

Report of the Head of Planning, Sport and Green Spaces

Address THE FERNS WITHY LANE RUISLIP

Development: 2 x two storey, 2-bed, semi-detached dwellings with associated parking and amenity space and installation of vehicular crossover to front involving demolition of existing Use Class B2 building

LBH Ref Nos: 6885/APP/2014/987

Drawing Nos: Location Plan (1:1250)
14/3320/2
14/3320/3
Design & Access Statement
Energy & Sustainability Report
Existing Photos
14/3320/1 Rev C

Date Plans Received: 20/03/2014 **Date(s) of Amendment(s):** 21/05/2014
Date Application Valid: 27/03/2014 28/03/2014
21/03/2014

1. SUMMARY

This scheme seeks planning permission to demolish the existing single storey industrial/storage buildings on site and the erection of two, two storey semi-detached two bedroom residential properties, and installation of vehicular crossover to front with associated parking, landscaping and external amenity space.

It is considered that the proposed development would provide housing of an acceptable standard for future occupiers and conforms with the requirements of the Hillingdon local Plan (2012) and the London Plan (2011).

The application is therefore 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:

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

i) A contribution of £5,081 for capacity enhancements in local schools;

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

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

D) That if any of the heads of terms set out above have not been agreed and the legal agreement has not been finalised before the 31st of July 2014, or any other period deemed appropriate by the Head of Planning, Green Spaces and Culture , then the application be refused for the following reason:

'The development is likely to give rise to a significant number of children of school age that would require additional educational provisions, due to the shortfall of places in schools serving the area. Given that a legal agreement or unilateral undertaking has not been offered and the applicants are not willing to enter into or provide any such agreement, to address this issue, the proposal is considered to be contrary to Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations, Supplementary Planning Document (July 2008).'

E) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement with the applicant.

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

1 COM3 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 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 14/3320/1 Rev C, 14/3320/2, 14/3320/3 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 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 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Car Parking [14/3320/1 Rev C]

Amenity Space [14/3320/1 Rev C]

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

REASON

To ensure that the development complies with the objectives of Policies AM14 & BE23 of the Hillingdon Local Plan (November 2012).

5 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing North (towards the Fire Station) or South (towards Rotary House).

REASON

To prevent overlooking to adjoining properties and to safeguard the satisfactory redevelopment of adjoining sites which have development potential in accordance with policies BE14 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 HO6 Obscure Glazing

The window(s) facing North (towards the Fire Station) and South (towards Rotary House) 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 and to safeguard the satisfactory redevelopment of adjoining sites which have development potential in accordance with policies BE14 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 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)

8 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 Means of enclosure/boundary treatments
 - 2.b Hard Surfacing Materials
3. Schedule for Implementation
4. Other
 - 4.a Existing and proposed functional services above and below ground
 - 4.b Proposed finishing levels or contours

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

REASON

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

9 RES15 Sustainable Water Management (changed from SUDS)

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

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

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

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

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

REASON

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

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 RES18 Lifetime Homes/Wheelchair Units

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards (with the exception of the requirement for a Lifetime Homes' compliant entry level WC).

REASON

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

12 RES24 Secured by Design

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

REASON

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

13 RES23 Visibility Splays - Pedestrian

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

REASON

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

14 RES26 Contaminated Land

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

any such requirement specifically and in writing:

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

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

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

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

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

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011). References: Hillingdon's Land Contamination Supplementary Planning Guidance (SPG).

INFORMATIVES

1

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use 'best practicable means' as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odors and other

emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in 'The control of dust and emissions from construction and demolition: best practice guidelines', Greater London Authority, November 2006; and (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time. You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974.

2 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies.

On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3 152 Compulsory Informative (1)

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

4

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £6,020 from Section 8 of Spreadsheet which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738

5 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
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.
H8	Change of use from non-residential to residential
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.16	(2011) Green Belt
OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

6 147 Damage to Verge - For Council Roads:

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

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

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

7 11 Building to Approved Drawing

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

8 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

9 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).

3. CONSIDERATIONS

3.1 Site and Locality

The L-shaped application site is located on the east side of Withy Lane, some 25m to the north of its junction with Breakspear Road. It comprises a detached part single storey, part two storey building previously in use as a stone mason's workshop with ancillary storage. At the time of the Officer's site visit it appeared that the building was no longer be in use.

To the south of the application site, fronting Breakspear Road is Rotary House, a three storey building comprising two floors of office space with residential flats above. Car parking serving the building and its access from Withy Lane separates the two sites. To the east of Rotary House is a 24 hour service station with car washing facilities and to the north of the application site is the Ruislip Fire Station. On the opposite side of Withy Lane is the Breakspear Crematorium, with two cottages within its grounds immediately opposite the application site. The site on the southern side of Breakspear Road, opposite Withy Lane incorporates a Grade II Listed Building and is in use for car sales.

Breakspear Crematorium forms part of the Green Belt, a designation which also includes Withy Lane itself.

The application site sits within a Developed Area, as designated by the Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

This application seeks planning permission for the erection of an 'L' shaped two storey building sited on the eastern side of Withy Lane, some 20m to the north of its junction with Breakspear Road. The proposal would involve the demolition of the existing part single storey, part two storey workshop and associated storage buildings.

The proposed building would comprise 2 x 2 bedroom semi-detached residential properties, with two associated car parking spaces to the south of the site accessed by a new vehicular crossover and adjoined by landscaping strips.

The building would be set back by approximately 1m from the northern side boundary at the closest point and approximately 1m from the southern side boundary at the closest point. It would be set back from Withy Lane at its nearest point by 1.6m. The building would have a maximum width of 10.4m and depth of 12.6m. The building would be characterised with a pitched hipped roof.

External amenity space would be provided to the rear of the site, with both proposed dwellings having approximately 60m² of amenity space. Cycle storage is proposed to the rear of the sites within the amenity space.

Proposed materials are red multi bricks, dark red tiles, upvc windows and doors, block paving and black upvc guttering.

3.3 Relevant Planning History

6885/APP/2004/745 The Ferns Withy Lane Ruislip

ERECTION OF A THREE STOREY BUILDING CONTAINING THREE TWO-BEDROOM FLATS AND SIX ONE-BEDROOM FLATS, AND CAR PARKING SPACES (OUTLINE APPLICATION)

Decision: 12-08-2004 Withdrawn

6885/APP/2005/3075 The Ferns Withy Lane Ruislip

ERECTION OF A PART THREE-STOREY WITH ROOF TERRACE, PART FOUR-STOREY BUILDING CONTAINING 6 ONE-BEDROOM FLATS TOGETHER WITH PARKING SPACES (INCLUDING DEMOLITION OF THE EXISTING WORKSHOP AND ASSOCIATED STORE)

Decision: 03-05-2006 Refused

6885/APP/2007/3707 The Ferns Breakspear Rd Withy Lane Ruislip

ERECTION OF A THREE STOREY BUILDING WITH ROOF TERRACE AND GROUND FLOOR VEHICULAR ACCESS TO REAR PARKING AREA TO PROVIDE 5 ONE-BEDROOM FLATS (INVOLVING DEMOLITION OF THE EXISTING WORKSHOP AND ASSOCIATED STORE) (OUTLINE APPLICATION FOR APPROVAL OF LAYOUT, APPEARANCE, SCALE AND ACCESS ONLY)

Decision: 18-12-2008 Refused

6885/APP/2009/2650 The Ferns Withy Lane Ruislip

Demolition of existing industrial building and erection of a block of 5 flats with associated parking (outline application.)

Decision: 16-08-2010 Refused **Appeal:** 11-02-2011 Dismissed

6885/APP/2012/2217 The Ferns Withy Lane Ruislip

Three storey building to create 4 x 1-bed self contained flats, and installation of vehicular crossover to front with associated parking at ground floor level and landscaping, involving demolition of existing industrial buildings and yard

Decision: 29-01-2013 Refused

6885/G/79/0619 L Pepper Metalworks Withy Lane Ruislip

Continued use for metal work and erection of extension to workshop extension.

Decision: 17-08-1979 Refused

6885/H/80/1048 L Pepper Metalworks Withy Lane Ruislip

Continued use of premises for metalwork, welding and brazing.

Decision: 04-08-1980 ALT

6885/J/86/0652 L Pepper Metalworks Withy Lane Ruislip
Alterations to existing workshop plus first floor extension.

Decision: 03-06-1986 Approved

6885/K/97/0808 The Ferns Withy Lane Ruislip
Erection of three storey block of 6 flats including access and parking (involving demolition of existing storage/industrial buildings)(outline application)

Decision: 18-03-1998 Refused

Comment on Relevant Planning History

This application follows six previous applications for residential development at the site, one of which was withdrawn. The most recent was for the demolition of the existing industrial building and erection of a block of 4 x 1 bedroom flats with associated parking (ref. 6885/APP/2012/2217). This application was refused for the following reasons:

1) The proposal by reason of its siting, overall layout, size, bulk, site coverage, design and excessive density, would result in a cramped appearance and constitutes an over-development of the site with limited opportunities for landscaping, to the detriment of the character and visual amenities of the area. The proposal would result in a scale and design of building that is inappropriate for the plot. The proposal is therefore contrary to Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19, BE22 and BE38 of Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the Supplementary Planning Document HDAS: Residential Layouts and Policies 3.4 and Table 3.2, 3.5 and 7.4 of the London Plan (2011).

2) The development is estimated to give rise to a number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document.

The current proposal has been amended to resolve concerns regarding the design and density of the development. The applicant has also indicated their agreement to enter into an appropriate legal agreement for education contributions.

6885/APP/2009/2650 - Outline application for demolition of existing industrial building and erection of a block of 5 flats with associated parking - Refused 16th of August 2010.

6885/APP/2007/3707 - Erection of a three storey building with roof terrace and ground floor vehicular access to parking area to provide 5 x 1 bedroom flats - refused on the 18th of February 2008.

6885/APP/2005/3075 - Full permission for the erection of a four-storey building containing 6 one-bedroom flats together with parking spaces was refused on 3rd May 2006 on grounds of excessive density, Green Belt grounds, impact upon flats at Rotary House, inadequate amenity space and inadequate car parking.

6885/APP/2004/745 - Outline permission for the erection of a three-storey building containing three two-bedroom flats and 6 one-bedroom flats and car parking spaces was withdrawn on 12th August 2004.

6885/K/97/808 - Outline permission for the erection of a three storey block of 6 flats including access and parking was refused on 18th March 1998 on grounds of excessive density, disputed ownership of whole site, inadequate amenity space, excessive disturbance of amenity space by vehicle movements, inadequate parking, no archaeological and noise assessments and inadequate visibility.

4. Planning Policies and Standards

No additional policies

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE1 Development within archaeological priority areas

BE13 New development must harmonise with the existing street scene.

BE14 Development of sites in isolation

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.

H8 Change of use from non-residential to residential

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

LPP 3.3 (2011) Increasing housing supply

LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 7.16	(2011) Green Belt
OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

24 neighbouring occupiers and the Ruislip Residents Association were consulted on the proposal on the 31/03/14 and a site notice was displayed that expired on the 17/05/14. By the end of the 21 day consultation period no comments or letters of objection had been received.

Internal Consultees

TREES AND LANDSCAPE:

The site is an 'L'-shaped plot occupied by a stone mason's yard and workshop situated to the south of a fire station yard and to the north of the car park of Rotary house. It is accessed from Withy Lane, to the north of Breakspear Road

The self-set trees, including an Ash, which used to stand hard on the boundaries are no longer present. There are no trees or other landscape features of merit which might constrain development.

The proposal is to demolish the existing Use Class B2 workshops and build 2 x two-storey, 2-bed, semi-detached dwellings with associated parking and amenity space and install a vehicular crossover.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other significant landscape features of merit will be affected by the proposal.
- Macleod drawing No. 14/3320/1 indicates small front gardens (fronting onto Withy Lane, three off-street parking bays surrounded by soft landscaping and private gardens to the rear with indicative boundary tree planting.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

Recommendations:

No objection, subject to the above considerations and conditions RES 9 (parts 1,2,5 and 6).

HIGHWAYS:

The scheme has been through a number of amendments to resolve parking concerns and the current layout and parking provision raises no objections from the Council's Highways Officer.

ACCESS OFFICER:

Planning permission is sought to demolish an industrial building and to erect a pair of two-bedroom, semi detached houses.

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted May 2013. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan.

The Design & Access Statement reports that the design would meet the needs of disabled people, The document refers to the level access thresholds, and further states that the houses would otherwise be compliant with Approved Document M to the Building Regulations. Three standard dimensioned car parking spaces are proposed. Whilst the development is said to be capable of meeting the Lifetime Home Standards, the plans as presented fall below the standards required at the planning stage, and the following observation should be referred to the applicant in order that revised plans can be submitted:

1. Details of level access to and into the proposed dwellings should be submitted. A fall of 1:60 in the areas local to the principal entrance and rear entrance should be incorporated to prevent rain and surface water ingress. In addition to a levels plan showing internal and external levels, a section drawing of the level access threshold substructure, and water bar to be installed, including any necessary drainage, should be submitted.
2. A minimum of one bathroom on the first floor, in each dwellinghouse, should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.

Conclusion: revised plans should be requested as a prerequisite to any planning approval.

ENVIRONMENTAL PROTECTION UNIT 1:

No objection to the planning application. Please note the highlighted comments below as informative (1) INF 20 Control of environmental nuisance from construction work Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with: (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays; (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use 'best practicable means' as defined in section 72 of the Control of Pollution Act 1974; (iii) Measures should be taken to eliminate the release of dust, odors and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in 'The control of dust and emissions from construction and demolition: best practice guidelines', Greater London Authority, November 2006; and (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time. You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974.

ENVIRONMENTAL PROTECTION UNIT 2:

The site most recently has been identified as a 'Works' and the applicant has indicated the site is industrial (appears to be a Stone Masons). Historically there are unidentified buildings on site, and the site currently appears to be covered entirely in building and hard standing, so there is potentially contaminated made ground under this. As the applicant is proposing a sensitive end use, the following conditions are recommended on any permission that may be given. Any contamination assessment should also consider contamination from the former use along side standard suites of contaminants. The imports condition is recommended as garden areas will be created as part of the development and the soils would need to be suitable for use.

RES26 - Contaminated Land Condition:

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

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

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

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

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

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Imported Materials 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. Before any part of the development is occupied, all imported soils, or reused onsite topsoils shall be independently tested for chemical contamination. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). References: Hillingdon's Land Contamination Supplementary Planning Guidance (SPG).

FLOOD AND WATER MANAGEMENT SPECIALIST

The majority of the site lies within Flood Zone 1 the Zone defined as having little or no risk of flooding. No Built development is proposed in any of the areas of Flood Zone 2 and none of the site lies within Flood Zone 3. Therefore, there are no objections to the proposed development.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed development would make use of existing brownfield land to provide 2 x 2 bedroom residential units, in accordance with National Planning Policy Framework guidance on the location of new housing and the adopted Hillingdon Local Plan (November 2012).

Previous applications for residential dwellings on the site have not raised an objection to the principle of residential use. Therefore, the principle of a residential development has been established by the previous applications at the site.

Policy LE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that proposals which involve the loss of existing industrial floorspace on land outside of designated Industrial and Business Areas will only be permitted if the existing use seriously affects amenity, is unsuitable for industrial/business redevelopment, is unlikely to be used for industrial /warehousing space in the future and accord with the Council's regeneration policies for the area.

Previous applications on the site have provided supporting information that argues that Withy Lane is a narrow cul-de-sac with The Ferns being the only industrial use in the road. The use is unrestricted in terms of operating hours and being a small restricted site with no scope to expand, the use for the preparation and cutting of stone products ranging from granite worktops to memorials makes servicing of the site extremely difficult, given the narrow width of road. The lack of off-street parking results in delivery lorries blocking the road which has resulted in complaints to the Council, as has the open storage of wood used in the packaging waiting for disposal due to the lack of space on site. Given the above, there is little prospect of the site continuing in its current use.

As regards employment, it is considered that as the site appears to no longer be operating as a business and is now in the ownership of a development company, the impact upon employment with the loss of the use would be negligible.

It is considered that the existing use of the site clearly has the potential to seriously affect surrounding properties and given its restricted size and location, is unlikely to be used for industrial/business purposes in the future. As such, it is considered the scheme accords with Policy LE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Table 3.2 of the London Plan (July 2011) recommends that developments on suburban sites with a PTAL score of 1 should be within the ranges of 50 - 75 u/ha or 150 - 200 hr/ha. The application proposes 2 x 2 bedroom 4 person dwellings, with the site area being approximately 331 sqm. This equates to a development density of 60 units per hectare and 241 habitable rooms per hectare which is within the density range for dwelling numbers and marginally above the habitable room density thresholds. The density matrix contained in Table 3.2 is intended as a guide, and therefore as the density of units is within the set parameters the number of habitable rooms is deemed acceptable in this instance.

It is considered that the density of the development is acceptable and the site can accommodate the proposed level of development whilst maintaining a satisfactory environment within and around the site.

Given the proposed siting and layout, it is considered that the scheme would harmonise

with the surrounding area and achieve good environmental conditions for future residents of the site, in accordance with London Plan Guidelines and Council policies.

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

The application site is not within an Archaeological Priority Area and is not within a Conservation Area or an Area of Special Local Character. There is a Grade II Listed Building on the opposite side of Breakspear Road but it is considered that the proposal would be too remote from this building to adversely affect its setting.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

In terms of Policy OL5 of the UDP (Saved Policies) and the impact of development adjacent to the Green Belt, it is considered that the proposal would not adversely harm its open character, given the siting and scale of adjoining development, including the adjoining three storey Rotary House, five storey tower at the adjoining Ruislip Fire Station and two storey terrace housing at the northern end of Withy Lane.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) require development to harmonise with the street scene and to safeguard the amenity and character of the surrounding area.

Withy Lane is characterised by a mix of residential and commercial/industrial properties of differing design, which are predominantly two and three storeys in height. The area is also somewhat dominated by the five storey training tower at the Ruislip Fire Station immediately adjoining the site to the north. The application site itself consists of two buildings. The main building is part single, part two-storey, with both pitched and flat roof components, and fronts directly onto Withy Lane. It is currently used as a workshop and ancillary offices. The secondary building is single storey with a flat corrugated roof and is used for storage.

The proposed building would also be two storeys in height and would be characterised with a pitched hipped roof and would be residential appearance. It is considered that the overall design is acceptable and results in an appropriate street frontage.

Policy BE22 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires buildings of two or more storeys to be set back a minimum of 1m from the side boundaries for the full height of the building. The proposal conforms with this policy.

Furthermore, as the site adjoins the relatively open fire station to the north, the site may be redeveloped in the future and the proposal is considered acceptable and would not prejudice the future development of this site. The proposal is therefore considered to be contrary to Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The nearest residential properties to the application site are the second floor flats in Rotary House and Crematorium cottages, the two houses on the opposite side of Withy Lane.

The nearest part of the proposed building would be sited approximately 12m from the existing flats. However, at this point, the building would be of a limited depth at 5.75m with

the remainder of the building sited further away to the north.

Design guidance advises that development of two or more storeys should be sited at least 15m from adjoining habitable room windows. However, that guidance assumes the habitable room windows will be at ground floor, whereas in this instance, the proposed building only represents a single storey building as viewed from the second floor flats. As such, the spirit and purpose of the guidance would not be breached and the 12.0m separation gap is adequate to prevent the building from appearing unduly dominant. In terms of loss of sunlight, the flats in Rotary House, being sited to the south of the proposal would not be affected and the first floor windows proposed in the flank elevation of the building facing Rotary House could be conditioned to remain fixed shut and obscure glazed.

As regards Crematorium Cottages, the proposed building would be sited over 21m from the habitable room windows of the nearest house, No. 2 Crematorium Cottages and its rear amenity space.

As such, it is considered that the proposal complies with policies BE20, BE21 and BE24 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's SPD HDAS: Residential Layouts.

7.09 Living conditions for future occupiers

All the habitable rooms of the proposed dwellings would have an adequate outlook and all their facilities would be self-contained. The dwellings would have an internal floor area of approximately 85m². These areas are adequate to ensure that the floor areas satisfy the requirements of table 3.3 of the London Plan which states that 2 bed 4 person dwellings should have 83m² of floor area. It is therefore considered that the units would provide internal floor space to achieve adequate living conditions for their future occupiers.

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires the provision of amenity space, which is usable in terms of its shape and siting. The Council's SPD HDAS: Residential Layouts, advises that 60m² of amenity space is required for each two-bedroom property. The proposal provides external amenity space to meet these requirements at 61m².

It is therefore considered that the size and location of the proposed amenity space is considered to result in satisfactory usable amenity space for the occupiers of the development. The proposal would accord with policy BE23 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's SPD HDAS: Residential Layouts.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's adopted car parking standards require a maximum provision of 1.5 spaces per unit and 2 spaces are proposed. Due to the constraints of the site and the desire to achieve an acceptable design for the proposal in terms of its impact on the streetscene and the character of the area, the Council's Highway Engineer raises no objections to this level of provision and the general layout is considered acceptable. The proposal is therefore considered to comply with policies AM7 and AM14 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

SECURITY

Should the application be approved, a condition is also recommended to ensure that the scheme meets all Secured By Design Criteria.

7.12 Disabled access

The Council's Access Officer does not raise objection to the scheme, advising on detailed matters as regards compliance with Lifetime Homes standards. It is noted that the requirement for a lifetime homes compliant downstairs toilet could not be accommodated in the current layout of the building. The size of the plot is awkward and there have been a number of refusals at the site which have sought to be bring the plot into residential use. The current scheme complies with all other local, regional and national planning policies and the benefit of bringing a vacant site back into use to provide two new residential dwelling is considered to outweigh the harm of not having a lifetime homes compliant toilet on the ground floor. Therefore, no objection is raised in this regard.

7.13 Provision of affordable & special needs housing

Only two residential units are proposed as part of this development and therefore a requirement for affordable housing is not applicable to this development.

7.14 Trees, Landscaping and Ecology

The Council's Landscape Officer has advised that there are no trees or other landscape features of merit which might constrain development.

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. Therefore it is considered appropriate that landscape conditions should be imposed on any approval to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

7.15 Sustainable waste management

The proposal makes adequate provision for refuse/recycling storage, the details of which are recommended to be required by condition attached to any approval.

7.16 Renewable energy / Sustainability

Policy 5.3 of the London Plan 2011 requires the highest standards of sustainable design and construction to be achieved. The applicant has provided an energy and sustainability statement which provides some outline goals for the measures being proposed in the building. However, the document is vague and lack detail as to what the CO2 reduction of each measure would be. Therefore, to ensure the development complies with this policy a condition will be added for the development to be built to Code for Sustainable Homes Level 4, with an interim certificate and specification provided before the commencement of works.

7.17 Flooding or Drainage Issues

Policy OE7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises of the need to provide flood protection measures in new development in areas liable to flood. Whilst the very southern tip of the site is located within an area designated as being at flood risk, no development is proposed on this section of the site. The area of the site designated as being at risk is proposed for soft landscaping and as such the scheme is deemed to accord with with Policy OE7 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.18 Noise or Air Quality Issues

The proposal does not raise any concerns with respect to noise or air quality.

7.19 Comments on Public Consultations

None received

7.20 Planning Obligations

Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning

obligations in conjunction with other development proposals.

The proposed scheme has more than six habitable rooms and would result in a requirement for an education contribution of £5,081 if the application is recommended for approval.

Community Infrastructure Levy:

The Mayoral Community Infrastructure Levy for the proposed development is calculated to be £6,020. Whilst the development will replace an existing building with a floor space greater than that proposed, the existing property has not been in use for 6 or more of the last 36 months and the scale of the current building is therefore not deductible.

7.21 Expediency of enforcement action

None applicable to this development

7.22 Other Issues

None applicable

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality

of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

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

9. Observations of the Director of Finance

None

10. CONCLUSION

This scheme seeks planning permission to demolish the existing single storey industrial/storage buildings on site and erection of two, two storey semi-detached two bedroom residential properties, and installation of vehicular crossover to front with associated parking, landscaping and external amenity space.

It is considered that the proposed development would provide housing of an acceptable standard for future occupiers and conforms with the requirements of the Hillingdon local Plan (2012) and the London Plan (2011).

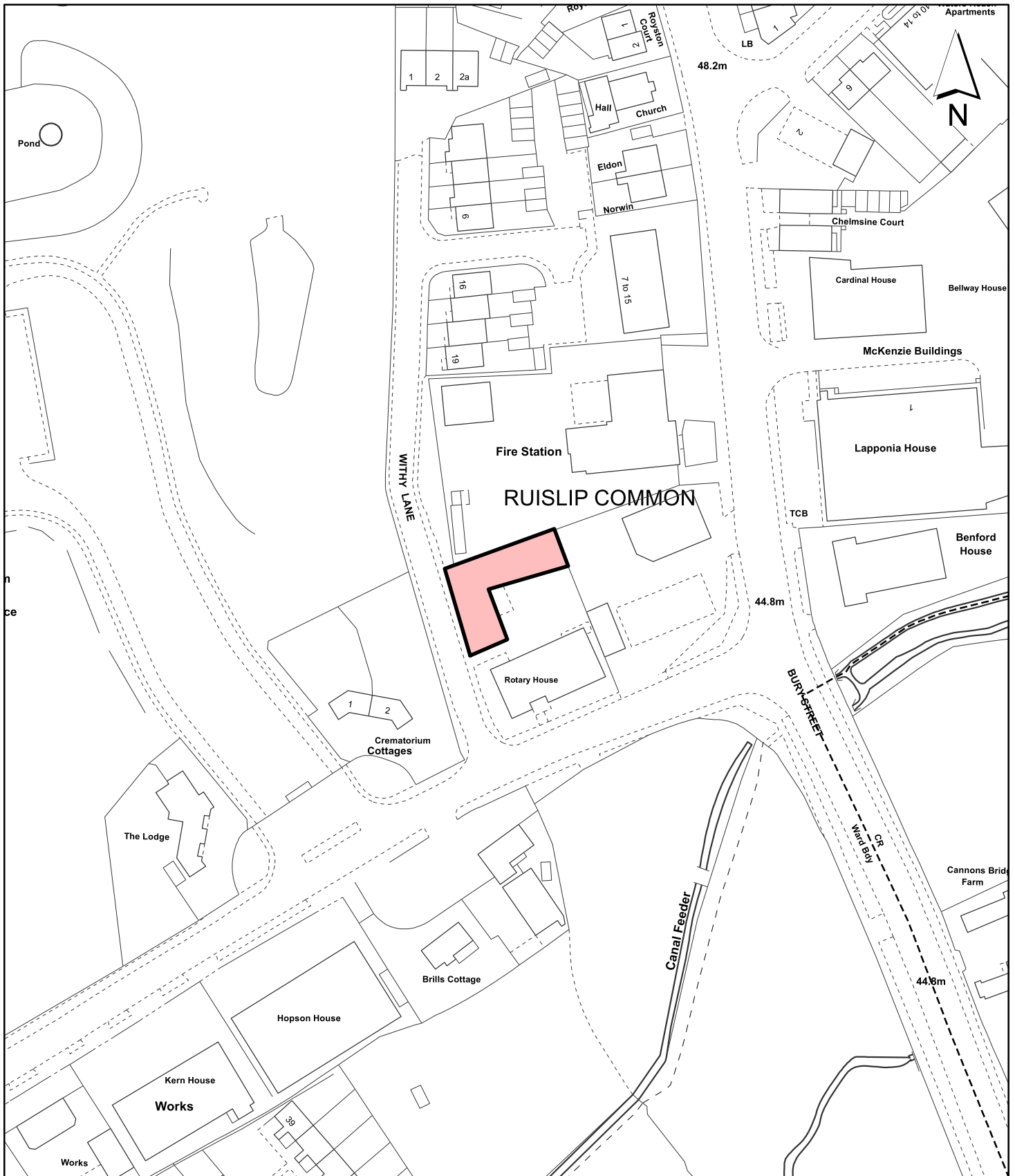
The application is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).
Hillingdon Design and Access Statement 'Residential Layouts'.
Supplementary Planning Document 'Accessible Hillingdon'.
Supplementary Planning Document Noise.
Supplementary Planning Guidance Planning Obligations.
Supplementary Planning Guidance Planning Obligations - Revised Chapter 4 Education Contributions.
The London Plan 2011.

Contact Officer: Ed Laughton

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Notes



Site boundary

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Site Address

**The Ferns
 Withy Lane
 Ruislip**

Planning Application Ref:

6885/APP/2014/987

Planning Committee

North

Scale

1:1,250

Date

June 2014

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services
 Planning Section**

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