

Report of the Head of Planning, Sport and Green Spaces

Address 21 HIGH STREET YIEWSLEY

Development: Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/ cafe Use Class A3 with 47 car parking spaces, 4 motorcycle spaces and 52 cycle parking spaces, communal and private amenity areas and landscaping works.

LBH Ref Nos: 26628/APP/2014/675

Drawing Nos: Title Register Plan
010-00
702-01
700-01
Elevation 3 and 4 - 2281-PL-301-01
Amenity Areas 270-01
Roof Plan 205-01
5th Floor - 204-02
4th Floor - 203-02
3th Floor - 202-02
stackers detail amended - Klaus Triple Stackers 58650230
MEDIUM AND LARGE CAR SWEPT PATHS - SK07
SK08 - ALTERNATIVE PARKING ARRANGEMENT
Preston Bennet Feb 2014
1st Floor Plan - 200-03
2nd Floor Plan - 201-01
Level 0 Floor Plan - 209-02
Appendices Preston Bennet Feb 2014

Date Plans Received: 28/02/2014 **Date(s) of Amendment(s):**

Date Application Valid: 24/03/2014

1. SUMMARY

Planning permission is sought for a mixed-use development providing a total of 51 new private residential apartments (22 x 1-bed and 29 x 2-bed) within a part four part five storey L-shaped block arranged alongside the High Street and the Grand Union Canal. The scheme would also provide three units with a combined 335m² of commercial floorspace at High Street and Grand Union Canal levels, flexibly designed and capable of accommodating a full range of town centre compatible commercial uses/activities.

The site is located within the Secondary Shopping Frontage of the Yiewsley/West Drayton Town Centre, and in close proximity to the West Drayton Rail Station. The Grand Union Canal forms the site's northern boundary and the High Road is to the east. An existing residential building is located adjacent to the site to the west. The site is currently cleared and vacant but was previously used for office purposes.

A scheme for the re-development of the site with a mixed use development comprising a 44-unit apartment hotel, 1,320 m² of office space and 135 m² restaurant/bar, with associated access, car parking and landscaping was granted planning permission in 2010 at appeal.

The current proposal for the redevelopment of the site with a residential led mixed use building with a similar scale to the previously approved scheme is considered to be acceptable in this location and will represent an enhancement to the Yiewsley/West Drayton Town Centre. The building itself is considered to considerably improve the appearance of the existing site as the proposal is for a high quality contemporary design development which would enhance the appearance of the streetscene whilst respecting the setting of adjacent buildings and the area's natural features.

The proposed mix of uses is welcome in principle as the proposal would provide a good level of employment and retail opportunities within the site through the new commercial uses at first floor level. It is considered that the proposal would provide an increase in modern and flexible retail floor space, which would promote, in turn, a greater footfall to the site and increase the vitality of this part of the town centre.

The height and bulk on this site can satisfactorily be accommodated in this town centre location without appearing overbearing on the surrounding area and will not unacceptably detract from the amenities of adjoining occupiers by reason of loss of light, privacy or outlook. Indeed, the height bulk and massing are consistent with those considered acceptable in the previously approved scheme. The proposal would not cause unacceptable harm to neighbouring occupiers through increased noise, disturbance or fumes.

The site has good access to public transport including local services and facilities in the vicinity of the site. The proposal is acceptable with respect to highway and pedestrian safety or traffic flows.

There are existing trees within the site which are worthy of retention and additional landscaping and biodiversity improvements can be secured by condition.

The scheme includes a range of energy efficient measures and the proposed sustainability measures will enable a reduction in CO2 emissions together with the production of onsite renewable energy. The development will also achieve Code 4 Sustainable Homes and Lifetime Homes accreditation. The Council's Sustainability officer is satisfied with the development in this respect.

Therefore, it is recommended that the application is approved subject to the conditions and the satisfactory completion of a section 106 Legal Agreement securing affordable housing monetary contributions towards the funding of additional school places, health provision, public realm improvements, air quality monitoring, libraries and construction training.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to the relevant conditions set out below:

A)(1) That prior to the Council's Community Infrastructure Levy coming into force, the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:

i. Affordable Housing: that the scheme to be delivered with 5 units as Affordable with the tenure to be agreed.

- ii. Education: a contribution in the sum of £123,825.00 is sought.
- iii. Health: a contribution in the sum of £16,622.00 (£216.67 x 76.72) is sought.
- iv. Libraries: a contribution in the sum of £1,762.00 is sought.
- v. Public Realm/Town Centre: a contribution in the sum of £10,000 is sought.
- vi. Canalside improvements: a contribution in the sum of £20,000.00 is sought.
- vii. Air Quality: a contribution in the sum of £25,000 is sought.
- viii. Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost number of units/160 x£71,675 = 22,821.00 Total Contribution) or an in kind training scheme equal to the financial contribution delivered during the construction period of the development. As discussed our preference is for an in kind scheme to be delivered.
- ix. The provision of a travel plan including £20,000.00 Bond
- x. Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement, is sought.

or

A)(2) That following the Council's Community Infrastructure Levy coming into force, the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:

- i. Affordable Housing: that the scheme to be delivered with 5 units as Affordable with the tenure to be agreed.
- ii. Canalside improvements: a contribution in the sum of £20,000.00 is sought.
- iii. Air Quality: a contribution in the sum of £25,000 is sought.
- iv. The provision of a travel plan including £20,000.00 Bond

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and any abortive work as a result of the agreement not being completed.

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

D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 28/07/2014, or such other date as agreed by the Head of Planning, Green Spaces and Culture, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and the environment as a consequence of demands created by the proposed development (in respect of construction training and air quality). The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG.'

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

F) That should the application be approved following the Council's Community Infrastructure Levy coming into force, the applicant shall pay the required levy on the additional floorspace created.

G) That if the application is approved, the following conditions be imposed:

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 702-01, 700-01, 270-01, 205-01, 204-02, 203-02, 202-02, 200-03, 201-01, 209-02 & 010-00 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 COM5 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:

The recommendations in the Planning Noise Assessment by Noise Solution Ltd February 2014, Ground levels indicated in the Topographical Survey by EAS, recommendations in the Air Quality Assessment Bureau Veritas January 2014, recommendations in the Flood Risk Assessment and Drainage Strategy EAS February 2014, recommendations in the Transport Statement January 2014 EAS Transport Planning, Geo-Environmental Report Wde Consulting April 2014 & measures recommended in the Energy And Sustainability Statement OG Energy Ltd 23 March 2014.

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

4 COM6 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)

5 NONSC Non Standard Condition

The development shall not be occupied until the eastern most existing access from the site to Bentinck Road has been permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority; and only the approved details shall be implemented.

REASON

To restrict access onto the public highway where it is necessary in the interest of highway safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

6 NONSC Non Standard Condition

The development shall not be occupied until full details of the proposed vehicular access have been provided in a manner to be agreed in writing with the Local Planning Authority; and only the approved details shall be implemented. The details of the vehicular access shall include details of the pedestrian/vehicle visibility splays of 2.4 metres by 2.4 metres on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access and thereafter permanently retained; no fence, wall or other obstruction to visibility exceeding 0.6 metres in height above the surface of the adjoining highway shall be erected within the area of the pedestrian visibility splays. The visibility splays shall thereafter be permanently maintained.

REASON

To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 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).

8 NONSC Non Standard Condition

No development shall take place until plans, manufactures details and a scheme for the maintenance of the 10 car parking stackers has been submitted to and approved in

writing by the Local Planning Authority. Thereafter the 10 car parking stackers shall be installed and maintained in accordance with the approved details in the locations shown on plan 209-202 for as long as the building remains in use. The details pursuant to this condition shall include a final parking layout with 53 parking spaces.

REASON

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012) and Chapter 6 of the London Plan (July 2011).

9 NONSC Non Standard Condition

Notwithstanding the details submitted, full details of the physical measures to prevent overlooking between the inner corner flats, including the height, colour and material of balcony privacy screens shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the flats hereby approved and shall be retained thereafter.

Reason

To safeguard the amenity of future occupiers in accordance with policy BE24 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012).

10 COM7 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)

11 COM31 Secured by Design

The building(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 building 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.

12 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.

13 NONSC Non Standard Condition

A statement demonstrating the measures that will be incorporated to ensure that the non residential uses, where applicable, will achieve a BREEAM rating of excellent shall be submitted for approval in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details and thereafter maintained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure that the non-residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 5.3 of the London Plan (July 2011).

14 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

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

15 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

16 COM9 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 for the commercial and residential elements of the scheme

2.b Means of enclosure/boundary treatments

2.c Hard Surfacing Materials

2.d External Lighting

2.e Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

3.b Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

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)

17 NONSC Non Standard Condition

Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with the Canal & River Trust. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

REASON

To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the Navigation in accordance with policy OL21 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

18 NONSC Non Standard Condition

Prior to the commencement of development hereby approved, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

REASON

To encourage the use of the canal for transporting waste and bulk materials in accordance with Policy 2.17 of the the London Plan (July 2011).

19 NONSC Non Standard Condition

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

REASON

To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure in accordance with policy OL21 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

20 COM15 Sustainable Water Management

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in Flood Risk Assessment produced by EAS dated the 3/02/2014 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 (November 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

21 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 Local Plan: Part 2 Saved UDP Policies (November 2012).

22 NONSC Non Standard 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

(d) Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

(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 2 Saved UDP Policies (November 2012).

23 NONSC Non Standard Condition

Development shall not begin until a scheme for protecting the proposed development from road and rail traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon

Local Plan: Part 2 Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 7.15.

24 NONSC Non Standard Condition

The development shall not begin until detailed drawings for the proposed wall fronting Bentinck Road has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the proposed wall shall not exceed 3 metres in height and shall include regular and even gaps to allow visual permeability and interest. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the visual amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012).

25 NONSC Non Standard Condition

The rating level of noise emitted from plant equipment, car stackers and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

26 NONSC Non Standard Condition

No cooking shall take place in the commercial part of the development until full details, with calculations, of the proposed fume/ odour extraction system have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. The submission shall include details of:

- (i) The extract fan, silencers, anti-vibration mounts, high velocity cowl, correctly sized carbon filter and electrostatic precipitator systems and any other items of plant;
- (ii) The velocity of air flowing through the cooker hood, the carbon filters, electrostatic precipitator and at the duct termination;
- (iii) The retention time of gases in the carbon filters;
- (iv) A maintenance schedule;

Before commencement of the approved ground floor use, the approved extraction system shall be installed on site in accordance with the approved details and shall be retained and maintained thereafter. Any variations thereafter shall be agreed in writing by the Local Planning Authority.

REASON

To safeguard the amenity of the future occupiers of the development and of occupiers of adjacent premises in accordance with Policy S6 Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012).

27 COM21 Sound insulation /mitigation

The development shall not begin until a scheme for the control of noise transmission

from the commercial premises to the residential units has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

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

28 COM25 Loading/unloading/deliveries

There shall be no loading or unloading of vehicles in connection with the commercial units, except between:-

[0800 and 1800] Mondays - Fridays

[0800 and 1300] Saturdays

Not at all on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

29 COM22 Operating Hours

The restaurant/ cafe premises located on the north eastern corner of the building shall not be used except between 0800 hours and 2300 hours.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

| | |
|--------|--|
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| SPD-PO | Planning Obligations Supplementary Planning Document, adopted July 2008 |
| SPG-AQ | Air Quality Supplementary Planning Guidance, adopted May 2002 |

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|--------|--|
| SPG-CS | Community Safety by Design, Supplementary Planning Guidance, adopted July 2004 |
| AM13 | AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes |
| AM14 | New development and car parking standards. |
| AM15 | Provision of reserved parking spaces for disabled persons |
| AM18 | Developments adjoining the Grand Union Canal - securing facilities for canal borne freight |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM8 | Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| 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. |
| S12 | Service uses in Secondary Shopping Areas |
| H4 | Mix of housing units |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE11 | Development involving hazardous substances and contaminated land - requirement for ameliorative measures |
| OE5 | Siting of noise-sensitive developments |
| OE8 | Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE32 | Development proposals adjacent to or affecting the Grand Union Canal |
| BE26 | Town centres - design, layout and landscaping of new buildings |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| S6 | Change of use of shops - safeguarding the amenities of shopping areas |
| R1 | Development proposals in or near areas deficient in recreational open space |

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| R17 | Use of planning obligations to supplement the provision of recreation, leisure and community facilities |
| R6 | Ancillary recreational facilities |
| LPP 2.15 | (2011) Town Centres |
| LPP 2.7 | (2011) Outer London: economy |
| LPP 3.10 | (2011) Definition of affordable housing |
| LPP 3.11 | (2011) Affordable housing targets |
| LPP 3.12 | (2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes |
| LPP 3.13 | (2011) Affordable housing thresholds |
| LPP 3.3 | (2011) Increasing housing supply |
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| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 3.8 | (2011) Housing Choice |
| LPP 3.9 | (2011) Mixed and Balanced Communities |
| LPP 4.7 | (2011) Retail and town centre development |
| LPP 4.8 | (2011) Supporting a Successful and Diverse Retail Sector |
| LPP 5.1 | (2011) Climate Change Mitigation |
| LPP 5.10 | (2011) Urban Greening |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.21 | (2011) Contaminated land |
| LPP 6.13 | (2011) Parking |
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| LPP 7.1 | (2011) Building London's neighbourhoods and communities |
| LPP 7.15 | (2011) Reducing noise and enhancing soundscapes |
| LPP 7.19 | (2011) Biodiversity and access to nature |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 7.21 | (2011) Trees and woodland |
| LPP 7.24 | (2011) Blue Ribbon Network |
| LPP 7.3 | (2011) Designing out crime |
| LPP 7.30 | (2011) London's canals and other rivers and waterspaces |
| LPP 7.4 | (2011) Local character |
| LPP 7.6 | (2011) Architecture |
| LPP 7.8 | (2011) Heritage assets and archaeology |
| LPP 8.2 | (2011) Planning obligations |
| LPP 8.3 | (2011) Community infrastructure levy |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |

3 115 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 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.

4 158 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

5 159 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.

6 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.

7 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.

8 121 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).

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).

10 148 Refuse/Storage Areas

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

11 159 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.

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12 160 Cranes

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

13

Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 7, Wind Turbines and Aviation (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

14

New planting should seek to enhance biodiversity, by including appropriate species of known value to wildlife which produce berries and / or nectar. This may include selected native species but should not be restricted to them.

15

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained

(<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>). "The applicant is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team (nick.pogson@canalrivertrust.org.uk).

16

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located in a central position within the designated Yiewsley/West Drayton Town Centre. It is bounded by the Grand Union Canal to its north east and the High Street to the east and south. Bentinck Road is to its west and a 5 storey residential building was recently built to its north. The site is located within a five minute walk of the West Drayton Station, which provides regular overland rail services to London Paddington, with an average journey time of 20 minutes. The site is also within a 3 PTAL area indicating reasonable levels of public transport accessibility.

The site itself has a trapezoid shape and measures approximately 0.2 hectare, and, although it is currently vacant, it formerly comprised a three-storey 1980's brick-built office block and associated car parking. This building was demolished in 2009. Whilst relatively isolated, there are specimen of trees found along the High Street and Bentinck Road frontages which include one white beech with good visual amenity value located in the grass verge alongside Bentinck Road.

The site's immediate context is largely characterised by a mix of development ranging between 3 and 5-storeys in height and incorporating a mixture of retail, office, community and residential uses. Adjacent to the west is Union Wharf, a four storey residential block containing 38 residential flats. Directly opposite the application and beyond the Grand Union Canal, within the site formerly occupied by the Bentley's public house/club, works are currently under way to provide a building comprising 28 new self-contained residential units, and further beyond to the north, is the Morrisons Supermarket.

To the south east by the High Street, the townscape is largely characterised by a mix of retail, office and residential uses; and to the south west beyond Bentinck Road are service areas serving the rear of shops and residential properties along the High Street, and opposite Bentinck Road is the Global House with the Padcroft Works which are substantial office and factory buildings with outline planning permission for comprehensive residential re-development with buildings up to 7 storey high.

The site falls within the Yiewsley/West Drayton Town Centre, and the Hayes/West Drayton Corridor, as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

Planning permission is sought for a mixed-use development providing a total of 51 new residential apartments (22 x 1-bed and 29 x 2-bed), including five affordable units, within a part four part five storey L-shaped block arranged alongside the High Street and the

Grand Union Canal. The scheme would also provide three units with a combined 335m² of commercial floorspace at High Street and Grand Union Canal levels, flexibly designed and capable of accommodating a full range of town centre compatible commercial uses/activities.

The main entrance to the building is positioned to address the High Street while secure car and cycle parking is to be provided on site at ground floor level and to the rear of the site adjacent to Bentinck Road. There are 50 parking spaces, including 5 disabled space, and 4 motorcycle bays, dedicated to the residential units (ratio of 0.98 space per flat inclusive of visitor parking) plus 3 space for the commercial units and 51 cycle spaces. Servicing is entirely accommodated on site. The new access route into the site is to be positioned off Bentinck Road at the south western most edge of the site, located well clear of the junction with the High Street.

The development would have a canal side and upper floor roof terrace amenity spaces of sufficiently large dimensions to be able to offer a range of passive recreational activities as well as a 35m² outdoor siting area alongside the Grand Union Canal for the commercial unit located on the north eastern corner of the proposed building. All but seven of the 51 flats have their own private balcony.

Further detail:

The development comprises a distinct 5-6 storey 'building' with 51 flats. The building is set with an L-shape arrangement addressing the High Street and the Grand Union Canal and backing onto Bentinck Road. The ground floor is level with Bentinck Road and provides car and cycle parking and general servicing to the commercial units and a communal amenity area fronting the Grand Union Canal. The first floor is level with the High Street and provides three commercial units and the main entrance to the block of flats.

The highest part of the building is most appropriately located to the north eastern edge adjacent to the Grand Union Canal and Colham Bridge where it reads as a residential element in scale with adjacent development. To the eastern edge with the High Street, the building is at its lowest height at part 4 part 5 storey which reflects and respects the change in ground levels and the scale of the surrounding context.

The upper floor is proposed with 5 relatively shallow pitched roof profiles orientated towards the canal taking cues from the site's industrial past with the overall built form at roof level set back from the street and canal side edges to reduce the mass of the resulting terrace. The residential units occupy the first to fifth floors and are accessed via a recess fronting the High Street.

The principal communal entrance to the building fronts the High Street and is recessed into the elevation as to create a spacious atrium, which when seen together with the shop front designs and architectural articulation of the elevation itself creates an animated and active frontage appropriate within its High Street context.

In addition, the development proposes to reinstate the Foundation Stone of 1796 for Colham Wharf - Grand Union Canal, which was retrieved upon the demolition of the Harrier House in 2009. The stone remains in place in the brick site boundary wall along the High Street. However, the scheme seeks to incorporate it into the wall adjacent to the main entrance, giving it prominence and maintaining its historic location and context alongside the High Street near Colham Bridge.

Private balconies dominate the canal side frontage as well as the Bentinck Road and

inner facing elevations. Further communal amenity space is provided in the form of a communal roof terrace located on top of the building. The flat and south eastern facing roof slopes of the tallest element of the building will house the scheme's photovoltaic panels.

Communal access is also located at ground floor level to Bentinck Road servicing flats in the block as well as being the primary entrance for residents arriving by car/ bicycle or cycling. The block is also directly accessed via two lifts and a central stair core from the ground level car park. The flats all adhere to the space standards as prescribed in the London Plan Housing Design Guidance.

The residential units are all single aspect and, apart from the 7 flats facing the High Street, each has its own private balcony. The roof is to be a bio-diverse planted roof to which residents will not have access.

Commercial space is provided at ground and first floor level to the north eastern part of the site where the building most closely abuts the High Street with a two level 70m² cafe/ restaurant unit proposed with a 35m² wide seating out area fronting the canal. Two units further south with 160m² of combined floorspace are proposed alongside the High Street. The units are proposed with fascias above for advertisement and glazed shopping frontages.

The Car Park and Service Yard Gated access to the secure car park and service yard is via the south western edge of the site off Bentinck Road. There are 53 proposed car parking spaces of which 50 are dedicated to the residential element and 3 to the proposed three commercial elements. 5 of the spaces are designed to fully accessible standards. The majority of cars are parked under the body of the building with a row of 'outdoor' parking comprising double and triple stackers adjacent to the Bentinck Road edge. This row of parking spaces also contains 8 'stackers'- mechanical parking bays capable of accommodating 2 cars stacked one on the other while 2 triple stackers are proposed adjacent the Union Wharf building. These are mechanically controlled and each space, upper and lower, are able to be accessed independently of each other making for an efficient and effective parking device.

Tracking plans have been provided showing how refuse and other service vehicles can access and manoeuvre within the site, entering and leaving Bentinck Road in a forward movement.

Refuse will need to be manually hauled to the service road from the north eastern corner of the building in order for the refuse service to pick up within the required distance. This can be achieved via the adoption of a dedicated refuse management plan.

Secure cycle stores for 51 bicycles are provided in the southern corner of the site under the body of the building.

3.3 Relevant Planning History

26628/APP/2008/1922 21 High Street Yiewsley

Redevelopment of site to provide 1,472m² of office floorspace and a 46 apart hotel unit scheme (Outline application).

Decision: 14-10-2008 Withdrawn

26628/APP/2009/2284 21 High Street Yiewsley

Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m² of office space and 135 m² restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access)

Decision: 05-01-2010 Refused **Appeal:** 03-12-2010 Allowed

26628/APP/2009/557 Harrier House, 21 High Street Yiewsley

Redevelopment of site for mixed use development comprising a 46 unit apartment hotel, 1.344sq metres of office space, with associated access, car parking and landscaping (Outline application)

Decision: 06-07-2009 Refused

26628/APP/2010/1382 21 High Street Yiewsley

Use of site as a 65 space car park for a temporary period of 2 years.

Decision: 08-09-2010 Approved

26628/APP/2013/2604 21 High Street Yiewsley

Reserved matters (appearance, landscaping, layout and scale) in compliance with conditions 2 and 4 of planning permission ref: APP/R5510/A/10/2130048 dated 03/12/2010 for Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m² of office space and 135 m² restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access).

Decision: 10-12-2013 Approved

Comment on Relevant Planning History

Planning permission reference 26628/APP/2009/2284 was granted in 2010 for a mixed use scheme at the site comprising a five storey building containing a 44-unit apartment hotel over a restaurant/ bar fronting the canal and a 4 storey building comprising 1,320m² of office floorspace. Albeit with an improved design the current scheme has a similar bulk and mass to the this approved scheme.

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.EM3 (2012) Blue Ribbon Network

PT1.EM6 (2012) Flood Risk Management

PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

| | |
|--------|--|
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| SPD-PO | Planning Obligations Supplementary Planning Document, adopted July 2008 |
| SPG-AQ | Air Quality Supplementary Planning Guidance, adopted May 2002 |
| SPG-CS | Community Safety by Design, Supplementary Planning Guidance, adopted July 2004 |
| AM13 | AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes |
| AM14 | New development and car parking standards. |
| AM15 | Provision of reserved parking spaces for disabled persons |
| AM18 | Developments adjoining the Grand Union Canal - securing facilities for canal borne freight |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM8 | Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| 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. |
| S12 | Service uses in Secondary Shopping Areas |
| H4 | Mix of housing units |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE11 | Development involving hazardous substances and contaminated land - requirement for ameliorative measures |
| OE5 | Siting of noise-sensitive developments |
| OE8 | Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE32 | Development proposals adjacent to or affecting the Grand Union Canal |
| BE26 | Town centres - design, layout and landscaping of new buildings |

| | |
|----------|---|
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| S6 | Change of use of shops - safeguarding the amenities of shopping areas |
| R1 | Development proposals in or near areas deficient in recreational open space |
| R17 | Use of planning obligations to supplement the provision of recreation, leisure and community facilities |
| R6 | Ancillary recreational facilities |
| LPP 2.15 | (2011) Town Centres |
| LPP 2.7 | (2011) Outer London: economy |
| LPP 3.10 | (2011) Definition of affordable housing |
| LPP 3.11 | (2011) Affordable housing targets |
| LPP 3.12 | (2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes |
| LPP 3.13 | (2011) Affordable housing thresholds |
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| LPP 3.4 | (2011) Optimising housing potential |
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| LPP 4.8 | (2011) Supporting a Successful and Diverse Retail Sector |
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| LPP 5.10 | (2011) Urban Greening |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.21 | (2011) Contaminated land |
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| LPP 7.19 | (2011) Biodiversity and access to nature |
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| LPP 7.4 | (2011) Local character |
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| LPP 7.8 | (2011) Heritage assets and archaeology |
| LPP 8.2 | (2011) Planning obligations |
| LPP 8.3 | (2011) Community infrastructure levy |

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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th April 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Site Notice: Erected 28th March 2014

Press Advertisement: 28th March 2014

Some 269 neighbouring households, amenity groups, and local businesses were notified of the proposal on 26th March 2014, by the close of the consultation period on 16th April 2014, three objections have been received on the grounds of traffic generation and concerns relating to the impact of too much development in Yiewsley/ West Drayton in general; and threat from further vacant retail units. The members of the Yiewsley & West Drayton Town Centre Action Group indicated their support for the proposed development and the retention of the original foundation stone of 1796 for Colham Wharf within the building's High Street frontage.

Case Officer Comment: The impact to the streetscene and highways and traffic generation are considered in the main body of the report.

ENVIRONMENT AGENCY

No objections to the development subject to sustainable surface water management preventing increased flood risk within the site and elsewhere.

RIVERS AND CANALS TRUST

The British Waterways Board (Transfer of Functions) Order 2012 has substituted references to British Waterways in the Town and Country Planning (Development Management Procedure) (England) Order 2010 to the Canal & River Trust. As such, local planning authorities are now required to consult the Canal & River Trust on applications for planning permission in the same way as British Waterways was previously consulted. In addition, under the British Waterways Board Transfer Scheme 2012 (also made under the Public Bodies Act 2011) all the property of British Waterways in England and Wales has now vested in the Trust.

The Canal & River Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding.

The Trust has a range of charitable objects including:

- To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
- To protect and conserve objects and buildings of heritage interest;
- To further the conservation, protection and improvement of the natural environment of inland waterways; and
- To promote sustainable development in the vicinity of any inland waterways for the benefit of the public.

After due consideration of the application details, the Canal & River Trust has the following

comments to make:

Canal elevation

We had concerns about the previously approved scheme's relationship with the canalside, which has not changed significantly in this application. We do not support the car parking abutting the canal, and feel that this prevents the development from properly integrating with the canalside. The waterside amenity area, bounded by the car park and accessed either through here or via an indirect route down narrow stairs and a lift from the floors above, makes it feel like a 'back yard' space, that seems unlikely to be well used.

We do acknowledge the improved relationship between the canal and the cafe at both road and canalside levels, which is beneficial and will provide some animation to the canalside. However, we consider that the sitting out area could utilise more of the canalside amenity space, or be shared with the flats, to make better use of this area and provide

The treatment between the canalside space and the car park area is not clear. We would like to see further details of this, and suggest a condition below.

Landscaping

We note that the previous wrought iron screen that was proposed between the canalside amenity area and the car park has been amended to a brick wall. We would recommend that this be planted to soften its urban appearance.

We would query if the timber decking is the most appropriate material adjacent to the canal, as this can become slippery if not properly maintained. The appeal decision required a waterway wall survey be carried out, and this and any associated repairs should be carried out prior to the area being landscaped, especially if this does involve decking, as it will be subsequently more difficult to maintain the wall.

We would like to see further details of lighting of the canalside elevation - no lighting should spill over the waterpace, which can adversely affect bats using it as a feeding corridor.

Sustainability

The Canal & River Trust encourages the use of the canal water for heating and cooling, and we note that the design and access statement refers to a heat pump using the canal. This heat exchange technology offers significant savings on energy costs and is a sustainable solution to power heating and air cooling units. For more information please see the attached fact sheet.

We would welcome the incorporation of brown or green roofs, and bat and bird boxes.

Offsite contributions

The proposed development would bring additional people to the area who will be keen to make use of the Grand Union Canal and its towpath as a convenient walking and cycling link, but also for everyday amenity use. While we support increased access to this resource, we would request appropriate mitigation towards the increased use of the towpath and canal environment, such as upgrading of the towpath, through a S106 agreement. We consider that a contribution of £40,000 would be appropriate to mitigate the development, which we would hope to pool with other funds as part of a larger project of works. We are also working towards a waterspace strategy for the Grand Union Canal within LB Hillingdon, as supported by the Hillingdon Canal Partnership, and the Council Leader. This will help direct appropriate canal works within the borough, to allow local communities to derive more benefit from this valuable asset. The previously approved scheme at this site was required to make a S106 contribution towards this, and we would support the current proposed development doing the same.

If the Council is minded to grant planning permission, it is requested that the following conditions

and informatives be attached to the decision notice (in addition to a S106 contribution as described above):

Conditions

1. Prior to the commencement of development hereby approved, full details of the proposed screening between canalside amenity space and car parking shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The landscaping shall be carried out in accordance with the approved details.

Reason: To improve the appearance of the site when viewed from the waterside.

2. Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with the Canal & River Trust. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

Reason: To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the Navigation.

3. Prior to the commencement of development hereby approved, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

Reason: To encourage the use of the canal for transporting waste and bulk materials in accordance with the London Plan.

4. Prior to the commencement of development hereby approved, full details of the proposed hard and soft landscaping scheme for the waterside area shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The landscaping shall be carried out in accordance with the approved details.

Reason: To improve the appearance of the site when viewed from the waterside and to enhance the biodiversity of the area. Earthworks and associated landscaping also have the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for any planting.

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

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

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

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

Informatives

1. The applicant/developer should refer to the current "Code of Practice for Works affecting the

Canal & River Trust" to ensure that any necessary consents are obtained(<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>).

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

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

In addition, in order for the Canal & River Trust to monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of the previous planning obligation.

Case Officer Comment: The comments and requests of the Canal and River Trust have been taken into account and the screening and planting proposed between the parking area and the canalside amenity area has been improved and where appropriate, conditions have been imposed. The monetary contribution agreed with the developer towards improvements to the canal matches the contribution that was considered acceptable in the previous scheme.

Subsequent comments received from the Canal & river Trust:

We would be happy to accept the £20,000 S106 you have negotiated, which would go towards enhancements to the canal environment in the vicinity.

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS has no safeguarding objections to the proposal.

BAA

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

NATURAL ENGLAND

Thank you for your consultation on the above dated 26 March 2014 which was received by Natural England on 26 March 2014. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. The Wildlife and Countryside Act 1981 (as amended)/The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections.
Statutory nature conservation sites - NO OBJECTION

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected

species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

MINISTRY OF DEFENCE

No objections to the development.

THAMES WATER

No objection.

Internal Consultees

HIGHWAYS OFFICER

Site and Transport Network

The quantum of the development as provided in the Transport Statement is to develop the site into 51 flats (29x2 bed flats and 22x1 bed flats), c.130 sq.m cafe, and c.152 sq.m retail.

The site benefit from an existing planning permission for the construction of a 44 unit apartment hotel with 1320 square metres of office space and 135 square metres of restaurant/bar all with 35 car parking spaces.

The site is a corner plot, located on the northern side of the junction of High Street and Bentinck Road, located within the ward of Yiewsley. The area surrounding the site is a mixture of commercial and residential properties.

West Drayton rail station is located nearby to the southeast of the site and the location is served by 5 bus services. The station forms part of London's Crossrail route, which is planned to be operational in 2018. The station will therefore in future benefit from improved public transport, reduced travel times and improved rail connections with access to central and east London. The site has a PTAL rating of 3 (moderate), which would increase in future once the Crossrail is in operation.

In terms of the road network in proximity to the site, to the east is High Street, which is a Classified Road and is also designated as a Local Distributor Road within the Hillingdon Local Plan part-2. High Street provides access to the A408 and in turn the M4 and M25. Bentinck Road is one-way from its junction with High Street towards Tavistock Road. Bentinck Road, Tavistock Road, and other connecting roads are local access roads.

The site benefits from an existing vehicular access along Bentinck Road, which provides access to a disused parking area. There is also another vehicle crossover along Bentinck Road for a single parking space.

Traffic Impact

The sample sites chosen in the Transport Statement to estimate trip generation include a mixture of Inner London and Outer London sites. The sample as a whole is not considered to be entirely comparable with the application site to provide a robust estimate of the development's trip generation. Notwithstanding this, considering the size of development, on its own, it is not considered to result in a significant traffic impact on the surrounding road network.

Notwithstanding the above, the estimated daily trip generation for 51 flats is reported to be 261 two-way trips (136 in and 125 out). In that, the car driver trip generation is estimated to be 38 two-way (20 in and 18 out), including 5 morning peak and 5 evening peak car trips.

Accident Analysis

The applicant has not provided an assessment of the recorded road collisions in the surrounding area. However, an analysis of the recorded road accidents over a period of 3 years to 31st May 2012 was provided with the approved Padcroft development. The analysis showed that during the aforementioned three years period, there were a total of 47 collisions in the study area resulting in 52 casualties. The collisions included 1 fatal, 6 serious, and 45 slight injury accidents.

The fatal accident occurred in October 2011 and is reported to involve an elderly pedestrian crossing the road at a crossing without looking properly and not using the crossing properly. Overall the pattern of collisions was not found to have any common issues in connection with road

layout and/or vehicle speeds.

Access and Layout

The primary pedestrian access to the development will be gained from the High Street.

The existing access located at the north western side of the site along Bentinck Road will be retained. The layout of this access is required to be amended to accommodate swept paths for 7.5T delivery vehicles, which is particularly relevant for the proposed non-residential elements of the development.

This access will operate as the only vehicular access for the development with right in and right out manoeuvres. Adequate pedestrian visibility splays and sightlines will be provided, which are required to be maintained thereafter.

Layout of the access, including kerb details, signage, road marking, and visibility splays should be covered by way of a suitable planning condition.

The redundant second vehicular access along Bentinck Road should be stopped up and the footway reinstated. This should also be covered by way of a suitable planning condition.

A pedestrian refuge will be provided adjacent to the vehicular access. Surface car parking will be provided, which will be partly undercroft laid out as a shared surface area.

Parking

Servicing: A loading/unloading space is provided within the site.

Car parking: A total of 53 car parking spaces are proposed for the development. Based on the swept paths provided by the applicant, a number of parking spaces would have substandard turning space and therefore would require several back-and-forth vehicle movements in order to access and egress the parking spaces. Notwithstanding this, overall the parking ratio is considered to be acceptable.

The allocation of the parking spaces should be based on 1 space per retail unit and the remaining 50 spaces being allocated to the residential element. Alternatively, the parking allocated should be based on 1 space flat and the remaining 2 spaces being allocated for the non-residential element of the development.

Cycle parking: A minimum of 54 covered and secured cycle parking spaces should be provided with 51 spaces for the residential element and 3 spaces for the non-residential element to be allocated to individual units.

Motorcycle parking: A minimum of 3 spaces should be provided for motorised two-wheelers.

Construction Traffic

In case of any permission, a Construction Logistics Plan can be secured by way of a planning condition or s106 agreement. This should include (but not limited to):

Construction traffic generation by development;

Access routes;

Contractor parking;

Deliveries to avoid highway network peak hours and traffic sensitive hours;

Construction staff travel plan

Measures to manage localised priorities

Travel Plan

The applicant has not provided a Travel Plan. However, the Travel Plan can be secured and maintained through a planning condition and/or s106 agreement, as appropriate.

Conclusion

Subject to the issues discussed in the comments above being adequate covered by way of planning conditions/S106 agreement; no objection is raised on the transport aspect of the development.

Officer Comments: All issues raised by the highways engineer have been addressed by way of amended plans, conditions and a legal agreement.

SUSTAINABILITY OFFICER

I have no objections to the proposed development subject to it proceeding in accordance with the submitted details.

I also support the contribution for canal side improvements and expect these to encompass ecology improvements.

In addition, can you put the following condition on any subsequent approval:

Ecology Comments

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

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

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

ECOLOGY AND DRAINAGE

The site lies in Flood Zone 1, therefore I am happy that the Flood Risk Assessment demonstrates that water will be controlled on site to green field run off rates and therefore will recommend the following 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 produced by EAS dated the 3/02/2014 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 National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

The site also lies adjacent to the canal and any landscaping must be sensitive to the surrounding environment of the canal and soften the impact of the building, but im sure Rob and or Sarah will cover this, however I can't see a cross section of what they are doing which would make it clearer about the treatment of the canal, and area adjacent to it in terms of landscaping.

Case Officer Comment: A condition has been imposed requiring details of the landscaping proposed for the canalside amenity area be submitted to and approved by the Local Planning Authority.

ENVIORNMENTAL PROTECTION UNIT

Comments below with regard to air quality and land contamination. No information was submitted with regard to land contamination. They both need consideration as a number of new sensitive receptors are being introduced to the site.

Air Quality

The proposed development is within the declared AQMA and in an area which may be at the European Union limit value for annual mean nitrogen dioxide (40.0 mg/m³). Air quality modelling undertaken by CERC for Hillingdon for 2011 indicated, at the worst location on site, NO₂ was at 45.6 mg/m³, with all areas of the site above 40 mg/m³. It should be noted the air quality modelling may be slightly overestimating in the vicinity of this site due to some overlap of sources including the railway. The background air quality in the area is probably in the low 30s, however as the site is immediately adjacent to the High Street, there is a strong possibility NO₂ levels at the facade of the building nearest to the High Street, on all sides could exceed 40 mg/m³ on the lower floors.

The air quality assessment appears to be quite conservative in its approach, and indicates quite slow moving traffic on the High Street for modelled year 2012, chosen as there is also monitoring

data available for this year. Only receptor locations facing the High Street have been considered. The assessment indicates exceedance of the EU limit value on the first two levels of the building, one of which is indicated to be residential. The modelling indicates NO₂ levels on the ground floor to be over 50 mg/m³ and on the first floor to be over 40 mg/m³. The report recommends mechanical ventilation to reduce the need to open windows, especially those facing the High Street. The air intakes should be located away from local pollution sources. The assessment does not clarify where the cleaner locations are likely to be, other than it should be higher up and away from the High Street, and it is assumed this includes any flues and air outlets/exhausts from the development site and other nearby buildings. It is noted there are no balconies facing the High Street, and we would support this approach.

The Energy and Sustainability Statement indicates a CHP is not proposed for the development due to insufficient space, and biomass was ruled out on air quality grounds. Only 2 points is indicated as being picked up for the reduction in NO_x emissions. A Class 5 boiler is indicated for each dwelling, which appears to indicate NO_x emissions of up to 70 mg/kWh. It should be noted there are boilers on the market that can achieve much lower NO_x emissions. Given the nature of the development it is recommended that NO_x boilers with less than 40 mg/kWh are used. Could they please clarify NO_x emissions and the number of points to be picked up with regard to NO_x?

Air Quality 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 NO_x 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.

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

The proposed Transport Assessment indicates 42 car parking spaces. There also appears to be cycle stores/parking on site. The access to public transport is mentioned along with a reference to a Framework Travel Plan. It is recommended any planning permission should include a green travel plan condition or s106 agreement to address this.

Land Contamination

No information with regard to land contamination has been submitted with the application. Previous applications for this site included desk top study information which noted the site was a former 'oil works' and there were no known ground investigation at the site. Ordnance Survey historical maps show an unidentified 'work' on site, prior to the office development. It recommended an intrusive investigation be undertaken to ensure appropriate development and also in relation to ground contamination.

The standard contaminated land condition and imported soils condition are recommended. The latter is particularly relevant as roof gardens are indicated.

Further to memo below, please see comments regarding the Geo-environmental report by WDE Consulting dated April 2014. It is still advisable to include the contaminated land condition and soil condition in their entirety, although the submitted information mostly covers (i)(a) and (b) of the contaminated land condition, they can always resubmit this when they provide the information still required to satisfy the pre-commencement part of the condition ((i)(a), (b), and (c)).

The contamination part of the ground investigation consisted of the following:

- 6 window sampling locations down to 2 metres (BH1-BH6)
- 2 ground water monitoring well installations down to 15 metres (MW1 & MW3)
- 1 ground water monitoring well installation down to 8 metres (MW2)

Seven soils samples from various depths were tested for the standard suite of contaminants. TPH (total petroleum hydrocarbons) and PAH (polycyclic aromatic hydrocarbons) hot spot was identified in shallow soils at BH3 (depth of contamination not clear, but does not appear to have shown up in the groundwater which at it's shallowest appears to be around 5 metres below ground level). It is likely there may be some gas generation in the vicinity of the contamination, however the two boreholes where one round of gas monitoring has been undertaken does not appear to be in this area.

No free product was identified in the ground water monitoring wells. Some low levels of groundwater contamination (trichloroethene and 1,2,4 trimethylbenzene) were identified in a couple of groundwater monitoring wells. The source of this contamination is unclear.

The report recommends a remediation strategy needs to be provided to address the hydrocarbon contamination hot spot. Risk from ground gas is considered low. However, only one round of ground gas monitoring appears to have been undertaken, in two out of the three wells and it was not under worst-case scenario conditions (low and/or falling pressure). Gas flow rates were low and negative.

Could they please clarify if further groundwater and ground gas monitoring has been undertaken at the site or if further investigation works are planned for the site? Any additional site investigation and watching brief/discovery strategy to address previously undiscovered contamination (it is possible there are decommissioned tanks on site, as there were on the site next door) needs to be included in any remediation strategy. It would also be helpful if they could clarify the final foundation design for the development as well.

NOISE

With reference to the below planning application I have reviewed the noise report by NSL report no: BS33622/PNA/Rev A, and my comments are as follows:

I agree with the report that required internal noise levels can be achieved using suitable glazing and ventilation scheme, however, the report states the exact glazing and ventilator selection will be provided during detailed design stage. It is therefore recommended the following condition is attached to provide and agree with the local planning authority the proposed glazing and ventilator specifications before the premises are occupied:

1. Development shall not begin until a scheme for protecting the proposed development from road and rail traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

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

In addition to the above, I also recommend the following conditions:

2. Sound insulation /mitigation

The development shall not begin until a scheme for the control of noise transmission to the adjoining [dwellings] [premises] has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

3. Noise affecting residential property

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

The Control of environmental nuisance from construction work informative is also recommended.

URBAN DESIGN OFFICER

This was an application for a development originally won on appeal, in which the Inspector nevertheless allowed scope for a redesign of elevations and a reconsideration of materials. Although the new developers and architects have stamped their own interpretation on the scheme, they have nevertheless been open to discussion on how it could be amended to allow it to relate better to its context in scale and appearance. Following a number of meetings and e-mailed alterations, the scheme is considered acceptable.

RECOMMENDATIONS: Acceptable

HOUSING SERVICE

In line with the Local Plan part 1 we would seek a minimum of 35% affordable housing on this site. The development does not include and 3 bedroom homes, the demand for 3 bed homes is noted in the HMA and local plan that 70% of affordable homes should be 2 & 3 bed family homes as this is a high street location a high proportion of larger 3 bed units is not sought but the affordable element does need to include some to meet local demand.

The development includes 6 wheelchair units to meet the 10% requirement but these are all 1 bed units, locally we have an equal demand for 1 & 2 bed wheelchair units and would like to see some 2 bed wheelchair units included. The identified wheelchair units flats 4/5//13/14/24/25 are quite tight at 51.1 sqm and flats 2/10/11 one beds at 56.7 sqm appear more suitable, flats 3//11 and 22 at 81 sqm are suitable for 2 bed wheelchair accessible flats.

Calculating the affordable rooms on a habitable room basis 35% = 46 habitable rooms. Our preferred mix on this scheme would be:

| | |
|--|--------------|
| 5 x 3 bed 5 person units | 20 hab rooms |
| 6 x bed 4 person units (including 2 x WCU units) | 18 hab rooms |
| 4 1 1 bed 2 person units (including 2 x WCU units) | 8 hab rooms |
| Total: 46 hab rooms | |

The London Housing Strategy preferred split for housing tenure is 60:40 with 60% provided as affordable rent homes and 40% intermediate homes providing flexible home ownership.

The amenity space provided is all balconies or roof garden and a play area would be required.

Case Officer Comment: The applicant submitted a viability appraisal in support of the application with financial details justifying the provision of five affordable units. In this case there are exceptional development costs associated with piling next to the canal, drainage, specialist reinforcing, external works and car stackers that add significantly to normal building costs and justify provision of affordable housing at a reduced level.

S106 OFFICER

S106 Contributions Sought

1. Affordable Housing Review Mechanism

2. Highway works

- S278/S38 if required

- Travel Plan including £20,000 Bond

3. Education: £123,825

4. Heath: £216.67 x 76.72 = £16,622.92

5. Construction Training: Training Costs: £2500 per £1m build cost + Coordinator costs: 51/160 x £71,675

6. Air Quality Monitoring - £25,000

7. Project Management & Monitoring Fee: 5% of total cash contributions.

All calculations are based on formulas contained within Hillingdon Council's Planning Obligations Supplementary Planning Document July 2008.

TREES AND LANDSCAPING

Landscape Character/Context: The site was occupied by an office block which was demolished and has lain vacant since 2009. It is situated in a prominent town centre location at the interface between the High Street and the Grand Union Canal. Situated to the south-west of the road bridge and canal, there are a number of recent tall buildings to the east and west of this plot and under construction to the north of the canal.

The site fronts onto the canal and High Street and vehicular access is via Bentinck Street to the south, a road characterised by industry at the east end which becomes residential to the west.

There are no trees or other landscape features of merit within the site. Changes of level across the site are most notable on the east side against the High Street where the road rises to the north as it approaches the road bridge over the canal.

Proposal:

The proposal is a new scheme to erect a part 4, part 5-storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and three ground floor retail units, Use Class A1 (217sqm) with 47 car spaces, 4 motorcycle spaces and 52 cycle parking spaces, communal and private amenity areas and landscaping works. - A previous proposal, ref. 2009/2284, was approved by the Planning Inspector in December 2010.

Landscape Considerations:

Saved policy BE32 seeks to secure and enhance the role of the canal and its immediate surrounds as a wildlife corridor and a site for environmental improvements. 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 application is supported by a Design & Access Statement, prepared by Lewandowski Willcox, which explains the history of the site and the design evolution.

· While the D&AS makes no specific reference to the landscape masterplan or specific objectives for the site, the drawings include illustrations of the site enhanced by hard and soft landscaping. The concept and areas secured landscaping appears to be consistent with the previously approved

scheme.

- The layout of the current proposal is similar to that of the previously approved scheme, an approximately 'L'-shaped building which wraps around the north and east boundaries, leaving courtyard space for parking and vehicular access from the south / Bentick Road frontage.
- LW drawing No. 2281_PL_209 Rev 00, Level 0 floor Plan, shows indicative hard and soft landscaping alongside the Grand Union Canal and along the southern boundary with Bentick Road.
- LW drawing No. 2281_PL_204 Rev 00, Level 5 Floor Plan, indicates the proposal for an intensive green roof (that is to say, a roof garden) for the use by, and enjoyment, of residents. This will occupy the south-east corner of the site and extend along the east boundary.
- LW drawing No. 2281_PL_270 Rev 00, Amenity Areas, highlights and quantifies the two areas set aside for the site users, namely the canal frontage and the roof garden.
- 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.
- Landscape details should include details of levels, hard and soft landscape materials, car/cycle parking, refuse management, roof gardens, canalside planting and boundary treatments.
- A robust landscape management and maintenance plan will be required to ensure that all landscaped areas properly established and maintained following completion.

Recommendations: No objection subject to the above observations and conditions COM6, COM7, COM9 (parts 1,2,3,4,5,4 and 6).

Informative

- New planting should seek to enhance biodiversity, by including appropriate species of known value to wildlife which produce berries and/or nectar. This may include selected native species but should not be restricted to them.

Amended Comments:

Richard Henley's email of 14 May 2014, clarifies the situation regarding the 2No. off-site trees, Sorbus aria (Whitebeams) situated in the Bentick Road verge. These trees are on adopted highway land, but fall within the freehold/red line of the site. The developer proposes to retain these trees, one of which, in particular, is a fine specimen. Together they make an important contribution to the character and appearance of the street.

The root protection area (RPA) of these trees extends within the site. However, due to the presence of the brick boundary wall (foundations) and concrete slab within the site it is likely that the roots have been contained within the soft verge between the back edge of the footway and the boundary wall.

Any demolition (of the concrete slab and wall) and construction work associated with the new boundary treatment will require extreme caution and supervision on site by a suitable arboriculturalist.

Prior to the commencement of work on site, suitable tree protection measures and a working method statement should be submitted for approval by the local planning authority. Conditions COM8 and COM10 should added.

ACCESSIBILITY OFFICER

The site is located close to West Drayton station and is considered to have good public transport accessibility. Access for vehicles onto the site would be from Bentinck Road. 42 car parking spaces are proposed of which five would be designated for use by disabled people. It is understood that two passenger lifts would provide access from level 0 and level 1 to the floors above. It is further stated within Design & Access Statement that all 51 of the proposed residential unit would meet the

Lifetime Home Standards, with six units meeting the Wheelchair Home Standards as specified in the Council's adopted Supplementary Planning Document 'Accessible Hillingdon'.

The Design & Access Statement confirms that entrances would have an approach gradient not exceeding 1:60 with a common pathway no less than 1800 mm wide. Whilst the proposed development demonstrates good potential to be fully accessible, further information is required as detailed in the following observations:

1. The undercroft car park should ensure a vertical clearance of no less than 2.2 m to allow for high sided accessible vehicles. Details of the same are requested.
2. A minimum of one bathroom in each of the proposed dwelling flats should be designed to meet the specifications detailed in the Supplementary Planning Document referred to above. To this end, a minimum of 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
3. The bathroom design within the wheelchair home standards units should be redesigned to meet the wheelchair home standards. Further details can be obtained within the Council's adopted Supplementary Planning Document, entitled 'Accessible Hillingdon'.
4. To allow all 51 flats to provide for a wet room in future, a minimum of one bathroom in every flat should specify floor gully drainage. Plans should be amended accordingly.

Officer comments: The application has been amended as per the Accessibility Officer requests and therefore the imposition of the recommended condition is no longer required.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The subject site has an area of approximately 1,887m², and comprises a vacant plot of land covered by broken hardstanding. A dwarf wall forms the eastern and southern boundaries of the site but, as there is no landscaping, the site has an open, bleak and un-welcoming appearance.

The National Planning Policy Framework (NPPF) 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". In paragraph 23 the NPPF seeks to ensure that Local Authorities positively promote competitive town centre environments and actively seek to manage the growth of town centres while Policy 2.15 of the London Plan requires that proposals sustain and enhance the vitality and viability of the centre and remain the main focus for commercial development and intensification, including for residential development. 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 proposal make optimum use of the site with housing that is mindful of the local context and its location.

At the local level, in terms of specific housing policy, Policy H4 of the UDP (saved policies) 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 requirement to provide a mix of housing refers to the provision of different types and sizes of housing and states that one or two bedroom residential units will be preferable within town centre.

This proposal seeks the comprehensive redevelopment of the application site with a residential led mixed use development comprising a total of fifty one 1 and 2 bedroom flats.

The building, as proposed, is a part four, part five storey building with main frontages to the High Street and the Grand Union Canal. The development seeks to provide 22 one-bedroom flats and 29 two-bedroom flats with communal amenity space provided in the form of a roof garden and a ground floor amenity area laid out alongside the Grand Union Canal. Three commercial units comprising 217m² of net tradable floorspace are proposed at High Street level with the north eastern most commercial unit being split over two floors with a canal side sitting out area. The scheme seeks to provide a total of 3,286m² of residential floorspace and the building's massing drops in a north south direction. The associated car park and servicing area is accessed from Bentinck Road with the access running at right angles to this road.

Previously, planning permission was granted for a mixed use scheme at the site comprising a five storey building containing a 44-unit apartment hotel over a restaurant/bar fronting the canal and a four storey building comprising 1,320m² of office floorspace. It is understood that the combined office and hotel scheme will not come forward as the development has become unviable due to unforeseen circumstances.

The current application scheme seeks to put forward a viable option for the site and, given the site's location within the Yiewsley /West Drayton Town Centre, this proposal would fully accord with the aforementioned policy and guidance for this site. Furthermore, in land use terms, the application would be welcome in principle as it seeks permission for a scheme that is capable of being delivered, which will ensure that this prominent but vacant and unsightly site is developed.

As such, the proposed scheme for a residential led, mixed use, comprising 51 self-contained flats and three commercial units within the application site is considered acceptable in principle in land use terms, subject to compliance with other relevant planning policies and all the national considerations. It is considered that the National Planning Policy Framework and Local Development Framework would be permissive of this development which would enable the provision of a desirable use from within this site located within a developed area. Furthermore, it is considered that the presence of the proposed residential uses within this site, in the terms proposed, would ensure there is a healthy mix of housing provided within the Borough, in accordance with the National Planning Policy Framework requirements.

7.02 Density of the proposed development

The scheme would achieve a residential density of 265 dwellings per hectare (652 habitable rooms/ ha) which would be in excess of the range of 70 to 170 dwellings per hectare (200 to 450 hr/ha) recommended in the London Plan for urban areas with a moderate PTAL (3) level.

However, it is worth noting that Public Transport Accessibility Levels (PTAL) for the location falls within the medium range (level 3) but is 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 addition, whilst the proposal might be over the required density ranges, density is only an indicator of the acceptability in comparison to its surroundings. 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.

Moreover, the site was previously granted permission for a 44-unit apartment hotel plus office and is located in an area of mixed character within Yiewsley, with residential, commercial 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 major town centre qualities and lies in very close proximity (within 100 metres) of the West Drayton British Rail Station where much higher densities would normally be expected.

In this instance, whilst 51 residential units are proposed within the site, the overall density of development is not considered excessive and in this respect, the development would not be out of character with the immediate or wider surrounding area and would accord with adopted policy in other respects.

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

Not applicable to this application.

7.04 Airport safeguarding

All relevant authorities have reviewed the applications and no objections in relation to airport safeguarding are raised.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The existing site, which was previously occupied by Harrier House, occupies a prominent site on the north western corner of the High Street with Bentinck Road and benefits from a privileged location with triple frontages, which includes an unobstructed frontage to the High Street and outlook to the Grand Union Canal. Although the site is located in such a prominent position within the town centre as it is vacant and relatively unkempt, in its present condition, it leaves an unsightly gap in the streetscene and, as such, it is not considered to be of any merit to the area. Therefore, there is no objection in principle to its re-development, subject to the proposed building being of suitable townscape quality.

The applicant has prepared a Design and Access Statement that provides a descriptive assessment of the built character of the area and how the scheme responds to this. These demonstrate how the applicant has analysed the site and its context and has sought to produce an urban development that performs its role within the West Drayton/Yiewsley town centre while respecting neighbouring uses and providing good quality residential and commercial accommodation. The development has three distinct aspects that, in terms of height and massing, specifically relate to the immediate surroundings with the taller elements at five storeys being located alongside the canal; the lowest element, at four storeys, to the High Street where it is positioned alongside the rise to Colham Bridge; and a service/ parking area with access to the secondary frontage of the site adjacent to Bentinck Road. All units are designed to Lifetime Homes standards and to meet the requirements set out in the Accessible Hillingdon Guidance and Accessible Hillingdon Wheelchair Standard Homes Guidance.

The scheme is designed to follow the morphology of the land and steps down in mass and height in a north-south direction and places the larger five storey element of the building to the north of the site and the smaller four storey bulk to the south corner. The top floor of the building is to be set back from the buildings High Street frontage to lighten the top of the building and further reduce its prominence in the streetscene. The proposal has also introduced a communal amenity area within the roof space and a combination of screening and landscaped area between the building and the canal towpath, which

obscures the parking court from view and the Canal and River trust have raised no objection over the proposed impact to the canal side.

The currently proposed building is considered to offer a more appropriate design solution than the previously approved combined 44-unit apartment hotel and office scheme, with a residential approach that, in design terms, is mindful of its industrial past and of its immediate setting whilst presenting a sensitively balanced vertical and horizontal emphasis throughout its High Street frontage, which adds rhythm to this frontage and breaks up its mass. The main entrance to the building with access proposed from the High Street due to its recessed design, double height and central position in between the commercial units provides clear legibility whilst complying with secure by design principles.

In this respect the scheme shows sensitivity to the broad pattern of development in the area and addresses adequately the junction of the High Street with Bentinck Road with its prominence located towards the eastern and northern sections of the site.

The car parking, accessed from and at Bentinck Road level, is considered generally satisfactory although there is some concern that the final appearance of the scheme when viewed from public vantage points will be dominated by the access road and parking area. In order to address these concerns, the applicant proposed to erect a three metre high wall and to retain a cluster of existing trees whilst improving the existing landscaped area around these trees. The wall would be set back at an angle from the Bentinck Road boundary and this will ensure that the parking area is effectively screened from views from Bentinck Road while the planting will soften the appearance of the solid wall. A condition is recommended to that effect.

The submitted drawings indicate a mix of light and blue grey brick combined with a white render and standing seam roof will give the scheme an acceptable contemporary appearance in keeping with the character of the area generally. The final choice of facing materials will be controlled by planning condition.

It is therefore felt that the proposed building with its contemporary influenced design with curved corners at both High Street ends and its two shades of brickwork and combined white render, would be both distinctive and attractive, and enhance the streetscene. Although generally higher than the adjacent 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 the High Street, 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. The development is considered to comply with Policies BE13, BE19, BE32 of the Hillingdon UDP and Policy 7.30 of the London Plan (July 2011), in this instance.

7.08 Impact on neighbours

The scheme is part four storey part five storeys in height and the main bulk and massing of the building is proposed within the northern and eastern parts of the application site, in a section of the site that is adjacent to the residential flats within the Union Wharf, the High Street and the Grand Union Canal. As such, it is unlikely that a development scheme of this scale would have no impact on adjoining properties.

However, the site is located within the Yiewsley/ West Drayton Town Centre and it is

considered that the building has been carefully designed to ensure that there is no unacceptable loss of light or outlook and there is minimal overlooking from windows.

The building is typically orientated towards the Grand Union Canal, the High Street and Bentinck Road with balconies alongside the canal and inner elevations to Bentinck Road. The nearest residential properties are therefore located within the Union Wharf which is adjacent to the north west with further residential development, currently under construction, on the opposite side of the Grand Union Canal.

In terms of impacts on the amenity of neighbouring properties, given the proximity of this development to the adjoining Union Wharf there is the potential that occupiers of this building may be impacted upon by this scheme. However, given the proposed building steps back from the adjoining boundary and does not have any habitable windows facing towards the Union Wharf. It is not considered that the scheme, in terms of outlook, privacy or daylight/ sunlight, will impact unreasonably upon the internal living environment of adjoining residents, in this instance.

The proposed development would also be set some 22 metres at its nearest point from the rear elevation of the building (28 flats), which is currently under construction, in the former Bentley's site opposite the Grand Union Canal. This is considered a sufficient distance to ensure that the amenity of neighbouring occupiers would not be unreasonably affected by reason of loss of outlook, loss of daylight/ sunlight or undue overlooking.

As aforementioned, there is also residential accommodation above the High Street commercial units beyond Bentinck Road and within Ashley Court, which is a 4 storey block of flats to the east of the application site on the opposite side of the High Street. However, this is residential accommodation set beyond existing roads and surrounded by other residential development. In addition, these residents are at a minimum 14 metres distance from the proposed building and, as such, it is not considered that the scheme, in terms of outlook, privacy or daylight/ sunlight, will impact unreasonably upon the internal living environment of these residents. This relationship is identical to that which currently benefits from consent.

Furthermore, the scheme, in terms of height, proximity and relationship with surrounding residential development is not materially different from the previously approved 44-unit apartment hotel and office scheme and therefore it is considered that there will be no undue loss of light, privacy, or outlook from, these properties as a result of the erection of the new building.

For the reasons given above, it is considered that the proposal would ensure that neighbouring amenity would be protected and, as such, the scheme is considered to be in accordance with Policies BE19, BE20, and BE21 of the UDP.

7.09 Living conditions for future occupiers

Amenity of future occupiers

Given the separation distances provided between buildings, it is considered that the proposal ensures sufficient privacy, outlook and light to each property.

The original proposal created an issue of loss of privacy between the corner inner facing flats, which was replicated through each floor of the building. In order to overcome this overlooking between the proposed flats, the applicant has submitted amended plans showing a splay to the corner with a privacy screen being provided to ensure no loss of

privacy would occur between the flats. A condition is recommended requiring full details of the proposed measures for the proposed privacy screens and requiring further physical measures to mitigate potential overlooking between the inner facing balconies and flats. Subject to the privacy condition, it is not considered that the proposed scheme would be detrimental to the amenity of future occupiers as to warrant withhold of planning permission, in this instance.

Internal layout

Apart from unit 50, which has a minor 2m² internal floorspace shortfall the residential units, when assessed against the internal floor standards in London Policy 3.5 (table 3.3) and Lifetime Home standards, would satisfy those standards. The flats are also considered to be acceptable in terms of their outlook, light and ventilation. Overall, the standard of accommodation proposed is deemed to be appropriate and acceptable, in line with planning policy.

Amenity Space

The NPPF requires all new housing proposals to provide adequate amenity space in relation to the scale of the proposed development for general townscape, landscape and amenity purposes. The Hillingdon Design and Accessibility Statement SPD specifies guidance for minimum (outdoor) amenity space standards. Paragraph 2.14 of HDAS advises that for 1 bedroom 20m² of amenity space is required while 25m² will be required for 2 bedroom flats and, on this basis, a total of 915m² of amenity space would be required, while 1.165m² is provided. Therefore, the total amenity space for the site exceeds the requirements of the HDAS Residential Layouts and is in accordance with Policy BE23 of the Hillingdon Local Plan: Part 2 Policies.

Notwithstanding this, the development also provides each dwelling fronting the canal and Bentinck Road with full width balconies ensuring that a total of 670m² private amenity space is provided to 42 of the 51 flats proposed.

It is noted that the development does not include a children's playspace and the incorporation of such playspace was not feasible due to compelling material planning considerations. Notwithstanding this, a new children's publicly accessible children's playspace is due to be provided in the central public space of the re-development at Padcroft Works. This space would be within 100 metres of this development and accordingly adequate provision will be available within the area.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposal for the site comprises predominantly one and two bedroom flats within a town centre location with a PTAL score of 3. The scheme includes a total of 53 parking spaces, 50 of which will be reserved for the exclusive use of residents while 3 of the remaining spaces would be allocated to the commercial units. This level of parking provision, to serve 50 residential units and the three commercial units, is considered acceptable. The scheme includes an area dedicated to servicing within the open parts of the parking area just opposite the site access with Bentinck Road. Therefore, the development is considered to comply with Policy AM14 of the Hillingdon Local Plan: Part 2 Policies.

The scheme also includes satisfactory provision for the storage of cycles and motor cycles. Therefore, the proposed development is in accordance with the adopted Parking Standards, Policy AM9 of the Hillingdon Local Plan: Part 2 Policies and Policy 6.9 of the London Plan (July 2011).

The transport assessment that accompanied the application demonstrates that whilst there would be a small increase in peak period vehicle trips to the site, this would not have any material impact on the local highway network. The Council Highways Engineer has reviewed the information submitted in support of the application and has advised that traffic generation is unlikely to be significant taking into consideration that there were previously offices within the site. Therefore, the development is considered to comply with Policy AM2 of the Hillingdon Local Plan: Part 2 Policies.

The vehicular access details include visibility splays to either side of each proposed access but a condition is included requiring full details of the new access and no obstructions within the splays more than 600mm in height above the adjoining highway.

The Highways Engineer has also indicated that a number of parking spaces can be difficult to access by large vehicles. However, the proposal is for 51 flats while 50 parking spaces are proposed for the flats, together with three spaces for motorcycles and stores for 51 cycle spaces. As such, the Highways Engineer is satisfied that, in combination, the parking ratio and parking layout proposed is acceptable.

7.11 Urban design, access and security

Matters relating to urban design have in part been discussed in part in section 7.6 of this report. It should also be noted that planning permission was previously granted for a scheme with a similar scale, appearance and layout to the current proposed scheme.

The site lies adjacent to the Grand Union Canal and has frontages to both the High Street and Bentinck Road. Directly to the west is the Union Wharf which contains a large residential building also fronting the Grand Union Canal.

It is considered that the proposal will have an impact on the setting of this area. However, whilst likely to be visible on the skyline and in medium to long views within the town centre and its environs, it is considered the impact of the proposed building would not be detrimental to the setting of the Grand Union Canal or either of the roads.

There are no objections to the general design approach to the new buildings, and it is noted that in relation to the impact on the streetscene, the fifth floor element of the building has been set back to reduce its impact in terms of scale and mass. The plans indicate that planting would be provided on the ledge/recess created by this, which would further help to break up the mass of the building. This is considered to contribute positively to the scheme, enhancing the visual appearance of the development by creating a more interesting facade and helping to reduce the perception of the scale and mass of the building.

The scheme also incorporates a restaurant /bar facility into the scheme together with retail units at first floor level with sizeable levels of glazing overlooking the canal and High Street. This creates more active and lively frontages which are important to the visual amenities of the area and help to increase the vitality of this part of Yiewsley.

The NPPF seeks to ensure that the design and layout of proposals incorporate design principles which deter crime and reduce the fear of crime. A condition is recommended to secure this.

The scheme for this site is considered to propose a building of a size, scale, height and design, which is considered to have no adverse impact on the appearance of the street scene and setting of the Grand Union Canal.

The plans indicate that the development would make use of high quality modern contemporary materials both on the buildings themselves and in the hard landscaping around the site. The Council's Urban Design Officer has confirmed that the scale, height and design of the proposed building is acceptable in this location. The development is considered to enhance the visual amenities of the canal side and would be in keeping with the character and appearance of surrounding development.

7.12 Disabled access

Additional information was requested with regard to level access into the building, wheelchair flats evenly distributed between the proposed elements of the building and manoeuvring areas within the bathrooms, to allow for wheelchair use. The applicant has submitted amended plans showing these requirements have been met and the scheme is therefore considered to comply with the Lifetime Homes Standards. A condition is included requiring the flats are built to comply with Part M of the Building Regulations.

7.13 Provision of affordable & special needs housing

In order to establish the level of planning contributions and affordable housing that can be supported by the proposed development the Council will take into account the economic viability of a scheme and the most effective use of public subsidy, as well as any particular costs associated with the development of the site. In such cases, the Council will request that the developer provides a financial appraisal of the scheme so that a fair contribution can be agreed.

In this case, it is stated by the applicant that the provision of 35% affordable housing, Mayoral CIL and planning obligations of approximately £220,000.00 as required by the SPD, would render the development 'unviable'. The applicant's viability assessment prepared by Housing Expectations concluded that the current proposal could only support 10% of the flats as affordable housing. The Council's independent consultant has concurred with the applicant's findings and consider that the proposed scheme is marginally financially viable given the abnormal costs associated with redeveloping this scheme but can still proceed.

Whilst the proposal provides affordable housing below the levels required in development plan policy it is considered that this is acceptable given the findings in relation to the viability of the scheme.

It is considered that the viability evidence submitted by the applicant presents a persuasive argument for lower affordable housing provision and that the scheme would otherwise be unviable and should be accepted on financial viability grounds.

7.14 Trees, landscaping and Ecology

The proposed site layout shows that two Whitebeam trees located along the Bentinck Road frontage are to be retained and that the only other on site tree (alongside the High Street) is to be removed.

The condition and visual impact of these trees varies considerably with the High Street tree considered to be in poor condition. As such, the Council's Tree and Landscape Officer considers the removal of this tree as acceptable.

In relation to the Whitebeam trees along Bentinck Road, the Council's Tree and Landscape Officer noted that these are on adopted highway land, but fall within the freehold / red line of the site. As one of these trees, in particular, is a fine specimen and together they make an important contribution to the character and appearance of the street the Council's Tree and Landscape Officer recommends that prior to the commencement of work on site, suitable tree protection measures and a working method

statement should be submitted for approval by the local planning authority. Conditions are recommended to ensure the implementation of the Council's Tree and Landscape Officer recommendations

Landscape Master Plan

The landscape master plan indicates tree and shrub planting along the sites north and southern boundaries and the provision of a roof garden. Landscape intervention focuses upon the planting of several trees located along the southern boundaries and the creation of a planted screen and buffer between the proposed parking areas and the amenity area alongside the Grand Union Canal.

The canal side amenity area and roof garden treatments propose the use of a combination of shrub planting, planters and decking. Tree planting along the sites southern and northern boundary is deliberately limited to avoid future overshadowing and retention problems. Targeted tree planting is however shown adjacent to the main vehicular turning head in order to disrupt views between the site, the public realm and the neighbouring residential properties.

The Council's Principal Tree and Landscape Officer considers that the masterplan is satisfactory in principle and conditions are recommended to ensure that it forms the basis for a soft and hardworks landscape submission. Conditions are also recommend to require that details of site levels are provided to ensure the satisfactory retention of the existing trees.

Although the scheme does not include children's play space as required in the GLA Supplementary Planning Guidance - Shaping Neighbourhoods: Play and Informal Recreation this guidance states that the maximum distance to play space should be 100 metres for under 5's and 400 metres for 5-11 year olds. The application site is approximately 400 metres from Yiewsley Recreation Ground, therefore, onsite play space would only be required for under 5's. The GLA's SPG requires the provision of 10 square metres of play space per child. However, these requirements are indicative only and given that the development is for 22 x 1 bed units and 29 x 2 bed units, located adjacent the town centre, the lack of children play space for children under the age of five is considered acceptable and no objection can be reasonably be offered. Moreover, the re-development scheme of the Padcroft site with safe and accessible children play space will be provided directly on the opposite side of Bentick Road and will be readily available to future occupiers.

Furthermore, to ensure the proposal complies with Policies BE32 and BE38 of the Hillingdon Local Plan: Part 2 Policies, conditions relating to a detailed landscaping plans, planting plans and landscape maintenance plans shall be added to any approval.

7.15 Sustainable waste management

The applicant has provided plans showing the provision of separate storage of waste and recycling for the residential and commercial uses with sufficient space for up to 10 x 1,100 litres Eurobins. The standing advice from Waste Services required 100 litres of storage for a 1 bedroom flat and 170 for a two bedrooms flat, equating to a site wide provision of 7,130 litres. The recommendation from Waste Services is that 1,100 litres is required for the two retail units and a further 1,100 would be required for a cafe/ restaurant in a total of 2,200 litres for the commercial uses. Therefore, an acceptable level of refuse and recycling storage is considered to have been provided and no objection is raised in this regard.

7.16 Renewable energy / Sustainability

The proposal has been designed to be a low carbon development, meeting the minimum requirements of the Building Regulations and achieving Code Level 4 sustainable homes through a combination of passive design measures and PV array over the east facing roof slopes and flat roof surfaces.

The proposed energy strategy leads to an overall reduction in CO2 emissions of 40% and therefore complies with adopted policy.

7.17 Flooding or Drainage Issues

The application site does not fall within a designated Flood Zone and the Environment Agency and Sustainability Officer have reviewed the provided Flood Risk assessment and neither have raised an objection to the proposal on the grounds of increased flood risk.

The Sustainability Officer has requested that a condition be attached in relation to sustainable water management at the site. With this condition attached, the proposed development is considered to comply with Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 Policies.

7.18 Noise or Air Quality Issues

Noise attenuating measures will be required between the proposed car parking area beneath the main body of the building at ground floor level and the flats immediately above so that no harm is caused by way of unacceptable noise and disturbance.

Similarly, this scheme proposes ground floor commercial uses which may potentially include food and drink uses at street (first floor) and canal (ground floor) levels. The potential impact from noise, fumes and disturbance resulting from the proposed commercial units and the potential for harm to future residents and neighbouring occupiers, is a relevant consideration in this application as proposals should not adversely affect the amenity of nearby residents by virtue of noise, litter, fumes, traffic or parking arrangements.

The Environmental Protection Officer has recommended that a condition be included to ensure that future occupiers are not harmed by noise, smells or vibration by ensuring that any future food and drink uses incorporate suitable extract ducting to satisfactorily control noise and odour from the kitchens.

However, given that this is a town centre location, it is considered that no demonstrable harm would be caused to neighbouring occupiers through additional noise and disturbance from trips to and from the premises by staff, customers or residents. As such, it is considered that the proposal would not result in harm to future occupiers or neighbours by way of noise and disturbance from any increased activity keeping in mind the location of the site within a town centre location and close proximity to the West Drayton British Rail station.

Further conditions are included to control the delivery hours of the commercial units and to require adequate refuse/recycling facilities in order to protect the amenity of future and neighbouring occupiers from disturbance, fumes and noise.

With these conditions attached, the proposed development is considered to comply with Policies OE1 & OE3 of the Hillingdon Local Plan: Part 2 Policies.

The application site is located within the Borough's Air Quality Management Area, as such a financial contribution of £25,000 is sought by way of legal agreement towards local air

quality monitoring initiatives.

7.19 Comments on Public Consultations

No further comments in relation to public consultation are required.

7.20 Planning obligations

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following:

Monetary Contributions

- Education: a contribution in the sum of £123,825.00 is sought.
- Health: a contribution in the sum of £16,622.00 (£216.67 x 76.72) is sought.
- Libraries: a contribution in the sum of £1,762.00 is sought.
- Public Realm/Town Centre: a contribution in the sum of £10,000.00 is sought.
- Canal side Improvements: a contribution in the sum of £20,000.00
- Air Quality: a contribution in the sum of £25,000.00 is sought.
- Construction Training: either a contribution equal to the formula ($£2,500 \text{ for every } £1\text{m build cost} + \text{number of units}/51/160 \times £71,675 = £22,821.00 = \text{Total Contribution}$) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. As discussed our preference is for an in-kind scheme to be delivered.
- Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement, is sought.

Non-Monetary Contributions

- Affordable housing
- The provision of a travel plan including £20,000.00 Bond

Discussions have been initiated in this respect, and the applicant has confirmed that the planning obligations listed above would be acceptable and a signed legally binding legal agreement will be submitted to the Council pending approval of the current application.

The proposal would be liable for the Mayor of London's CIL, as the scheme provides 51 new residential units together with a further 3 commercial units. Based on the Mayor of London's CIL charging schedule and the information given on the plans the charge would be likely to be £131,418.00. This would be collected by the Council after implementation (if permission were to be granted) and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in

line with the construction costs index.

Should a decision be issued after 1st August 2014 the development may also be liable for Hillingdon's Local CIL, which would offset the requirement for certain planning obligations. The recommendation reflects this potential scenario.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

There are no further planning issues for consideration.

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

The proposal represents a high quality redevelopment scheme which would make a significant contribution towards the regeneration of this part of the Yiewsley/West Drayton Town Centre and Grand Union Canal whilst providing an acceptable balance of employment generating uses, retail interest and active frontages together with a substantial amount of high quality housing in the Town Centre.

The viability evidence submitted by the applicant presents a persuasive argument that the current proposal is the only financially viable and realistic option to achieve the comprehensive redevelopment of this site in the short to medium term along with the remediation of the site. The viability evidence also demonstrates that the scheme can support the inclusion of 10% of affordable housing.

Whilst this proposal provides affordable housing below policy requirements, this should be weighed against the overall benefits of the scheme including monetary contributions and the delivery of a high quality development making good use of a vacant and contaminated site and providing employment generating uses.

It is considered that the design of this scheme is commendable and will bring a welcome visual relief to this part of the High Street, promoting an enhanced built and public environment. The appearance of the building on the principal elevations to the High Street and the Grand Union Canal will bring a significant step change improving the appearance of the urban fabric of this part of the Town Centre. The height, form and bulk of buildings have been designed after careful negotiation being mindful that the scheme must be viable and deliverable as a key requirement of the NPPF.

The development will not result in unacceptable impacts on the amenities of neighbouring properties and would provide for good environmental conditions for future occupiers. The site is located within a highly sustainable location and access to public transport is excellent. As such, car parking at a level below the maximum standard can be accepted and the Council's Highways Engineer raises no objection to the level of parking proposed noting that a significant number of cycle spaces are to be provided. The proposed traffic generation is unlikely to cause any significant impact on the performance of the local road network. The accesses provided are acceptable and would not cause harm to highway and pedestrian safety.

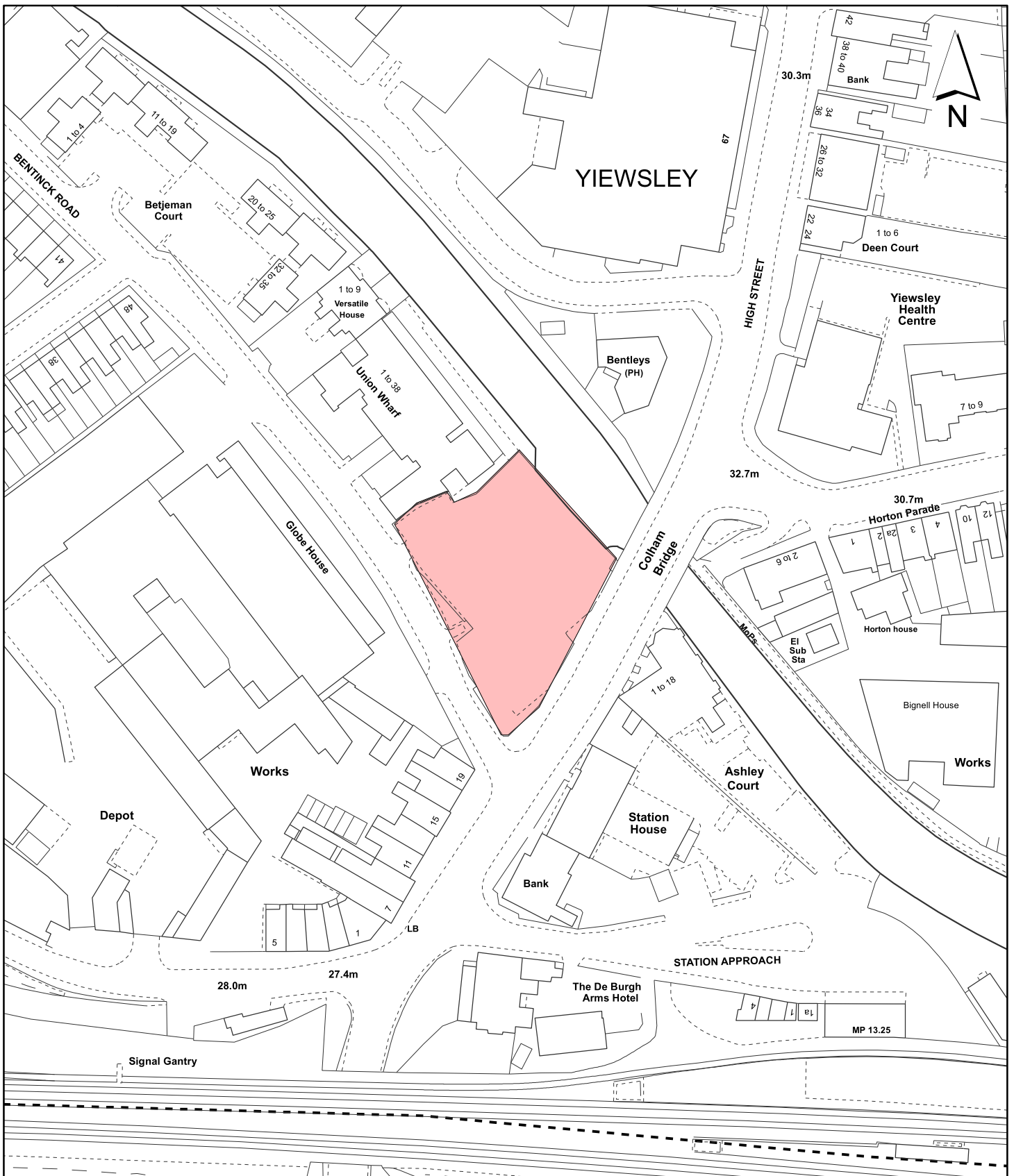
It is recommended that the application should be supported subject to a Section 106 Legal Agreement and Conditions.



11. Reference Documents

Hillingdon Local Plan (November 2012);
The London Plan (July 2011);
National Planning Policy Framework;
Hillingdon Supplementary Planning Document: Planning Obligations (July 2008) and Revised Chapter 4 (September 2010)
Hillingdon Supplementary Planning Guidance: Noise;
Hillingdon Supplementary Planning Guidance: Noise Air Quality;
Hillingdon Design and Accessibility Statement: Residential Layouts (July 2006)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon (January 2010)
GLA's Supplementary Planning Guidance - Housing;
GLA's Supplementary Planning Guidance - 'Shaping Neighbourhoods: Play and Informal Recreation'

Contact Officer: Tiago Jorge

Telephone No: 01895 250230



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| <p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p> | <p>Site Address</p> <p align="center">21 High Street Yiewsley</p> | | <p>LONDON BOROUGH OF HILLINGDON</p> <p align="center">Residents Services Planning Section</p> <p align="center">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p> |
| | <p>Planning Application Ref:</p> <p align="center">26628/APP/2014/675</p> | <p>Scale</p> <p align="center">1:1,250</p> |  <p align="center">HILLINGDON LONDON</p> |
| | <p>Planning Committee</p> <p align="center">Major</p> | <p>Date</p> <p align="center">July 2014</p> | |