

Report of the Corporate Director of Planning & Community Services

Address ROYAL QUAY, COPPERMILL LOCK PARK LANE HAREFIELD

Development: Residential development of 95 residential units in 8 buildings of two to four storeys, with decked and surface car parking for apartments and existing offices, associated landscaping, access alterations and footbridge across canal basin.

LBH Ref Nos: 43159/APP/2009/711

Drawing Nos: Site Location Plan: 7002/001A
Site Survey: 7002 002A
Landscape Plan: 7002 005A
Sun Study: 7002 006
Energy Statement with job number A053175 by WYG Engineering date 24th March 2009
Design and Access Statement by rg+p dated April 2009
Transport Assessment by WYG Environment Planning Transport with job number A018830 dated 27 January 2009
Schedule of Trees by Simon Jones Associates dated January 2009
Summary of Ground Contamination Desk Study Assessment by Environmental Consultancy with issue number V1 dated Feb 04
Archaeology Assessment by Glasgow University Archaeological Research Division
Ecological Scoping Survey by WYG Environment with job number E004200 1 dated February 2009
Flood Risk Assessment by WYG Engineering with job number A018830 dated January 2009
Block C Ground Floor Plan: 7002 017E
Block C First Floor Plan: 7002 018B
Block C Second Floor Plan: 7002 019B
Block F First Floor Plan: 7002 031E
Block F Second Floor Plan: 7002 032B
Block F Elevations: 7002 054B
Landscaping Plan - detail: 7002 069A
Site Plan: 7002 003C
Site Ground Floor Plan: 7002 040C
Site First Floor Plan: 7002 041D
Site Lower Ground Floor Plan: 7002 039C
Site Second Floor Plan: 7002 042D
Site Fourth Floor Plan: 7002 044C
Site Elevation 5 & 6: 7002 068E
Site Elevations 3 & 4: 7002 064E
Site Elevations 1 & 2: 7002 063E
Site Third Floor Plan: 7002 043C
Block A Ground Floor Plan: 7002 007C
Block A First Floor Plan: 7002 008C
Block A Second Floor Plan: 7002 009C
Block B Elevations 1: 7002 049C
Block D Second Floor Plan: 7002 023C
Block D Ground Floor Plan: 7002 021C

Block B Third Floor Plan: 7002 014C
Block B Second Floor Plan: 7002 013C
Block B Elevations 2: 7002 050C
Block E Elevations: 7002 053C
Block F Ground Floor Plan: 7002 030C
Block D Elevations: 7002 052C
Block E Second Floor Plan: 7002 028C
Block E First Floor Plan: 7002 027C
Block E Ground Floor Plan: 7002 026C
Block D First Floor Plan: 7002 022C
Block H Second Floor Plan: 7002 061C
Block H Elevations: 7002 062C
Block H First Floor Plan: 7002 060E
Block H Ground Floor Plan: 7002 059C
Block G Elevations: 7002 058C
Block G Second Floor Plan: 7002 057C
Block G First Floor Plan: 7002 056C
Block G Ground Floor: 7002 055C
Block A Elevations: 7002 048C
Block B First Floor Plan: 7002 012C
Block B Ground Floor Plan: 7002 011C
Site Section A-A: 7002 035E
Site Section B-B: 7002 037B
Site Section C-C: 7002 038B
Site Section DD: 7002 045C

Date Plans Received:	03/04/2009	Date(s) of Amendment(s):	14/04/2009
Date Application Valid:	03/04/2009		30/07/2009
			05/10/2009

1. SUMMARY

The application seeks full planning permission for the redevelopment of part of the site for 95 residential units within eight separate 2 to 4 storey buildings at Royal Quay in Harefield. The units comprise 32 x 1 bedroom units and 63 x 2 bedroom units. A total of 146 residential parking spaces are provided within the application site with 146 parking spaces for commercial use also shown on the plans. The main vehicle access to the residential development is via Park Lane, with secondary access to Summerhouse Lane for both existing commercial building occupiers and the proposed residential occupiers.

The land is designated an Industrial and Business Area (IBA) site within the adopted Unitary Development Plan Saved Policies September 2007. It is also within a sensitive location, being within a Conservation Area, with two listed buildings located on-site, within Colne Valley Park and adjacent to the Grand Union Canal. The site is also subject to flooding and contains a nature conservation area. The site is also relatively isolated, having a very low Public Transport Accessibility Level (PTAL) of 1a.

A number of objections to the proposed development have been raised. The key areas of concern includes; the bulk and siting of the proposed buildings with resulting impacts on the Conservation Area and the listed buildings, proposed density, poor level of residential amenity for future occupiers, an inadequate transport assessment and inadequate

facilities for people with disabilities.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The application results in an over development and cramped form of development having regard to its density, site layout, bulk, scale and design of the buildings. This will be detrimental to the character and appearance of the Coppermill Lock conservation area, the Grand Union Canal and surrounding street scene. In this regard the development is contrary to Policies BE4, BE13, BE19, BE32 and PR16 of the Hillingdon's Unitary Development Plan Saved Policies September 2007, the adopted Supplementary Planning Document HDAS: Residential Layouts and Policies 3A.3 and 4B.1 and Table 3A.2 of the London Plan February 2008.

2 NON2 Non Standard reason for refusal

The proposal, given its siting and layout, would detrimentally affect the setting of the adjacent listed building, the Manor House. In this regard the development is contrary to Policy BE10 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The development fails to achieve a satisfactory housing mix and balanced community on the site by reason of the lack of any larger (3 or more bedroom) units on the site in order to meet local needs and as such would be contrary to Policies H4 and H5 of Hillingdon Unitary Development Plan Saved Policies September 2007 and Policy 3A.5 of the London Plan 2008.

4 NON2 Non Standard reason for refusal

The application site fails to protect the privacy of the future occupiers of the development. The habitable room windows in the majority of the flats are overlooked by each other and by the existing office building on the site resulting in lack of privacy for future occupiers of the units. In this regard, the proposal is contrary to Policy BE24 of the Hillingdon's Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Planning Document HDAS: Residential Layouts.

5 NON2 Non Standard reason for refusal

The proposal fails to make adequate provision of appropriately designed play space to meet the needs of children arising from the development and is thus contrary to Policies BE20, BE21, BE24 and R1 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and Policy 3D.13 of the London Plan.

6 NON2 Non Standard reason for refusal

The applicant has failed to provide adequate provision for waste and recycling including the location of some provision outside of the recommended collection distances from the highway. The proposal is thus contrary to Policy 4A.22 of the London Plan and the adopted Supplementary Planning Document HDAS: Residential Layouts.

7 NON2 Non Standard reason for refusal

The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development,

including contributions for education, health, community facilities, libraries, construction training and improvements to the canal. The scheme therefore conflicts with Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations.

8 NON2 Non Standard reason for refusal

The application has failed to demonstrate that traffic associated with the development can be adequately accommodated on the adjoining highway network. As such development would be prejudicial to the free flow of traffic and detrimental to the safety of the highway users contrary to Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.

9 NON2 Non Standard reason for refusal

The proposals do not include high quality landscaping and tree planting strategy to integrate the development with the sensitive surroundings of the site. This is considered to be to the detriment of both the character and appearance of the area, the Grand Union Canal and the Coppermill Lock Conservation Area. The development is therefore considered contrary to Policies BE32, BE38 and PR16 of the London Borough of Hillingdon's Unitary Development Plan Saved Policies September 2007.

10 NON2 Non Standard reason for refusal

The proposal fails to provide adequate facilities for people with disabilities and fail to incorporate Lifetime Home Standards and Wheelchair Home Standard Units within the development. The proposal therefore would fail to comply with London Plan Policy 3A.5 and the Council's Supplementary Planning Documents 'Accessible Hillingdon' and 'Residential Layouts'.

11 NON2 Non Standard reason for refusal

The internal access road is of inadequate width and the lack of continuous pedestrian footways results in conditions detrimental to highway and pedestrian safety contrary to policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.

12 NON2 Non Standard reason for refusal

The proposed development, at the time of determination, whilst showing the provision of affordable housing on the site, has failed to secure the provision of such housing in the form of a legal agreement or other device. In the absence of such provision having been secured, the proposed development conflicts with Policies 3A.9, 3A.10 and 3.11 of the London Plan (February 2008) and the Hillingdon Planning Obligations Supplementary Planning Document (July 2008).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL9	Areas of Environmental Opportunity - condition and use of open land
OL11	Green Chains
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE33	Proposals for the establishment of residential moorings
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE10	Phasing of development in areas of potential flooding or inadequate sewerage capacity
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
R1	Development proposals in or near areas deficient in recreational open space
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation

	leisure and community facilities
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE3	Provision of small units in designated Industrial and Business Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM6	Measures to discourage the use of Local Distributor and Access Roads by through traffic
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
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
PR16	Coppermill, Harefield
HDAS	Residential Layouts Planning Obligations Accessible Hillingdon
LPP	The London Plan (February 2008).
PPS1	Delivering Sustainable Development
PPS3	Housing
PPS13	Transport
PPG15	Historic Environment
PPS25	Development & Flood Risk

3. CONSIDERATIONS

3.1 Site and Locality

The subject site is approximately 1.6 hectares with an eastern boundary to Summerhouse Lane, a southern boundary with Park Lane and a western boundary to the Grand Union Canal at Coppermill Lock, Harefield. The central part of the site is proposed to be developed for housing which has an area of approximately 0.95ha, including internal driveway access to Park Lane and Summerhouse Lane.

The land is a former industrial site within the Black Jacks & Coppermill Lock Conservation Area. The existing buildings on the site include the Bridge House, Manor House, the Watermill and the Long Room. Manor House and the Watermill are Grade II listed buildings. Whilst the Long Room is not listed, it is still a prominent traditional canal related building important to the character of the Conservation Area. The Bridge House was constructed in 1993. The land around these buildings is currently used for parking, landscaping and internal driveways.

The Grand Union Canal extends into the property from the north creating a quay in the centre of the site and peninsula of land between the quay and the Canal to the west. The quay previously provided barge access to the heart of the site and the sluice gates

(adjacent to The Watermill) provide white water canoeing on this stretch of the canal.

An embankment extends along part of the site's eastern boundary with Summerhouse Lane. Consequently the proposed housing development would be above a two storey decked parking area and appear predominately as two storey buildings along Summerhouse lane. Further to the east of this boundary, the landscape continues to rise to 2 storey residential houses on Barrington Drive. Other uses in the vicinity are a 3 storey office buildings on the opposite side of Park Lane, Coy Carp Public House to the south-west and Lock Keepers Cottage on the opposite side of the Canal to the north-west.

Adjacent to the southern boundary, there is a signalised on-way bridge over the Grand Union Canal which links Park Lane to Coppermill Lane. The primary vehicle access to the site is via an existing driveway off Park Lane. A secondary access would be the existing driveway off Summerhouse Lane to the northern end of the site.

The site is 1200 metres to the west of the Harefield Town Centre. The closest bus route is the U9, which links Belfry Avenue in Harefield which is 300 metres to the south of the site, to Uxbridge Station. The site has a Public Transport Accessibility Level (PTAL) of 1 (on a scale where 6 is high and 1 is low).

3.2 Proposed Scheme

Initially, an application was received for a 98 residential units within eight separate blocks.

A revised scheme for the erection of 97 residential units within eight separate blocks ranging in height from 2 to 4 storeys was submitted as an amendment to the originally submitted scheme.

The applicant submitted further revision to the scheme and now seeks a full planning permission for 95 residential units. Residential Blocks G and H are located above two levels of a decked car park and fronts Summerhouse Lane. Blocks A, B and C surround the decked car park and are located in the eastern section of the site. Blocks E, D and F are located on the peninsula of land between the quay and the Canal.

The units comprise 32 x 1 bedroom units and 63 x 2 bedroom units. The applicant has indicated 146 residential parking spaces are proposed with 146 spaces allocated for commercial use. The main vehicle access to the residential development would be via Park Lane, with a secondary access from Summerhouse Lane. The development is described further below.

THE EASTERN SITE

BLOCK A

Block A is an L-shaped residential flat building and is located on the eastern side of Manor House and adjacent to Summerhouse Lane and is a part two and part three storey building. Block A is approximately 12m away from the rear wall of Manor House and 8m on the return side of Manor House and contains 6x1 bedroom and 3x2 bedroom flats. All of the flats within this Block are provided with a balcony and would also have access to the decked amenity area.

BLOCK B

This residential building is located on the eastern side of the application site and fronts the internal access way and The Watermill. Block B is 3 and 4 storeys in height and comprises

18x2 bedroom flats of all which have 4.3sq.m sized balconies. Block B also benefits from access to the decked amenity area.

BLOCK C

Block C is located adjacent to Block B and the Long Room. This block is 3 storeys in height and comprises 3x1 bedroom and 6x2 bedroom flats. These flats all have balcony access and access to the communal decked amenity area.

BLOCK G

Block G is affordable flats which comprise 12x2 bedroom flats. Each of the flats would have access to private amenity space in a form of a balcony and would have access to the communal decked amenity space. Block G consists of 3 storeys of residential above two levels of decked car parking.

BLOCK H

Block H is also affordable flats and comprises 6x1 bedroom and 6x2 bedroom flats. All of the flats benefit from private balconies. Block H consists of 3 storeys of residential above two levels of decked car parking. Both Blocks G and H address Summerhouse Lane and parts of the building would appear as two storeys when viewed from the highway.

The decked parking would provide 209 spaces over two levels for both commercial and residential and a further 9 residential parking spaces are proposed adjacent to Manor House.

THE PENINSULA SITE

BLOCK E, D AND F

These residential buildings are sited between the Grand Union Canal and the canal basin (the Quay). Block E is closest to The Watermill (approximately 14m) and Block D is north of Block E, opposite to the Long Room and Block C. Blocks E and D contain 12 flats each comprising 6x1 bedroom and 6x2 bedroom units each. These two blocks are three storeys in height.

Block F is located furthest north of the site and is located opposite to the Long Room and Lock Keepers Lodge on the opposite site of the Canal. This block steps up from two storeys at the northern end to three storeys towards the south. Block F consists of 11 flats, comprising 5x1 bedroom and 6x2 bedroom units.

13 car parking spaces are provided in the forecourt to Blocks E and D. Therefore, it would seem that some of the residents would be required to park in the decked car parking area in between the Blocks A, B, C, G and H.

REMAINING OFFICE BUILDINGS

There are no works proposed to the office buildings. The applicant has indicated a provision of 85 parking spaces for the office occupants to be provided within the proposed decked car park (basement level) and 61 existing car parking spaces within the site to be retained.

The applicant has also submitted a series of technical papers that assess the impact of the proposal. Some key conclusions from these papers are summarised below:

SUMMARY OF CASE FOR RESIDENTIAL DEVELOPMENT

The statement concludes there is large supply and availability of office floor space relative to expected take up over the whole North West M25 sector. An area that covers Outer

London and the Home Counties between the M4 and M1 motorways, including Heathrow, Slough, Maidenhead, Uxbridge, Watford, Rickmansworth, Hemel Hempstead and St Albans.

GROUND CONTAMINATION

The site was previously used as a copper mill (1783-1863), a paper mill (1870-1879), asbestos manufacturing (1882-1931), and then rubber manufacturing (1935-1980s). The overall environmental risk at this site associated with ground contamination is of a Moderate to High order. Detailed site investigation is needed and a remediation strategy is required to be developed.

TRANSPORT ASSESSMENT

The report concludes that the site has adequate cycle and pedestrian routes and that traffic generated by the proposed development will not have a material impact on the local road network. The report also identified that there would be no improvements to Public Transport Accessibility Levels (PTAL) by increasing the frequency of the service or extending the bus service to the site.

FLOOD RISK ASSESSMENT

The site to the east of the canal basin falls into Zone 1 and the site west of the basin are indicated as being within Flood Zone 3a. To mitigate against potential flooding the following measures will be included throughout the development;

- Defined spill routes across the peninsula.
- Pedestrian egress routes from all units at a level of 43.0m or higher
- Minimum floor level for habitable rooms: 43m
- Emergency vehicle access to most of the site at a level of 43.0 or higher.
- Any enclosed spaces below 43.37m will be restricted to non-sensitive uses e.g. car parking and any critical facilities e.g. electrical switch gear will be installed above this level.
- Flood resistant construction to be used below a level of 43.37m.

The report concludes that the site is on previously development land and with the mitigation measures outlined above the development will be safe and will not increase flood risk elsewhere and will result in a slight decrease in flood risk overall.

ECOLOGICAL SCOPING SURVEY

The report finds that the habitats within the proposed development site have limited potential to support protected species and makes recommendations to limit any significant effect of any protected species that may be using the site.

ENERGY STATEMENT

The Energy Statement demonstrates how the design includes energy efficient and renewable energy technologies to provide an overall average of 71.11% CO2 reduction per square metre, of which 66.45% is by low and zero carbon technologies. This is based on a scheme with integrated energy efficiency measures, i.e. increased building fabric insulations/air-permeability rates/ energy efficiency lighting, well beyond the average acceptable values of current building regulations, and incorporating a community heating with Ground Source Heat Pump system. There would also be a 45kW Archimedes Screw (micro-Hydropower installation) with an average annual production of 27kW/hour.

ARCHAEOLOGICAL ASSESSMENT

A discovery of an iron arrowhead and bone point during previous construction work on the site highlights the possibility of pre-historic archaeological features lying sealed beneath later deposits. Evidence indicates that the site may have been occupied since the 11th Century, perhaps by successive mills over a period of several hundreds years. Any

structural elements of the late Medieval and post-Medieval mill industries that may survive within the proposed development would be of potential archaeological significance. While 18th and 19th Century development on the site may have compromised earlier archaeological features, evaluation would be required to establish this. A mitigation strategy is recommended, such as a series of trial trenches which would also require a safety plan due to the contamination potential of the site.

3.3 Relevant Planning History

43159/APP/2005/191 Royal Quay, Coppermill Lock Park Lane Harefield
ERECTION OF 3 RESIDENTIAL BUILDINGS OF 3 TO 4.5 STOREYS COMPRISING 83
RESIDENTIAL APARTMENTS, CAR PARKING AND LANDSCAPING

Decision: 07-04-2005 Refused **Appeal:** 22-03-2006 Withdrawn

43159/AR/99/1504 Royal Quay, Coppermill Lock Park Lane Harefield
ERECTION OF CLASS B1 OFFICES AND DECKED CAR PARK (AMENDED PHASE II OF
DEVELOPMENT PARTIALLY IMPLEMENTED)

Decision: 03-03-2004 Approved

43159/H/89/2471 Coppermill Lock Park Lane Harefield
Erection of 2-3 storey buildings for use as offices and workshops; a decked car park and a
boathouse facility; restoration/refurbishment of listed buildings and other buildings in the
Conservation Area for office and workshop use; Access improvements including widening of
Summerhouse Lane

Decision: 29-03-1993 Approved

Comment on Relevant Planning History

In 1993 application 89/2471 for the erection of 2,3 and 4 storey buildings for uses as offices and studio/workshops with a 4 storey decked car park comprising 9686sq.m and 342 car parking spaces was approved following the completion of a S106 agreement. The approved floor space replicated the pre-existing industrial floor space of the Harefield Rubber Company. Phase 1 of the scheme included refurbishment and occupation of the two listed buildings and the Long Room and the erection of a new building (Building A). Phase 1 has been implemented together with the S106 obligations comprising a boathouse/mooring; improvement to the access from Park Lane and provision of shuttle traffic lights on Coppermill Bridge.

In November 2000 the Planning Committee resolved to grant planning permission to application 99/1504 for 6879sq.m gross internal B1 office floor and 281 parking spaces, subject to a S106 agreement. This was in addition to the existing 4 buildings on-site plus the boathouse. The S106 agreement related to a payment of £9,000 in respect of improved public transport links, the implementation of a Green Travel Plan and improvements to narrow boat facilities. The S106 agreement was completed in 2004 and the approval issued in March 2004.

In January 2005 a Planning application was received for the erection of 3 residential buildings of 3 to 4.5 storeys comprising 83 residential apartments, car parking and landscaping. This application was refused by the Planning Committee on 7th April 2005 for

the following reasons;

1. The application fails to provide sufficient evidence demonstrating that there is no realistic prospect of the land being used for industrial and warehousing purposes in the future. In this regard the development is contrary to Policies LE2 and PR16 of the adopted Unitary Development Plans.
2. The application is considered to be an overdevelopment of the site having regard to its density, height, siting, bulk, scale and design of the buildings. This will be detrimental to the character and appearance of the locality and conservation area. In this regard the development is contrary to Policies H6, BE4, BE13, BE32, OE1 and PR16 of the adopted Unitary Development Plan, the Council's Design Guide 'Residential Layouts and House Design' and Policy 4B.3 of The London Plan.
3. The proposal, given its siting, design and scale, would detrimentally affect the setting of the adjacent listed building, the Watermill. In this regard the development is contrary to Policy BE10 of the Council's Unitary Development Plan.
4. The application has failed to demonstrate that the proposal would not impact on the site's archaeological remains, in particular the potential remains of the sheet copper rolling mill that was established in 1782 by the Company of Mines Royal. In this regard the development is contrary to Policy BE3 of the Council's Unitary Development Plan and Planning Policy Guidance Note 16 'Archaeology and Planning'.
5. As a result of the proposal's density and siting, the application fails to provide adequate useable private amenity space and recreational public open space including the provision of satisfactorily located children's play space. In this regard the development is contrary to Policies BE23, BE38 and R1 of the adopted Unitary Development Plan.
6. The application fails to protect the privacy of the future occupants of the residential units. The habitable room windows in some units in Block A will be overlooked by the existing office buildings on the site. In addition, an adequate level of privacy will not be provided to the ground floor unit habitable room windows which overlook the internal road network. As a result, these units will need to have their blinds permanently closed, which achieved a poor level of residential amenity for these dwellings. Furthermore, the relationship of the ground floor units to the internal driveway is contrary to secure by design objectives. In this regard the development is contrary to Policies BE23 and BE24 of the adopted Unitary Development Plan and the Supplementary Planning Guidance 'Community Safety by Design'.
7. The application fails to include an accurate tree survey showing the location, height, spread and species of all trees. Therefore, there is no evidence that the trees proposed to be felled will not have a detrimental impact on the landscape setting of the conservation area. The proposal is therefore contrary to Policies BE32 and BE38 of the adopted Unitary Development Plan.
8. The density of the residential development is considered to be too high and inconsistent with the public transport accessibility of the site, contrary to Policy 4B.3 of The London Plan, resulting in an over reliance on the private car by residents.
9. The applicants have failed to demonstrate that traffic associated with the development can be adequately accommodated on the adjoining highway network. As such the

development would be prejudicial to the free flow of traffic and conditions of general highway safety contrary to the aims of Policy AM7 of the adopted Hillingdon Unitary Development Plan.

10. The application fails to provide adequate facilities for cyclists and motorcyclists contrary to Policy AM9 of the adopted Unitary Development Plan and Annexure 4 of The London Plan and Council's Parking Policies and Standards 2nd Deposit Draft (December 2001).

11. The application fails to provide adequate facilities for people with disabilities in terms of parking and ensuring an adequate number of dwellings are designed to accommodate people with disabilities. This is contrary to Policies H9 and AM15 of the adopted Unitary Development Plan.

12. The proposed development fails to demonstrate either the provision of energy efficient measures and renewable energy technology or that such measures are not feasible as an integral part of this development. For this reason, the proposal conflicts with Policies 4A.7 and 4A.9 of the London Plan.

13. The application fails to demonstrate that the development will not be subject to flood risk or increase flood risks down stream. Furthermore the application fails to demonstrate that the development will reduce the impact of flooding. The scheme therefore conflicts with Policies OE7 and OE8 of the adopted Unitary Development Plan and Policies 4B.6 of The London Plan.

14. The application fails to provide public access to the Grand Union Canal, enhance the role of the Canal as a wildlife corridor, complement the visual qualities of the Canal or enhance views to and from the watercourse. Furthermore, the inclusion of building elements that overhang the watercourse may interfere with the safe operation of the Canal. The scheme therefore conflicts with Policies BE31 and BE32 of the adopted Unitary Development Plan and Policy 4B.6 of The London Plan.

15. The application fails to provide for affordable housing on site. The scheme therefore conflicts with Policy H11 of the adopted Unitary Development Plan and the Council's Supplementary Planning Guidance on Affordable Housing.

16. No agreement has been reached with the applicant in respect to contributions towards the improvement of education facilities, health care facilities, youth leisure and recreational facilities, open space, canal side improvements, conservation area improvements, and public transport services and facilities arising from the demands created by the proposed development. The scheme therefore conflicts with Policies BE4, BE32 and R17 of the adopted Unitary Development Plan.

The applicant subsequently lodged an appeal, but withdrew it in March 2006.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.4 To safeguard a network of Green Chains from built development to provide a visual amenity and physical break in the built up area and opportunities for recreation and corridors for wildlife.
- PT1.5 To carry out and promote countryside management projects to improve the environment and nature conservation value of countryside and open land, particularly in areas which are degraded or derelict and important corridors along roads and watercourses.
- PT1.6 To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations.
- PT1.7 To promote the conservation, protection and enhancement of the archaeological heritage of the Borough.
- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- PT1.9 To seek to preserve statutory Listed Buildings and buildings on the Local List.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
- PT1.13 To seek to ensure the provision of 8000 additional dwellings in the Borough between 1 January 1987 and 31 December 2001.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.21 To seek publicly accessible recreational open space in association with proposals for development where appropriate to help reduce deficiencies in recreational open space or to ensure that provision does not fall below accepted standards.
- PT1.23 To encourage industry and warehousing to be located within existing Industrial and Business Areas and offices and other business uses, shops and public buildings employing or attracting large numbers of people to be located within Town Centres or other areas identified for such purposes.
- PT1.24 To reserve designated Industrial and Business Areas as the preferred locations for industry and warehousing.
- PT1.25 To encourage the provision of small industrial, warehousing and business units within designated Industrial and Business Areas.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in

particular women, elderly people, people with disabilities and ethnic minorities.

- PT1.32 To encourage development for uses other than those providing local services to locate in places which are accessible by public transport.
- PT1.35 To accord priority to pedestrians in the design and implementation of road construction and traffic management schemes, and to seek to provide a network or cycle routes through the Borough to promote safer cycling and better conditions for cyclists.
- PT1.38 To seek a reduction in road accident casualties through highway improvements including traffic calming and the design of new highway schemes.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- OL9 Areas of Environmental Opportunity - condition and use of open land
- OL11 Green Chains
- EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves
- EC2 Nature conservation considerations and ecological assessments
- EC3 Potential effects of development on sites of nature conservation importance
- EC5 Retention of ecological features and creation of new habitats
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE4 New development within or on the fringes of conservation areas
- BE10 Proposals detrimental to the setting of a listed building
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE25 Modernisation and improvement of industrial and business areas
- BE31 Facilities for the recreational use of the canal
- BE32 Development proposals adjacent to or affecting the Grand Union Canal
- BE33 Proposals for the establishment of residential moorings
- BE36 Proposals for high buildings/structures in identified sensitive areas
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE10	Phasing of development in areas of potential flooding or inadequate sewerage capacity
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
R1	Development proposals in or near areas deficient in recreational open space
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE3	Provision of small units in designated Industrial and Business Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM6	Measures to discourage the use of Local Distributor and Access Roads by through traffic
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
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
PR16	Coppermill, Harefield
HDAS	Residential Layouts Planning Obligations Accessible Hillingdon
LPP	The London Plan (February 2008).
PPS1	Delivering Sustainable Development
PPS3	Housing
PPS13	Transport
PPG15	Historic Environment
PPS25	Development & Flood Risk

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 27th May 2009

5.2 Site Notice Expiry Date:- 27th May 2009

6. Consultations

External Consultees

The application was advertised under Article 8 of the Town and Country Planning Act (1990) as major development. A site notice was erected on the site and a public notice was placed in the local paper on 6th May 2009. Over 270 residents were notified and local resident groups were notified including: Waterside Mews Residents' Association, Harefield Village Conservation Panel, Harefield Tenants and Residents Association and the Canal Locks Conservation Panel. On 4th August 2009, the residents were consulted again on a revised plan. A total of 69 letters of objection have been received from residents. In addition, 3 petitions against the proposal have been submitted with 57, 310 and 28 signatures.

The latest (2nd set) of revised plans were not subject to re-consultation due to the minor nature of changes, as it was not likely that the proposal would have raised any issues not already raised.

Issues raised by the objections are summarised below.

Individual objections

- 1) Out of keeping with the character of the area and the tranquillity of the canal setting
- 2) Development will bring more traffic and congestion to already busy roads at peak times and the road network has limited access
- 3) Land is prone to contamination and flooding
- 4) Already noise pollution from Denham aerodrome and the development would add more
- 5) The area should be reserved for wildlife
- 6) Loss of views over the canal and from the users of the canal
- 7) Lack of parking for businesses
- 8) Proposed bollards and granite blocks would block the entrance to The Watermill
- 9) Congestion over canal bridge as it is only one way
- 10) Non-residential parking already occurs on Barrington Drive, the proposal will result in overspill into neighbouring roads
- 11) Excessive number of residential properties on this plot
- 12) Concerned at the proposed high density residential development
- 13) Resulting mix use development on the small site leading to disputes between residents and business occupiers
- 14) Summerhouse Lane is very narrow and two cars cannot pass each other
- 15) Proposed residential block heights will dominate the area which are mainly 2 storey houses
- 16) Local schools, doctors, and public transport would also be put under strain by extra demands
- 17) Future residents are not likely to walk to nearby village centre due to the gradient of the road (Park Lane)
- 18) Traffic and congestions at the roundabout in Harefield which will have a knock-on effect on the bus provision
- 19) Yellow lines should be applied to Summerhouse Lane, entrances to Jacks Lane and Barrington Drive
- 20) Impact to Listed Buildings
- 21) Lack of parking for the proposed residential units
- 22) No pedestrian access on Summerhouse Lane adjacent to the Long Room and this is already hazardous to pedestrians
- 23) Privacy and overlooking into properties along Barrington Drive

- 24) Previous application was refused on density and traffic issues and the proposal is for more residential and car parking areas
- 25) Summerhouse Lane is not adopted and maintenance is paid for privately. There would be additional traffic using Summerhouse Lane which is not an adopted road
- 26) Manor House would be overshadowed by the development
- 27) The future residents are likely to have at least 2 cars per household and the number of parking spaces is not sufficient, the area is a very car dependant place due to the location
- 28) Affect on the landscape of canal and the setting of the surrounding
- 29) The proposed development would ruin the nice and quite canal setting where walkers, cyclist and users of the area would be affected
- 30) Existing sewer and drainage will not be able to cope with increased residential dwellings
- 31) Potential for landfill gas
- 32) The previous application for business office units has not been completed
- 33) Construction works will go on for two years and there will be disruptions to the existing operations within the site and construction traffic on local roads
- 34) Object to QM3 Modular construction method as this method is only effective in areas where access is not a concern
- 35) The bell tower should be reinstated
- 36) 'Ready made accommodation units' to be delivered from the factory to the site by lorry is unacceptable. The nearby roads cannot cope with lorry movements.
- 37) Occupants in this location will both see and hear aircraft operations as the site is under the flight path and therefore an informative should be included in any consent.
- 38) There is a current lack of doctors surgeries in the area
- 39) Residential buildings are too close to office buildings

Petitions

57 signatures raising concerns regarding peak hour traffic congestion in the local area and burden on local services in the village.

310 signatures raising concerns regarding:

- inappropriate intensification
- Out of character with the area
- unacceptable impact on traffic congestion with close proximity to traffic lights and single file bridge over canal
- excessive demands and pressure on local infrastructure
- damage to and future pressure on protected & priority species of wildlife
- threat to important habitats with proposed removal of trees

28 signatures raising objections to

- traffic, congestions, cars accessing Park Lane from Junction 17 to the M25 and vice versa
- noise and disturbance
- not in keeping with the listed buildings
- Properties along Barrington Drive will suffer loss of visual amenity, views to the canal and surrounding area.

ENGLISH HERITAGE

The site is situated in an area of considerable archaeological and historic importance. Previous archaeological work on the application site encountered redeposited worked flint, indicating archaeological activity from the prehistoric period in the near vicinity if not from within the site itself. This evaluation appears to be limited to the extreme south-western corner of the area. However other remains from the prehistoric period have been recorded from the site, including an 'iron spearhead', recovered during groundworks in the early 20th century.

English heritage do not consider that any further work need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition to any consent granted under this application. The recording of the two listed structures and associated features or ancillary buildings prior to any alteration should also be secured.

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

Standing historic building recording: No development shall take place until the developer has secured the implementation of a programme of archaeological recording of the standing historic building, in accordance with a written scheme of investigation which has been submitted by the applicant to and approved by the Local Planning Authority.

THE WILDLIFE TRUSTS - HERTS & MIDDLESEX

An Ecological Scoping Survey carried out by WYG Environment (February 2009) found that this development has the potential to impact on protected species. Bats may forage along the canal basin and Grand Union Canal which may be affected by development of the site. The Ecological Scoping Survey made a number of recommendations to ensure that the development does not impact on protected species.

All bats and their roosts are legally protected by the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats & c.) Regulations 1994. If bats are present it is illegal to intentionally kill, injure or catch them, damage, destroy or obstruct their roosts, or to disturb bats. Bat roosts are also legally protected, even when bats are not present all of the time. Due to significant population reductions, some bat species have been identified as priority Biodiversity Action Plan species, including soprano and common pipistrelle (UK BAP) and natterer's bat (Herts BAP)

We therefore request the following Conditions be attached to any permission granted;

Lighting: No external lighting shall be installed or affixed to any buildings on the site unless the LPA has first approved in writing details of position, height, design and intensity.

Reason: To ensure the site continues to be suitable for use by bats. Certain buildings and habitats around the site may be important for bats, which may be adversely affected by light pollution in sensitive areas. The design of the lighting scheme should follow the recommendations given in the Bat Conservation Trust's advice note on bats and lighting in the UK (BCT, 2008).

Reptiles: Any key features within the redevelopment area that could potentially be used by reptiles for basking, foraging, shelter, over-wintering and/or egg-laying, must be subjective to a destructive search by a suitability qualified ecologist. Key features include log and brash piles, grass heaps, stone/rubble piles, mammal burrows.

Reason: The site has been highlighted as having the potential to support reptiles. Reptiles are protected under the Wildlife and Countryside act (1981) as amended which makes it an offence to intentionally kill or injure these species.

Birds: No removal of trees, shrubs or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ornithologist.

Reason: Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended).

Landscape: No works of site clearance or demolition to begin until a detailed landscaping plan has been submitted to the LPA for approval in writing. This is to include details for the species of local provenance to be planted/sown and a structurally diverse habitat plan (preferably including a pond and dead wood habitats), consisting of a list and map of species to go in the tree plantings, scrubs and hedgerow and a sample programme of management.

Reason: To increase opportunities for wildlife in new developments, in compliance with guidance in paragraphs 5.32 to 5.36 of PPS9, and the NERC Biodiversity Duty, and in compliance with policies ENV1 (Green Infrastructure) and ENV3 (Biodiversity and Earth Heritage) of the East of England Plan (May 2008)

BRITISH WATERWAYS LONDON

After due consideration of the application details, British Waterways has the following comments to make:

Plans

The plans appear to be incorrectly labelled in places the lettering of the blocks appears to vary between plans and the sections.

Design and Layout

We feel that the massing of the buildings should respect the setting of the lock and the adjacent listed and other low level buildings, particularly as the area currently has a very open feel to it, and any development of this scale will have a significant effect on its character. The materials and design of the buildings is also important in order to respect the waterway environment.

The block closest to the lock will have a particular impact on this open nature. Its design includes a stairwell overlooking the lock, which we feel does not make the best use of the building's outlook towards this waterway feature. It also does not enhance the waterside environment in the view from the lock and adjacent towpath.

Moorings

The development presents an excellent opportunity to allow access to the canal basin and bring it back into use for boating activity. There is a chronic shortage of and demand for moorings, and the development should incorporate a mix of residential and leisure moorings in the basin, which would also provide animation and activity on the waterside to complement the development. In addition this would generate a commercial return to supplement the development.

Waterway Wall

The waterway wall is in a poor condition in areas around the site, and in order that the proposed development does not adversely affect its structural integrity, and that the wall is of a standard that matches the life of the development, we request that a condition (as below) requiring a survey of the wall be attached to any permission. We would request that the applicants consult with us regarding any works close to the waterway and our ownership boundary.

Lighting/ CCTV

We assume that lighting and CCTV is likely to be included as part of the scheme, which will improve security along the canal side of the site. We welcome CCTV coverage (or at least dummy cameras) of the towpath to help prevent crime. However, any new lighting scheme should ensure there is minimal overspill into the canal to prevent it harming wildlife habitats, particularly bats who use the canal as a feeding corridor. Low-level 'bat friendly lighting' should be used.

Off Site Works

The development would bring more people to the area who would benefit from the waterside location and surroundings, thus putting more pressure on local open spaces, including the canal and its towpath. It is therefore considered that the proposed development presents an opportunity to contribute to environmental improvements to the local canal environment and seek a contribution towards canalside improvements in the area that would meet the demands and expectations of the future site occupiers.

Maintenance

We would also request that the council consider the occupiers of such developments contributing a service charge towards maintenance of the immediate canalside area around the site, including towards litter collection, to help maintain the area to a high standard to meet the expectations of the future occupiers of the development.

Waterborne Freight Transport

In the interest of sustainable development and to satisfy Blue Ribbon Network Policy 3C.25 & Policy 4C.8 of the Consolidated London Plan, BW would like to see the development utilise its waterside location for waterborne transport.

British Waterways is promoting the use of canals for freight transport and with TfL jointly commissioned Peter Brett Associates to investigate the feasibility of freight by water in West London. This work revealed that in certain circumstances (depending on distance and number of locks required to travel through) there is a sound economic case (and environmental and social case) for considering freight by water as a viable alternative to road transport. Clearly, this offers benefits including reduced lorry miles, reduced congestion, reduced carbon emission and reduced number of HGV related accidents.

The construction cycle for the development could potentially be serviced from the canal. Construction waste can be removed by water and building materials and plant can be delivered by water. This would require a piled berth for service vessels to moor adjacent to the site and may also be assisted by a construction pontoon (however please note that a license would be required from British Waterways to enable any construction work to take place from the waterspace). During occupation there may also be an opportunities for domestic and commercial waste and recyclables to be transported from the site to a Waste Transfer Station by water, as demonstrated by LB of Hackney's Waste by Water initiative.

The best practice guidance 'The control of dust and emissions from construction and demolition' published Dec 2006 by GLA, together with London Councils states:

'Where construction sites are located near to waterways or railways it may be feasible for construction materials to be delivered or removed from the site using these means, rather than by road. The obvious benefit is that it will reduce the number of trips made by HGVs on local roads, therefore reducing local emissions and disturbance to sensitive receptors. This option is rarely used in London, but developers following this guidance, should try to make use of the waterways wherever possible. The Mayor's draft Freight Plan also seeks to encourage the use of waterways and rail in place of roads whenever practicable.'

Sustainability and Ecology

Use of the canal network and heat exchange technology offers significant savings on energy costs and is a sustainable solution to power heating/ air cooling units. We therefore attach a copy of our factsheet regarding this technology.

We note the proposed incorporation of measures to utilise hydro power, and support this where it does not affect British Waterways' operations.

We have also just announced an agreement with The Small Hydro Company Ltd to generate 210,000 mega watt hours of renewable energy per annum using our waterway network.

We welcome the incorporation of brown or green roofs in new developments, and this may be appropriate as part of this scheme. Bat and bird boxes would also be beneficial to ecological credentials of the development.

Landscaping

We would like to be consulted on landscaping proposals for the development, including any planting proposed close to the waterway or our land. We would also prefer to see some softening of the car

parking area close to Blocks D and E.

Hillingdon Narrowboats Trust

We are keen to ensure that any proposal does not adversely affect the amenities or operation of this nearby group.

If the Council is minded to grant planning permission, it is requested that the above comments are taken into account, and a contribution is made towards canalside improvements. The following conditions and informatives should also be attached to the decision notice:

Conditions

Prior to the commencement of development 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 British Waterways. 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.

No development shall take place on site until full details of the proposed landscaping scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways. The landscaping scheme should include reference to plant species types, surface treatments, fences and walls, any signage and information boards together with the means of ongoing maintenance for a five year period. The approved landscaping scheme shall be implemented by the first planting scheme after the development commences. Reason: In the interest of preserving open views to and from the canal, the living environment for future residents and the canal setting.

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 British Waterways. 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 canal setting.

Before development is commenced, 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 recyclates). 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 Blue Ribbon Network Policies 3C.25 & 4C.8 of the Consolidated London Plan, 2008.

Informatives

The applicant is advised that any discharge of surface water into the waterways requires British Waterway's written permission before development commences. Please contact Ben Loader on 0207 985 7288 for further information.

The applicant/developer must contact British Waterways' third party works engineer, Andy Nicholls, in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' 'Code of Practice for Works affecting British Waterways.'

In the event of any balcony overhangs or other encroachments into British Waterway's airspace, land or water, the applicant must enter into an appropriate commercial agreement with British Waterways before development commences. Please contact Ben Loader in British Waterways London's Estate Team on 020 7985 7288 for further information.

Any access from the towpath, closures of the towpath or scaffolding oversailing British Waterway's land or water during the construction must be agreed in writing with British Waterways before development commences. Please contact Ben Loader in British Waterways London's Estate Team on 020 7985 7288 for further information.

THAMES WATER UTILITIES

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.

Development shall not commence until a drainage strategy detailing any on and or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

The development may lead to sewerage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department prior to the Planning Application approval.

THREE RIVERS DISTRICT COUNCIL

Three Rivers District Council objects to the planning application for the following reason:

The Council recognises that the site is allocated in the London Borough of Hillingdon's Unitary Development Plan under PR16 but nevertheless the site is surrounded by the Metropolitan Green Belt and Countryside where there is a presumption against development. The site also lies within the shared Coppermill Lane Conservation Area. Development proposals in a Conservation Area should either preserve or enhance the Character and Appearance of the Conservation Area. This Council is not satisfied that any very special circumstances have been demonstrated as to why inappropriate development should be granted and for the reasons set out below also fails to preserve or enhance the character and appearance of the Conservation Area.

The proposed development is considered to be overdevelopment by reasons of the number of units, the scale, massing and bulk of the buildings. This is exacerbated by the siting and layout of the buildings, This Council recognises that some form of development is required for this site, but the current application is unacceptable as it includes tall buildings that are out of keeping with the character and appearance of the area. The unacceptable height of the buildings is exacerbated by their siting close to the canal and river environment as well as failing to provide to recognise the topography of the landscape. The development will result in an obtrusive and incongruous form of development that will have a detrimental impact on the visual amenities of the area.

The 3(4) storey developments fronting the Grand Union Canal will adversely affect the outlook from the Coppermill Lock Conservation Area. Whilst it may be very nice for the residents to look out over the Canal and surrounding countryside and Green Belt it will have a claustrophobic affect on the open appearance of the Conservation Area (ere contrary to Three Rivers Local Plan Policy C2 setting of conservation areas).

The type of development proposed is contemporary and therefore this form of development does not reflect the vernacular of 19th Century canal side warehousing and will be contrary to the architectural features of the retained B-Class warehousing that appears to be retained as part of the scheme at present (although there doesn't appear to be any statement that the B Class use will be retained in perpetuity and a future development may propose the redevelopment of this use for housing also). This would be contrary to Three Rivers Local Plan Policy C1 and adversely affect the features of archaeological and historic significance including the historic boundaries adjacent to the Conservation Area.

The proposed development fails to include family housing. It has a poor mix and given the site's location which does not enjoy good access to a range of services or public transport, there will be high demand for travel by private motor car.

Furthermore, as the direction of travel by occupiers of the development in their motor cars is likely to be to and from Denham Railway Station, Junction 17 of M25; Maple Cross employment area; and the A412/A40/M40, the amount of traffic generated by the development will result in noise and disturbance to the quiet country lanes of West Hyde. This will have a detrimental impact on the openness of the countryside and green belt and fails to safeguard the countryside from encroachment.

This Council is of the view that the scheme is overdevelopment and will lead to residents parking on the surrounding road and area which will obstruct through traffic and make general highway conditions dangerous. It should be noted that Coppermill Lane has no public footpath provision.

There is a significant shortfall of amenity space in the development for future residents.

ENVIRONMENT AGENCY

Environment Agency remove two of their initial objections (unacceptable Flood Risk Assessment and flood risk/drainage). However, the Environment Agency would uphold the objection on inadequate buffer zone to watercourse.

This is because of the proximity of Block E to the bank top of the Grand Union Canal. This objection can be resolved if Block E is moved back from the bank top to provide an open buffer zone of at least 4m alongside the Grand Union Canal. This will provide a continuous buffer strip along the western side of the site. Due to the constraints placed upon the development by the available space on site we have not asked for a wide buffer zone along the whole length of the bank, only along that part adjacent to the Grand Union Canal.

Officer Comment: The applicant has resolved the buffer zone issue by providing 4m alongside the Grand Union Canal to the bank top.

Internal Consultees

POLICY

The site is designated as an Industrial Business Area (IBA), in the UDP Saved Policies document. Policy LE2 states that these areas are designated for business, industrial and warehousing purposes. Other uses will not be permitted unless it can be satisfied that:

- there is no realistic prospect of land being used for industrial or warehousing purposes in the future; and
- the proposed use does not conflict with policies and objectives of the plan
- the proposal better meets the plan's objectives, particularly in relation to affordable housing and economic regeneration.

The UDP goes on to state that in applying this policy the following factors should be taken into account:

- evidence of a lack of demand for warehouse uses
- The length of time vacant premises or land have been marketed and the interest expressed by potential occupiers
- The amount and nature of vacant floorspace in the borough
- The size and layout of existing premises

The Council's Employment Land Study (ELS) was published in July 2009 and contains a review of all IBA's in the borough. Comments in relation to Royal Quay are contained in Chapter 8 of the document in paragraphs 8.36-8.43, under the heading Summerhouse Lane. It is stated that the long vacant cleared site at Royal Quay has the potential for a residential led mixed-use scheme, which would benefit the local area by making the site more vibrant. The drawback would be that any mixed-use scheme would potentially erode the employment designation status.

The challenge for this site is to develop a scheme that adds value to the local business community whilst not harming the amenities of any future residents or those of the existing businesses. The recommendation for this site at paragraph 8.43 of the ELS is as follows:

'Redraw the boundaries of the existing IBA to exclude the already completed housing component in the north of the IBA, release the vacant part of Royal Quay to housing through a site allocation policy and include Salamander Quay into a designated Locally Significant Employment Location (LSEL)'

The ELS forms a key part of the evidence base for the implementation of policy LE2 and also for the emerging Core Strategy document. It indicates that the principle of residential development on the vacant part of Royal Quay is acceptable, however the issue of protecting the amenity of surrounding areas will need to be carefully considered.

URBAN DESIGN AND CONSERVATION

The scheme does not address conservation and listed building issues.

Due to lack of detailing and information provided within the scheme, the proposed development would be unacceptable to the wider context of the Conservation Area. More variations and local features should be incorporated to the proposed design of the scheme. The relationship between the proposed buildings and the listed buildings are poor and is not acceptable.

The proposal still fails to provide sufficient detail on soft and hard landscaping which are very important elements of the scheme due to its location.

TREES and LANDSCAPE

The importance of providing high quality landscape setting for this sensitive site is a key issue. The density of the development, the limited space available for providing attractive and useable amenity areas, the mix of urban/waterside character, the proximity to the Green Belt and the heavy dependence on the roof garden (which will serve blocks A, B, C, G and H) increase the need for clear landscape objectives which lead to a well designed and detailed scheme. At the moment, the landscape objectives, as expressed in the Design and Access Statement and on plan, remain unclear and the sparse information provided lacks conviction.

Objection is raised to the proposal because the Design & Access Statement and Masterplan fail to provide clear objectives which promise to deliver a high quality landscape scheme in accordance with saved UDP Policy BE38.

ENVIRONMENTAL PROTECTION UNIT

Contamination

The following documentary information was provided with the application:

* Summary Ground Contamination Desk Study Assessment of Royal Quay, Harefield on behalf of Farningham McCreddie Partnerships by White Young Green Environmental, February 2004 (ref: REPORT/E04200/ST/FEB04/DTS/ V1)

The above document included within it a desk study, site reconnaissance and a qualitative risk assessment of the Ground Contamination issues in relation to the site carried out by White Young Green Environmental Consultants (WYGE). The desk study used a number of previous (third party) desk studies carried out for the site and has relied entirely on third party intrusive site investigation as well, the most relevant of which were the LBH Wembley Desk Study Report (1999) and the LBH Wembley Site Investigation Report (2001), which considered contamination issues and indicated:

* Paper mills on the site from 1674 were converted to copper mills after the opening of the Grand Union Canal in Harefield in 1797, to revert back to use as a paper mills in 1870. In 1882 the site was acquired by the United Asbestos Company. Asbestos products were manufactured at the site (with the factory expanding during the First World War) until it closed in 1931. Three rubber companies joined together to occupy the site from 1935. The rubber company relocated in the 1980's. Various planning applications in relation to the demolition of buildings on the site were also noted.

* Made ground of varying thickness (maximum recorded 3.85 metres) were noted in all the reports reviewed (both Geotechnical and Environmental) in the areas where exploratory holes were sunk.

* Metallic contamination on site included both zootoxic (harmful to humans/animals) and phytotoxic (harmful to plants) compounds, found to be widespread in the made ground (based on CLEA residential with plant uptake criteria). (See figure 4.1 at the back of the document.)

* Significant (2-50%) content of chrysotile asbestos fibrous insulation was present within the made ground in two locations in area A.

* Significant hydrocarbon type contamination present in the made ground at two locations in Area A and on location in Area B, which included Total Petroleum Hydrocarbons (TPH), and in places Polyaromatic Hydrocarbons (PAH), industrial solvents and phenols (see figure 4.2 at the back of the document).

* In the groundwater, detectable levels of hydrocarbon type compounds were locally present, and elevated concentrations of copper and arsenic were present in the groundwater samples tested.

The basic qualitative risk assessment to assess the risk to each receptor has been reviewed and designated based on the limited (especially in terms of the area covered by the investigation) information collected in this study, with the overall ground contamination risk rating for the site being noted as Moderate to High. WYGE have noted further investigation work would have to be carried out to formulate an effective Quantitative Risk Assessment (QRA) and remediation strategy, and to adequately carry out groundwater modelling work. The need for land gas monitoring was also noted

The information provided does not cover the whole area proposed for development or the site issues as completely as it could, and a number of uncertainties are noted in the report, but there is sufficient information to indicate the breadth of contamination issues to be addressed at the site and it has identified what further information is required. Of particular concern is the amount of asbestos on site (the site has not been completely characterised so this is not known) as the Council's preferred option is to safely remove all asbestos and asbestos contaminated matter from the site for off-site disposal. Soil containing greater than 0.1 % asbestos is classified as special waste according to the Environment Agency (EA) website, so disposal could be costly. At the very least the asbestos contaminated material should be rendered innocuous if it is to remain safely on site.

Based on the above and the fact this site is included within the potentially contaminated land list for the Borough under Part IIA, the standard contaminated land condition (see below) would have to be attached to this planning application to cover both the site investigation work (broadly proposed within the report) and the remediation work for the site. Should a different version of the condition be used, please ensure a condition requiring the testing of imported soils is also included. The Hillingdon Supplementary Planning Guidance on Land Contamination should be referred to for

guidance on the type of information required to satisfy this planning condition.

A number of landfill sites outside the Borough were noted in the report but one Hillingdon landfill and a landfill noted by the EA within 250 metres of the site in Hillingdon were missed. The Hillingdon landfill is a suspected asbestos pit and landfill gas is probably not an issue. However, the report does note potential land gas issues due to the natural organic matter on the site as well as organic matter within the made ground and therefore it should be conditioned for ground gas and any necessary gas protection that may be required.

The site investigation information, any QRA information and the Remediation Strategy (and any subsequent revisions/variations to this) should be forwarded to Environmental Protection Unit (EPU) for comments as soon as they are available. A method statement for the safe investigation and removal/remediation of asbestos contaminated material also needs to be provided before starting works which clearly identifies how site workers and neighbours will be protected from any dust generated at the site due to the relevant works. A separate condition to cover this may be advisable under site management.

Ground water

The EA should be consulted with regards to groundwater issues.

Dust from demolition and construction

Current government guidance in PPS23 endorses the use of conditions to control impacts during demolition and construction phases of a development. Within this in mind a condition is recommended.

Conditions

-Site survey and remediation scheme

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

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 Unitary Development Plan Saved Policies (September 2007).

Note: The Environment Agency, EA, should be consulted when using this condition. Contaminates may be present in the soil, water (ground/surface) and gas within the land or exist on the surface of the land.

Landfill gas condition for use for Major and Minor Applications where gas risk is considered significant and monitoring is required

Before any part of the development is commenced, the applicant shall carry out and submit details of a gas survey for the ground at the development site. Some of the gas tests within the survey shall be taken below the proposed footprint of any new building. If gas is found, the applicant shall install remediation measures to prevent gas ingress to any buildings on the development site, to the satisfaction of the Local Planning Authority. The condition will not be discharged until verification information has been submitted for the remedial works.

Reason: The Council's records show that the development site is located within 250 metres of two landfill sites. The desk study also identified made an natural ground with the potential to exude ground gas. A gas survey is required to clarify the gas issues at the new development site to determine the remedial works which may be required, in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). Advice on this condition can be obtained from the Environmental Protection Unit on 01895 250155 or the Building Control Officer

-The development shall not begin until a scheme for protecting surrounding dwellings from dust emitted from any demolition or construction works, has been submitted to, and approved by the LPA. The scheme shall include such combination of dust control measures and other measures as may be approved by the LPA.

Reason: To safeguard the amenity of surrounding areas.

HIGHWAYS OFFICER

The submitted transport assessment is not considered to provide a robust quantitative assessment of the development transport impact on the highway network.

The site lines at the existing Royal Quay junction with Park Lane are inadequate. The internal road width is 4.1 metres. It needs to be a minimum of 4.8 metres to allow a lorry and car to pass each other. There are no pedestrian footways for almost half the length of this road. Some bin locations are still more than the acceptable 10.0 metres from the public highway.

The application cannot be supported on transportation grounds.

WASTE STRATEGY

For this development a recommendation for bins would be 10x1100ltr refuse and 10x1100ltr recycling bins.

The design of the bin chambers on plans would appear inadequate. The location of bins for access for all residents seems to be less than adequate.

ACCESS

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Documents 'Accessible Hillingdon' and 'Residential Layouts', adopted July 2006.

The scheme should be revised and compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should be built to wheelchair home standards and should accord with relevant policies, legislation and adopted guidance. Nine Units should be designed to Wheelchair Home Standards and shown clearly on plan.

EDUCATION

The Council is now seeking education contributions for all school sectors from all new housing developments. This is due to a high increase in births, which will result in no spare nursery or primary school capacity by 2012 and no spare secondary school places by 2019. The amount sought from this development is £259,798.

S106 OFFICER

Following are my formal comments relating to the planning obligations as sought for the above scheme.

Planning Obligations sought for Royal Quay 43159/APP/2009/711

1. Affordable Housing:

The Financial Viability Appraisal submitted with the application has been independently validated. This has demonstrated that the level of affordable housing the scheme can support equate to 25% by residential unit or 26% by habitable room.

2. Transport:

In line with the SPD a Green Travel Plan is required to meet the sustainable transport needs arising from this scheme. It is likely that a Travel Plan bond of £20,000 will be sought to ensure compliance with the Travel Plan or a remedial payment measure will be incorporated into the s106, to deal with any future potential breaches. Any and all resulting Highways matters will be required to be delivered and the cost met by the developer.

3. Education:

A contribution equal to £259,798 is sought from this scheme. This breaks into the following: £41,530 for Nursery provision, £90,379 for Primary provision, £69,251 for Secondary provision and £58,638 for Post 16 provision.

4 Health:

A contribution in the sum of £30,207.80 is sought as a result of this scheme (139.88 people x £216.67).

5. Public Realm/British Waterway:

A contribution towards towpath and canal side improvements up to a sum of £100,000 is sought.

6. Community Facilities:

A contribution towards local community facilities in the sum of £30,000 is sought as a result of this scheme.

7. Libraries:

A contribution towards library books equal to £3,213.24 is sought as a result of this scheme.

8. Construction Training:

A contribution equal to £2,500 for every £1 million build cost is sought as a result of this scheme or a training scheme is to be submitted to and approved by the Council detailing how construction training initiatives will be met on site.

9. Project Management and Monitoring:

A contribution equal to 5% of the total cash contributions is to be secured to enable the management and monitoring of the resulting s106 agreement over the land.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is contained within an Industrial and Business Area (IBA) where Policy LE2 of the Hillingdon Unitary Development Plan Saved Policies requires land to be used for business, industrial and warehousing purposes (Use Class B1 to B8), unless it can be satisfied that:

- there is no realistic prospect of land being used for industrial or warehousing purposes in the future; and
- the proposed use does not conflict with policies and objectives of the plan
- the proposal better meets the plan's objectives, particularly in relation to

affordable housing and economic regeneration.

The UDP goes on to state that in applying this policy the following factors should be taken into account:

- * Evidence of a lack of demand for warehouse uses
- * The length of time vacant premises or land have been marketed and the interest expressed by potential occupiers
- * The amount and nature of vacant floorspace in the borough
- * The size and layout of existing premises

The Council's Employment Land Study (ELS) was published in July 2009 and contains a review of all IBA's in the borough. Comments in relation to Royal Quay are contained in Chapter 8 of the document in paragraphs 8.36-8.43, under the heading Summerhouse Lane. It is stated that the long vacant cleared site at Royal Quay has the potential for a residential led mixed-use scheme, which would benefit the local area by making the site more vibrant. The drawback would be that any mixed-use scheme would potentially erode the employment designation status. The challenge for this site is to develop a scheme that adds value to the local business community whilst not harming the amenities of any future residents or those of the existing businesses. The recommendation for this site at paragraph 8.43 of the ELS is as follows:

'Redraw the boundaries of the existing IBA to exclude the already completed housing component in the north of the IBA, release the vacant part of Royal Quay to housing through a site allocation policy and include Salamander Quay into a designated Locally Significant Employment Location (LSEL)'

Therefore, the ELS forms a key part of the evidence base for the implementation of policy LE2 and also for the emerging Core Strategy document. It indicates that the principle of residential development on the vacant part of Royal Quay is acceptable. However, the issue of protecting the amenity of surrounding areas will need to be carefully considered.

7.02 Density of the proposed development

The key planning policy document that the Local Planning Authority need to take into account when assessing residential density is the London Plan February 2008. Policy 3A.3 of the London Plan advises that boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context, the design principles in policy 4B.1 and with public transport capacity. The London Plan provides a density matrix to establish appropriate densities at different locations.

The subject site is within a suburban setting and has a Public Transport Accessibility Level (PTAL) of 1. Taking into account these parameters, the London Plan Density matrix recommends a density of 50-75 units per hectare and 150-200 habitable rooms per hectare. The applicant's report advises that the scheme complies with the density threshold. However, this is based on the entire application site which includes non-residential land, contrary guidelines on how to calculate residential density identified by the Mayor to support the London Plan. Council's officers have estimated the 'residential' area of the site, including the access to Park Lane and Summerhouse Lane, as 0.94ha. Using the correct net residential site area, the scheme achieves a density of 101 units per hectare and 269 habitable rooms per hectare. This exceeds the density range within the London Plan and the proposed density results in a number of other issues, identified within the reasons for refusal.

The applicant has stated that if the density range is reduced to meet the London Density

Matrix the proposal would become unviable now and for the foreseeable future.

Nonetheless, given the context of the site, the proposed density is considered to be an over development contrary to Policies 3A.3 and 4B.1 of the London Plan.

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

ARCHAEOLOGY

The site is situated in an area of considerable archaeological and historic importance.

Previous archaeological work on the application site encountered re-deposited worked flint, indicating archaeological activity from the prehistoric period in the near vicinity if not from the site itself. This evaluation appears to be limited to the extreme south-western corner of the area. However, other remains from the prehistoric period have been recorded from the site, including an 'iron spearhead', recovered during groundworks in the early 20th Century

More importantly, however, it is also known that the site was developed from the 16th century onward, if not considerably earlier, with a series of mills representing various different industries, including corn, paper and copper. Of particular interest is the sheet copper rolling mill that was established in 1781 by the Company of Mines Royal. The history of industrialisation of London's conurbation, as well as physical remnants of these processes, would be considered of being of regional to national importance. Associated with these works and the series of later mills on the site are the standing Manor House and the West Factory Block, both of which are listed.

English Heritage did not consider that any further works need to be undertaken prior to determination of the subject planning application but the archaeological position should be reserved by attaching a condition to any consent.

CONSERVATION AREA AND LISTED BUILDINGS

The site is situated within Black Jacks/Coppermill Lock Conservation Area, designated in 1975 because of its special architectural and historic interest. There are two listed buildings within the application site, The Watermill and the Manor House, both Grade II. The Lock Keepers Cottage which is found across the other side of the Canal, not within the application site, is also a listed building.

The proposed buildings, due to their siting, density, bulk and scale would have a detrimental impact on the character and setting of the Conservation area. Whilst the design in principle is acceptable, the combination of the factors would result in the development appearing cramped on the site where currently the characteristics of the area are open and low density.

The proposed heights and scale of the proposed buildings and its relationship with the Listed Buildings is poor and would appear to dominate the listed buildings. Whilst the applicant has made attempts to reduce the scale and height of the buildings which are closest to the listed buildings, the close proximity to the listed buildings together with the proposed scale and bulk would undermine the nature of these listed buildings.

The Council's Conservation Officer has also raised concerns relating to the impact of the proposal on the character and setting of the Conservation Area and the listed buildings within the site. It should also be noted that the conservation area extends into Three Rivers District Council and their officers' concerns mirror those of Hillingdon's officers.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Policy OL5 of the UDP Saved Policies 2007 seeks to protect the Green Belt from nearby developments which may prejudice its visual amenity. Whilst the application site is not within the green belt, the green belt immediately surrounds the application site across the canal to the north and west and further beyond Barrington Drive to the east and south.

The proposal would be seen in the context of other buildings within the site and its surroundings and therefore, it is not considered that the proposal would have a negative impact on the Green Belt. It should also be stressed that Green Belt impact has not been a concern on previous schemes involving 3-4 storey buildings.

7.06 Environmental Impact

See paragraphs 7.17 and 7.18.

7.07 Impact on the character & appearance of the area

Policies BE13, BE19, BE21 and OE1 seek to ensure that new development will complement and improve the character and amenity of the area and harmonise with the existing street scene. Policy BE4 requires new development within conservation areas to preserve or enhance those features which contribute to the special architectural and visual qualities of the area. Policy BE10 advises that planning permission will not normally be granted for proposals which are considered to be detrimental to the setting of a listed building.

The appearance of the proposed buildings is based on a modern interpretation of the traditional building form found on site. This approach is considered acceptable in principle however, given the Conservation Area and adjacent Listed Buildings, the detailing, finishes and façade treatments must be of a very high standard and integrate with the surrounding Listed Buildings and Conservation Area.

The Council's Conservation Officer has raised concerns regarding the lack of detailing and design, which would result in a development that fails to respect the character and appearance of the Listed Buildings and the Conservation Area. The proposed blocks D, E, and F fail to incorporate local features and materials to incorporate these buildings with the more traditional buildings on site. Some of the glazed enclosures are unclear and would appear odd on the elevations and lack detailing in particular to buildings fronting Summerhouse Lane.

The proposed building closest to the Manor House is approximately 7m away and due to the L-shaped layout, it would wrap the Manor House to the north eastern corner, and would appear to dwarf the Listed Building. This is due to the massing of the proposed Block A in the context with the other proposed buildings (Block G, H and B). The overall massing and bulk would dominate the Listed Building, Manor House. In addition, the prominent views to the listed building from the public view points will also be obscured by the proposed Block A.

The proposed siting of the buildings and the layout of the site would also make the site appear cramped due to the close proximity of the distances between the proposed buildings. The proposals are not considered to be to the detriment of the character and appearance of the area, which otherwise is low density and spacious in character. As such, the development would be contrary to policies BE10, BE13, BE19 and BE21 of Unitary Development Plan Saved Policies September 2007.

7.08 Impact on neighbours

Policy BE19 of the Hillingdon Unitary Development Plan Saved Policies seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. Policies BE20, BE21 and BE24 require that new development adequately protects the privacy, provision of daylight and sunlight to, and residential amenity of existing properties.

In addition, the Hillingdon's Design and Accessibility Statement (HDAS) on Residential Layouts provides further guidance in respect to privacy, in particular the distances between facing habitable room windows should not be less than 21m and habitable room to flank wall should not be less than 15m. With regards to the proposed residential units, Blocks G and H fronting Summerhouse Lane would be closest to the neighbouring properties along Barrington Drive. The distance between the proposed habitable room windows to the rear elevation of the dwellinghouses on Barrington Drive is some 22m. Also, due to the topography, the dwellinghouses on Barrington Drive would be situated at a higher level than the proposed blocks and therefore there would be no unacceptable overlooking between the nearest neighbouring properties and the proposed residential units.

Overall, the proposal is not considered to have any unacceptable overlooking, privacy or daylight/sunlight impacts on the nearest neighbouring properties on Barrington Drive.

In relation to the impact to the neighbouring commercial occupiers, the nearest proposed building (Block A) to Manor House is only 8m to 12m. Although the Manor House is currently vacant, there is still a need to protect the commercial viability of the Manor House and the amenity of future occupiers of the residential units. The proposed residential Block B is also within close proximity to The Watermill, with only 16m separation distance. The level of privacy offered to the future occupiers of the residential units is considered to be unsatisfactory and contrary to policy BE24 of the Unitary Development Plan Saved Policies September 2007.

7.09 Living conditions for future occupiers

Policy BE23 of the Hillingdon Unitary Development Plan Saved Policies requires the provision of external amenity space which is sufficient to protect the amenity of the development and surrounding buildings, and which is usable in terms of its shape and siting. Policies BE20, BE21 and BE24 require that new development adequately protects the privacy, provision of daylight and sunlight to, and residential amenity of future occupiers.

In addition, the Supplementary Planning Document Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts seeks to ensure that an adequate amount of conveniently located amenity spaces is provided in new residential developments and appropriate level of privacy and daylight is offered to the future occupiers.

The proposed arrangement of the residential blocks fails to provide appropriate separation distances between buildings and in particular, between facing habitable room windows. The majority of the proposed blocks fail to provide the minimum required 21m distance between facing habitable room windows. The applicant has stated that the blocks do not provide facing habitable room windows between blocks however, in most of the cases, the kitchen window would face the living room window or bedroom windows of another block. As the proposed kitchens in all proposed residential units are open plan with the living space, it is considered that the proposed separation distances between these windows are not satisfactory and the majority of the blocks will overlook each other. The separation distances range from 9m (between Block E and D) to 18m (between Block G and B). In the

case between Block D and Block C, the separation distance is approx 17m with habitable rooms facing each other. It is also worthwhile to note that in majority of cases, the windows lead out to a balcony and therefore, the distances between these balconies would be closer than those referenced above.

With regards to amenity space provision, 93 out of 95 units are provided with private balcony provision which range in size from approximately 4sq.m to 4.9sq.m. The total usable communal external amenity space provision is provided in three separate areas and the total amount equates to approximately 1879sq.m. HDAS seeks a minimum of 25sq.m for 2 bedroom flats and a minimum of 20sq.m for 1 bedroom flats.

The amenity space adjacent to Blocks D and E is approximately 381sq.m in size and it can be expected that this area would be utilised by the future occupiers of those blocks (24 units) due to its location. This area together with the proposed balcony provision, Blocks D and E would provide sufficient amenity space for future occupiers. The amenity space adjacent to Block F is likely to be utilised by occupiers of Block F (15 units) and amounts to approximately 422sq.m and this space again, would be sufficient for the future occupiers of Block F. The decked amenity space area between Blocks A, B, C, G and H is approximately 1076sq.m. This provision together with private balconies would provide adequate amenity space for the future occupiers of the blocks mentioned.

The Mayor's adopted Supplementary Planning Guidance on Providing for Children and Young people's Play and Informal Recreation (March 2008) provides guidance to London boroughs on providing for the play and recreation needs of children and young people under the age of 18 and the use of benchmark standards in the preparation of Play Strategies and in the implementation of Policy 3D.13 of the London Plan (2008). A Benchmark Standard of a minimum of 10 sq m per child regardless of age is recommended as a basis for assessing future requirements arising from an increase in the child population of the area.

Among other requirements the SPG indicates that for children aged 5, 5-11, and 11+ play space of an appropriate standard should be available or provided within a reasonable walking distance of 100m, 400m and 800m, respectively. This distance should be measured as actual walking distance taking into account barriers to movement etc.

The SPG provides guidance on what makes a good place for play. This is dependent on a number of key elements, including the size of the space, location and accessibility, quality and design, management and maintenance.

The Council's HDAS states that 'on larger schemes containing flats which would result in family housing (two or more bedrooms) being sited more than 400m from a children's play area, the development should provide for a usable amenity area incorporating a safe play space for children, located within the development. This requirement is reinforced by Policy R1 of the Unitary Development Plan Saved Policies 2007

While the majority of proposed units are provided with a small balcony, there is no safe or appropriately equipped play space provided for children within the development. Further there is no provision of an appropriate standard within 400m actual walking distance of the development.

Despite the adequate quantum of amenity space within the development as whole, there is inadequate provision of appropriately designed or set out play space to meet the play

needs of children arising from the development.

Given the lack of a dedicated children's play area it is considered that the proposed development is contrary to Policies BE20, BE21, BE24 and R1 of the Hillingdon's Unitary Development Plan Saved Policies 2007 and Policy 3D.13 of the London Plan.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The site is accessed off Park Lane and has a PTAL rating of 1a (on a scale where 6 is high and 1 is low). The proposal includes 146 residential parking spaces within a two storey decked area and on the land surrounding the proposed residential building and a further 146 spaces would be available for the existing commercial use within the site. The proposed parking spaces would comply with the Council's maximum parking standards.

The accompanying Transport Assessment provides trip generation figures from example sites to make assumption of trip generations from the proposed development. However the Transport Assessment fails to provide examples of similar sites to the application site with similar PTAL rating and also the dwelling mix. Therefore, it is considered that the submitted transport assessment is not considered to provide a robust quantitative assessment of the development transport impact on the highway network contrary to Policy AM7 of the UDP Saved Policies September 2007.

Furthermore, the site lines at the existing Royal Quay junction with Park Lane are inadequate and the internal road width is 4.1 metres (it needs to be a minimum of 4.8 metres to allow a lorry and car to pass each other), there are no pedestrian footways for almost half the length of this road and some bin locations are still more than the acceptable 10.0 metres from the public highway. For these reasons, also, the proposal is considered to be unacceptable.

7.11 Urban design, access and security

See paragraph 7.07.

7.12 Disabled access

The Hillingdon Design and Accessibility Statement (HDAS) require all new residential units to be built to lifetime home standards and 10% of units should be designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site.

The Council's access officer commented that 10% of new housing should be built to wheelchair home standards and all units to Lifetime Home standards which should accord with relevant policies, legislation adopted guidance. The proposed development incorporates some Lifetime Home Standards and no details of Wheelchair Home Standard Units are provided.

The proposal would provide more than 10% of parking spaces for wheelchair accessible spaces.

The proposal therefore would fail to comply with London Plan Policy 3A.5 and the Council's Supplementary Planning Documents 'Accessible Hillingdon' and 'Residential Layouts'.

7.13 Provision of affordable & special needs housing

Policy 3A.9 of the London Plan states that UDP policies should set an overall target for the amount of affordable housing over the relevant plan period taking into account, amongst other things, the Mayor's strategic target for affordable housing provision that 50% of provision (in habitable rooms) should be affordable and, within that, the London wide objective of 70% social housing and 30% intermediate provision and the promotion of

mixed and balanced communities.

The application provides 24 affordable units out of the total 95 units proposed. The applicant has submitted a financial viability appraisal to justify the proposed level of provision and this appraisal has been independently validated. This has demonstrated that the level of affordable housing the scheme can support equates to 25% by residential unit or 26% by habitable room. The proposed 24 affordable units equate to 26% of total number of habitable rooms and is considered acceptable. However, no legal agreement has been signed to deliver the proposed level of affordable housing.

7.14 Trees, Landscaping and Ecology

Immediately to the west of the site is the Grand Union Canal. The Grand Union Canal is a site of Nature Conservation Interest. Policy BE32 seeks to enhance the role of the canal as a wildlife corridor and secure environmental improvements. Policy BE38 seeks to retain and utilise landscape features of merit and provide new planting where appropriate.

It is considered that the application is inconsistent with the above policies as the proposal fail to provide clear objectives which promise to deliver a high quality landscape scheme or any improvements along the canal in accordance with saved UDP policies BE32 and BE38.

The Council's Landscape and Trees Officer objects to the proposal due to the density, the limited space available for providing attractive and useable amenity areas, the mix of urban/waterside character, the proximity to the Green Belt. The heavy dependence on the roof/decked garden (which will serve blocks A, B, C, G and H) increase the need for clear landscape objectives which lead to a well design and detailed scheme. The landscape objectives, as expressed in the DAS and on plan, remain unclear and the sparse information provided lacks conviction. Therefore, the proposal is contrary to Policies BE32 BE38 and PR16 of Hillingdon's Unitary Development Plan Saved Policies 2007.

7.15 Sustainable waste management

Policy 4A.22 of the London Plan sets out the Spatial Policy for Waste Management in London and states that all developments should provided adequate storage facilities for waste and recycling.

The Council's Waste Officer has indicated that 10x1100ltr refuse provision and 10x1100ltr recycling provision will be required for the proposed development.

The proposed refuse storage is distributed within the site and would provide a total capacity of approximately 19,000 litres. The bin stores proposed for Blocks E, D and F are more than 25m to the collection point. In addition, some of the bin stores are within the building and cannot be independently accessed. This would conflict with secured by design principles.

Whilst the applicant has shown on a site plan detailing waste collection points and indicated that waste management plan can be produced, the proposal would fail to provide satisfactory provision for waste and recycling contrary to Policy 4A.22 of the London Plan.

7.16 Renewable energy / Sustainability

Policies 4A.1, 4A.3, 4A.4, 4A.6 and 4A.7 of the London Plan require all developments to make the fullest contribution to achieving sustainable design and reducing carbon dioxide emissions. Specifically with reference to Major Developments, developments are required to identify energy efficiency savings and the provision of 20% reduction in the buildings carbon dioxide emissions through renewable technology.

The application is accompanied by an Energy Statement by WYG Engineering outlines how the development would deliver the provision of 20% reduction of CO2 through renewable technology. The report states that various options were considered throughout the design stage and concluded that Ground Source Heat Pumps for the provision of hot water for both space heating and domestic hot water is technically viable and would lead to a significant reduction in carbon dioxide emissions. A micro-hydro scheme is also proposed through the utilisation of an Archimedes Screw for the whole development which could lead to a significant reduction in the electricity required from the national grid.

The submitted statement shows commitment to renewable technologies and had the application be recommended for approval, the implementation and delivery of the renewables would be conditioned to ensure that the proposal satisfied the policies within the London Plan.

7.17 Flooding or Drainage Issues

Policy OE7 requires appropriate flood mitigation measures to be implemented in areas liable to flooding. Policy OE8 advises that permission will not be granted for development of existing urban areas which would result in an increased flood risk due to additional surface water runoff, unless the proposed development includes appropriate attenuation measures to a standard satisfactory to the Council in consultation with the Environment Agency.

The Environment Agency has confirmed that it raises no objections to the proposal as the applicant has submitted an appropriate Flood Risk Assessment and suitable flood risk/drainage measures. Therefore, the proposed development is not likely to give rise to unacceptable flood risks.

However, the Environment Agency did object to the original scheme as it did not provide an adequate buffer zone to the watercourse and recommended that Block E be moved back from the bank top to provide an open buffer zone of at least 4m alongside the Grand Union Canal. The revised drawings show a 4m buffer zone alongside the Grand Union Canal to the bank top and therefore this objection has been overcome.

7.18 Noise or Air Quality Issues

No air quality or noise issues are considered to be relevant for the application site.

7.19 Comments on Public Consultations

The main concerns raised by residents, namely over development, traffic and parking issues and impact on the conservation area have been dealt with in the main body of the report.

7.20 Planning Obligations

Policies Pt1.39, R7 and R17 of the Council's Unitary Development Plan states that the Local Planning Authority will, where appropriate, seek to planning obligations to achieve benefits to the community related to the scale and type of the development proposed.

The following heads of terms have been identified for the proposal to be acceptable.

1. Affordable Housing:

The Financial Viability Appraisal submitted with the application has been independently validated. This has demonstrated that the level of affordable housing the scheme can support equates to 25% by residential unit or 26% by habitable room.

2. Transport:

In line with the SPD a Green Travel Plan is required to meet the sustainable transport needs arising from this scheme. It is likely that a Travel Plan bond of £20,000 will be sought

to ensure compliance with the Travel Plan or a remedial payment measure will be incorporated into the s106, to deal with any future potential breaches. Any and all resulting Highways matters will be required to be delivered and the cost met by the developer.

3. Education:

A contribution equal to £259,798 is sought from this scheme this breaks into the following: £41,530 for Nursery provision £90,379 for Primary provision, £69,251 for Secondary provision and £58,638 for Post 16 provision.

4 Health:

A contribution in the sum of £30,207.80 is sought as a result of this scheme (139.88 people x £216.67).

5. Public Realm/British Waterway:

A contribution towards towpath and canal side improvements up to a sum of £100,000 is sought.

6. Community Facilities:

A contribution towards local community facilities in the sum of £30,000 is sought as a result of this scheme.

7. Libraries:

A contribution towards library books equal to £3,213.24 is sought as a result of this scheme.

8. Construction Training:

A contribution equal to £2,500 for every £1 million build cost is sought as a result of this scheme or a training scheme is to be submitted to and approved by the Council detailing how construction training initiatives will be met on site.

9. Project Management and Monitoring:

A contribution equal to 5% of the total cash contributions is to be secured to enable the management and monitoring of the resulting s106 agreement over the land.

As the application is recommended for refusal, negotiations relating to the above requirements have not taken place. However, as a S106/unilateral agreement has not been offered or provided a reason for refusal is recommended relating to the above requirements.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues.

8. Observations of the Borough Solicitor

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of

the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

9. Observations of the Director of Finance

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

10. CONCLUSION

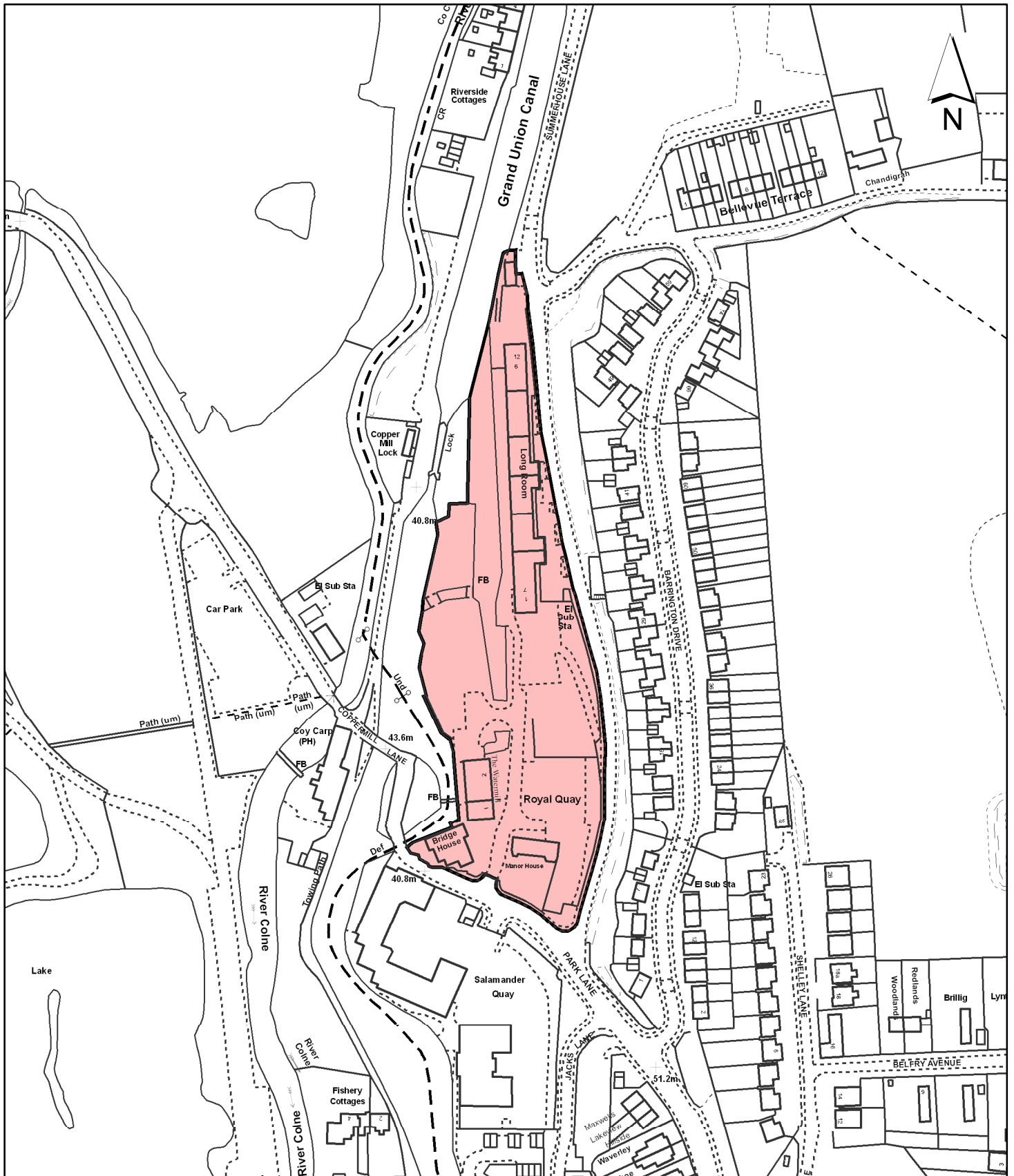
The application is for a significant development on part of the Royal Quay site at Park Lane, Harefield. The application fails to provide a satisfactory development on the site due to its design, density, lack of landscaping details and poor layout which are detrimental to the character and appearance of the Conservation Area and the setting of Listed Building. The proposal also fails to provide a satisfactory living environment for the benefit of future occupiers of the development and has inadequate provision for disabled people. As such, the application is not consistent with the provisions of the Hillingdon Unitary Development Plan Saved Policies September 2007, the London Plan and the Council's Supplementary Planning Documents and is recommended for refusal.

11. Reference Documents


London Plan February 2008
Hillingdon Unitary Development Plan Saved Policies 2007
Hillingdon Design and Accessibility Statement - Residential layouts
Hillingdon Design and Accessibility Statement - Planning Obligations
Supplementary Planning Documents 'Accessible Hillingdon'

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Royal Quay
Coppermill Lock
Park Lane, Harefield**

Planning Application Ref:
43159/APP/2009/711

Planning Committee
North

Scale
1:2,500

Date
November 2009

**LONDON BOROUGH
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