

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

**Address** INITIAL HOUSE 150 FIELD END ROAD EASTCOTE PINNER

**Development:** Application made under S73 of the Town and Country Planning Act for minor material amendment to condition 2 of the Secretary of State's appeal decision APP/R5510/A/12/2183271 dated 8th January 2012 (LBH ref: 25760/APP/2012/2410) which was for Erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building).

The application seeks to amend condition 2 and seeks the following:

- 1) Addition of 3 units all contained within the approved building envelope (Proposal to provide 45 units);
- 2) Alterations to the mix of accommodation proposed to comprise 14 x 1 bed, 30 x 2 bed and 1 x 3 bed;
- 3) Changes to the internal layout;
- 4) Changes to the basement design (45 spaces) and vehicular entrance ramp to the basement parking; and
- 5) External alterations to the appearance of the building.

**LBH Ref Nos:** 25760/APP/2013/3632

**Drawing Nos:** 1308-P-120 rev P3  
1308-P-121 rev P4  
1308-P-122 rev P3  
1308-P-123 rev P3  
1308-P-124 rev P3  
1308-P-126 rev P2  
1308-P-127 rev P3  
Comparison between consented and Optimised Scheme dated 12th Nov 2013; Rev J

**Date Plans Received:** 05/12/2013

**Date(s) of Amendment(s):**

**Date Application Valid:** 19/12/2013

### 1. SUMMARY

The application seeks approval under S73 of the Town and Country Planning Act for minor material amendments to condition 2 of the Secretary of State's appeal decision APP/R5510/A/12/2183271 dated 8th January 2012 (LBH ref: 25760/APP/2012/2410) which allowed the erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building). Condition 2 restricted the development to be built in accordance with drawings submitted at application stage.

The use of the site as a mixed use residential led development would have no detrimental impact on the development or the surrounding area as a result of the changes proposed. The internal and external changes are considered to be of benefit to

the proposed development as they comprise larger residential apartments which meet the Mayors minimum floorspace standards whilst providing much needed additional housing units within the borough.

Based on the five amendments proposed, the current scheme is considered to be acceptable by virtue of its delivery of additional housing, providing an appropriate mix and at an appropriate density level for the area. The internal alterations and changes to the basement design have accommodated the delivery of flats which principally meet the Mayors floorspace standards and provide a usable and safer car parking arrangement and vehicular access ramp. The reduction in car parking spaces retains 1 space per unit and is therefore considered to be in accordance with policy. The external alterations to the building design are considered to be an enhancement and improvement over the scheme which was allowed at appeal.

## **2. RECOMMENDATION**

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

**A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:**

- 1. Affordable housing: a financial contribution of £86,000 for off site provision plus review mechanism;**
- 2. Construction Training: a financial contribution equal to £2500 per £1m build cost and coordinator costs equal to £18,814.16 or an in kind scheme.**
- 3. Public Open Space :a financial contribution of £55,000**
- 4. Town Centre Improvements: a financial contribution of £20,000**
- 5. Education: a financial contribution of £40,281**
- 6. Health: a financial contribution of £14,126.88**
- 7. Libraries: a financial contribution of £1,500.73**
- 8. Community Facilities: a financial contribution of £20,000**
- 9. Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution.**

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

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

**D) If the Legal Agreements have not been finalised by 20th March 2014, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:**

**'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of affordable housing, employment and construction training, public open space, town centre improvements, education, health, libraries and community facilities). The proposals therefore conflicts with Policy AM2, AM7 and R17 of the adopted Local Plan and the Councils Planning Obligations SPG.'**

**E)That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to 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 changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision:**

**1 COM3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the 12th February 2013.

**REASON**

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

**2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and documents, drawing numbers 10358/01 rev B; 10358/01 rev B; 1308-P-120 rev P3; 1308-P-121 rev P4; 1308-P-122 rev P3; 1308-P-123 rev P3; 1308-P-124 rev P3; 10358/38 rev J;1308-P-126 rev P2; 1308-P-127 rev P3; 10358/43 rev A; 10358/61 rev C; 7296/01; 7296/02 and 20276\_03\_001; CSA/1471/100; 7296/01; 7296/02; CAS/1471/100; Design and Access Statement; Phase I Environmental Risk Assessment Oct 2009; Daylight, sunlight and Shadow Study Sep 2009; Statement of Community Involvement Sep 2009; Desk Study and Ground Investigation Report Aug 2007; Environmental Noise Survey and PPG24 Assessment Report 20th July 2007; Transport Assessment Oct 2009; Travel Plan Oct 2009; Code for Sustainable Homes Assessment Strategy Oct 2009; Report on Background Noise Oct 2009; Energy Statement Dec 2010 and Sustainability Statement March 2011 and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

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

**3 COM5 Finished Floor Levels**

No development shall take place until details of the proposed finished floor levels of the building, have been submitted to and approved in writing by the local planning authority. Such levels shall be shown relative to a fixed and known datum point. The development shall be carried out in accordance with the approved details.

**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 COM7 Materials**

The development hereby approved shall be completed in accordance with the list of materials set out below:

Facing Brick: Weinerberger Chatham Red Multi Stock;  
Render: Weber Monocouche render System (White);

Stone: Reconstituted Wet Cast Portland Stone;  
Roof tile: Marley Rivendale Reconstituted Slate tile;  
Windows: White UPVC/ White Aluminium to front elevation; and  
Balcony balustrading: polished stainless steel and glass.

The development shall be completed in accordance with these details unless otherwise agreed in writing with the Local Planning Authority.

**REASON**

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

**5 NONSC Window, Door, Dormer and Balcony design**

No development shall take place until details of the design of windows, external doors, dormers and balconies, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**REASON**

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

**6 COM7 Shopfront design and materials**

No development shall take place until details of the design and external materials to be used in the shop-front have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**REASON**

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

**7 COM7 Green Wall Design**

No development shall take place until details of the green wall design and specification hereby permitted, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**REASON**

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

**8 COM10 Tree to be retained**

No site clearance or construction work shall take place, and no equipment or materials shall be brought onto the site for the purposes of the development, until the following details have been submitted to and approved in writing by the local planning authority.

- i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
- ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;

- iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
- v) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development. Those details shall include measures to ensure that, within the fenced areas, no buildings shall be erected; no plant or materials shall be stored; and, no excavations shall take place without the prior written approval of the local planning authority.

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (i) above. Development shall be carried out in accordance with the approved details.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **9 COM9 Landscaping**

No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure and the retaining walls and entrance to the basement car park; car parking layouts and provision for 5% of all parking spaces to be served by electrical charging points; cycle storage for 54 cycles; hard surfacing materials; external lighting; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs and external lighting); proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); and, an implementation programme.

#### 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).

#### **10 NONSC Child Play Area**

No development shall take place until details of the children's play area, shown on drawing no CAS/1471/100, have been submitted to and approved in writing by the local planning authority. The play area shall be provided in accordance with the approved details, before any unit within the development is occupied, and shall be retained thereafter for use as a play area.

#### 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).

#### **11 NONSC Ground source heat pump**

No ground source heat pump system shall be installed on the site other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority. Those details shall demonstrate that groundwater quality would not be harmed by the installation.

#### REASON

To protect the deeper groundwater in the principal chalk aquifer. This condition will ensure that any ground source heat pump is designed, used and maintained to protect this important groundwater resource, in accordance with the NPPF and Policy 5.15 of the London Plan (2011).

#### **12 COM15 Sustainable Water Management**

The building hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority.

Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the PPS25 practice guide, and the results of the assessment shall be provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- 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.

#### REASON

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

#### **13 COM15 Sustainable Water Management**

No development shall take place until details of a scheme to minimise the use of potable water, on the site, have been submitted to and approved in writing by the local planning authority. The scheme shall make provision for the collection of rainwater and the details shall show how rainwater and grey water will be recycled and reused during the lifetime of the development. Development shall be carried out in accordance with the approved details.

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.

**14 COM21 Sound insulation /mitigation**

No development shall take place until details of measures to protect occupants of the flats hereby permitted, against the noise of road traffic, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and none of the flats, hereby permitted, shall be occupied unless those measures are in place.

REASON:

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

**15 RES18 Lifetime Homes/Wheelchair Units**

The flats hereby permitted shall be constructed in accordance with the Lifetime Homes Standards. 10% of the flats hereby permitted shall be constructed either to allow wheelchair access or to be readily adaptable to allow wheelchair access, 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

**16 NONSC Basement Parking Ramp details**

The vehicle ramp to the basement parking area, in the development hereby permitted, shall have a gradient no steeper than 1:10 and shall have a minimum head height of 2.1m. No development shall take place until details of the ramp, and of the traffic lights and vehicle sensor system, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON

to ensure that the use of the ramp is not prejudicial to highway safety, in accordance with Policy AM7 of the adopted Hillingdon UDP (Nov 2012).

**17 RES22 Parking Allocation**

No flat shall be occupied until details of a parking allocation scheme, for the development hereby permitted, have been submitted to and approved in writing by the local planning authority. That scheme shall be operated in accordance with the approved details for the lifetime 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).

**18 RES23 Visibility Splays - Pedestrian**

No development shall take place until details of pedestrian visibility splays, alongside vehicle circulation areas, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved

details.

REASON

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

**19 RES24 Secured by Design**

No flat shall be occupied until the dwellings and play area have achieved "Secured by Design" accreditation.

REASON

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

**20 RES25 No floodlighting**

Details of any floodlighting, or other form of external lighting, shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is occupied. Development shall be carried out in accordance with the approved details.

REASON

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

**21 NONSC Delivery and collection restriction**

Materials shall not be delivered to, or collected from, the site on Sundays or Bank Holidays or outside of the hours 0700-1900 hours on Mondays to Saturdays.

REASON

To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 of the adopted UDP saved policies (November 2012).

**22 NONSC Air Handling Units**

No air handling unit shall be used in the development hereby permitted until details of arrangements to minimise noise emissions from the unit have been submitted to and approved in writing by the local planning authority. Those details shall make provision for the maintenance, repair and replacement of the unit. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the adopted UDP saved policies (November 2012).

**23 RES26 Contaminated Land**

No development shall take place until details of a scheme to investigate the nature and extent of any contamination on the site have been submitted to and approved in writing by the local planning authority. That investigation shall include an assessment of the risks arising from the contamination and shall be undertaken by competent persons. No development shall take place, other than that required as part of the investigation, until



the findings of that investigation have been submitted to and approved in writing by the local planning authority. The report of the findings shall include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, pets, service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems; and

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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)

#### **24 NONSC Remediation Scheme**

No development shall take place, other than that required for the purposes of condition 23, until details of a remediation scheme to bring the site to a condition suitable for its intended use have been submitted to and approved in writing by the local planning authority. The details shall identify

all works to be undertaken; remediation objectives; remediation criteria; timetable of works; and, site management procedures.

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)

#### **25 NONSC Validation Report**

The remediation scheme identified pursuant to condition 24 shall be carried out in accordance with the approved details. Unless otherwise agreed in writing by the local planning authority, no development shall take place, other than that required to carry out the investigation and remediation of contamination, until the local planning authority has given its written approval to a validation report which demonstrates the effectiveness of the remediation.

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)

#### **26 NONSC Unidentified Contamination**

If, during the course of development, any contamination is found which was not identified pursuant to condition 23, development shall halt until details of measures to remediate

this unexpected contamination have been submitted to and approved in writing by the local planning authority. Those details shall include provision for an investigation to be carried out in accordance with the requirements of condition 23; for a remediation scheme to be designed in accordance with the requirements of condition 24; and, for a validation report to be produced and approved in accordance with the requirements of condition 25. Development shall be carried out in accordance with the approved details.

**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)

**27 NONSC Energy**

No development shall take place until an energy assessment has been submitted to and approved in writing by the local planning authority. The assessment shall demonstrate that the development, hereby permitted, will achieve a 25% reduction in carbon emissions when compared with development that would have complied with the 2010 Building Regulations. The assessment shall include a calculation of the energy demand and carbon dioxide emissions that would have satisfied the 2010 Building Regulations; details of how the development will achieve reduced emissions through energy efficient design and through the on-site use of technologies designed to exploit sources of renewable energy; and plans to show how those technologies will be incorporated into the development. Development shall be carried out in accordance with the approved assessment.

**REASON**

To ensure the development reduces carbon emissions in accordance with London Plan policy 5.2.

**28 NONSC Rear Elevation windows**

All windows located on the third and fourth floor of the west (rear) elevation of the development hereby approved shall be provided as obscure glazed and retained as such for the life of the development.

**REASON:**

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

**INFORMATIVES**

**1 115 Control of Environmental Nuisance from Construction Work**

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

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

B. All noise generated during such works shall be controlled in compliance with British

Standard Code of Practice BS 5228:2009.

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

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

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

## **2 I52 Compulsory Informative (1)**

The decision to GRANT/REFUSE 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).

## **3 I53 Compulsory Informative (2)**

The decision to GRANT/REFUSE 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.

AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
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.
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

H4	Mix of housing units
H5	Dwellings suitable for large families
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.8	(2011) Housing Choice
LPP 4.7	(2011) Retail and town centre development
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.9	(2011) Overheating and cooling
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment
LPP 7.21	(2011) Trees and woodland
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
NPPF	
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
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

**4 147 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).

**5**

You are advised that the development hereby approved represents chargeable development under the Mayor's community Infrastructure Levy. 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 Councils website. [www.hillingdon.gov.uk](http://www.hillingdon.gov.uk).

**3. CONSIDERATIONS****3.1 Site and Locality**

The application site has an area of 0.32 hectares and is located on the western side of Field End Road. The site is currently under construction with the former office building known as Initial House having been demolished. Initial House previously comprised a three storey building which adjoins Conex House, no.148 Field End Road which comprises a three storey office block. Historically there has been vehicular access provision from Field end Road with a secondary access from Morford Way which is currently gated.

The application site is located in an area which mainly comprises traditional, densely developed 1920s-1930s purpose built metroland type retail parades, at 2-3 storeys in height, with a two storey shopping parade located adjoining the application site, with three storey parades on the opposite side.

To the west and south of the application site lies the Eastcote (Morford Way) conservation area which comprises residential dwellings and bungalows.

The site is located within Eastcote Minor Town centre as designated within the saved UDP policies. Although the site occupies a fairly central siting in terms of the town centre, it does not lie within either the primary or secondary shopping areas.

**3.2 Proposed Scheme**

The application is for the variation of Condition 2 of the Secretary of State's appeal decision APP/R5510/A/12/2183271 dated 8th January 2012 (LBH ref: 25760/APP/2012/2410) which allowed the erection of a part four, part three and part two

storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building). Condition 2 restricted the development to be built in accordance with drawings submitted at application stage.

The variations comprise the following:

- 1) Addition of 3 units all contained within the approved building envelope (Proposal to provide 45 units);
- 2) Alterations to the mix of accommodation proposed to comprise 14 x 1 bed, 30 x 2 bed and 1 x 3 bed;
- 3) Changes to the internal layout;
- 4) Changes to the basement design (45 spaces) and vehicular entrance ramp to the basement parking; and
- 5) External alterations to the appearance of the building.

### 3.3 Relevant Planning History

25760/APP/2010/2410 150 Field End Road Eastcote Pinner

Erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building.)

**Decision:** 17-05-2012 Refused

**Appeal:** 12-02-2013 Allowed

25760/APP/2013/3152 150 Field End Road Eastcote Pinner

Details pursuant to conditions 3 (levels), 4 (materials), 5 (design of windows, doors, dormers, and balconies), 6 (external materials), 8 (tree protection), 14 (noise), 15 (life time homes), 16 (ramp details), 18 (visibility splays), 23 (contamination), 24 (remediation), 25 (remediation validation), 27 (energy) of Appeal planning permission APP/R5510/A/12/2183271 (25760/APP/2010/2410) Erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building.)

**Decision:**

#### Comment on Relevant Planning History

Permission was allowed on appeal for the erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road on 8th January 2012.

The applicants have also submitted a number of conditions for consideration, however these are still pending determination.

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.E5 (2012) Town and Local Centres
- PT1.H1 (2012) Housing Growth
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- AM15 Provision of reserved parking spaces for disabled persons
- 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
- BE13 New development must harmonise with the existing street scene.
- BE14 Development of sites in isolation
- 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.
- BE28 Shop fronts - design and materials
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- BE4 New development within or on the fringes of conservation areas
- DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- H4 Mix of housing units
- H5 Dwellings suitable for large families
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- LPP 3.12 (2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
- LPP 3.13 (2011) Affordable housing thresholds
- LPP 3.4 (2011) Optimising housing potential
- LPP 3.5 (2011) Quality and design of housing developments

LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.8	(2011) Housing Choice
LPP 4.7	(2011) Retail and town centre development
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.15	(2011) Water use and supplies
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.9	(2011) Overheating and cooling
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment
LPP 7.21	(2011) Trees and woodland
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
NPPF	
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
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004



## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **17th February 2014**

5.2 Site Notice Expiry Date:- **4th February 2014**

## 6. Consultations

### External Consultees

#### NEIGHBOUR CONSULTATION

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 at the application site and 80 neighbouring residents were consulted individually in writing.

Following an amendment to the description of development, revised press notices and neighbour letters were issued for clarification.

Two letters of comment/objection has been received, one of which is from the Eastcote Village Conservation Area Advisory Panel. This letter was also submitted to the Council via John Randall MP but it only counted as a single letter for the purposes of consultation responses received.

The comments/objections received in relation to this application, sets out the following comments:

- This application raises the number of dwellings from 42 to 45, in spite of the limit set HBC when the last application was made. This application is trying to squeeze in material changes to the project whilst giving the impression that they are minor

- Increase in density of development not set out in description of development;  
(OFFICER COMMENT: a re-consultation has been undertaken with full details of the changes proposed including number of proposed units. The revised density of development is discussed in detail in section 7.02 of this report and is considered to be acceptable and in accordance with planning policy.)

All elevations are of a different design  
(OFFICER COMMENT: This is addressed below under 'Impact on the character of the Area'.)

Position of car park ramp amended  
(OFFICER COMMENT: At technical design stage it became apparent that it would be difficult to construct the ramp as approved under the Secretary of State scheme. The Highways Officers have reviewed the proposal and consider this amended design to be acceptable.)

Geo-thermal heat pumps now proposed  
(OFFICER COMMENT: Heat pumps are proposed to be located at Second floor level on an area of flat green roof. the pumps are required to serve this development and will not be visible from the surrounding local views.)

The current proposals do not accord with the Hillingdon Local Plan Part 2 (Draft) Site Allocations document which identifies the site to be suitable for development in accordance with the scheme allowed by the Planning Inspector.

(OFFICER COMMENT: The Site Allocations document has only been approved by Cabinet and is awaiting public consultation. At this stage this draft policy can be afforded only limited weight in the decision making process. Aside from the status of the document, applicants are not precluded from seeking to vary existing consents as the applications are considered on a case by case basis to

assess whether the scheme is acceptable, set against all other planning policies.)

Incorporation of plant at basement level has resulted in loss of parking.

(OFFICER COMMENT: The basement layout has altered to ensure there is sufficient space for plant within the basement and to accommodate safe vehicular access into the basement. The Highways Officers consider the proposed level of parking to be appropriate.)

Proposals result in the loss of retail parking spaces and visitor parking spaces and should be refused based on the increase in density.

(OFFICER COMMENT: The scheme retains the provision of 45 parking spaces at basement level, which is an on-site provision of 1:1 car parking space per unit. Commercial parking bays are removed but it is considered by the Highways Officer that these can be accommodated on street. Whilst the scheme does result in the loss of visitor parking spaces previously approved, there is no local or London Plan parking standard requiring the provision of visitor parking spaces. As such, the Highways Officers consider the proposals to be acceptable.)

No details of Planting have been submitted as required under condition 8 of the Inspectors Decision.

(OFFICER COMMENT: Details have been submitted for tree works and are under consideration by the Planning department. Planning Ref 25760/APP/2013/3152.)

The inspectors decision required all windows on the 3rd and 4th floors of the rear elevation to be opaque and non opening- the current proposals show opening opaque glazed windows.

(OFFICER COMMENT: The Planning Inspectorate decision did not impose a condition requiring 3rd and 4th floor windows on the rear elevation to be opaque and non-opening. It is however considered reasonable to impose a condition on any future consent to secure the 3rd and 4th floor rear elevation windows as obscure glazed to protect surrounding residential amenity.)

A condition should be added which only allows access for maintenance at roof level to prevent the creation of an amenity area.

(OFFICER COMMENT: A suitably worded condition will be attached to any future planning permission.)

Other comments:

The current design of the elevations is considered to be superior to the previously allowed scheme.

External Consultees

ENVIRONMENT AGENCY

As we did not request the following conditions we will not be commenting on the amendment.

**Internal Consultees**

ACCESS OFFICER

The Section 73 Application for a minor material amendment presents no accessibility concerns. conclusion: no concerns are raised.

ENERGY OFFICER

I have no comments.

FLOOD RISK/SURFACE WATER MANAGEMENT:

No objection in principle, an amendment is requested to the wording on Condition 12 to bring it into accordance with current local planning policies:

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

- i. provide information on all Suds features including the method employed to delay and control the water across 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. any groundwater flows across the site should be shown and measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

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

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

(OFFICER COMMENTS: The above condition does not differ substantially from Conditions 12 and 13 of the Inspectors appeal decision and only minor changes to the Inspectorate conditions will be made for reasons of consistency.)

#### LBH HIGHWAYS

Further to undertaking a review of the above planning appeal, I can confirm that Highways has no objection to the above development.

#### LBH TREES AND LANDSCAPING

Landscape character/context:

The applicant already has permission to erect a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing Proposal:

The proposal is to amend condition 3 of the Secretary of State's appeal decision APP/R5510/A/12/2183271 dated 8th January 2012 to vary unit mix, internal layout, basement design and appearance of building (Application for a minor material amendment under S73).

LANDSCAPE CONSIDERATIONS:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of

merit and the provision of new planting and landscaping wherever it is appropriate.

· It is understood that the application involves no change to the footprint of the building and will have no effect on the potential for external landscaping in accordance with previous plans. (Please Recommendations:

No objection subject to the above observations and previous conditions.

S106 OFFICER

I have assessed the proposals and understand that the scheme allowed at appeal provided 42 units (10 x 1 bed 17 x 2 and 5 x 3 bed), whilst the amended scheme provides 45 units (14 x 1 bed, 30 x 2 bed and 1 x 3 bed units). The difference in the resulting population and child yield between the two schemes is negligible. As such I consider that the planning obligations secured under the appeal scheme (ref: 25760/APP/2010/2410) together with the additional offer of £86,000 for off site affordable housing provision are sufficient to mitigate the impacts of the proposed development.

The Planning Obligations sought are:

1. Affordable housing: a financial contribution of £86,000 for off site provision plus review mechanism;
2. Construction Training: a financial contribution equal to £2500 per £1m build cost and coordinator costs equal to £18,814.16 or an in kind scheme.
3. Public Open Space :a financial contribution of £55,000
4. Town Centre Improvements: a financial contribution of £20,000
5. Education: a financial contribution of £40,281
6. Health: a financial contribution of £14,126.88
7. Libraries: a financial contribution of £1,500.73
8. Community Facilities: a financial contribution of £20,000

## CONSERVATION AND DESIGN

This site lies just outside the adjacent Eastcote (Morford Way) Conservation Area - a heritage asset. In terms of the submitted drawings, I am happy with the overall design of the design of the dormers, balconies and the integral design of the mansard roof. The general design of the elevations have better proportion and clarity.

However, there does not appear to be any detailed drawings for the windows and doors or materials. On page 20 of the Comparison document (Rev J dated 12 November 2013) the section shows options for PV vs ASHP options. The precise location and the option needs to be agreed. There is no overall roof plan submitted to show locations.

CONCLUSION: Please request additional drawings/materials.

(OFFICER COMMENT: A condition requesting both the roof plan and details of windows and doors will be added to the decision notice.)

## **7. MAIN PLANNING ISSUES**

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

The principle of the development was established following the appeal decision which was allowed by the Secretary of State dated 12th February 2013. The current application raised no new planning considerations as there would be no material change to scheme allowed at appeal to provide a mixed use residential led development.

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

The extant scheme has a residential density of 131 units per hectare (u/ha) or 372 habitable rooms per hectare (hr/ha). The current application submission has a residential

density of 133 u/ha or 361 hr/ha.

For clarification, the current scheme whilst comprising an additional 3 residential units, has a lower number of habitable rooms within the building due to the change in housing mix.

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within an urban area and has a Public Transport Accessibility Level (PTAL) of 3, where 6 is the most accessible and 1 the least.

Taking the site parameters into account, the matrix recommends a density of 70 - 170 u/ha and 200 - 450 hr/ha. This proposal equates to a density of 133 u/ha and 361 hr/ha, which is well within the Mayor's guidance in terms of the maximum acceptable residential density on this site.

The proposed density of development therefore accords with local and regional planning policy requirements and is considered appropriate for this site.

Policy H4 of the UDP states that within Town Centre locations, predominantly one and two bedroom developments would be preferable. The revised application proposes amendments to the residential mix of this development. Overall there is a reduction in the number of family or 3+ bedrooms provided at the site. However given the location of this site in a town centre, and in accordance with saved policy H4 of the UDP, it is considered appropriate to provide a predominantly one and two bedroom development within this town centre location.

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

The application site fronts onto Field end Road located within the middle of the Eastcote town centre and directly abuts the Eastcote (Morford Way) Conservation Area on its southern and western boundaries. The site contains no listed buildings.

The elevational amendments proposed would present an acceptable frontage to the Eastcote Town Centre whilst respecting the general pattern of development in the surrounding residential area and the views into and out of the Eastcote (Morford Way) Conservation Area. The scheme is therefore considered to comply with saved Policies BE4, BE13, BE19 of the Unitary Development Plan and policy BE1 of the Local Plan Part 1.

#### **7.04 Airport safeguarding**

There are no safeguarding issues arising from this application.

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

The site is not located within the Green Belt.

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

The application site has a 20.5m frontage onto Field End Road within the middle of the Eastcote town centre and directly abuts the Eastcote (Morford Way) Conservation Area on its south western and south eastern boundaries.

The design of the extant planning consent comprised an L shape block with ground floor

retail along Field End Road. The height, shape, size and location of the current planning submission remain unchanged.

In order to facilitate the delivery of three additional residential units at second floor level, the roof design has been altered on the south western corner of this property to accommodate greater floorspace at roof level. The views of this altered roof form are not visible from Field End Road as the built form is hidden behind the existing buildings located on Field End Road and will not therefore have an impact on the conservation area and the character and appearance of the local area.

The proposed materials have not changed from those of the extant scheme and comprise a principally brick built building, with insets of rendered facade to break up and add visual interest to the building. On the northern elevation, three panels of render have been increased to four panels across this elevation and provide a greater level of symmetry with windows at roof level. The Field End Road elevation remains largely unaltered. The southern elevation remains largely unaltered, however an enhanced design has been achieved towards the south western corner of the site which incorporates improved detailing and a green wall to provide some interest at this junction which faces onto the communal amenity area. The western elevation was proposed to provide a mural which would face onto the communal amenity space, the applicants propose to change this to a green wall which is supported in both design and biodiversity grounds, this will provide an improved outlook for the users of the communal amenity space. This elevation comprises some amendments to the roof form and the insertion of new windows at second and third floor levels which are considered appropriate.

The Conservation Officer advised that the extant building design would present an acceptable frontage to the Eastcote town centre whilst respecting the general pattern of development in the surrounding residential areas and that subject to detail conditions, the proposed building is acceptable. The Eastcote Village Conservation Area Advisory Panel note in their comments that the current/amended design of this building is superior to the extant scheme. The scheme is therefore considered to comply with Policies BE4, BE13, BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

The building footprint, scale and height remain unaltered and therefore the scale and massing of this scheme are considered to be in accordance with the extant scheme and the relationship of the building with neighbouring properties remains acceptable.

The Council's HDAS: 'Residential Layouts' advises that development of two or more storey's should maintain at least a 15m gap from habitable room windows to avoid being overdominant. The proposed building would be sited some 34m from the nearest main rear elevation of the surrounding residential properties on Crescent Gardens, Morford Close and Morford Way to the north west, south west and south east. Furthermore, the nearest part of the proposed building would only be two storey's at this nearest point and the proposed building would be sited slightly further away from neighbouring residential properties on Crescent Gardens and Morford Close than the existing office building. It would be sited some 2m closer to properties on Morford Way to the south, but still retain a separation distance of some 38m to the nearest residential rear elevation. The front elevation of the rear wing of the building would be sited some 7.6m further forward on site than the rear wing of the existing building. This would site this part of the building closer to the retail parade fronting Field End Road, but still maintain a separation distance of some 29m to the nearest first floor flat (the upper floors of the unit at the end of parade are in

use as a dental surgery).

These matters were considered by the Planning Inspectorate as part of the extant scheme and the development was not considered unduly dominant in relation to all surrounding properties.

Policy BE24 of the saved UDP states that the development should be designed to protect the privacy of future occupiers and their neighbours. The Council's HDAS: 'Residential Layouts' advises that a 21m distance should be maintained between habitable rooms and a 3m deep 'patio' area adjacent to the rear elevation of the property. The proposal ensures that adequate separation would be maintained to surrounding residential properties to ensure that the privacy of their occupiers is maintained. Furthermore, there are a number of existing trees which form tree belts along the southern and western boundaries that do help screen the site.

The extant scheme provided residential balconies to only a small proportion of units. The current scheme proposes new balconies on the northern, eastern and southern elevations, however given the separation distances to the adjoining residential occupiers and existing trees around the site, it is considered that the balconies would not cause a loss of privacy. No balconies are proposed on the corner units of the northern elevation or on the western (rear) elevation. All windows at the second and third floor levels of the western (rear) elevation of this building are proposed to be obscure glazed. All openings at second floor level serve a communal hallway only, whilst at third floor level, two windows serve a flat and a single window serves the communal hallway. As these windows are proposed to be obscured, it is not considered that these would cause any loss of privacy to surrounding residents. A condition to secure all these windows as obscure glazed in perpetuity is recommended.

The proposal would not be detrimental to the amenities of surrounding residents and fully complies with policies BE19, BE20, BE21 and BE24 of the Council's adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant design guidance.

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

The extant scheme comprises a residential development which does meet the minimum floorspace standards set out within the London Plan 2011. The revised scheme has been amended and 41 residential units comply or exceed the minimum floorspace standards of the London Plan. Four residential units fall below the minimum floorspace standards by less than 1 square metre, measuring between 69.1-69.7 sq metres, where the floorspace requirements are 70 square metres. Given that this is only a very marginal shortfall, it is considered that on balance, the scheme is acceptable and any reason for refusal on these grounds could not be justified on these grounds. In addition, this scheme comprises floorspace standards which are much closer to complying with the London Plan standards than the extant scheme at the site meaning it would provide a better environment for future residential occupiers.

The scheme is not considered to raise any concerns regarding overlooking and loss of privacy for future residential occupiers. All habitable room windows would afford adequate privacy, outlook and natural lighting.

Policy BE23 of the saved policies UDP requires the provision of external amenity space, which is useable in terms of its shape and siting. The Council's HDAS specifies that shared amenity space for flats should be provided with the minimum overall provision

equating to 20m<sup>2</sup>, 25m<sup>2</sup> and 30m<sup>2</sup> of amenity space for each one, two and three bedroomed units respectively. In order to satisfy this standard, a minimum overall amenity space provision of 1060sqm would be required. The shared amenity space to the north, south and west of the building provides approximately 1,205sqm. Furthermore, 31 of the 45 residential units include private residential amenity space in the form of ground floor gardens and balconies, this amounts to 283sq.m. As such, the scheme is required to deliver 1060sq.m of amenity space at the site, but is in fact delivering some 1488sq.m across the site and therefore accords with Policy BE23 of the saved UDP and Council guidance.

As per the extant scheme, it is considered that provision should be made for a dedicated children's play area as this is an area deficient of such space, being more than 400m to the nearest play area. In order to comply with Policy 3.6 of the London Plan (July 2011). Although an area is shown on the plans, details of a play area would need to be covered by condition in order to secure adequate provision of equipment/play is secured on site.

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

In principle, the scheme was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013.

However the current proposals seek to change the car parking provision on site from 49 spaces as allowed on appeal to 45 spaces. The proposals involve the retention of 1:1 car parking provision for all future residential occupants, however the extant scheme made provision for visitor parking and 2 x spaces for the retail unit at ground floor level.

Highways Officers have reviewed the proposals and consider the loss of retail parking spaces at basement level to be acceptable. It is also considered to be a safer and more secure as non residents would have no access to a private residential development. The local area comprises a number of spaces for short stay shoppers and therefore any future shoppers arriving by car can be accommodated on street.

Whilst the scheme does result in the loss of visitor parking spaces previously approved, there is no local or London Plan parking standard requiring the provision of visitor parking spaces. As such, the Highways Officer consider the proposals to be acceptable.

Subject to appropriate conditions being applied, the Highway Officer raises no objection on the highways aspect of this application. The scheme is considered to comply with Policies AM2, AM7, AM9, AM14 and AM15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

Urban Design;

This is considered in 'Impact on the Character and Appearance of the area'.

Access and Security;

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013.

#### **7.12 Disabled access**

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th



February 2013. Further, the Councils Access Officer has reviewed the amended proposal and raises no concerns.

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

The extant scheme at this site was unable to deliver any affordable housing on site due to viability reasons, but a review mechanism was included in the legal agreement which sought to review viability at a later date. This was accepted by the Planning Inspectorate as part of the appeal decision.

The applicants have submitted a revised financial viability statement with the current application which states that the scheme remains unviable for delivery of on-site affordable housing and therefore a planning contribution of £86,000 is available to provide off-site affordable housing based upon the additional residential units proposed (3 units). It should be noted that here is a basement proposed which impacts on costs at this site.

In light of the appeal scheme securing no affordable housing or an off-site contribution, the current scheme is an improvement with regard to the delivery of affordable housing, as the applicants are able to deliver the extant scheme allowed by the Planning Inspectorate with no affordable housing delivery.

Given the viability constraints of delivering on-site affordable housing, it is considered appropriate in this instance to take the in-lieu contribution and secure a review mechanism at a later date to assess whether any additional affordable housing could be secured at this site, in accordance with the Planning Inspectors previous decision.

#### **7.14 Trees, Landscaping and Ecology**

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013.

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

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013.

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

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013. It is noted that previously proposed photovoltaic panels located at roof level have been removed from the proposals, however the applicant is required by condition to demonstrate accordance with London Plan carbon emission reduction requirements and this can be achieved within the site. Therefore a condition will be imposed which requires the submission and approval of any such proposals to achieve the London Plan policy requirements.

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

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013.

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

This was assessed and deemed to be acceptable following the appeal decision ref APP/R5510/A/12/2183271 which was allowed by the Secretary of State dated 12th February 2013.

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

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 at the application site and 80 neighbouring residents were consulted individually in writing.

Following an amendment to the description of development, revised press notices and neighbour letters were issued for clarification.

Two letters of comment/objection has been received, one of which is from the Eastcote Village Conservation Area Advisory Panel. This letter was also submitted to the Council via John Randall MP but it only counted as a single letter for the purposes of consultation responses received.

The comments/objections received in relation to this application, sets out the following comments:

- This application raises the number of dwellings from 42 to 45, in spite of the limit set HBC when the last application was made. This application is trying to squeeze in material changes to the project whilst giving the impression that they are minor

- Increase in density of development not set out in description of development;  
(OFFICER COMMENT: a re-consultation has been undertaken with full details of the changes proposed including number of proposed units. The revised density of development is discussed in detail in section 7.02 of this report and is considered to be acceptable and in accordance with planning policy.)

All elevations are of a different design  
(OFFICER COMMENT: This is addressed below under 'Impact on the character of the Area'.)

Position of car park ramp amended  
(OFFICER COMMENT: At technical design stage it became apparent that it would be difficult to construct the ramp as approved under the Secretary of State scheme. The Highways Officers have reviewed the proposal and consider this amended design to be acceptable.)

Geo-thermal heat pumps now proposed  
(OFFICER COMMENT: Heat pumps are proposed to be located at Second floor level on an area of flat green roof. the pumps are required to serve this development and will not be visible from the surrounding local views.)

The current proposals do not accord with the Hillingdon Local Plan Part 2 (Draft) Site Allocations document which identifies the site to be suitable for development in accordance with the scheme allowed by the Planning Inspector.

(OFFICER COMMENT: The Site Allocations document has only been approved by Cabinet and is awaiting public consultation. At this stage this draft policy can be afforded only limited weight in the decision making process. Aside from the status of the document, applicants are not precluding from seeking to vary existing consents as the applications are considered on a case by case basis to assess whether the scheme is acceptable, set against all other planning policies.)

Incorporation of plant at basement level has resulted in loss of parking.

(OFFICER COMMENT: The basement layout has altered to ensure there is sufficient space for plant within the basement and to accommodate safe vehicular access into the

basement. The Highways Officers consider the proposed level of parking to be appropriate.)

Proposals result in the loss of retail parking spaces and visitor parking spaces and should be refused based on the increase in density.

(OFFICER COMMENT: The scheme retains the provision of 45 parking spaces at basement level, which is an on-site provision of 1:1 car parking space per unit. Commercial parking bays are removed but it is considered by the Highways Officer that these can be accommodated on street. Whilst the scheme does result in the loss of visitor parking spaces previously approved, there is no local or London Plan parking standard requiring the provision of visitor parking spaces. As such, the Highways Officers consider the proposals to be acceptable.)

No details of Planting have been submitted as required under condition 8 of the Inspectors Decision.

(OFFICER COMMENT: Details have been submitted for tree works and are under consideration by the Planning department. Planning Ref 25760/APP/2013/3152.)

The inspectors decision required all windows on the 3rd and 4th floors of the rear elevation to be opaque and non opening- the current proposals show opening opaque glazed windows.

(OFFICER COMMENT: The Planning Inspectorate decision did not impose a condition requiring 3rd and 4th floor windows on the rear elevation to be opaque and non-opening. It is however considered reasonable to impose a condition on any future consent to secure the 3rd and 4th floor rear elevation windows as obscure glazed to protect surrounding residential amenity.)

A condition should be added which only allows access for maintenance at roof level to prevent the creation of an amenity area.

(OFFICER COMMENT: A suitably worded condition will be attached to any future planning permission.)

## **7.20 Planning Obligations**

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

The Heads of Terms are as follows and are taken from the obligations secured under the extant scheme:

1. Affordable housing: a financial contribution of £86,000 for off site provision plus review mechanism;
2. Construction Training: a financial contribution equal to £2500 per £1m build cost and coordinator costs equal to £18,814.16 or an in kind scheme.
3. Public Open Space :a financial contribution of £55,000
4. Town Centre Improvements: a financial contribution of £20,000
5. Education: a financial contribution of £40,281
6. Health: a financial contribution of £14,126.88
7. Libraries: a financial contribution of £1,500.73
8. Community Facilities: a financial contribution of £20,000
9. Monitoring fee of 5% of the total financial planning obligation requirements.

## **7.21 Expediency of enforcement action**

Not Applicable

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

#### **9. Observations of the Director of Finance**

Not Applicable

#### **10. CONCLUSION**

The application seeks approval under S73 of the Town and Country Planning Act for minor material amendments to condition 2 of the Secretary of State's appeal decision APP/R5510/A/12/2183271 dated 8th January 2012 (LBH ref: 25760/APP/2012/2410) which allowed the erection of a part four, part three and part two storey building with basement parking, comprising 11 one-bedroom, 27 two-bedroom and 4 three-bedroom residential flats and a retail unit on the ground floor fronting Field End Road (involving demolition of the existing building). Condition 2 restricted the development to be built in accordance with drawings submitted at application stage.

The use of the site as a mixed use residential led development would have no detrimental impact on the development or the surrounding area as a result of the changes proposed. The internal and external changes are considered to be of benefit to the proposed development as they comprise larger residential apartments which meet the Mayors minimum floorspace standards whilst providing much needed additional housing units within the borough.

Based on the five amendments proposed, the current scheme is considered to be

acceptable by virtue of its delivery of additional housing, providing an appropriate mix and at an appropriate density level for the area. The internal alterations and changes to the basement design have accommodated the delivery of flats which principally meets the Mayors floorspace standards and provides a usable and safer car parking arrangement and vehicular access ramp. The reduction in car parking spaces retains 1 space per unit and is therefore considered to be in accordance with policy. The external alterations to the building design are considered to be an enhancement and improvement over the scheme which was allowed at appeal.

## **11. Reference Documents**

Hillingdon Local Plan: Part One (November 2012)

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

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

Planning Obligations Supplementary Planning Document (July 2008)

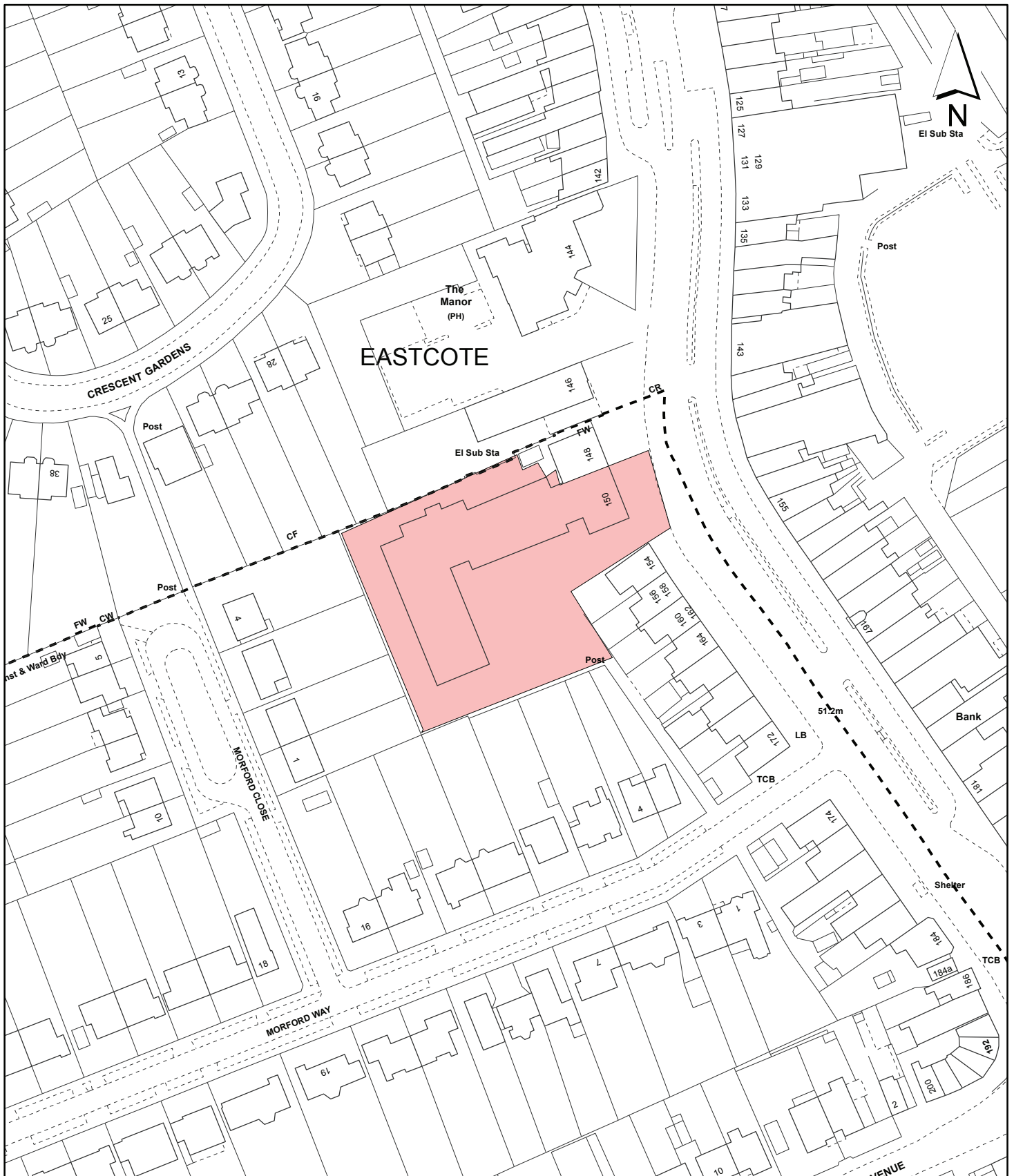
Revised Chapter 4: Education Facilities of the Planning Obligations SPD (adopted 23 September 2010)

London Plan (July 2011)


National Planning Policy Framework (March 2012)

**Contact Officer:** Mandip Malhotra

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**Notes**

 Site boundary

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Site Address

**Initial House  
 150 Field End Road  
 Eastcote Pinner**

Planning Application Ref:  
**25760/APP/2013/3632**

Planning Committee  
**Major Application**

Scale  
**1:1,250**

Date  
**March 2014**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

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