

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

**Address** PRONTO INDUSTRIAL ESTATE AND 585 - 591 UXBRIDGE ROAD HAYES

**Development:** Part 2 Part 3 storey building to be used for light industrial (Use Class B1(c)) purposes (revised design of Block B approved in 4404/APP/2011/2079).

**LBH Ref Nos:** 4404/APP/2013/1650

**Drawing Nos:** PL-205B  
PL-101C  
TD401\_01C  
PL-204B  
PL-203B  
PL-202A  
PL-200B  
PL-405  
PL-404  
PL-400  
PL-300  
PL-207  
PL-206  
PL-402  
PL-403A  
Air Quality Assessment  
Arboricultural Implications Assessment Report  
Daylight, Sunlight & Overshadowing Assessment  
Noise Assessment  
Supporting Planning Statement  
Sustainability Statement  
Tree Survey Schedule  
Employment Land Availability Report  
Disabled Access Statement  
PL-100(S3)  
PL-102(S3)  
PL-103(S3)  
PL-201(S3)  
PL-401(S3)  
TD574-03C  
Design and Access Statement - June 2013  
Contamination Site Investigation - October 2013

**Date Plans Received:** 18/06/2013                      **Date(s) of Amendment(s):**

**Date Application Valid:** 18/06/2013

### 1. SUMMARY

The application is a Section 73 application to vary planning permission ref: 4404/APP/2011/2079 which permits the demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

For the reasons outlined below, the proposal is considered to comply with the policies of the adopted Hillingdon Local Plan (2012), as such this application is recommended for approval.

## **2. RECOMMENDATION**

**a. That the application be determined by the Head of Planning, Green spaces and Culture under delegated powers, subject to the completion of a deed of variation to the Section 106 Agreement accompanying planning permission ref. 4404/APP/2011/2079 to provide for the following obligations:**

**(i) Travel plans to be prepared in accordance with TFL guidance and implemented for the light industrial and the residential components of the development.**

**(ii) The provision of a contribution of £19,571 towards educational facilities (inflation adjusted to account for the retail price index since March 2009).**

**(iii) The provision of a contribution of £11,844.95 towards health care facilities (inflation adjusted to account for the retail price index since March 2009).**

**(iv) The provision of a contribution of £10,000 toward community facilities (inflation adjusted to account for the retail price index since March 2009).**

**(v) The provision of a contribution of £1,486 towards local library facilities (inflation adjusted to account for the retail price index since March 2009).**

**(vi) A contribution of £2,500 for every £1 million build cost to provide for construction training.**

**(vii) The provision of a pedestrian access to Rosedale Park, including the provision of access control and CCTV provision.**

**(viii) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.**

**b. That the applicant meets the Council's reasonable costs in the preparation of the deed of variation to the Section 106 agreement and any abortive work as a result of the deed not being completed.**

**c. That the officers be authorised to negotiate and agree detailed terms of the proposed deed of variation.**

**d. That, if the Section 106 agreement is not completed within a period of 3 months from the date of Committee consideration that delegated powers be granted to the Head of Planning, Green spaces and Culture to refuse the application for the following reason**

**- The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of encouraging sustainable modes of transport, educational facilities, health care facilities, community facilities, library facilities, and the provision of convenient access and permeability to nearby recreational space). Given that a legal agreement to address this issue has not at this stage**

been offered or secured, the proposal is considered to be contrary to Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

e. That if the application is approved, the following conditions be attached:

**1 T8 Time Limit - full planning application 3 years**

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

REASON

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

**2 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**3 OM2 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and know datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 M5 Means of Enclosure - details**

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

REASON

To safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 MCD9 No External Storage including refuse**

In relation to the Class B1(c) units hereby approved, no display, placing or storage of refuse, recycling, goods, materials, plant or equipment shall take place other than within the buildings.

**REASON**

In the interests of amenity and to ensure that external areas are retained for the purposes indicated on the approved plans in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

**7 MCD10 Refuse/Recycling Facilities**

No development shall take place until details of facilities to be provided for the screened and secure storage of refuse and recycling at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

**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) and London Plan (February 2008) Policy 4B.1.

**8 RPD11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)**

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the units identified as light industrial (Use Class B1(c)) shall be used only for purposes within Use Class B1(c) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

**REASON**

In order to ensure the retention of industrial floorspace on site without detriment to the amenity of future or neighbouring occupiers in accordance with Policies LE4, OE1, OE3 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 H1 Traffic Arrangements - submission of details**

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

**REASON**

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted

Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan . (July 2011).

**10 H14 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of covered and secure storage for 61 bicycles (43 for the residential units and 18 for the Class B1(c) units), changing facilities, lockers and showers for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan. (July 2011).

**11 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

**REASON**

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**12 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 1. There shall be no changes in ground levels;
- 2. No materials or plant shall be stored;
- 3. No buildings or temporary buildings shall be erected or stationed.

4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **13 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **14 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season

with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **15 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

#### REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

#### **16 N2 Noise-sensitive Buildings - use of sound insulation**

Development shall not begin until a sound insulation scheme for protecting buildings A1 and A2 from road traffic noise and a scheme of sound attenuation between the ground and first floor uses within buildings A2, C and D, has been submitted, to, and approved by the Local Planning Authority. The sound insulation scheme shall meet an acceptable internal noise design criteria. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

#### REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.15

#### **17 NONSC Hours of Operation**

The light industrial units (Use Class B1(c)) hereby approved and/or associated plant shall not be used outside the hours of 0800 and 1800 Monday to Friday, and 0800 and 1300 on Saturdays. The premises and/or specified plant or use shall not be used on Sundays, Public or Bank Holidays.

#### REASON

To safeguard the amenity of the surrounding area in accordance with policies OE1, OE3 and OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

#### **18 NONSC Delivery Hours**

No loading and unloading (to include waste collections) associated with light industrial units (Use Class B1(c)) on site shall take place outside the hours of 0800 and 1800 Monday to Friday, and 0800 and 1300 on Saturdays. No loading or unloading (to include

waste collections) shall occur on Sundays, Public or Bank Holidays.

**REASON**

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

**19 DRC6 Contaminated Land - survey and remedial works**

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the Local Planning Authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

**REASON**

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.21

**20 DIS3 Parking for Wheelchair Disabled People**

Development shall not commence until details of parking provision for wheelchair users, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

**REASON**

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled' parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

**21 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

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

**REASON**

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

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

No development shall take place on site until a detailed energy assessment has been



submitted to, and approved in writing by the Local Planning Authority. The assessment shall set out the baseline (2010 Building Regulations) energy demand, the details of how the development will achieve a 25% reduction in carbon emissions, the types of technology to be used, the impact of the technologies on the baseline, the phasing of the technology and plans and elevations showing inclusion of the technology. The methods identified within the approved assessment shall be integrated within the development and thereafter permanently retained and maintained.

**REASON**

To ensure that the development incorporates appropriate energy efficiency measures in accordance with London Plan (July 2011) Policies 5.1, 5.2, 5.3, 5.4, 5.5, 5.7, 5.9 and 5.10

**23 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 4 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

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

**24 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with London Plan July 2011 and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan (July 2011) Policy 5.12 and PPS25.

**25 NONSC High Level Windows**

All windows indicated to be high level windows on the approved plans shall be positioned so that the bottom sill is a minimum of 1.7m above final floor levels.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**26 NONSC Screening - Roof Terraces and Balconies**

No development shall take place until details of the detailed design of the proposed balconies and roof terrace privacy screens have been submitted to, and approved in writing by, the Local Planning Authority. The balconies and roof terrace privacy screens will be implemented in accordance with the approved details and thereafter permanently retained.

#### REASON

To ensure the appearance of the balconies and roof terrace screening is appropriate and to prevent overlooking to adjoining properties in accordance with policies BE13 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **27 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the '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).

#### 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

#### **28 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative 7 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

#### **29 NONSC CCTV and Lighting**

Prior to development commencing, the applicant shall submit details of CCTV and external lighting coverage for the site for approval by the Council. The approved details

shall be installed prior to first occupation of any part of the development hereby approved and thereafter permanently maintained.

#### 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, and to reflect the guidance contained in Circular 5/94 'Planning Out Crime' and the Council's SPG on Community Safety By Design.

#### **30 NONSC Archaeology**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

#### REASON

To ensure that the proposed development does not disturb archaeological remains of importance in accordance with policy BE1 of the Hillingdon Unitary Development Plan Saved Policies.

#### **31 NONSC Living Wall**

No development shall commence on site until details of the proposed Living Wall on the northern elevation of Block B have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be completed in accordance with the approved details and the Living Wall permanently retained and maintained on site.

#### REASON

In order to ensure the proposed Living Wall is implemented in accordance with policy 5.11 of the London Plan (July 2011).

#### **32 SUS8 Electric Charging Points**

Before development commences, plans and details of 12 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To encourage sustainable travel and to comply with London Plan (July 2011) Policy 5.3

#### **33 H11A Visibility Splays**

Unobstructed sight lines above a height of 1 metre shall be maintained on both sides of the entrance to the site, for a distance of at least 2.4m in both directions along the back edge of the footway or verge.

#### REASON

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### INFORMATIVES

1 152 **Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

## 2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

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
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE15	Alterations and extensions to existing buildings
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.
H4	Mix of housing units
LE1	Proposals for industry, warehousing and business development
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy

LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

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

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

### **4            I12                    Notification to Building Contractors**

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

### **5            I13                    Asbestos Removal**

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

### **6            I14C                    Compliance with Building Regulations Access to and use of**

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

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

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

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

The duty to make reasonable adjustments can be effected by the Building Regulation

compliance. For compliance with the DDA please refer to the following guidance: -

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

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

#### **7            115            Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

#### **8            119            Sewerage Connections, Water Pollution etc.**

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

#### **9            123            Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**10            I3                    Building Regulations - Demolition and Building Works**

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

**11            I31                    Sites of Archaeological Interest**

The application falls within an area in which archaeological finds of importance might be uncovered and while the scale of the works does not necessitate a full archaeological evaluation, a 'watching brief' may be required. Before commencement of the proposed works, you are therefore requested to send a copy of the approved drawings to English Heritage to allow them the opportunity to keep a watching brief during the course of the works. Contact - English Heritage, 23 Savile Row, London, W1S 2ET (Tel. 020 7973 3000).

**12            I47                    Damage to Verge**

You are advised that 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).

**13**

The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

**14**

You are encouraged to consider the provision of electric charging points in the car park for use by the future occupiers of the development.

**15**

You are advised that, due to the development's reliance on roof terraces for amenity space, any proposal for the installation of wind turbines on site may have a detrimental impact on the living environment provided for future occupiers. Accordingly, any submission in relation to condition 24 proposing wind turbines will be referred to the Planning Committee for determination.

I25A

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

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

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

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

### **3. CONSIDERATIONS**

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

The site is an irregular 'L' shape trading estate of 0.49 hectares in area and located on the southern side of Uxbridge Road, Hayes. On the Proposals Map of the Hillingdon Unitary Development Plan the site is located within the Developed Area. There is currently a single storey detached converted house, occupied by a coach operator, at the front of the site and 7 industrial buildings at the rear of the site. The existing buildings are generally of a poor quality and are of no architectural merit.

Historically the site has been used as a transport depot for the parking and maintenance of vehicles and the storage/distribution of fuel products and ancillary goods. The site is currently being used for a number of industrial uses including panel beaters/car repairs, vehicle mechanics, valeting, metal fabrication and coach works. The uses on site currently represent a mix of B1(c) (Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) uses. However, the majority of the operations on site are considered to fall within use class B2.

The site has a 13.5 metre frontage and vehicular access off Uxbridge Road. The northern part of the site is long and narrow, approximately 24 metres wide, and this opens up at the southern end to an area approximately 73 metres wide.

The surrounding area consists of detached and semi-detached residential dwellings, generally two storeys in height, with large back gardens (average of approximately 50 metres). However, there are a number of more recent developments of a larger scale within the surrounding context. They include a 3 storey nursing and residential care home opposite the site and the 2.5/3 storey residential blocks at Admiral, Neville and Charlton Court to the east.

Adjacent to the site, to the west is a single storey house, which has been converted into a solicitor's office. At the rear of the site, to the east, is Rosedale Park. Allotment gardens are located to the south and west. A large recreation ground benefiting from play facilities is also located opposite the site entrance on the northern side of Uxbridge Road.



The site has a Public Transport Accessibility Level of 2 (on a scale of 1-6 where 6 represents the highest level of accessibility), although this increases to level 3 approximately 30m to the east of the application site. The site is also located within approximately 385m of the Uxbridge Road Secondary Shopping Area, which provides a range of local facilities.

### 3.2 Proposed Scheme

The application is a Section 73 application to vary planning permission ref: 4404/APP/2011/2079 which permits the demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

The current scheme proposes modifications to the design (appearance and ground floor layout) of Block B as well as a reduction in ground floor footprint of the building (approximately 4sq metres). No changes are proposed to the block footprint at first and second floor levels.

All other aspects of the development remain identical to the original scheme.

### 3.3 Relevant Planning History

4404/APP/2008/3558 Pronto Industrial Estate And 585 - 591 Uxbridge Road Hayes

Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one- bedroom flats with associated car parking, landscaping and amenity space.

**Decision:** 23-03-2009 Approved

4404/APP/2011/2079 Pronto Industrial Estate And 585 - 591 Uxbridge Road Hayes

Application to replace an extant planning permission ref: 4404/APP/2008/3558 dated 23/03/2009; Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

**Decision:** 14-02-2012 Approved

4404/APP/2011/2823 Pronto Industrial Estate And 585 - 591 Uxbridge Road Hayes

Details in compliance with conditions 3 (levels), 4 (materials), 5 (boundary enclosures) 7 (refuse and recycling stores and 10 (cycle store plan)of planning permission ref: 4404/APP/2008/3558 dated 23/03/2009; Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one- bedroom flats with associated car parking, landscaping and amenity space.

**Decision:** 14-12-2011 Approved

4404/APP/2011/2852 Pronto Industrial Estate And 585 - 591 Uxbridge Road Hayes

Discharge of condition nos 3,4,5,7,& 10 of Planning permission 4404/APP/2008/3558

**Decision:**

4404/APP/2011/3101      Pronto Industrial Estate And 585 - 591 Uxbridge Road Hayes

Details in compliance with conditions 9 (traffic arrangements), 22 (disabled parking), 28 (details of balconies), 31 (CCTV and lighting) and 32 (Archaeological Investigation) of permission ref: 4404/APP/2008/3558 dated 23/3/2009: Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

**Decision:** 21-05-2012    Approved

4404/APP/2012/209      589-591 Uxbridge Road Hayes

Details in compliance with conditions 12 (tree survey), 14 (tree protection), 15 (landscape scheme), 17 (Landscape maintenance), 18 (sound insulation) and 21 (contamination) of planning permission ref: 4404/APP/2008/3558 dated 23/03/2009; Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

**Decision:** 05-04-2012    Approved

4404/APP/2013/1244      589-591 Uxbridge Road Hayes

Details pursuant to conditions 22 (Energy Assessment), 24 (SUDS), 28 (Demolition and Construction Management Plan), 31 (Living Wall), and 32 (Electric Vehicle Charging Points), of planning permission ref: 4404/APP/2011/2079 dated 30/03/2012; Application to replace an extant planning permission (ref: 4404/APP/2008/3558 dated 23/03/2009) for Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space.

**Decision:** 11-11-2013    Approved

**Comment on Relevant Planning History**

4404/APP/2011/2079: Application to replace an extant planning permission ref: 4404/APP/2008/3558 dated 23/03/2009; Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space. Permission Granted. Scheme being built.

4404/APP/2008/3558: Demolition of existing buildings and redevelopment of site to provide replacement Class B1(c) light industrial space and 34 two-bedroom and 9 one-bedroom flats with associated car parking, landscaping and amenity space. Permission granted.

**4. Planning Policies and Standards**

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 - Residential Layouts  
Hillingdon Supplementary Planning Document - Residential Extensions  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations; and Revised  
Chapter 4, Education Facilities: September 2010

### **UDP / LDF Designation and London Plan**

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

#### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.E1 (2012) Managing the Supply of Employment Land
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.H1 (2012) Housing Growth
- PT1.T1 (2012) Accessible Local Destinations

#### Part 2 Policies:

- 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
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- BE15 Alterations and extensions to existing buildings
- 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.
- H4 Mix of housing units
- LE1 Proposals for industry, warehousing and business development
- LE4 Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
- LE7 Provision of planning benefits from industry, warehousing and business development
- LPP 3.1 (2011) Ensuring equal life chances for all
- LPP 3.3 (2011) Increasing housing supply

LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

Consultation letters were sent to 108 local owner/occupiers on 01/07/13. The application was also advertised by way of a site notice.

One letter has been received, the letter raises no objections to the proposed amendment, but expresses a view that the site should be redeveloped for solely residential use.

No other external consultee responses were received.

### **Internal Consultees**

HIGHWAYS - No objection, the proposal does not alter highways matters from those considered under the previous application.

ACCESS - No objection.

Environmental Protection Unit - No objection

Trees and Landscaping - No objection, the proposal does not tree or landscaping considerations and retained trees could still be adequately protected.

## **7. MAIN PLANNING ISSUES**

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

The principle of development has been established under permission 4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The density of the development has already been considered and deemed to be acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The site does not lie in or near any of these designations.

### **7.04 Airport safeguarding**

This has been considered and deemed to be acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The site does not lie in or near to the Green Belt.

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

The proposed alterations to the approved scheme are very minor. These include change to the internal layout to improve the access to the upper floor, and the creation of two separate units at ground floor. Change to the exterior of the building are also minor and include change to the layout and design of the fenestration of the elevations. These changes are to the window sizes and locations, and changes to the roof form. These changes are not considered to impact on the character and appearance of the area.

### **7.08 Impact on neighbours**

There proposed amendments to the scheme are not considered to have any significant impact on neighbouring properties. Windows are proposed in the western elevation of Block B, but these will be high level, which would not impact on the neighbouring properties.

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

There are no changes to the residential floor layouts from the previous permissions on the site.

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

There proposed amendments to the scheme are not considered to have any significant impact on traffic or pedestrian safety or on car parking provision.

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

The urban design, access and security of the proposal was considered as part of the originally approved application, and was considered acceptable. The proposed revisions do not impact on this previous assessment.

### **7.12 Disabled access**

The changes to the scheme have no impact in this regard. The slight alterations to the ground floor layout do not have an adverse impact in terms of disabled access.

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

The proposed changes to the development do not impact on these matters. These issues were assessed and deemed acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The proposed changes to the development do not impact on these matters. These issues were assessed and deemed acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

### **7.15 Sustainable waste management**

The proposed changes to the development do not impact on these matters. These issues were assessed and deemed acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The proposed changes to the development do not impact on these matters. These issues were assessed and deemed acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The proposed changes to the development do not impact on these matters. These issues were assessed and deemed acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

The proposed changes to the development do not impact on these matters. These issues were assessed and deemed acceptable under planning permission ref:4404/APP/2008/3558 extended by permission 4404/APP/2011/2079.

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

No objections were received on the planning application.

#### **7.20 Planning obligations**

The planning obligations would be secured by way of a Deed of Variation and the proposal does not affect the type or quantum of obligations necessary to mitigate the development impacts.

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

No enforcement action is required in this instance.

#### **7.22 Other Issues**

None.

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

#### **GENERAL**

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

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

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

#### **PLANNING CONDITIONS**

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

## PLANNING OBLIGATIONS

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

## EQUALITIES AND HUMAN RIGHTS

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

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

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

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

None.

### 10. **CONCLUSION**

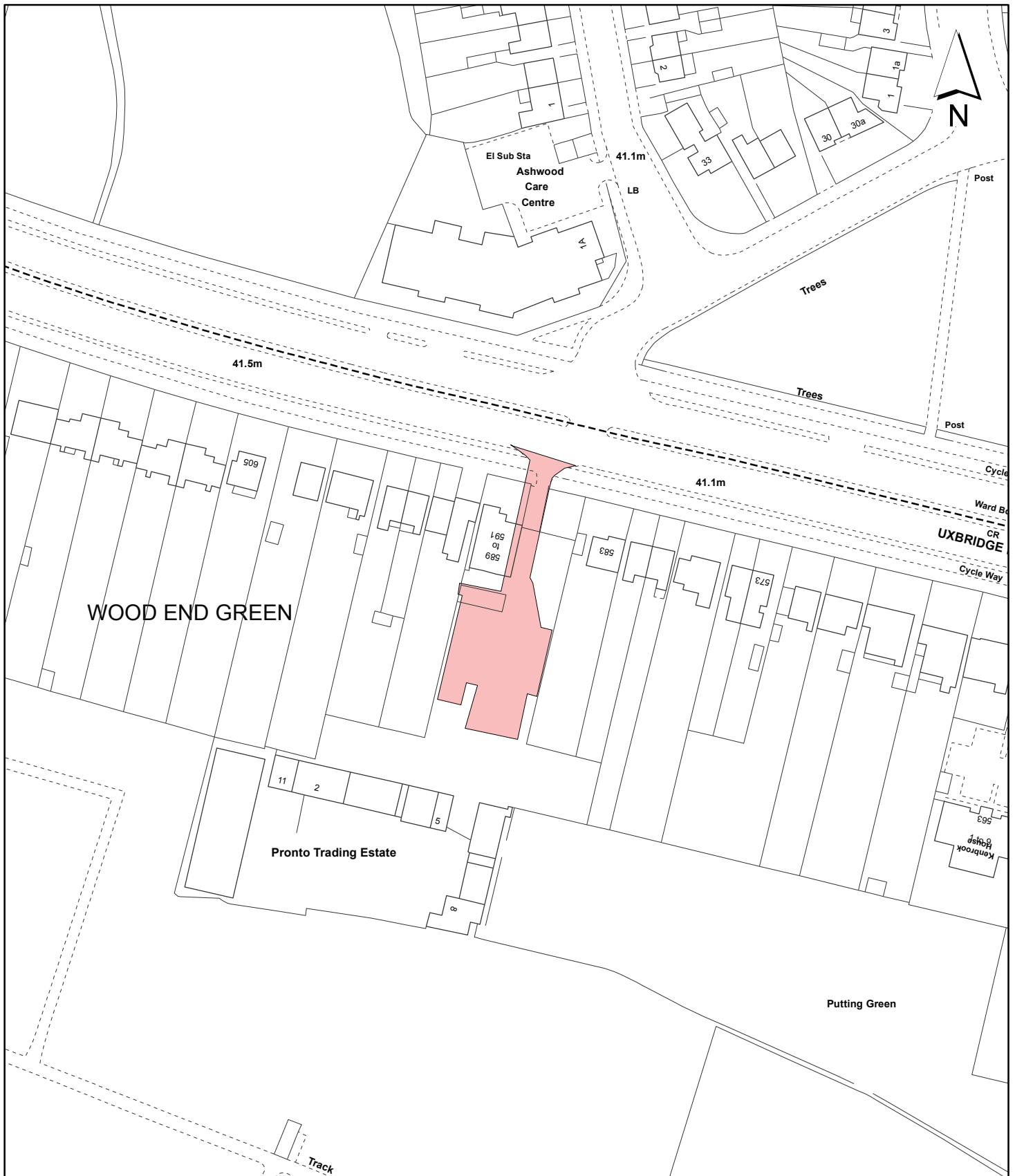
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

### 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 - Residential Layouts  
Hillingdon Supplementary Planning Document - Residential Extensions  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations; and Revised Chapter 4, Education Facilities: September 2010

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.  
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Site Address

**Pronto Industrial Estate  
 and 585 - 591 Uxbridge Road  
 Hayes**

Planning Application Ref:

**4404/APP/2013/1650**

Planning Committee

**Major Application**

Scale

**1:1,250**

Date

**March 2014**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

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



**HILLINGDON**  
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