



# HILLINGDON

LONDON

<b>Meeting:</b>	<b>Major Applications Planning Committee</b>	
<b>Date:</b>	<b>16 July 2015</b>	<b>Time: 6:00pm</b>
<b>Place:</b>	<b>Committee Room 5, Civic Centre, Uxbridge</b>	

## ADDENDUM SHEET

<b>Item: 6 Page: 5</b>	<b>Location: Former Tommy Flynn's Public House, Sutton Court Road, Hillingdon.</b>
<b><i>Amendments/Additional Information:</i></b>	<b><i>Officer Comments:</i></b>
<p>Page 5 - Amend the following plan numbers</p> <ul style="list-style-type: none"> <li>- 201 Rev 01 should be 201 Rev 00</li> </ul> <p>Add Planning Noise Statement reference BS 33699/PNA to the drawing list</p> <p>To note - 202 Rev 01, 203 Rev 01 and 204 Rev 01 were amended on the 7th July 2015 to show the pitched roof adjacent to No. 76 Snowden Avenue.</p>	For clarity
<p>Page 5 - Delete all 5 of the dates of amendments.</p> <p>Amended plans were received on the 04/03/2015 and 21/05/15</p>	For clarity
<p>Page 6 - Section 1:</p> <p>Amend the number of parking spaces in paragraph 1 from 33 to 31</p> <p>Delete paragraph 2, which relates to the scheme providing failing to provide 35% affordable housing and change the recommendation to approval subject to a S106.</p>	<p>For clarity.</p> <p>The applicant has agreed a policy compliant affordable housing scheme which includes 35% affordable housing of the 30 units proposed.</p>
<p>Page 6 - Section 2 Recommendation</p> <p><b>The recommendation of the application is now for approval subject to a S106 agreement being completed to secure the provision of 35% of the units as affordable.</b> There are a number of conditions and informatives which will be listed in Appendix 1 of this addendum.</p>	<p>The applicant has agreed to provide 35% of the 30 units as affordable housing.</p>

<p>Page 23 - Section 7.09 - External Amenity Space Delete sentence: "Had the scheme been found acceptable in all other regards", and amend continuing sentence to state that a condition is recommended requiring details of the treatment proposed around the balconies and terrace areas.</p>	<p>For clarity.</p>
<p>Page 24 - CYCLE PARKING Amend last sentence to state that details of the design and scale of the proposed cycle store will be requested by condition.</p> <p>REFUSE Paragraph 2 under this heading-amend the last sentence of this paragraph to state that a condition is recommended to ensure that the external doors are only used on collection days</p>	<p>For clarity.</p> <p>For clarity.</p>
<p>Page 25 - Section 7.11 - SECURITY Amend last sentence to state that a condition is recommended to ensure that the scheme complies with the 'Secure by design' criteria.</p>	<p>For clarity.</p>
<p>Page 25 - Section 7.13 Provision of affordable &amp; special needs housing: Delete paragraph 2, 4 and 5</p>	<p>The scheme as originally submitted was accompanied by a viability report which stated that the provision of 35% affordable housing, in addition to the Hillingdon and Mayoral CIL and construction costs, would render the development 'unviable'.</p> <p>Discussions between the Councils and applicants consultants on the matter of the schemes viability have highlighted several costs, which are in dispute, and for which the applicants consultant has failed to provide sufficient justification for.</p> <p>The conclusions of the Councils consultants are that they firmly believe this scheme to be fully viable with 35% affordable housing. The applicant is therefore legally obligated to provide the 35%.</p> <p>The applicant has now agreed (on an ex-gratia basis) to provide a policy compliant affordable housing scheme, which includes 35% affordable housing of the 30 units proposed.</p> <p>The Council has agreed to accept this offer but not on an ex-gratia basis. Officers believe the ex-gratia offer to be contradictory, because if</p>

	they can provide the 35% then the offer is by definition not ex-gratia.
Page 27 - Amend 1st sentence in paragraph at top of page to delete "...and if the application was recommended for approval", and state that landscape conditions are recommended on any consent.	For clarity
Page 27 - Section 7.20 - Planning Obligations Delete paragraph 3 Insert the following: The applicant has agreed to provide 35% of the 30 units proposed as affordable units on an ex-gratia basis. This will be secured through a S106 agreement.	For detailed reasons see above amendment to paragraph 7.13
Page 29 - Section 10 - Conclusion Delete second paragraph	The scheme now proposes to provide 35% of the 30 units as affordable housing.
<p>Add new section - Recommendation Notes - This states the following:</p> <p>That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to the following:</p> <p>A) That the Council enter into a Section 106 Agreement or other appropriate legislation to secure:</p> <p>i). Affordable Housing: 35% of the scheme to be delivered as affordable housing; ii) None of the market housing occupied until 100% of the affordable housing is delivered.</p> <p>B) That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.</p> <p>C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.</p> <p>D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before the 31st August 2015, or any other period deemed appropriate that delegated authority be given to the Head of Planning and Enforcement to refuse the application for the following reason:</p> <p>'The development has failed to secure obligations relating to affordable housing provision. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD (July 2014) and Policy H2 of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) and Policy 3.12 of the London Plan (March 2015) and the NPPF.'</p>	To ensure that the scheme provides affordable housing.

<p>E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.</p> <p>F) That if the application is approved, the following conditions be attached:- See Appendix 1</p>	
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<b>Item: 7 Page: 31</b>	<b>Location: Former EMI Site, Dawley Road, Hayes</b>
<b>Amendments/Additional Information:</b>	<b>Officer Comments:</b>
Replace Drw. No. 30034-PL-114 with 30034-PL-114 Rev. A received 15/7/15 and add Drw. No. 30034-PL-118 (as amended by 30034-PL-101 B) received 17/4/15.	For amendment/ correction.
<p>Following queries raised by the applicant, the following revisions to condition 11 are advised:-</p> <ul style="list-style-type: none"> <li>- In Section a), omit part iii and re-number a. as iii. and b. as iv.</li> <li>- In b) i. replace text with 'Full details of foul drainage to be provided.'</li> </ul>	For correction and clarity
<p>Add additional condition:-</p> <p>The internal floor areas of the buildings hereby approved shall not be used for the provision of additional vehicular parking without the prior approval of the Local Planning Authority.</p> <p><b>REASON:</b> In order for the LPA to assess the impacts of additional car parking on site and associated traffic movements, in accordance with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).</p>	The Highway Engineer advises of the need for such a condition, to ensure that the LPA can assess the impact of any use made of the internal floor areas for additional parking which might otherwise not constitute development.

<b>Item: 9 Page: 95</b>	<b>Location: Hillingdon Court, 108 Vine Lane, Hillingdon</b>
<b>Amendments/Additional Information:</b>	<b>Officer Comments:</b>
Replace plan no. PrC-A-22-300 PD4 with plan no. PrC-A-22-300 PD5 throughout the report.	This more clearly identifies ceiling treatments to relevant rooms as requested by Historic England and confirms that original ceilings will not be disturbed.
Condition 4 - delete the words "or external landscape" from the first line.	At the applicant's request because these details have been provided.

<p>Condition 5 - amend wording as follows:</p> <p>Detailed drawings or samples of materials, as appropriate, in respect of the following shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:</p> <ul style="list-style-type: none"> <li>a) all new external materials and materials for the light well / courtyard infill structure - samples illustrating texture, colour and finish to be provided for agreement</li> <li>b) details of new external flues, vents and plant</li> <li>c) details of works required for the installation of the ducting for the courtyard ventilation system</li> <li>d) drainage details for the new bathrooms and kitchenette</li> <li>e) details of the protection of panelling to rooms G5 and G6 during works</li> <li>f) details of new internal and external joinery for the listed building, drawings to include relevant cross-sections and to be at scale 1:10, 1:5 or to full size as appropriate. These details should cover windows, doors, architraves, panelling, dado rails, skirting and glazed screens</li> <li>g) design details of the secondary glazing</li> <li>h) details of the windows, external doors and roof lights for the new additions</li> <li>i) cladding system for the roof addition to include eaves detail and design of the brise soleil</li> <li>j) design of new stair within the internal courtyard and flooring for this space</li> </ul> <p>REASON To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to ensure the development presents a satisfactory appearance in accordance with Policy BE8, BE13 and BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) .</p>	<p>The applicant has requested amendments to the wording to allow development of early phases to commence prior to approval of materials relating to subsequent phases. This request is considered to be reasonable.</p>
<p>Condition 7. The applicant has requested that this condition is deleted in its entirety as they consider all relevant information to have been provided. Officers disagree with this request because much of the landscape detail is of an illustrative / indicative nature and the quality of the hard and soft landscape details will be critical on this historic site. However, the condition wording has been reviewed in liaison with the Council's Trees/Landscaping and Urban Design &amp; Conservation Officers and the following changes are recommended: Delete clauses 2.a, 2.b, 2.d, 2.e, 4.b &amp; 6.b, add the following wording to clause 2.c "including to the proposed car/coach park," and remove reference to refuse provision in the condition reason, such that the condition reads as follows:</p> <p>"No external works shall take place until a landscape scheme has been submitted to and approved in writing by</p>	<p>To take on board the applicant's comments, to ensure no duplication of information which has already been provided or is required by other conditions and to ensure the condition is reasonable, relevant to the development and proportionate to the scale of the scheme.</p>

<p>the Local Planning Authority. The scheme shall include: -</p> <ol style="list-style-type: none"> <li>1. Details of Soft Landscaping <ol style="list-style-type: none"> <li>1.a Planting plans (at not less than a scale of 1:100),</li> <li>1.b Written specification of planting and cultivation works to be undertaken,</li> <li>1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate</li> </ol> </li> <li>2. Details of Hard Landscaping <ol style="list-style-type: none"> <li>2.b Hard Surfacing Materials, including to the proposed car/coach park</li> </ol> </li> <li>3. Living Walls and Roofs <ol style="list-style-type: none"> <li>3.a Details of the proposed living walls to the multi-use hall extension</li> </ol> </li> <li>4. Details of Landscape Maintenance <ol style="list-style-type: none"> <li>4.a Landscape Maintenance Schedule for a minimum period of 5 years.</li> </ol> </li> <li>5. Schedule for Implementation</li> <li>6. Other <ol style="list-style-type: none"> <li>6.a Existing and proposed functional services above and below ground</li> </ol> </li> </ol> <p>Thereafter the development shall be carried out and maintained in full accordance with the approved details.</p> <p><b>REASON</b> To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.11 (living walls and roofs).</p>	
<p>The applicant has requested that condition 10 is revised to become a compliance condition, having provided the following reasoning:</p> <p>“Given the application is supported by a Phase 1 Habitat Survey we do not feel it is necessary to produce an additional ecological enhancement scheme. If possible could this condition be revised to a compliance condition requiring development to be carried out in accordance with the relevant recommended mitigation measures included in the Phase 1 Habitat Survey?”</p> <p>Officers are not in agreement with this request and consider that the condition wording should remain as per the Committee report.</p>	<p>The submitted Phase 1 Habitat Survey recommended ecological enhancement. No details of any such enhancements have been specified or provided. Accordingly, full details are required by way of condition, particularly given the sensitive nature of the site.</p>
<p>The applicant has requested the removal of condition 13 as they feel sufficiently detailed information has been provided.</p>	<p>The drawings provided show indicative positioning, sizing, etc, only. Given the sensitive nature of</p>

Officers do not agree with this request.	the site it is vital that full and final details of all plant and associated roof equipment is provided.
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<b>Item: 10 Page: 137</b>	<b>Location: Hillingdon Court, 108 Vine Lane, Hillingdon</b>
<b><i>Amendments/Additional Information:</i></b>	<b><i>Officer Comments:</i></b>
Replace plan no. PrC-A-22-300 PD4 with plan no. PrC-A-22-300 PD5 throughout the report.	This more clearly identifies ceiling treatments to relevant rooms as requested by Historic England and confirms that original ceilings will not be disturbed.

<b>Item: 11 Page: 153</b>	<b>Location: Padcroft Works</b>
<b><i>Amendments/Additional Information:</i></b>	<b><i>Officer Comments:</i></b>
Amend condition 21 to add in: 'and 15 motorcycle spaces'	To ensure clarity.
Amend condition 22 to add:  'The scheme shall include the allocation of parking for the B1 use)	For clarity.
Delete condition 32 and replace with an informative with the following wording.  This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.	For accuracy.
For the information of members the CIL Liability arising from the development is currently estimated to be: £2,218,318.14 - Hillingdon CIL £868,583.86 - Mayoral CIL  The applicant will be formally advised of their CIL Liability by way of a separate notice.	For information.

#### 1. Time Limit

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

#### REASON

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

#### 2. Accordance with approved plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 200 Rev 00; 201 Rev 00; 202 Rev 01; 203 Rev 01; 204 Rev 01; 300 Rev 01; 301 Rev 02 and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

#### 3. General compliance with supporting documentation

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

- Energy Statement

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

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

#### 4. Tree Protection

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

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

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

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

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



- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

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

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

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

##### 1. Details of Soft Landscaping

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

##### 2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including demonstration that 2 of the parking spaces are served by electrical charging points)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture)

##### 3. Details of Landscape Maintenance

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

##### 4. Schedule for Implementation

##### 5. Other

- 5.a Existing and proposed functional services above and below ground
- 5.b Proposed finishing levels or contours

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015)

#### 6. Levels

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

#### REASON

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

#### 7. Materials

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

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

#### REASON

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

#### 8. Obscure glazing

The windows facing No. 6 Sutton Court Road (eastern elevation) shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

#### REASON

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

#### 9. Sustainable Water Management

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

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- ii. include a timetable for its implementation; and
  - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
  - iv. provide details of water collection facilities to capture excess rainwater;
  - v. provide details of how rain and grey water will be recycled and reused in the development.
- Thereafter the development shall proceed in accordance with the approved scheme.

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 5.12.

#### 10. Secured by Design

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

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2015) Policies 7.1 and 7.3.

#### 11. Lifetime Homes/Wheelchair Units

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

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2015) Policies 3.1, 3.8 and 7.2

#### 12. Visibility Splays - Pedestrian

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

#### REASON

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

#### 13. Traffic Arrangements - submission of details

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

#### REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

#### 14. Parking Allocation

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

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

#### 15. Sound Insulation

The development shall be constructed in accordance with the details and guidance contained within the Planning Noise Assessment scheme (NSL reference BS 33699/PNA) to ensure that the development meets an acceptable internal noise design criteria. All works which form part of this scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and air traffic noise in accordance with policy OE5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.15.

#### 16. Refuse Storage Management

Prior to the occupation of the building, details and a scheme for the management of the refuse store shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the store will be managed to ensure that the

external door remains shut, except on collection days, and provide details of the storage area, door design and any ventilation.

#### REASON

To ensure the amenity of the occupiers of the adjacent residents is not adversely affected by the development in accordance with policy BE19 and OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 17. Contaminated Land

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

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

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

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

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

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

(iv) No dwelling hereby approved shall be occupied until site derived soils and imported soils for each phase of the development have been independently tested for chemical contamination. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

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

## INFORMATIVES

### 18. The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

### 19 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

### 20. Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

### 21. Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

## 22. Works affecting the Public Highway - General

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

## 23. The Party Wall etc. Act 1996

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

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

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

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

## 24. Building Regulations - Demolition and Building Works

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

## 25. Damage to Verge - For Council Roads:

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

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

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

#### 26. Refuse/Storage Areas

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

#### 27. Secured by Design

The Council has identified the specific security need(s) of the application site to be: (State specific security need(s)).

You are advised to submit details to overcome the specified security need(s) in order to comply with condition X of this planning permission.

#### 28. Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;

- build on the boundary with a neighbouring property;

- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

#### 29. Compulsory Informative (1)

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

#### 30. Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary



Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

31. Councils Local Plan : Part 1 - Strategic Policies

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