

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

**Address** GOLDEN CROSS BOTWELL LANE HAYES

**Development:** Residential redevelopment of the site to provide 23 x 1, 2 and 3 bedroom flats with associated access, parking and amenity areas

**LBH Ref Nos:** 4607/APP/2013/3144

**Drawing Nos:** L-101 Rev. P1  
L-102 Rev. P1  
L-301 Rev. P1  
Revised Schedule of Accommodation  
13289\_PL\_010 Rev. K  
13289\_PL\_011 Rev. D  
13289\_PL\_012 Rev. D  
13289\_PL\_013 Rev. F  
13289\_PL\_014 Rev. E  
13289\_PL\_020 Rev. D  
13289\_PL\_021 Rev. D  
13289\_PL\_022 Rev. D  
13289\_PL\_023 Rev. D  
13289\_PL\_001  
13289\_PL\_100  
Design & Access Statement, October 2013 (Amended November 2013)  
Residential Planning Noise Report  
Air Quality Assessment  
13289\_PL\_008  
Transport Statement  
Energy & Sustainability Statement, Rev. A, December 2013  
Arboricultural Impact Assessment Report  
03907  
Flood Risk Assessment and Hydrology Report  
Agent's covering email dated 3/3/14  
13289\_PL\_009 Rev. G

<b>Date Plans Received:</b>	24/10/2013	<b>Date(s) of Amendment(s):</b>	03/03/2014
<b>Date Application Valid:</b>	03/12/2013		06/12/2013
			24/10/2013
			05/12/2013

### 1. SUMMARY

This application seeks permission to erect a predominantly part three storey, part four storey building with basement parking comprising 23 affordable residential flats, involving the demolition of the existing former public house.

The site has been the subject of previous planning applications for comprehensive re-development, the latest approved scheme was for a 50 bedroom hotel.

This scheme has been the subject of various revisions, following discussions with officers. No objections are raised to the loss of the existing building or the former public house use as the building has little architectural or historical merit and the principle of the re-development of the site and loss of the public house use has already been established

by previous permissions.

It is considered that the residential re-development of this site is acceptable in this predominantly residential area. The building, following various revisions made to its design, would enhance the visual amenity of the street scene. The accommodation provided, including the provision of external amenity space which includes a large communal roof top garden is acceptable and the scheme would not result in any unacceptable loss of residential amenity to surrounding residential properties.

Adequate off-street parking is provided and the access arrangements to the basement car park are acceptable. The scheme has been conditioned to ensure that it makes an appropriate contribution towards energy efficiency and carbon reductions and flood risk would be appropriately mitigated. The scheme would also provide a commensurate package of planning benefits.

The scheme is recommended for approval.

## **2. RECOMMENDATION**

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

**1. That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:**

- 1. Affordable housing,**
- 2. Highways: S278/S38 Agreement to reinstate the public footway where the existing accesses would be closed on Botwell Lane, Printing House Lane and Golden Crescent,**
- 3. Education contribution - £62,385**
- 4. Health: A financial contribution equal to  $£216.67 \times 47.5 = £10,291.83$**
- 5. Libraries: A financial contribution equal to  $£23 \times 47.5 = £1092.5$**
- 6. Construction training - £2500 per £1m build cost plus Coordinator Cost:  $22/160 \times £71,675$  or in kind scheme.**
- 7. Tree planting within the highway**
- 8. Project Management & Monitoring fee: A financial contribution equal to 5% of the total cash contributions.**

**2. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before the 31st June 2014, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:**

**'The applicant has failed to provide a commensurate package of planning benefits to maximise the health and social benefits, namely affordable housing, highway improvements, education contribution, health, libraries, construction training, tree planting within the highway and project management of the scheme to the community. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'**

**3. That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being**

completed.

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

**5. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.**

**6. That on completion of the S106 Agreement, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers.**

**7. That if the application is approved, the following conditions be attached:-**

**1 RES3 Time Limit**

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

**REASON**

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

**2 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13289\_PL\_001, 13289\_PL\_008, 13289\_PL\_009 Rev. G, 13289\_PL\_010 Rev. K, 13289\_PL\_011 Rev. D, 13289\_PL\_012 Rev. D, 13289\_PL\_013 Rev. F, 13289\_PL\_014 Rev. E, 13289\_PL\_020 Rev. D, 13289\_PL\_021 Rev. D, 13289\_PL\_022 Rev. D, 13289\_PL\_023 Rev. D 13289\_PL\_100, L-101 Rev. P1, L-102 Rev. P1 and L-301 Rev. P1 and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

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

**3 RES6 Levels**

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

**REASON**

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

**4 RES7 Materials (Submission)**

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

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

#### REASON

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

### **5 RES9 Landscaping (car parking & refuse/cycle storage)**

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
  
2. Details of Hard Landscaping
  - 2.a Refuse Storage to be covered and secure
  - 2.b Means of enclosure/boundary treatments, including the roof garden
  - 2.c Car Parking Layouts (including demonstration that 6 parking spaces are served by electrical charging points and 2 disabled parking spaces)
  - 2.d Hard Surfacing Materials
  - 2.e External Lighting
  - 2.f Other structures (such as play equipment and furniture)
  
3. Living Walls and Roofs
  - 3.a Details of the inclusion of living walls and roofs
  - 3.b Justification as to why no part of the development can include living walls and roofs
  
4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
  
5. Schedule for Implementation
  
6. Other
  - 6.a Existing and proposed functional services above and below ground
  - 6.b Proposed finishing levels or contours

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality, provide adequate facilities and to ensure appropriate privacy is maintained for neighbouring occupiers in compliance with policies BE13, BE24, 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).

### **6 NONSC Non Standard Condition**

Notwithstanding the details shown on the submitted plans, prior to the commencement of works on site, revised details shall be submitted to and approved in writing by the Local Planning Authority that demonstrate that safe access can be provided to the basement by cyclists which avoids the need to use the vehicular ramp. The doors on the ground floor and basement leading to/from the cycle store should automatically open and close and the lift should be redesigned to accommodate cycles.

The scheme shall be carried out in strict accordance with the approved revised details which shall thereafter be retained.

Reason

To ensure that adequate access and cycle storage arrangements are provided for cyclists in accordance with Policy AM9 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 6.9 of the London Plan (July 2011).

**7 NONSC Non Standard Condition**

Prior to the site being brought into use, full details of the traffic management system, including details of the positioning of waiting vehicles shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be carried out in accordance with the approved details which shall thereafter be retained.

Reason

To ensure that adequate access arrangements are provided for the basement to prevent vehicular conflict, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**8 RES13 Obscure Glazing**

The secondary lounge and bedroom windows of Units 7 and 15 facing No. 26 Printinghouse Lane shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**9 NONSC Non Standard Condition**

Prior to the occupation of the units, details of the balcony screens shall be submitted to and approved in writing by the Local Planning Authority.

The screens shall thereafter be retained for so long as the development remains in existence.

Reason

To safeguard the privacy of No. 26 Printing House Lane, in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**10 RES16 Code for Sustainable Homes**

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for

inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

#### REASON

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

#### **11 NONSC Non Standard Condition**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be inspected and tested for chemical contamination.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan.

#### **12 RES22 Parking Allocation**

No unit hereby approved shall be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units in accordance with the approved scheme and remain under this allocation for the life of the development.

#### REASON

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

#### **13 NONSC Non Standard Condition**

Notwithstanding the details of the bathrooms shown on the submitted plans, the bathrooms shall include 700mm of clear space to one side of the toilet pan, with 1100mm in front to any obstruction opposite and a fully specified floor gallery drain.

The scheme shall be carried out in accordance with the approved details which shall thereafter be retained.

#### Reason:

To ensure adequate access for all, in accordance with Policies 3.8 and 7.2 of the London Plan (July 2011) and the Council's Supplementary Planning Document: "Accessible Hillingdon" (May 2013).

#### **14 NONSC Non Standard Condition**

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in Flood Risk Assessment and Hydrology Report, produced by GTA dated 3rd December 2013, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and



control the surface water discharged from the site and:

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

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

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

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

#### REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

#### **15 NONSC Non Standard Condition**

Before the development is commenced details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted for each unit to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies. The use of ultra low NOx emission gas CHPs and boilers is recommended.

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

Notes: This condition relates to the operational phase of residential or commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at [www.defra.gov.uk](http://www.defra.gov.uk).

#### **16 NONSC Non Standard Condition**

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

- 1) the baseline energy demand (kwhr and kgCO<sub>2</sub>) for each element of the regulated

energy use (e.g. space heating, hot water and electricity).

2) the methods to improve the energy efficiency of the development, how these measures impact on the baseline emissions and where they will be included within the development.

3) the inclusion of CHP to service the development (if appropriate), the specification of the technology to be used, the inputs and outputs (in kwhr and associated kgCO<sub>2</sub>) of the CHP unit and the impacts on the baseline emissions as well as the impacts on air quality.

4) full details, specification and location of renewable energy (e.g. if PVs are to be used, roof plans need to be updated to show their inclusion.

5) how the technology will be maintained and managed throughout the lifetime of the development.

At each stage, the measures to reduce the CO<sub>2</sub> emissions shall be set against the baseline.

The development must proceed in accordance with the approved details.

#### REASON

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

#### **17 RES18 Lifetime Homes/Wheelchair Units**

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

#### REASON

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

### **INFORMATIVES**

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

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

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

NPPF1



NPPF4	
NPPF6	
NPPF7	
NPPF10	
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 3.9	(2011) Mixed and Balanced Communities
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
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 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
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 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.21	(2011) Trees and woodland
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
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.
BE38	Retention of topographical and landscape features and provision of

OE1	new planting and landscaping in development proposals. Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
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
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
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

### **3            13            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 - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

### **4            16            Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

### **5            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.

## **6 I21 Street Naming and Numbering**

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

## **7 I23A Re-instatement of a Vehicle Access.**

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

## **8 I24 Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

## **9**

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its

construction and the site is close to Heathrow Airport. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult nearby aerodromes before erecting a crane in close proximity to the aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>)

## **10**

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 Council's Website [www.hillingdon.gov.uk/index.jsp?articleid=24738](http://www.hillingdon.gov.uk/index.jsp?articleid=24738)

### **3. CONSIDERATIONS**

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

The 0.14ha site is located to the northeast of the Hayes Town Centre, with road frontages on three sides onto Botwell Lane, Golden Crescent and Printinghouse Lane. The western half of the site is occupied by the former Golden Cross Public House, a part one, part two storey flat roofed building which is now in use as an Indian restaurant. The remainder of the site forms hard standing, providing servicing areas and a 24 space car park for the restaurant. There is a small electricity sub-station on the western boundary of the site, adjacent to No. 71 Botwell Lane. A total of 3 vehicle crossings currently serve the site.

The site is located within the 'developed area' and is within the Hayes/West Drayton Corridor as identified in the Hillindon Local Plan: Part Two - Saved UDP Policies November 2012). It has a Public Transport Accessibility Level (PTAL) ranging between 2 on the western half of the site and 3 on the east, on a scale of 1 to 6 where 1 denotes the lowest level of accessibility and 6 the highest.

The surrounding area is characterised by a wide range of uses. Land immediately adjoining the site to the east, and on the opposite sides of Botwell Lane and Golden Crescent is occupied by residential development, typically comprising 2 storey terraced and semi-detached houses. Land on the opposite side of Printinghouse Lane is located within the Metropolitan Green Belt, while land 55m south of the site, beyond the residential housing fronting Golden Crescent and Printinghouse Lane is designated as an Industrial and Business Area (IBA), and is occupied by a range of commercial and industrial activities including a service station and plumbing centre. The Hayes Town Centre is located approximately 170m to the east along Botwell Lane. Botwell Lane is a classified road.

#### **3.2 Proposed Scheme**

The proposal is for the comprehensive re-development of the site involving the demolition of the existing building and erection of a predominantly part three storey, part four storey flat roofed building with basement parking to provide a 100% affordable residential development comprising 23 units (11 x one, 10 x two and 2 x three bedroom apartments) with associated access, parking and amenity areas.

The building would be 'L'-shaped with the longer building frontages addressing the Botwell and Printinghouse Lane frontages. Elevations would be staggered, and at its closest point, the building would only be set back some 1.75m from Botwell Lane, which would be closer than the more traditional housing to the east, but the building would be progressively set back at its eastern end so that it would roughly align with the front and rear elevations of the adjoining property, No. 71 Botwell Lane. With the exception of the roof accesses above the stairwells, the main bulk of the building would be three storeys, stepping up to four storeys in the north western corner of the building. At its eastern end, the three storey bulk of the building would be set back from the side of the site adjoining No. 71 Botwell Lane by 9.5m, stepping down to two storeys within 7.2m and then to one storey within 3.2m of the boundary where the building adjoins No. 71 Botwell Lane.

The building would be of a contemporary design, with recessed and projecting balconies. The building would use contrasting brick and rendered elements to break up its bulk, with perforated aluminium screening to the balconies and roof top amenity space. The main entrances to the building would be provided towards each end of the building, accessed from Botwell Lane and Golden Crescent at its eastern end and Printinghouse Lane at its western end. The entrances would provide access to the two lobby areas located towards each end of the building, including a lift and stairwell which would allow access to all floors, including the basement and roof top terrace.

The ground floor would comprise 2 x one, two and three bedroom units, with a one bedroom and a three bedroom unit being wheelchair accessible. The first floor would comprise 4 units each of one and two bedroom units, whilst on the second floor, 5 one bedroom units and 3 two bedroom units would be provided with a single two bedroom unit comprising the third floor.

The scheme would provide basement parking for 23 cars, including 2 disabled spaces with ramped access to the basement being taken along the side of Golden Crescent from Printinghouse Lane which would involve a shuttle signal system with vehicle detection. 8 of the parking spaces would be provided with passive electric charging facilities. Provision for 30 cycle spaces would also be provided in the basement. Refuse storage would be provided at two points, adjacent to the main entrances on Printinghouse Lane and Golden Crescent.

All the units would have their own private areas of amenity space, in the form of small private gardens on the ground floor and balconies and roof terraces on the upper floors. The roof top would also provide a 300sqm communal roof top garden/terrace.

The application is supported by the following documents:

Design and Access Statement:

This provides an introduction to the study and describes the site. It goes on to assess national, local and regional planning policy and outlines the planning history of the site. The scheme is then assessed in terms of its use, amount, layout, scale, appearance and landscaping. Access is discussed and the statement concludes that the scheme is in accordance with planning policy.

Transport Statement:

This provides the background to the report and describes the site and the development proposals. Traffic generation is assessed and the development impact is compared against the existing restaurant use of the site and the approved 50 bed hotel. The report concludes that the proposal would result in reduced traffic generation as compared to both the restaurant and hotel uses and no further impact analysis is required. The report then goes on to consider other matters such as public transport availability and refuse collection and concludes that as the proposed vehicular access is adequate to serve the development, lower levels of traffic would be generated the proposed layout provides safe access for pedestrians, cyclists and vehicles, a suitable level of parking is provided, the scheme complies with planning policy in relation to highway and transport matters.

Energy and Sustainability Statement:

This provides an introduction to the study and describes the regional and local policy

framework. The report goes on to consider the proposed building fabric in terms of energy efficiency and assesses the suitability of various renewable energy technologies. The report concludes that photo voltaic panels represent the most viable means of achieving the 40% carbon emission reductions over and above the Part L Building Regulations 2010 baseline required to satisfy appropriate standards.

#### Flood Risk and Hydrology Report:

The report provides an assessment of flood risk and hydrological issues associated with the development.

#### Arboricultural Impact Assessment Report:

The report provides an assessment of arboricultural issues associated with the development.

#### Air Quality Assessment:

This provides the background to the study and describes the site. Likely pollutants and relevant legislation are described and the assessment methodology is outlined. Results are presented and conclusions and recommendations are presented.

#### Residential Planning Noise Report:

This provides an introduction to the report and describes the site and report methodology. Results are presented and assessed in relation to relevant national and local noise guidance. The report concludes that with appropriate mitigation such as facade sound insulation and attenuation of ventilation openings, it will be possible to achieve internal noise levels in line with standards. Guidance is then provided on a facade construction, glazing and ventilation strategy.

### **3.3 Relevant Planning History**

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

An application (4607/APP/2006/1041) for the erection of a part two storey, part three storey 33-bedroom hotel with basement parking (involving demolition of existing function hall), erection of new roof over existing public house, alterations to existing access and landscaping was initially refused on 1/8/06, but a subsequent appeal was allowed on 12/3/07.

An application (APP. No. 4607/APP/2008/1615 refers) to redevelop the site for a 50 bedroom hotel with an ancillary bar/restaurant with basement parking, alterations to existing access and landscaping (involving the demolition of existing public house function hall) was approved on 22/7/09. An application to renew the permission (App. No. 4607/APP/2012/826 refers) was granted on 20/08/12.

Two similar applications (App. Nos. 4607/APP/2006/3055 and 2007/2161 refer) to retain the public house but redevelop the car park to provide 12 flats within a three storey block (the latter application involved the third storey being provided within the building's roof space) with basement car parking were refused on 14/2/07 and 31/8/07 respectively.

### **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.H2 (2012) Affordable Housing
- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.C11 (2012) Community Infrastructure Provision

### Part 2 Policies:

- NPPF1
- NPPF4
- NPPF6
- NPPF7
- NPPF10
- 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 3.9 (2011) Mixed and Balanced Communities
- LPP 3.12 (2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
- LPP 3.13 (2011) Affordable housing thresholds
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.7 (2011) Renewable energy
- 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 6.3 (2011) Assessing effects of development on transport capacity
- LPP 6.5 (2011) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.9 (2011) Cycling
- LPP 6.10 (2011) Walking
- LPP 6.13 (2011) Parking

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 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.21	(2011) Trees and woodland
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
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
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
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **31st December 2013**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

68 neighbouring properties were originally consulted on this application, and it has been advertised in the local press on 18/12/13 and 2 site notices have been displayed on 12/12/13. 2 response have been received, one in objection , one in support, raising the following points:-

#### Objection comments

- (i) Unacceptable number of flats being proposed. This site has had 2 applications to build 12 flats in total on the site refused in the last few years,
- (ii) Privacy would be dramatically impacted upon for those properties facing the application site on Botwell Lane and Golden Crescent,
- (iii) New school being built in Botwell Lane as already overdemand for places in this area which this scheme will contribute to,
- (iv) Proposal would increase traffic problems on Botwell Lane. Traffic flow is already greatly reduced in these areas as a result of visitors to the local mosque and temple and the High Street,
- (v) Insufficient parking spaces for the number of residents and scheme will therefore add to the already serious problem of on-street parking on Botwell Lane and Golden Crescent,
- (vi) Already an enormous number of flats being built in Hayes which already has a poor image,
- (vii) Proposal will seriously affect residents quality of life,

#### Supporting comment

- (viii) I would like this as I need to move to a new property.

Although the application site is not located within or sited close to a conservation area, the Hayes Conservation Area Advisory Panel comment:

Though a residential use of this site is preferable to the hotel previously granted planning permission, we do not believe that this application makes good use of the site and therefore hope it will not be permitted in its present form. We commented on the previous application to build a hotel on this site (INET Ref 000012560) noting that the proposed building was completely out of scale with its surroundings and the design was quite inappropriate in this residential neighbourhood of mainly two-storey terraced and semi-detached houses. The building now proposed is on a slightly reduced scale but is still out of keeping with the surrounding houses. It will reduce the sunlight received by the houses facing it across Botwell Lane and will generally have an undesirable and overpowering effect on the streetscape. Although the idea of a roof terrace is appealing, it will further intrude on the building's surroundings by overlooking all round. With the construction of a school on the nearby Green Belt land, the roads around the development site will become far busier than they are at present so we are also concerned at the extra traffic this development is likely to contribute at peak times.

The neighbouring properties were re-consulted on revised plans and 3 responses have been

received, mainly re-iterating previous comments but raising the following new concerns:-

- (ix) Noise levels would be increased for local residents,
- (x) Privacy would diminish for Golden Crescent residents,
- (xi) Sunlight/ daylight would be blocked for Golden Crescent residents,
- (xii) Character of the surrounding area would be altered with the current look and feel of the place being destroyed with such a huge building that would appear to squash the space,
- (xiii) Pollution will increase with the number of cars accessing the car park right in front of my house,

A Ward Councillor has made the following comments:

'As one of the councillors for this area, can I say that this is a ridiculous scheme. The local properties already have problems trying to get in and out of their properties because people park where they like in this area. There is a temple and a mosque in Golden Crescent and then users of both park where they like, despite many complaints from myself and the other councillors about the horrendous parking issues. It is a totally inappropriate location for dwellings and clearly nobody has been to the area and seen what problems this will cause for local residents (some of which were not consulted, despite the impact this will have on them) the proposal is dangerous in terms of traffic flow and neighbourhood impact and should be refused.'

GLAAS:

This is a relatively small-scale development on a previously developed site not in an Archaeological Priority Area.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Recommend No Archaeological Requirement

HEATHROW AIRPORT LIMITED:

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, we would like to make the following observations:

Cranes

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

#### **Internal Consultees**

URBAN DESIGN/CONSERVATION OFFICER:

Original comments:

The site does not fall within a designated area, however, it is quite visible, on a prominent corner and having three "street" facades. Issues are:

- The building should not step so far forward of the existing building line of the adjacent houses on the Botwell Lane frontage, a more gradual step should be incorporated.
- The corner at the junction of Botwell Lane and Pump Lane needs more emphasis to create a focal/landmark feature- more of a design feature such as a change in roof level, different cladding/colours etc. should be considered
- The architectural treatment of the back of the building should be given similar weight to that of the front- both are street frontages, at present the Botwell Lane frontage has more features/detailing and more interest.
- Blue brick and grey panels would not reflect the established materials of the area, the varying shades of grey may also look rather busy; suggest using warmer colours and render, or a less "industrial" cladding and more traditional yellow or red bricks, which are characteristic of the adjacent residential area.
- Ideally, there should be more variety at roof level, breaking the very long parapet on the main frontages would help reduce the buildings apparent bulk and potentially overly dominant presence in the streetscape.
- The gold anodised mesh for the balconies and screening is a concern, it doesn't appear to reflect the cool colours of the proposed elevation, we also have concerns re it's weathering properties.
- The entrances could be given more prominence
- We will need more information on boundary detailing
- The PVs should be shown on the elevational drawings if they are likely to appear above the parapet.

No objection in principle, but the materials and details of the elevations need to be rethought, so that the townscape context of the building is reflected more in its design.

Comments on latest revised plans:

In design terms, this is much better and I am happy with the overall form and massing of the building and the external materials as proposed. We would need to condition samples of the external materials and the colour of the render, off white would look better than grey. We should also condition details of the external doors, windows, canopies, balconies and the rooftop enclosure. In addition, we should seek further design details of the boundary treatments, planting, hard surfacing materials and the bin enclosures. The PVs at roof level should also be conditioned.

No objection subject to the above.

LANDSCAPE AND TREE OFFICER:

Landscape Character / Context:

The site is occupied by a former pub at the junction of Botwell Lane and Printing House Lane, bounded to the south by Golden Crescent. The building is currently operating as an Indian Restaurant. It is situated at the west end of the island site, near Printing House Lane, with the eastern end of the site occupied by a large car park, accessed from Botwell Lane.

Situated close to the edge of Hayes Town Centre, the character of Botwell Lane is suburban / residential with housing to the north and east of this plot. There are no trees or other landscape features of merit which might constrain development and none which are afforded special protection by Tree Preservation Order or Conservation Area designation.

The application includes a survey and consideration of one off-site / highway tree in the Botwell Lane footway, on the northern boundary of the site.

Proposal:

The proposal is to redevelop the site for residential use to provide 22 x one, two and three-bedroom

flats with associated access, parking and amenity areas.

#### 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.

- The Design & Access Statement by Kevin Scott Consultancy refers to Landscaping in section 7.17-7.20
- The D&AS confirms that a detailed landscape scheme has yet to be prepared. However, drawing No. 13289\_PL-008, Proposed Site Plan, indicates that the opportunities for soft landscaping at ground level are extremely limited in area and scope. Planting will be further restricted by the fact that planting depths to the south of the building (facing Golden Crescent) will be restricted as they are at podium level above the car park.
- The Golden Crescent 'landscape' will be dominated by the engineered ramps accessing the underground car park. The front elevation of the building projects well in front of the neighbouring houses on Botwell Lane, leaving a narrow strip of hard paving. This strip of hard landscape provides no opportunity for providing a front garden with soft landscaping, or hedge planting, to prevent overlooking from the public footway into ground floor bedrooms.
- The only potential amenity space is indicated on the flat roof terrace. However, this requires considerably more detail at this stage if it is to be both attractive and useable for residents. A well designed, three-dimensional roof garden should be provided. If this is not planned well in advance it is unlikely that the building structure will be designed to support the additional loading implicit in roof garden design.
- An Arboricultural Impact Assessment report by Landmark Trees, dated 22 September 2013, assesses the quality and value (non-financial) of the highway tree on the northern boundary.
- The report concludes that the tree (T1) is a variety of Malus (ornamental Crab Apple), graded C2 (poor quality and value).
- The report notes that the demolition of the existing low boundary wall and replacement with hard standing affects approximately 7.8% of the root protection area of the tree and a 'no dig' construction technique is recommended (6.1.1).
- At 6.1.2 it is noted that a secondary impact will be the need to carry out some minor pruning of south-facing branches which oversail the site boundary.
- There is no objection to the assessment or its conclusions in this case.
- The landscape design has barely been considered at this stage. However, the layout provides little opportunity for tree planting - the most effective form of planting that could contribute to the setting of the proposed three-storey building.
- Instead of making provision to save the poor quality highway tree, a legal agreement should be entered into to secure its removal and replacement, by the developer. Following its removal a line of new street trees should be provided along the frontage - unless the site layout is amended to improve the landscape setting of the building. Street tree planting will need to be agreed with LBH Planning and Highways / Green Spaces managers.
- Landscape conditions and a legal agreement are required to preserve and enhance the visual amenities of the locality and to ensure that adequate facilities are provided.

#### Recommendations:

On the basis of the information submitted, the current site layout fails to satisfy policy BE38. An amended layout and / or a more robust commitment to a high quality landscape scheme is required.

If this is forthcoming, conditions RES6, RES7, RES9 (parts 1, 2, 3, 4, 5 and 6) and a legal agreement (for off-site, highway tree planting) will be required.

#### HIGHWAY ENGINEER:

Amended drawings have been received together with a Transport Addendum. Having considered



the latest information, I advise as follows:-

The layout of the car park has been amended and it now provides 23 car parking spaces including 2 disabled spaces and 2 active and 6 passive electric charging spaces. Swept path analysis for the latest layout is not provided, however considering the swept paths for a previous layout, the revised layout would appear to work. 30 cycle spaces are also proposed within the basement. Whilst the number of cycle spaces is considered acceptable, the scheme should be designed in a way to avoid cyclists using the vehicle ramp. Doors at the ground floor and the basement leading to/from the cycle store should automatically open and close and the lift should be redesigned to accommodate cycles. This should be covered through a suitable planning condition.

The width of the access is reduced to 5m at the back of the footway and it will increase to 6-7m at the front. In case of any permission, a condition/S106 obligation should be attached requiring the developer to close the redundant access and reinstate footways on Botwell Lane, Printing House Lane, and Golden Crescent.

Vehicles entering the ramp are proposed to be controlled by way shuttle traffic signal with induction loops on the ramp. This will ensure that only vehicle enters the ramp at any one time and entering and exiting vehicles are not in conflict with each other. The operation of the traffic management and the locations where vehicles would wait should be conditioned.

A revised estimation of the trip generation is provided for the existing restaurant use, approved hotel, and the proposed residential development. There are still a number of issues relating to the chosen sample sites and the estimated trip generation. Notwithstanding this, the proposed development is considered to have a moderate trip generation, as such, it is not considered to have a significant or severe impact on the local highway network and public transport.

A review of the personal injury accidents records has been carried out for a 5 years period up to 30th September 2013. The highest incidents of accidents were recorded at the junction of Botwell Lane and Printing House Lane, where there were a total of 5 collisions; 3 in 2009 and 2 in 2012. The review does not show abnormal grouping and overall the pattern of collisions is not found to have any common issues in connection with road layout and/or vehicle speeds.

Subject to issues relating to vehicular access, cyclists' access, traffic management and car parking provision and allocation being covered through suitable conditions/S106 obligations (as appropriate), there is no objection from the highways point of view.

#### WATER AND FLOOD MANAGEMENT OFFICER:

The Flood Risk Assessment submitted shows that the applicant has considered the impact of the proposed development and is proposing to control surface water to National Standards. The applicant has also considered the implication of a large basement on the site and undertaken a site investigation to understand the risks and as groundwater was found within the gravels below the site has proposed mitigation which is considered sufficient at this stage to demonstrate that flood risk will be managed properly. Therefore the following condition is requested.

#### Sustainable Water Management

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in Flood Risk Assessment and Hydrology Report, produced by GTA dated 3rd December 2013, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:

- a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
  - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).
  - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
  - iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.
- The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iii incorporate water saving measures and equipment.
  - iv. provide details of water collection facilities to capture excess rainwater;
  - v. provide details of how rain and grey water will be recycled and reused in the development.
- Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure that surface water run-off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

#### ACCESS OFFICER:

Referring back to my original memo, I note that the design of the bathrooms are, by and large, contrary to the specifications detailed on page 27 of the Council's SPD 'Accessible Hillingdon'.

The hand basin really does need to be moved outside of the transfer zone if these new homes are to have any hope of being fully accessible at some future point. In blocks of flats, it is particularly challenging, if not impossible, to move waste and soil pipes post construction.

We would need to see 700 mm of clear space to one side of the toilet pan, with 1100 mm in front to any obstruction opposite. In addition, a floor gallery drain should be shown and fully specified on plan, as such provision is not a building regulations requirement and needs to be secured at the planning stage. These provisions need to be included in all 21 lifetime home units, with the remaining two units designed from day one to meet the fundamental needs of wheelchair users.

Further revisions are needed to satisfy the Council's accessibility standards.

#### EPU:

##### Air Quality

The proposed development is within the declared AQMA and in an area that is likely to be below the European Union limit value for annual mean nitrogen dioxide (40.0 mg/m<sup>3</sup>).

The air quality assessment indicates any increase in traffic flows on the local road network has not been assessed, as the change in traffic flows on the local road network was unlikely to differ

significantly from the sites current use as a restaurant. The LAEI data was used for future years to account for change in traffic levels in future years in the local area. Traffic in the area is shown to increase. It is also indicated speed was reduced to 5 kph at junctions.

Output data for 2012 and 2015 indicates the NO<sub>2</sub> levels in the area have been underestimated being in the high 20s. This is also indicated when comparing modelled against monitored at the verification locations.

Cumulative impacts from other nearby developments have not been taken into consideration. It is anticipated based on CERC modelling for Hillingdon for 2015 indicates NO<sub>2</sub> levels at the site in the low to mid-30s having decreased by about 1-3 mg/m<sup>3</sup>. It seems unlikely NO<sub>2</sub> will exceed the EU limit value in the vicinity of the site.

The air quality assessment indicates less trip generation than the current use with 28 parking spaces on site, which appears to be a slightly greater number than the current use. Car park emission were not taken into consideration in the assessment, which given the size is not an issue.

Solar PV is indicated for energy. No information has been provided with regard to boilers. The following condition is advised with regard to this.

#### Air Quality Condition 1 - Details of Energy Provision

Before the development is commenced details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted for each unit to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies. The use of ultra low NO<sub>x</sub> emission gas CHPs and boilers is recommended.

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

Notes: This condition relates to the operational phase of residential or commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at [www.defra.gov.uk](http://www.defra.gov.uk).

#### Land Contamination

The proposal as it stands is likely to result in the removal of materials on site to construct the basement, therefore no contaminated land condition is advised. However, as there will be some soft landscaping and planting at ground and possibly roof level, the following condition is recommended to ensure these soils are suitable for use.

#### Condition to minimise risk of contamination from garden and landscaped area

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

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

#### Reason

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

SUSTAINABILITY OFFICER:

I have no objections to the proposed development but would point out there any assessment only shows a reduction of 25% of CO2 as opposed to the requirements of the London plan to reduce 40% (coming into force on 1 October 2013):

Normally this would be reason for refusal, but given the nature of the application as a residential development there is no reason to believe that the 40% could not be met. The following condition is therefore necessary:

#### CONDITION

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

- 1) the baseline energy demand (kwhr and kgCO2) for each element of the regulated energy use (e.g. space heating, hot water and electricity).
- 2) the methods to improve the energy efficiency of the development, how these measures impact on the baseline emissions and where they will be included within the development.
- 3) the inclusion of CHP to service the development (if appropriate), the specification of the technology to be used, the inputs and outputs (in kwhr and associated kgCO2) of the CHP unit and the impacts on the baseline emissions as well as the impacts on air quality.
- 4) full details, specification and location of renewable energy (e.g. if PVs are to be used, roof plans need to be updated to show their inclusion.
- 5) how the technology will be maintained and managed throughout the lifetime of the development.

At each stage, the measures to reduce the CO2 emissions shall be set against the baseline.

The development must proceed in accordance with the approved details.

#### REASON

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

S106 Officer:

The following S106 contributions are required:

1. Education: £62,385
2. Health: £216.67 x 47.5 = £10,291.83
3. Construction Training: £2500 per £1m build cost plus Coordinator Cost: 22/160 x £71,675 or in kind scheme.
4. Libraries: £23 x 47.5 = £1092.5
5. Project Management & Monitoring: 5% of total cash contributions.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The National Planning Policy Framework (NPPF) at paragraph 1 states that "Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise". Within policy 3.3 of the London Plan the Mayor recognises the pressing need for more homes in London in

order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Policy 3.4 of the London Plan seeks to ensure new development proposals make optimum use of the site with housing that is mindful of the local context and its location.

Further, Government guidance requires Local Authorities to make the best use of urban land within the Borough while safeguarding the quality of the surrounding environment and the amenity of neighbouring residents. This guidance is reflected in Development Plan Policy. The National Planning Policy Framework states that local authorities should actively promote sustainable development attaching significant weight to the provision of housing and affordable housing.

No objections are raised to the loss of the existing building which has little architectural or historical merit and the acceptability of the loss of the buildings and public house use has already been established by the grant of previous re-development proposals.

The application site forms part of the 'developed area' where there is no objection in principle to the residential use of the site, subject to normal development control criteria.

At the local level, in terms of specific housing policy, Policy H4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Council will seek to achieve a balance in the mix of housing types and sizes in order to create a more mixed and balanced community.

The provision of a total of 23 affordable self-contained flats is considered acceptable in principle, in land use terms, given the site's location within the developed area, its close proximity to the town centre, and, whilst noting that the development provides a good variety of unit sizes for a range of occupiers, as required by Policy H4 of the Hillingdon Local Plan.

As such, this proposal is for a residential use scheme, which would fully accord with the residential nature of the surrounding area and is welcome in principle as it will be for a scheme that provides much needed affordable housing and is capable of being delivered to ensure that this site is developed.

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

The London Plan (July 2011) provides guidance on appropriate densities for residential development, depending upon the type of location and the Public Transport Accessibility Level (PTAL). This site has a PTAL ranging from 2 to 3 (where 6 represents the highest level of public transport accessibility and 1 the lowest), and Table 3.2 in the London Plan advises that an appropriate residential density for the site would range from 150-250 habitable rooms per hectare (hr/ha) and 40-80 units per hectare (u/ha) for units with a typical size of 3.1 - 3.7 habitable rooms per unit (hr/u). The Council's HDAS: 'Residential Layouts' also advises that larger rooms over 20sqm and capable of subdivision should be counted as 2 rooms.

This scheme equates to a unit density of 164 u/ha and a habitable room density of 557 hr/ha, more than double the maximum density ranges recommended by the Mayor's standards. The Council's design guidance does state that numerical densities, whilst useful for undertaking an initial assessment should not be relied upon as the sole means of assessing housing proposals, as density is only an indicator of the acceptability of a scheme in comparison to its surroundings and a more fuller assessment is required to assess the acceptability of proposed schemes. The development is in accordance with the



internal floor area standards of Policy 3.5 of the London Plan and has an acceptable level of external amenity space for each dwelling. The height and massing of the development is considered acceptable in the context of the site and the mixed character of the surrounding area.

In addition, the site was previously granted permission for a 50 bedroom hotel and is located in an area of mixed character within Hayes, with urban, suburban and Industrial characteristics. The site itself is capable of attracting commercial uses, such as hotel businesses, more akin to central urban areas, because it shares urban qualities and lies in very close proximity (within 400 metres) of the Hayes town centre where much higher densities are expected, although the area to the east of the site is characterised predominantly by 2 storey high buildings with a variety of housing forms and sizes, while to the south lies the Caxton Trading estate with functional but impermeable building forms.

It is worth noting that Public Transport Accessibility Levels (PTAL) for the location fall within the medium range (level 3) but are expected to increase with the opening of the Cross Rail Station where, in accordance with policy 3.4 of the London Plan, higher densities are expected and desired.

In this respect, the development would not be out of character with the immediate or wider surrounding area.

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

The proposals would not affect any statutory or locally listed building and the application site is not located within or on the fringes of a conservation area or an area of special local character. GLAAS has also confirmed that the proposal is unlikely to affect any archaeological remains and do not see the need for the imposition of any archaeological conditions. The proposal would therefore not impact upon any heritage asset.

#### **7.04 Airport safeguarding**

There are no safeguarding issues raised by this application. An informative has been added as regards the use of cranes.

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

The application site is sited close to the Green Belt boundary which forms the designation of the open land located on the opposite side of Printinghouse Lane and south western side of Botwell Lane.

It is considered that the development, due to its size, design and distance from Green Belt boundary, would not affect the essential permanence or open character of the Green Belt that lies to the west of the site, as required by the NPPF and NPPG. The principle and acceptability of a building of a similar mass and distance from the eastern edge of the Green Belt was also established with planning permission reference 4607/APP/2012/826.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires new development to harmonise with the existing street scene or other feature of the area which it is desirable to retain or enhance and Policy BE19 requires development within residential areas to complement and improve the character of the area.

The application site is in a prominent position at the junction of Printinghouse Lane and Botwell Lane with a third road frontage onto Golden Cross. The proposed building would have a similar bulk and mass than the previously approved 50 bedroom hotel scheme, but



is considered to offer a more appropriate design solution than the hotel scheme, with a residential approach that is mindful of its immediate setting and a balanced vertical emphasis throughout its length, which adds rhythm to the building and breaks up its mass. The scheme steps up in mass and height in a east-west direction and places the larger four storey element of the building at the front of the site and the smaller part one part two storey bulk to the east. In this respect the scheme shows sensitivity to the broad pattern of development in the area and addresses adequately the junction of Botwell Lane with Printinghouse Lane with its prominence located towards the western section of the site.

The building would have landscaping on all of its boundaries with the exception of Golden Cross where the provision would be made for the vehicular ramp to access the basement. Although this could present a harsh built up appearance, the ramp would be partly covered by the upper floors of the building at its entrance. Landscaping would also be provided at the corner of Printinghouse Lane/Golden Cross junction that would help to soften its appearance and appropriate boundary treatment further along Golden Cross would further screen the ramp. The ramp would also be screened from ground floor residents in the new flats by landscaping.

Overall, the landscaping is considered to adequately ameliorate the visual impact of the building, the details of which would be secured by planning condition. The planting of 5 street trees is also shown within the adjoining public footpath along the Botwell Lane frontage which will enhance the appearance of the streetscene.

The submitted drawings indicate a mix of red brick and grey cladding and perforated aluminum screening for balconies and roof gardens (set in by a minimum 1 metre distance from the parapet walls), which it is considered will give the scheme an acceptable contemporary appearance in keeping with the character of the area generally. The final choice of facing materials would be controlled by condition.

It is felt that the proposed building with its contemporary influenced design with straight lines and its projecting and recessed cladding and brickwork, would be both distinctive and attractive, and enhance the streetscene. Although generally higher than the existing building it is considered that due to the peninsular nature of the site, and that the building height would be recessed mostly where adjacent to two storey housing, the proposal would not adversely affect the character of the area.

The overall design of the scheme is, therefore, considered to enhance the visual amenities of the surrounding area and, subject to conditions, no objection is raised to its integration within the pattern of development within the area. As such, the development is considered to comply with Policies BE13 and BE19 and Policies 7.4 and 7.6 of the London Plan (July 2011).

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

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to protect the amenities of surrounding residential properties from new development in relation to loss of sunlight, dominance and loss of privacy respectively. The Council's Supplementary Planning Document HDAS: Residential Layouts provides further clarification in that it advises that buildings of two or more storeys should maintain at least a 15m separation distance from adjoining properties to avoid appearing overdominant and a 21m distance between facing habitable room windows and private amenity space, considered to be a 3m deep 'patio' area adjoining the rear elevation of a property should be maintained to safeguard privacy.

The proposed building would not result in any loss of sunlight to surrounding properties, given that the nearest properties on Golden Crescent are sited to the south of the proposal and having regard to the width of Botwell Lane at this point.

In terms of dominance and overlooking, the nearest principle elevations of properties would be the houses that front Golden Crescent. The main bulk of the proposed building and its habitable room windows and balconies would be sited at least some 20m from these elevations. This distance is considered to be adequate to ensure that the building would not appear unduly dominant or result in unacceptable overlooking to windows which are already overlooked from the road. Furthermore, this separation distance is some 3 - 5m greater than that provided by the main bulk of the previously approved hotel.

The proposed building also includes side windows that would face the side elevation and the rear patio area of No. 26 Printinghouse Lane within a distance of some 12.5m, but these are secondary windows and can therefore be made to be non-openable and obscure glazed, which would be controlled by condition.

The proposed roof top garden would be sited some 12m from the flank elevation of No. 71 Botwell Lane and the proposed building steps down in height towards this property, so that elevated flat roof areas at first and second floor level would be provided on this property's boundary. Although the property has no windows in its flank facing the application site and the potential for overlooking from the roof top garden could be adequately prevented with the provision of appropriate roof top boundary treatment, the use of the lower flat roofs is more problematic as it could result in overlooking of No. 71's rear garden at far closer distances. Revisions have been made to the scheme which have reduced the size of these amenity areas and set them back from the edges of the roof, particularly from the rear. The scope for overlooking of the rear garden would now be greatly diminished by the screening afforded by the house itself and a combination of boundary treatment to the roof gardens and suitable planting of the remainder of the flat roof area would ensure that the privacy of No.71's rear garden would be maintained and the planting would be capable of providing effective screening to the boundary treatment of these roof gardens.

It is therefore considered that the scheme complies with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed flats would have internal floor areas ranging from 51 to 75sqm with the 1 bedroom, 2 person units, 63 to 68sqm in the case of the two bedroom, 3 person units, 76 to 80sqm with the 2 bedroom, 4 person units and 91 to 100sqm in the case of the 3 bedroom, 5 person units. All of the flats would satisfy the Mayor's 50, 61, 70 and 86sqm minimum internal floor space standards for 1 bedroom, 2 person; 2 bedroom, 3 and 4 person and 3 bedroom, 5 person flats respectively.

The residential amenity afforded by the flats would be acceptable, with their habitable rooms providing an acceptable outlook and natural lighting. Although some bedroom windows of the ground floor units would be sited within 1.75m of the Botwell Lane Road frontage, boundary railings and planting would assist with maintaining privacy to these rooms.

The proposal does provide communal amenity space comprising a 300sqm roof top garden. In addition to this, all of the flats would also have their own external amenity space, with small gardens being provided on the ground floor and balconies and/or private

roof terraces being provided on the upper floors. The only unit where the quality of the space would be compromised is Unit 1, one of the wheelchair accessible units. Although this unit would have sole access to a reasonably large area of amenity space at the front of the unit, this space, being immediately adjacent to road frontages, would not be ideal in terms of its usability. However, the other ground floor units, unlike Unit 1 would, not have access to private amenity space at the rear which would be more usable, being separated from the Golden Crescent frontage.

The Council's amenity space standards require a minimum total of 530sqm of amenity space to be provided for the 23 units. Discounting the amenity space that is not particularly usable, this scheme, including the balcony areas, private amenity space and communal roof garden, the scheme would provide a total of 572sqm which would comply with Council standards.

It is therefore considered that having regard to the need to make the best use of land, on balance, the scheme is considered to afford an appropriate level of amenity for future occupiers, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposals have undergone a number of revisions and additional information has been submitted in an attempt to address the original concerns raised by the Highway Engineer.

The Highway Engineer has reviewed the revised information and advises that although there are still some issues as regards the comparable sample sites chosen to assess trip generation, the proposed development would not result in significant trip generation as compared to the existing public house/restaurant use of the site, and as such, it is not considered that it would have a significant or severe impact on the local highway network. The Engineer has also assessed the personal injury accidents records for the 5 year period up to 30th September 2013 and advises that these do not reveal any inherent problems with the road layout and/or vehicle speeds.

The scheme has now been amended so that it would provide off-street parking at a ratio of one space per unit in order to ensure the basement parking layout is workable. The Council's Highway Engineer raises no objections to this level of provision' given the site's 2/3 PTAL score and it's proximity to the town centre. The Highway Engineer also considers that the proposed basement provision for 30 cycle parking spaces is acceptable.

The Council's Highway Engineer is also now generally satisfied with the access arrangements for the basement, which would utilise a shuttle traffic signal with induction loops on the ramp. This will ensure that only one vehicle enters the ramp at any one time and entering and exiting vehicles would not be in conflict with each other. The operation of the traffic management and the locations where vehicles would wait however, has been conditioned, in accordance with the Highway Engineer's advice. The existing vehicular crossovers on each of the road frontages serving the site would need to be re-instated as public footpath. This would be dealt with by the S106 Agreement.

The Highway Engineer does raise concern regarding the access arrangements for cyclists which should not involve use of the vehicular ramp. In order to facilitate suitable access for cyclists, doors at the ground floor and the basement leading to/from the cycle store should automatically open and close and the lift should be redesigned to accommodate cycles. This has been controlled by condition.

The Highway Engineer concludes by stating that subject to issues relating to vehicular access, cyclists' access, traffic management and car parking provision and allocation being covered through suitable conditions/S106 obligations (as appropriate), there is no objection from a highways point of view.

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

The relevant planning issues have been considered within the relevant sections of this report. As regards the mix of units, the mixture of 1, 2 and 3 bedroom units and types is acceptable.

#### **7.12 Disabled access**

Policies 3.8 and 7.2 of the London Plan (July 2011) promote housing choice and require all new development to provide an inclusive environment that achieves the highest standards of accessibility and inclusive design respectively. The Council's Supplementary Planning Document "Accessible Hillingdon" (May 2013) provides detailed design guidance on accessibility issues.

The scheme would provide two wheelchair accessible units on the ground floor, with the remainder being compliant with Lifetime Home Standards. The development proposes two lifts to ensure wheelchair access to every flat above ground floor and to the 2 disabled person spaces at basement level.

The Council's Access Officer has reviewed the revised proposals and advises that it is only the bathrooms that are still contrary to the specifications of the Council's SPD 'Accessible Hillingdon'. This has been controlled by condition.

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

This scheme would provide 100% affordable housing, including 2 of the 23 units being wheelchair accessible and is acceptable.

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

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires development proposals to retain and utilise topographical and landscape features of merit and to provide for new planting and landscaping wherever it is appropriate.

There are no trees or other landscape features of merit on this site which is almost entirely covered by buildings and hardstanding.

Following advice provided by the Council's Tree/Landscape Officer, the scheme has been revised and now greater consideration has been given to the landscaping on this site. In particular, boundary hedges are shown on the majority of boundaries that will help soften the impact of the boundary structures. The scheme also now incorporates new tree planting with 5 new specimen trees shown within the highway verge along Botwell Lane. This will greatly assist with the assimilation of the building within this predominantly residential area and enhance the appearance of the street scene by continuing the tree line along the road. This provision would need to be secured within a S106 Agreement.

The vehicle ramp serving the basement car park would present a very urbanised setting to the building along Golden Crescent. This impact is difficult to mitigate, given the constraints of the site, but the fact that the building partly bridges the ramp and an area of landscaping would be provided at the entrance to the ramp would go some way to ameliorate its impact. Appropriate boundary treatment would assist along Golden Crescent and landscaping would be provided on the other side of the ramp. As such, it is considered that the siting of the ramp would not be sufficiently detrimental to the character

and appearance of the street scene as to justify a refusal of the application.

On the upper levels, greater consideration has been given to the roof terraces and gardens, with greater use of planting to screen the boundary structures.

As such, it is considered that the proposed use of landscaping and tree planting would enhance the overall appearance of the street scene and on this basis, the Council's Tree/Landscape Officer does not raise any further concerns with the scheme. The proposal is therefore considered to comply with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The scheme makes adequate provision for waste and recycling at two points adjacent to the main entrances to the building.

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

The Council's Sustainability Officer advises that the submitted energy assessment is inadequate but subject to the imposition of an appropriate condition, the scheme would comply with current sustainability policies.

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

The application has been accompanied by a Flood Risk Assessment.

The Council's Water and Flood Management Officer advises that the impact of the proposed development aims to control surface water to national standards. Furthermore, the implication of the large basement on the site has been considered and a site investigation has been undertaken to understand the risks and proposes appropriate mitigation. The officer advises that at this stage, as flood risk will be managed properly, a condition is recommended.

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

The application site is located within the Borough's Air Quality Management Area (AQMA). The Council's Environmental Protection Officer has assessed the Air Quality Assessment submitted with the application and details a number of limitations of the study but concludes that given the nature of the scheme, the impact of the proposal upon air quality would not be significant and recommends a condition which is attached.

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

The comments received to the public consultation exercise raising material planning considerations have largely been dealt with in the officer's report.

The Ward Councillor's comments regarding indiscriminate parking connected to nearby religious establishments are nothing to do with the application site. The reference to previous refusals for 12 flats, these were two scheme which both proposed retaining the existing public house and developing the car park for residential use within a separate three storey building with basement parking (Applications 4607/APP/2006/3055 and 2007/2161 refer). It is considered that these proposals were for very different schemes.

#### **7.20 Planning obligations**

Policy R17 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) is concerned with securing planning benefits related to the scale and type of development. The policy is supported by more specific supplementary planning guidance.

The following would be required to mitigate the impact of the development:



1. Affordable housing,
2. Highways: S278/S38 Agreement to reinstate the public footway where the existing accesses would be closed on Botwell Lane, Printing House Lane and Golden Crescent,
3. Education contribution - £62,385
4. Health: A financial contribution equal to  $£216.67 \times 47.5 = £10,291.83$
5. Libraries: A financial contribution equal to  $£23 \times 47.5 = £1092.5$
6. Construction training £2500 per £1m build cost plus Coordinator Cost:  $22/160 \times £71,675$  or in kind scheme.
7. Tree planting within the highway
8. Project Management & Monitoring fee: A financial contribution equal to 5% of the total cash contributions.

The applicant has agreed to the above heads of terms. As such, the scheme complies with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

The development also represents chargeable development under the Mayor's Community Infrastructure Levy which would equate to £35 per sq.m of floorspace (including within the basement car park) adjusted for inflation.

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

There are no enforcement issues on this site.

#### **7.22 Other Issues**

None

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

General

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

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

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

#### Planning Conditions

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

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act



1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

### Equalities and Human Rights

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

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

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

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

## **10. CONCLUSION**

This application would remove a poor quality building and an extensive area of hardstanding and provide a residential building comprising 23 units of 100% affordable housing, two of which would be fully wheelchair accessible.

It is considered that the scheme would make a positive contribution to the street scene and the character and appearance of the area and would provide suitable accommodation for its future occupiers. It is considered that there would be no adverse impacts upon surrounding residential occupiers or the surrounding highway network.

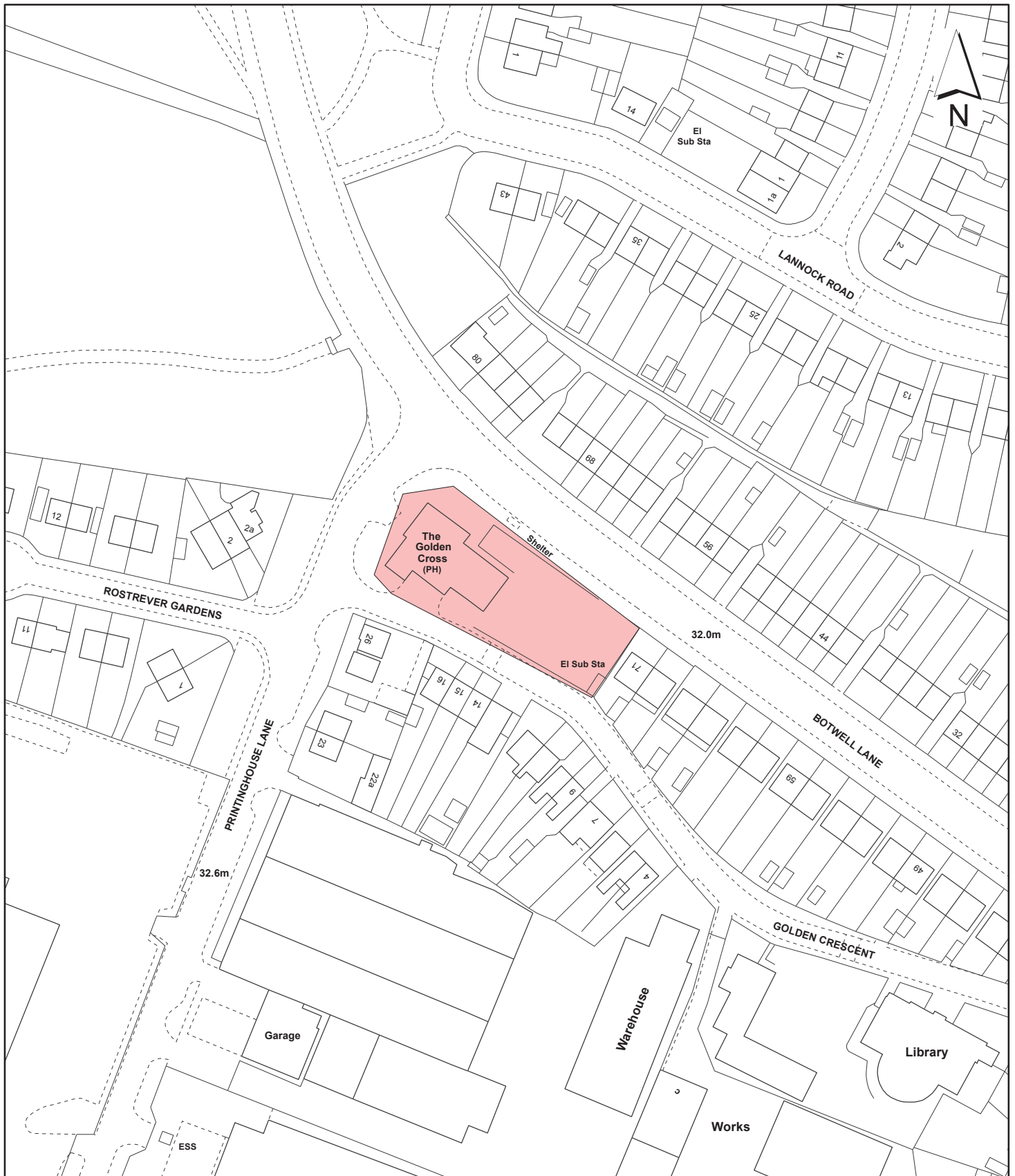
The scheme would also provide a commensurate package of planning benefits and is therefore recommended for approval.

## **11. Reference Documents**

National Planning Policy Framework (March 2012)  
Planning Practice Guidance (March 2014)  
London Plan (July 2011)  
Mayor's Housing Supplementary Planning Guidance, November 2012  
Hillingdon Local Plan (November 2012)  
Consultation Responses

**Contact Officer:** Richard Phillips

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**Notes**

 Site boundary

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Site Address

**Golden Cross  
 Botwell Lane  
 Hayes**

Planning Application Ref:

**4607/APP/2013/3144**

Planning Committee

**Major Committee**

Scale

**1:1,250**

Date

**May 2014**

**LONDON BOROUGH  
 OF HILLINGDON**

**Residents Services  
 Planning Section**

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