} + \text{number of units}/160 \times \text{£71,675} = \text{total contribution}$.

9. Employment Strategy: in line with the SPD an employment strategy is sought for the life of the development. As a minimum the Employment Strategy will need to demonstrate how the employment aspect of the development will be effectively marketed so as to endeavour to secure long term B1 employment on the site.

10. Air Quality: in line with the SPD and if a bid is received by EPU then a contribution in the sum of £25,000 could be sought as a result of this proposal.

11. Project Management and Monitoring Fee: in line with the SPD a contribution equal to 5% of the total cash contributions will be sought to enable the management and monitoring of the resulting agreement.

Please Note:

i) That this scheme will also have a Mayoral CIL liability on the net increase in GIA for all parts of the scheme apart from the Affordable Housing element.

ii) As this is an outline application formulas will be inserted into the s106 agreement however for the purposes of informing viability at this time the resulting sums sought have been benchmarked.

URBAN DESIGN AND CONSERVATION

The scheme layout and scale are considered generally acceptable in design terms. In terms of amenity space, block R6 does not appear to have a roof form that would allow a roof terrace and the amenity space to block R8 seems to include scraps of land adjacent to the car parking areas. These issues can be addressed at the reserved matters stage.

No objection, appearance and landscaping details subject to further submissions.

TRANSPORT

Further to undertaking an assessment of the SKM Colin Buchanan Transport Assessment Report for the above proposal which is located at the Kirby and Rainbow Industrial Estate which is adjacent to the High Street in Yiewsley, approximately a mile south of West Drayton in the London Borough of Hillingdon;

Highways comments are as follows:-

Highways have no objection in principle to the above application, based on the assessment of Transport Assessment (TA) of the proposed development, the historic and the extant application use for this site' on Traffic and Transportation and Safety grounds to warrant refusal of this application. There are however minor deficiencies concerning survey comparable sites, restaurant's trip rates, but this should not have a significant adverse impact on the road network.

Policy

The submitted assessment takes cognisance of current transportation and land use policies which may relate to the above proposals. National, Regional and Local Policies were considered. Policies and guidance considered in this review were:-

National Planning Policy Framework (NPPF)

Manual for Streets (MFS) and the Manual for Streets 2(MFS2)

The future of Transport: A Network for 2030

Hillingdon Local Development Plan: Core Strategy Development Plan Document (2012)

Southern Hillingdon Area Action Plan (2006-2016)

Accessible Hillingdon Supplementary Planning Document (SPD)-January 2010.

Development proposal

The proposed development is for 99 residential units(C3)made up of 25-1bed flat;60-2Bed room flats, 12 3-bedflats and 2-bed duplex, 50 unit extra Care/dementia(C3) sheltered housing schemes, 1529.4 sq.m industrial floor space comprising 17 business units(B1c) and 611.3sq.m of restaurant/cafe (A3) floor spaces, with open space, car parking and landscaping.

Existing Condition

The development site is located in Yiewsley within the London Borough of Hillingdon (LBH) approximately 1mile (1.6km) north of West Drayton town centre and 800 metres north of the train station. It is bound on the north by Trout Road, the main access and to the south by St Stephen's Road with the Grand Union Canal running in a northern direction next to the development site. West Drayton is 3.5 miles (5.6 km) approx north east of the M25(junction 15), 2miles of (3.2km) north of M4 (junction4) and 18miles (28.9km) to the west of central London. Heathrow airport is located 3 miles to the south of the site.

The primary distributor road networks surrounding this site are the A408 High Street, the A408 Falling Lane and Trout Road. The existing junction of the High street/Trout Road /Falling Lane is a signal controlled junction with pedestrian facilities on Trout Road.

Traffic

Highways have no concerns on traffic grounds concerning the generated impact on the network since the traffic associated with the proposal will be lower than the previous use site figures. Based on TRAVL surveyed comparable sites used in determining the two -way AM and PM trip rates and trip generation for the pre-fire industrial estate, were 0.74 and 0.62 and the two way total vehicular hourly AM trips were 119 and for the PM 101 respectively. This is higher than the 46 AM two way peak vehicular trips and 45 two way hourly PM trips to be generated from the proposed

development. And the findings of the 5 junction assessments For the T A submitted, namely:-

- The 4 arm signalised junction - High Street/Trout Road/Falling Lane
- The 3arm priority junction - High street ST Stephen's Road(North)
- The 3 arm priority junction - High Street St Stephen's Road(south)
- The 3 arm priority junction - High Street Tavistock Road
- The 4 arm Mini Roundabout - Trout Road/Tavistock Road/Wraysbury Road

The junction capacity results captured in Tables 6-2,6-3,6-4, supports the view that the ratio of flow to capacity (RFC) and the degrees of saturation (DoS) at the junctions of High Street /Trout Road /Falling Lane are operating within practical capacity of less than or equal to 0.85%. Also the TA confirms that when the development trips and committed development are added to the highway network the impact is not significant or severe.

Safety

Historic personal injury records from 1st January to 31st December 2012 indicates that for Trout Rainbow had 45 road traffic collisions, one fatal, four serious and 40 light collisions. However, the average collision types were generally on par or lower when compared with the averages of outer London boroughs and the London Borough of Hillingdon(LBH). For this reason, safety is in general satisfactory on condition that Hillingdon Council obtains Section 106 contribution towards Implementation measures to improve pedestrian safety schemes (which enhances pedestrian visibility measures when crossing junction identified in the TA.)

Evidence confirms that most of the accidents (88%) occurred at junctions involved pedestrians.

Parking

The Applicant will also be required produce a Parking allocation and Management Plan to the LPA for approval prior to commencement of occupation. The total car parking for the site should be 152 spaces, 111 residential, 6 of them for visitors;16 car parking spaces for the sheltered care home 2 of which should be for visitors; 14spaces for light industry, and 5 spaces for existing business unit.

Using the Hillingdon maximum parking car standards of 1.5 spaces per unit it stipulates 148 spaces (proposed level of car parking provision is 111);

The Dementia Sheltered housing part LBH's parking allocation requirements- using 1 space per 4units+1 for warden- are 14 (proposed is 16) and for the B1 light industrial(1529sqm GFA) LBH standard parking allocation requirements are- 2 spaces, plus -1 per 100sqm GFA- 17 spaces(proposed 14). LBH maximum parking Standards require 179 however 152 are to be provided. No provision is made for the Cafe/Restaurant

If one is to use the LBH's standard or 1 space/50sqm allocation for the restaurant /Cafe is 12 spaces. Considering the point some of the customers who use the Cafe would be linked trips allocation of 6 parking spaces would be acceptable. The applicant indeed compensates for this with the provision of 6 visitor and 5 existing business unit spaces. Overall the number of parking provision for the development is acceptable.

10% of all parking spaces to the mobility standards of 3.6mx4.8m should be allocated to disabled parking and positioned as near as possible to entrance of buildings.

Highways recommends the provision of 30 active electric charging and 30 passive points based on the 148 LBH Standard residential parking spaces and for light industrial 2 passive 2 active, and 1 active and passive electric charging points for the sheltered home with the remainder subsequently being effected in time with demand.

This proposal should be conditioned so that prior to occupation the applicant provides a Traffic Management and Construction Management Plan. A Green Travel Plan would also be required prior to occupation.

The submitted access road and parking layout plans should be resubmitted as a A1 size or larger scaled drawing showing accesses, road layout, parking layout, superimposed with the swept paths of a large car, a 12m rigid delivery vehicle and a 10.5 Refuse vehicle with 300m margin of error.

Provision is also required for ambulance parking to the south of Block E1, as a minimum 3.5x11 m in dimension should be considered

Public Transport

5 bus routes operate within close proximity of the site, with peak hour frequency ranging from 7 to 5. There are 5 bus stops within 600m of the site with the closest being 250m. The development site is also a 650m-750m walk away from the West Drayton Train Station which offers service on Reading /Oxford to Paddington Line. It provides 10 trains/hr during the Am peak per direction. This station will be upgraded after 2019 with addition of Cross rail services. The Public Transport Accessibility Level is 3 for the development site with 6A being the highest and 1 the lowest.

Pedestrian Environment of the development site

The lit footway along the High Street, Yiewsley offers pedestrian links with retail areas and public transport facilities. A Pedestrian Environmental Review System (PERS) audit was carried to establish the quality of the pedestrian and walking route environment. The Audit confirmed the need for improvements to security and pedestrian footway and public transport waiting area adjacent to site. Also, it confirmed the need to widen and redesign footways and compliance with DDA the L3 and L4 areas close to the site. Highways recommend that all deficiencies highlighted in PERS Audit after discussions with the applicant should be packaged into improvement schemes and implemented before occupation. The Council will be requesting contribution within the context of a Section 106 to facilitate these improvements.

Existing Cycling facilities

Though the High Street close to the site is part of the London Cycle Route(LCN) Route 89, There are no dedicated cycle routes within the site. The National cycle routes 6 and 61 can however be accessed approximately 1 mile to the North in Cowley with the nearest 20 cycling parking at the station. Highways recommends proposed cycle routes are linked the LCN and other local cycle routes, again applicant will be expected to make Section 106 contributions for cycle route improvements where required. The contribution and improvement works has to be agreed with Local Planning Authority's Highways section.

The TA does not address the provision of motor cycle parking spaces. It should be provided at a rate of 1 space per 20 car parking spaces and located as close as possible to the entrance away from the Care Home.

Cycling parking standards requires that 109 parking spaces for the 99 residential dwellings. For the light industrial estate (B1c) 20 cycle parking should be provided. Cycling parking for the restaurant/cafe (A3) is 24. In total the applicant will be expected to provide 153 covered cycle spaces at safe and secure locations within the development site.

Access

The developer will have to provide A1 or larger scaled plans with superimposed sight-lines demonstrating compliance to current highway visibility splay standards for all the 4 accesses to and the development site. Two accesses are proposed for Trout Road one for the High Street and one for St Stephen's Road.

Refuse Collection/Emergency Service Access.

It is not clear whether all the 4 accesses will be utilised for refuse collection, other delivery services and also emergency service vehicles; it should be clarified if this is the case. The Applicant is required to demonstrate with an A1 or larger scaled dimensioned plans in hard copy showing accesses, the internal road network arrangement with the parking layout being successfully negotiated by 1)- a large Car, 2) -a 10.5 refuse vehicle and 3)12m rigid Vehicle. The plans should show the individual vehicles swept paths with a 300mm error of margin for approval.

In summary the following conditions and obligations should be imposed on this application:-

Conditions

- The Applicant will be required to submit a Parking allocation and Management Plan to the L PA for approval prior commencement to occupation.
- Prior to occupation, the applicant should provide a Traffic Management and construction plan.
- A Green Travel Plan will also be required by the LPA for approval prior to occupation.

Obligations

- The Applicant will be required to enter a Section 106 Agreement with the LPA to provide pedestrian footway widen and redesign improvement schemes and schemes to mitigate other deficiencies highlighted in the PERS Audit.
- Section 106 contributions will also be required by LPA from the applicant towards improvements of the Uxbridge to Heathrow Cycle Route and the upgrade of the cycle route along the Grand Union Canal
- A Section 106 contribution towards measures for improving pedestrian safety mainly by enhancing pedestrian visibility when crossing adjacent site junctions.

FLOODING

Following the submission of a Flood Risk Assessment and Utility and Sustainability reports with this application, there is sufficient information to establish that the surface water will be controlled sufficiently from the site to improve the situation as the current site is predominantly hard standing, and sustainable drainage systems will be utilised.

However detailed design is yet to be determined therefore the following condition is requested:

Sustainable Water Management

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 (follows the strategy set out in Flood Risk Assessment produced by JBA, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. demonstrate how the proposals consider the water cycle and provide information on all Suds features including the method employed to delay and control 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.
 - e. provision of site investigations and structural assessments of the area adjacent to the canal and methods to deal with groundwater flows
- 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

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. To be 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).

In order to discharge this condition, acknowledgement of the Surface Water Management findings of surface water ponding should be taken into account in the detailed design, and additional storage provided.

In addition the site lies adjacent to the canal and appears in principle to treat the canal and its environment sensitively however I request the following condition:

Blue Ribbon Policy

The site lies alongside a strategic waterway within the London Borough of Hillingdon, Policy EM3 Blue Ribbon Network in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) states:

The Council will continue to promote and contribute to the positive enhancement of the strategic river and canal corridors. Development located in or adjacent to the Blue Ribbon Network should enhance the waterside environment, by demonstrating high design quality which reflects the character of the waterway and provide access and improved amenity to the waterfront.

In respect of development proposals and in assessing how they can make a positive contribution to the Network as required by Policy EM3 the following considerations will apply:

1) For the rivers Colne, Pinn, Crane, Yeading Brook and some minor local tributaries to continue to play their role providing space for water.

2). To reduce flood risks to property and road, rail or other infrastructure located in proximity to water courses.

3). To make best use of river and canal corridors for active and passive recreation, increasing accessibility as part of a living corridor for people across the Borough, and in promoting its use as a link to recreational spaces.

4). To maintain and improve the river and canal corridors links as a linear feature in both town and countryside which serve as an "ecological corridors", as a habitat which enables species to migrate and colonise over wider areas.

5). To support the Rivers and Canal Trust aims and ensure that the historic structure of the canals is preserved and support for its continued use as navigable waterways is maintained.

6) To promote and develop the Grand Union Canal as a navigational waterway of national significance.

The varying development and land uses along the Blue Ribbon Network need to be understood and balanced in order to have a co-ordinated and cohesive approach to land use planning and other activities with the use of the Blue Ribbon Network. These should be acknowledged within any application within the different elements of a scheme such as within a landscaping plan, considering its location in relation to the river in its treatment of boundary fences and the provision of habitat for wildlife part of the wildlife corridor along the river.

Any application should demonstrate that:

1) Development proposals will not prejudice the delivery of the outcomes and targets of the Catchment Management Plans for the River Crane and Colne, and should contribute towards the delivery of the actions identified in the Catchment Management Plans.

2) Development proposals should protect and improve the Network Corridors and access points to and along the blue ribbon network and have regard to and if necessary contribute to the Rights of Way and Permissive Route Improvement Plan for Hillingdon.

3) Development proposals should seek to address the points above and explain how these elements have been considered either on site or by contribution to off site improvements.

Note: Any works within 8m of a Main river require the Environment Agency consent under the Land Drainage Act 1991.

Development that encroaches on watercourses has a potentially severe impact on their ecological value. As stated by the Environment Agency artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Incorporating a buffer zone at this site will contribute to improving the water body and help achieve 'good' status objective by 2027.

This is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Thames River Basin Management Plan.

Condition: No development shall take place until a landscaping scheme for the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The landscaping plan should incorporate details of the provision and management of a buffer zone alongside the canal. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision.

The landscaping plan shall include:

- Plans showing the extent and layout of the buffer zone.
- Details of any proposed planting scheme (all planting must be of locally native species).

- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- Details of any proposed footpaths, fencing (should be minimal), lighting (light spill into the watercourse and within 8 metres of the top of bank, should be maintained at background levels - Lux level of 0-2).
- Provision of a management and maintenance plan detailing rights and responsibilities for future owners, such as 'Living on the Edge' produced by the Environment Agency.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is a designated Industrial Business Area (IBA), referred to as Trout Road, within the saved Unitary Development Plan policies which now forms the Local Plan Part 2. The site is also located within the Hayes/West Drayton corridor. Policy LE2 of the Local Plan Part 2 seeks, in principle, to prevent the change of use of designated IBA's. Policy LE3 states that new development in designated IBAs should, where appropriate and practicable, include the provision of small units, particularly when existing small units are proposed to be demolished.

As part of the evidence base to support the Local Plan Part 1, an employment land study was prepared in 2009 which sought to review the potential to release employment land. Paragraph 5.12 of the Local Plan Part 1 identifies the Part of the Trout Road area in Yiewsley as suitable for the managed release of industrial and warehousing land. The future Local Plan Part 2 document will provide specific details of this and other employment land release. In advance of the release of Local Plan Part 2, which is yet to be released for consultation, The Local Plan Part 1, paragraph 5.12 and the 2009 Employment Land Study are material planning considerations in the determination of this planning application. The Employment Land Study 2009 notes that, with the exception of the Rainbow Industrial Estate, much of this has already been released for alternative uses, including for a DIY store and petrol station, for housing and for a large Tesco supermarket. It acknowledges that the Rainbow Estate still provides important short term affordable accommodation for smaller 'under the arches' type businesses, but that the ageing structures, poor access, flood risk and proximity to residential properties do create a number of limitations. Given its proximity to Yiewsley/West Drayton Town Centre it is suggested that the future redevelopment of the site to provide a mixed-use scheme, including housing and community facilities and affordable business units could be considered.

The loss of some employment land at this site is therefore considered to be acceptable in principle and accords with London Plan policy 4.4, policy E1 of the Local Plan Part 1 and the Councils Employment Land Study; 2009.

Any redevelopment of the site should include provision of accommodation for existing business occupiers within the site. This is reinforced at Appendix A of the Employment Land Study 2009, which indicates that it is proposed to retain the site as a designated locally significant industrial site.

The existing site comprises the Rainbow Industrial Estate, the Kirby Industrial Estate and some land which lies outside of these two estates. The site has been vacant for more than 19 months. The Kirby Industrial Estate and the small area of land siting outside of this estate is fully occupied.

The proposed development would provide 1,529sq metres of employment floorspace for business and light industrial purposes (Use Class B1). This would provide accommodation

for up to 17 start up units and future businesses. These units would also be used to accommodate the relocation of existing businesses who wish to stay within the site. The provision of this employment floorspace is welcomed and supported as it creates no net loss of existing employment floor space which is in operation. On balance, this accords with the guiding principles of the Employment Land Use Study recommendations to retain some employment, including start up units within the Trout Road estate.

The existing building fronting Yiewsley High Street falls within the Secondary Shopping Area of Yiewsley Town Centre. The site is a former office building which is also vacant. In accordance with national, regional and local planning policies which seek to strengthen the vitality of town centres, it is considered acceptable in principle to provide retail accommodation within this secondary town centre location. The application proposes a Cafe/restaurant use (A3 use class) in this location measuring 611 sq metres. Given the size, town centre location and need to provide active uses within the Yiewsley town centre, the proposed use is considered acceptable in principle.

In accordance with the details set out within the Employment Land Use Study 2009, the sites proximity to the Yiewsley town centre lends itself to being an appropriate mixed use housing site, providing a sustainable use of a previous employment site.

The London Plan states that development proposals should offer a range of housing choices, in terms of sizes and types and taking account of the local housing needs.

The current application proposes the erection of 99 residential units (Use Class C3), 42 extra care units (Use Class C3) and 8 dementia bedsits (Use Class C2). The proposed extra care and dementia units seek to provide the affordable housing across the application site. Policy H2 of the Local Plan; Affordable Housing, seeks to achieve 35% provision of affordable housing within the borough. Paragraph 6.31 is supportive of provision of housing for older people and for other groups in need of supported housing. The affordable housing provision proposed on site equates to approximately 33% across the site. Whilst this is marginally lower than our policy requirement of 35%, it is considered on balance to be acceptable in principle.

In principle these uses are considered to be acceptable and the extra care and dementia units will be secured by the S106 legal agreement to ensure this housing stock is retained in perpetuity.

7.02 Density of the proposed development

Density

Policy 3.2 of the London Plan seeks to optimise housing potential and development densities, commensurate to the accessibility of a site. The site is located in an urban area with a Public Transport Accessibility Level of 3 and as such is suitable for a development of 200-450 habitable rooms per hectare.

The applicant's supporting statements advises that 487 habitable rooms are proposed to be provided across the site. The proposal is not required as part of an outline application to provide floorplans and therefore it is not possible to verify this quantum, which seems very high for the unit mix proposed by the application.

Based on the indicative units proposed it is envisaged that the site could provide 380 habitable rooms only. On the basis of 380 habitable rooms being provided across the site, the proposal has a density of 205 habitable rooms per hectare which is at the lower end of

the GLA policy guidelines of such a site. The density of such a proposal is therefore considered to be acceptable and in accordance with policy requirements.

Officers consider that in the absence of indicative floorplans, a condition is necessary to ensure the density of development accord with the units proposed at the site. This will also ensure the delivery of the quantum of housing proposed rather than a greater quantity which will require re-assessment.

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

The site is not located in a conservation area or an archaeological priority area and does not contain any listed buildings.

7.04 Airport safeguarding

There are no airport safeguarding issues arising from this development.

7.05 Impact on the green belt

The site does not lie within or near the Green Belt.

7.07 Impact on the character & appearance of the area

Policy BE13 states that new development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance.

Policy BE26 states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

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

The surrounding area is characterised by a mix of development ranging from more traditional rows of terraced properties with retail at ground floor level and residential or office use above, to more modern and larger scale commercial and residential buildings.

The site has been predominantly cleared, with the exception of several small industrial units. Much of the surrounding area comprises two and three storey buildings, with the taller buildings, some up to 5 storeys in part, located toward on the opposite side of Trout Road.

The Urban Design Officer raises no objections to the scale, height and massing of the amended proposal. It is considered that, given the positioning of the building within the site and the increase in height and massing towards the centre of the site, the proposed buildings would not appear unduly prominent within the street scene and would be compatible with the scale of surrounding residential development. No objections are raised to the siting of the play area.

7.08 Impact on neighbours

In relation to outlook, Saved Policy BE21 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 and BE24 seek to ensure that new development does not generate adverse

impacts in respect to sunlight and privacy. Because of the orientation of the site, and the size and siting of the proposed building, no significant loss of daylight and sunlight to adjoining properties would result from this development. The proposed development is considered to be consistent with Policies BE20 and BE24 of the Local Plan. A condition requiring details of exact layouts of each block is recommended.

7.09 Living conditions for future occupiers

The redevelopment of the site will provide 99no. market flats and 50no. extra care and dementia flats totalling 16,914m².

AMENITY SPACE

Through the design of the proposal and the site layout the provision public realm and opening up access to the Grand Union Canal and linking it with the High Street has been a key issue.

The proposed development would result in a shared amenity space requirement of 3380sq metres. The calculations are demonstrated below:

Market

25 x 20 = 500sq m

60 x 25 = 1500sq m

12 x 30 = 360sq m

Extra Care Home

46 x 20 = 920

4 x 25 = 100

The proposal makes provision for approximately 4,399m² of private open space provided through balconies, patios and shared amenity space as well as 379sq metres of public open space. Based on the submission being for 99 residential units and an Extra Care Home of 50 units this level of amenity space is considered to provide an adequate level of amenity space for future occupiers.

The provision of 3,795.2 m² of public open space as well as 4,399.3m² of private open space provided through balconies, patios and shared amenity space ensures that adequate open space is provided on site for both new residents as well as benefiting the existing community.

Generally, the ground floor private sale flats are provided with private patios/ gardens while the flats on the upper floors will benefit from generous balconies of circa 2m x 3.5m. All blocks have dedicated resident's shared amenity space at ground floor level within the site area owned by the client. These areas are generally located in the immediate vicinity of each block and are separated from public access areas by hedges and railings.

UNIT SIZES

Although this is an outline application and the internal layouts of the blocks have not been provided at this stage by the applicant, the applicant has provided an indicative floorspace schedule which shows that each unit will meet the minimum floorspace standards as set out in the London Plan.

OUTLOOK AND LIGHT

Given that this is an outline application and no floor layouts have been provided it is not

possible to conclusive comment in this regard. It is however considered that given the layout of the blocks within the proposed development adequate outlook and light can be achieved. Details of layouts will be secured by condition.

PRIVACY

Given that this is an outline application and no floor layouts have been provided it is not possible to conclusive comment in this regard. It is however considered that given the layout of the blocks within the proposed development adequate privacy can be achieved for existing neighbours and future occupiers of the site. Details of layouts will be secured by condition.

CHILDRENS PLAY SPACE

With Landscaping being reserved for future consideration, the detailed landscape details have yet to be submitted. The applicant has however submitted a layout plan showing where the landscaping areas would go. There is clearly amply space within the development to provide adequate children's play space. This will be secured through the landscaping reserved matter.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Traffic Generation

The applicant has submitted a Transport Assessment to consider the traffic impacts on the existing road capacity. It demonstrates that the level of increase in peak hour traffic resulting from the proposed development can be accommodated on Pembroke Road. The Highway Engineer therefore raises no objections on traffic generation grounds.

Parking

The site is located within the town centre and close to the crossrail station due to open in 2018, and the Council's Highways Engineer has raised no objection to the level of car parking and has confirmed that all parking spaces would be of sufficient dimensions and usable. As such, it is considered that the application complies with UDP Saved Policies AM14 and AM15.

In addition, the submitted plans indicate that secure cycle storage can be provided for 60 cycles, in the form of cycle stores within the demise of each block. The scheme would be in accordance with the Council's standards and Saved Policy AM9 of the UDP.

Access

The Highways Engineer advises that the access to the site is now sufficiently wide to allow vehicles to enter and exit the site without prejudicing the free flow of traffic.

In light of the above considerations 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 Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

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

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

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

7.12 Disabled access

Policies 3.8 of the London Plan (July 2011) requires all new housing development to be built in accordance with Lifetime homes standards, Policy 7.1 stresses the importance of improving access and community cohesion and Policy 7.2 requires all new development to provide an inclusive environment that achieves the highest standards of accessibility and inclusive design. Detailed design guidance is provided within the Council's HDAS 'Accessible Hillingdon', January 2010.

The Council's Accessibility Officer advises that although the proposal only seeks outline permission at this stage, it will be important for access considerations to be taken into account so that they can be successfully incorporated at the reserved matters stage. Conditions have been added to ensure that accessibility is provided in general conformity with the Design and Access Statement and that the residential units comply with Lifetime homes standards. An informative is also included which advised of the detailed comments raised by the Council's Accessibility Officer.

7.13 Provision of affordable & special needs housing

The current application proposes the erection of 99 residential units (Use Class C3), 42 extra care units (Use Class C3) and 8 dementia bedsits (Use Class C2). The proposed extra care and dementia units seek to provide the affordable housing across the application site. Policy H2 of the Local Plan Part 1; Affordable Housing, seeks to achieve 35% provision of affordable housing within the borough. Paragraph 6.31 is supportive of provision of housing for older people and for other groups in need of supported housing. The affordable housing provision proposed on site equates to approximately 32% across the site. A Financial Viability Assessment supports this level as appropriate.

In principle the affordable housing provision is considered to be acceptable and the extra care and dementia units will be secured by the S106 legal agreement to ensure this housing stock is retained in perpetuity.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that new development should retain topographical and landscape features of merit and that new planting and landscaping within development proposals should be provided wherever it is appropriate.

A Tree Survey, Arboricultural Implications Assessment and an illustrative landscape masterplan have been submitted in support of the application. A total of 22 individual trees, 14 groups of trees and 6 hedges have been assessed. The report advises that the most important trees on site are located along the site boundaries, particularly along the Grand Union Canal and to the rear of properties fronting St Stephens Road on the south-eastern and south-western boundaries and that these trees would be retained.

The Council's Tree/Landscaping Officer advises that there are no 'A' category trees, whose condition and quality would merit retention on a development site, with most of the surveyed vegetation being category 'B' (fair) which should be retained if possible with 6 trees being classified as 'C', 'C/D' or 'D'. The officer advises that the 11 trees and 5 groups of trees identified to be felled are mostly self-sets and shrubby material which would not be suitable for retention and that the Tree Protection Plan confirms that the boundary trees will be retained and protected.

The scheme would include a new community park and two public squares with a new 'green' walk creating a green spine through the site providing a pedestrian link between

the High Street and the canal towpath.

As regards ecology issues, a Phase 1 Habitat Survey has been submitted which demonstrates that there are no habitats of ecological importance that will be adversely affected by the proposals. An initial protected species assessment noted the potential presence of feeding bats and nesting and feeding birds on site. However, bat surveys undertaken in August and September 2010 did not find any evidence of their presence on site. Many of the buildings have subsequently been demolished. A further ecological survey of the water frontage was undertaken in September 2011, which did not reveal any evidence of protected species.

The Council's Sustainability Officer advises that the site borders the Grand Union Canal, a site of Metropolitan Importance for Nature Conservation. The officer notes that the development is relatively open to the canal, which is supported, but the planting and landscaping represents a more contrived environment with limited natural areas. The officer considers that enhancements to promote the ecology of the area could be made and recommends a condition which is attached.

7.15 Sustainable waste management

Details of indicative waste and recycling areas are shown within the planning submission and are considered to be acceptable in principle. Full details have also been provided of refuse vehicle access in the site and highways have raised no objection to these arrangements.

Conditions and informatives will be attached to a future decision notice to ensure adequate provision of waste and recycling facilities on site and the retention of such facilities in perpetuity.

7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in Carbon Emissions, including a reduction of 40% in carbon emissions.

The application is supported by an assessment which indicates that the development has been designed to achieve just over 40% reduction in carbon emissions through the use of photovoltaic panels and CHPs. Subject to an appropriate condition to secure a scheme of monitoring for the Energy reduction measures, the proposals are considered to comply with Local and Regional Planning policy.

7.17 Flooding or Drainage Issues

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

7.18 Noise or Air Quality Issues

The application site is on a busy high road. It is therefore reasonable to expect that traffic noise is likely to be high enough to affect the residential amenities of future occupiers. Although the site falls within NEC B as defined in PPG24, 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 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 Saved Policy OE5 of the UDP.

7.19 Comments on Public Consultations

Only one letter of support has been received from the Yiewsley and West Drayton Town Centre Action Group.

7.20 Planning obligations

Policy R17 of the Hillingdon UDP 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. The following Heads of Terms are sought:

1. Transport: in line with the SPD a s278/s38 agreement may be required to be entered into to address any and all highways matters arising from this proposal. Given the size of the residential component a travel plan is also sought to address sustainable transport measures arising from this level of development at this location. There may also be a need for a public transport contribution but TfL will advise on this point.

2. Affordable Housing: I note that it is proposed to deliver the 50 bed extra care/dementia unit as the affordable housing component on this development. This roughly equates to 32% of the scheme being delivered as Affordable Housing. An FVA is to be submitted to demonstrate that this is the maximum level of Affordable and type that can be delivered and this will be independently validated.

3. Education: in line with the SPD a contribution in the sum of £299,083 is sought. Please note that the sheltered housing component has not been counted.

4. Health: in line with the SPD a contribution in the sum of £46,022.87 is sought.

5. Community Facilities: in line with the SPD and if a bid is received then a contribution towards local community facilities in the sum of £40,000 could be sought.

6. Libraries: in line with the SPD a contribution in the sum of £4,885.43 is sought.

7. Public Realm/Town Centre: in line with the SPD and given the location of the scheme within the town centre and its location next to the canal a contribution towards the public realm is sought should be secured in the region of £75,000 to assist with the Yiewsley/West Drayton town centre improvement programme.

8. Construction Training: in line with the SPD a contribution or in-kind scheme delivered will be required to address training during the construction phase of the development. If the contribution is to be delivered as a financial contribution then it should be in line with the formula which is £2,500 for every £1m build cost + number of units/160 x £71,675 = total contribution.

9. Employment Strategy: in line with the SPD an employment strategy is sought for the life of the development. As a minimum the Employment Strategy will need to demonstrate how the employment aspect of the development will be effectively marketed so as to endeavour to secure long terms B1 employment on the site.

10. Air Quality: in line with the SPD and if a bid is received by EPU then a contribution in the sum of £25,000 could be sought as a result of this proposal.

11. Project Management and Monitoring Fee: in line with the SPD a contribution equal to 5% of the total cash contributions will be sought to enable the management and monitoring of the resulting agreement.

7.21 Expediency of enforcement action

None

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.

10. CONCLUSION

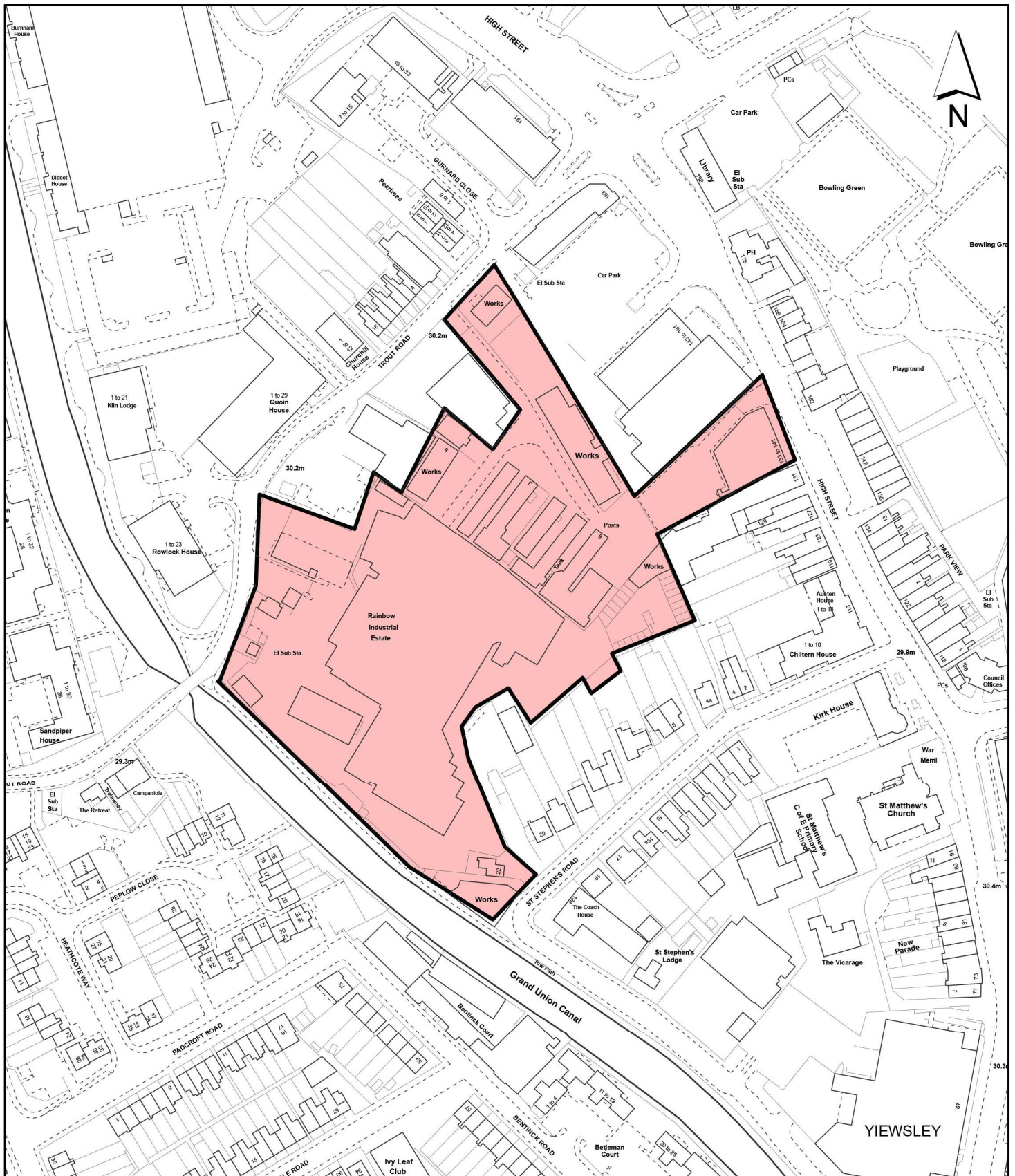
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

11. Reference Documents


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

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Notes

 Site boundary

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Site Address

**Rainbow and Kirby Industrial Estate
 Trout Road**

Planning Application Ref:
38058/APP/2013/1756

Planning Committee
Major Application

Scale
1:2,000

Date
January 2014

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON
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