

Report of the Head of Planning, Sport and Green Spaces

Address 146 FIELD END ROAD EASTCOTE

Development: Change of Use from Use Class B1 (Offices) to part Use Class A1 (Shops) and part Use Class C3 (Flats) and the creation of a third floor to provide 6 x 2-bed, 2 x 1-bed, and 1 x 3-bed flats, new balconies, parking, amenity space and cyc store involving external alterations

LBH Ref Nos: 3016/APP/2015/2420

Drawing Nos: 13/144/05 Rev F
13/144/1 Rev G
13/144/02
EAST1402
EAST1401
EAST1402 - NTS
Location Plan
Contamination Investigator
Site Photographs
Envirocheck

Date Plans Received: 27/06/2015 **Date(s) of Amendment(s):** 30/06/2015
Date Application Valid: 16/07/2015 13/07/2015
27/06/2015

1. SUMMARY

This application seeks permission for the change of use of the subject building from Use Class B1 (Offices) to part Use Class A1 (Retail) on the ground floor and part Use Class C3 (Flats) and the creation of a third floor to create 6 x 2-bed, 2 x 1-bed, and 1 x 3-bed flats, new Juliet and external balconies to front and rear, parking (13 spaces to the rear), communal amenity space to the rear and cycle store involving external alterations.

The resultant bulk, storey height and design of the proposed created third floor of the building are such that the development would be in keeping with the appearance of the existing and neighbouring buildings, and not detract from the prevalent form of development in the streetscene and the visual amenities of the wider area. The development would be compliant with the relevant policies of The London Plan 2015, Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

The proposal would provide a satisfactory level of accommodation and amenity space for future occupants of the proposed flats, as well as adequate off-street parking availability, compliant with Policies AM14, BE20, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

Accordingly, the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13/144/05 Rev F, 13/144/1 Rev G (revised, received on 10/10/2015), Phase I and Phase II Contamination Investigation (Project No. RML 5839) and Envirocheck Report: Datasheet (Client reference RML 5839) 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 COM9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping

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

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including demonstration that 6 parking spaces are with electrical charging provision (3 provided with active provision and 3 with passive)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

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

4. Details of Landscape Maintenance

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

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the 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).

4 NONSC Non Standard Condition

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

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

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

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

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

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

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

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

5 NONSC Non Standard Condition

The applicant shall carry out an investigation of gas and vapour levels, and risk assessment thereof to the satisfaction of the LPA. If gas and/or vapour levels are likely to be a risk to future site occupiers then the applicant shall install remediation measures to prevent gas and/or vapour ingress to the flats and shop on the development site to the satisfaction of the LPA.

REASON

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

6 RES15 Sustainable Water Management (changed from SUDS)

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

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

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

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

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

REASON

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

(2015) Policy 5.15.

7 NONSC Non Standard Condition

Unless otherwise first agreed in writing by the Local Planning Authority, prior to the commencement of development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority.

The assessment shall clearly set out the baseline energy performance of the development (to 2013 building regulations), and the detailed measures to reduce CO2 emissions by 40% from this baseline, or demonstrate this is not feasible and provide the maximum feasible reduction. The assessment shall provide detailed specifications of the measures and technology that will be used to reach the aforementioned target. The assessment shall include the impacts of each energy efficiency measure and/or form(s) of technology on the baseline emissions. The assessment shall include plans including elevations where necessary showing the inclusion of the relevant technology to reduce the CO2 emissions.

Finally, the assessment must include appropriate measuring and monitoring proposals and how the information will be submitted to the Local Planning Authority to demonstrate CO2 reductions are being met.

The development must proceed in accordance with the approved scheme.

REASON

To ensure appropriate carbon savings are delivered in accordance with London Plan (2015) Policy 5.2.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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.
BE26	Town centres - design, layout and landscaping of new buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H8	Change of use from non-residential to residential
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
NPPF	National Planning Policy Framework
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.4	(2015) Local character
LPP 7.6	(2015) Architecture

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the western side of Field End Road and comprises a detached flat roof three-storey building. The building has previously been used for offices within Use Class A2, Use Class D1 (educational purposes) and until recently, Use Class B1.

The forecourt of the site forms a parking / servicing area with three parking spaces. There is a part covered driveway to the southern side of the building, which leads to a parking area in the mainly hardsurfaced rear part of the site. Tall trees / hedges and close-boarded fencing form the treatments along the northern, western (rear) and southern boundaries. A metal staircase to the southern side forms external access into the building.

The site is within the Eastcote Town Centre although it lies outside the designated primary and secondary shopping areas. The site lies farther outside the Eastcote (Morford Way)

Conservation Area. To the north of the site is the detached two-storey locally listed Ascots (Manor) Public House at No.144 Field End Road. To the south, the site borders No.148 Field End Road, a three-storey office building, and No.150 Field End Road, a converted part three/part four-storey residential apartment block known as 1-45 Portman House. To the rear (west) of the site lies the residential rear garden of 26 Crescent Gardens.

The immediate section of the Field End Road streetscene is predominantly commercial in character and appearance and mainly comprises three-storey terraced properties with ground floor commercial uses and upper floor office / residential uses. Most of the neighbouring properties, particularly those on the opposite side of the highway are of the 1930's 'Metroland' design style.

Other than its Eastcote Town Centre location, the application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

This application seek permission for the change of use of the subject building from Use Class B1 (Offices) to part Use Class A1 (Retail) on the ground floor and part Use Class C3 (Flats) and the creation of a third floor to create 6 x 2-bed, 2 x 1-bed, and 1 x 3-bed flats, new Juliet and external balconies to front and rear, parking (13 spaces to the rear), communal amenity space to the rear and cycle store involving external alterations.

A retail unit with ancillary store, staff room and toilet would be created in the front part of the ground floor and it would have the forecourt area for dedicated servicing / parking use. A 1 x 2-bed flat would be created in the remaining rear part of the ground floor. The flat as well as the other flats on the upper floors, would be accessed from a new entrance door to be inserted in the southern flank wall. The first and second floors would consist of 4 x 2-bed and 2 x 1-bed flats. The proposed third floor would have a flat roof and consist of 1 x 2-bed and 1 x 3-bed flats.

An internal lift would be provided in the central core of the building. An internal refuse bin store for the flats would be located on the ground floor with entrance door in the southern flank wall, and a timber-framed cycle store would be sited adjacent to the southern flank wall of the building. The cycle store would consist of 16 spaces. 13 parking spaces would be provided in the rear parking area, and it would be adjacent to a landscaped communal amenity area of approximately 85 sq.m.

External alterations are proposed to incorporate Juliet balconies on the upper floors to the front and external balconies rear with metal railings and rear obscure-glazed panels on the first and second floors. Submitted revised plans detail the provision of upper floor side bay windows oriented at 45 degree angles, solid panels and Juliet balconies. The alterations would also incorporate new display windows on the ground floor for the retail unit and new French windows on the upper floors with rendered painted finish for the external walls to make good.

3.3 Relevant Planning History

3016/ADV/2012/87 Heath Business College, The Hallmarks 146 Field End Road Eastcote
Installation of 1 x internally illuminated fascia sign

Decision: 02-01-2013 Approved

3016/APP/2012/1920 146 Field End Road Eastcote Pinner

Application for non-material amendment of planning permission Ref: 3016/APP/2012/662 dated 23/05/2012 to permit rental to the general public (Change of use from Use Class A2 (offices) to Sui Generis for use as a vehicle hire and installation of wash-bay canopy to rear)

Decision: 20-08-2012 Withdrawn

3016/APP/2012/2576 Heath Business College, The Hallmarks 146 Field End Road Eastcote
Details in compliance with conditions 4, 5, 6, 7, 8, 9, 10, 11 and 12

Decision: 23-11-2012

3016/APP/2012/2698 Heath Business College, The Hallmarks 146 Field End Road Eastcote

Change of use of first floor from Class A2 (Financial and Professional Services) to Class D1 (Non-Residential Institutions) for use as a charity organisation, to include disabled access ramp and bicycle rack

Decision: 20-12-2012 Withdrawn

3016/APP/2012/2894 Heath Business College, The Hallmarks 146 Field End Road Eastcote

Variation of conditions 4, 5 & 8 of planning permission ref 3016/APP/2012/662 dated 23/05/2012 to make alterations to parking spaces (Change of use from Use Class A2 (offices) to Sui Generis for use as a vehicle hire and installation of wash-bay canopy to rear)

Decision: 16-01-2013 Approved

3016/APP/2013/42 Heath Business College, The Hallmarks 146 Field End Road Eastcote

Change of use of first floor from Class A2 (Financial and Professional Services) to Class D1 (Non-Residential Institutions) for use for a charity organisation.

Decision: 26-04-2013 Withdrawn

3016/APP/2015/301 146 Field End Road Eastcote Pinner

Change of use from office use (Use Class B1) to 4 x 1 bed and 3 x 2 bed self contained flats (Use Class C3) (Prior Approval)

Decision: 21-04-2015 Refused

Comment on Relevant Planning History

3016/APP/2015/301 - Change of use from office use (Use Class B1) to 4 x 1 bed and 3 x 2 bed self contained flats (Use Class C3) (Prior Approval) - Decision: Refused. Decision Date: 21/04/2015.

Officer comment:

This prior approval application was refused on the grounds that insufficient information was provided to clarify whether or not there is contaminated soil or groundwater below the site or a risk assessment carried out to clarify the risks to future residents, and what soil and water remediation is necessary.

3016/APP/2012/2894 - Variation of conditions 4, 5 and 8 of planning permission reference 3016/APP/2012/662 dated 23/05/2012 to make alterations to parking spaces (Change of use from Use Class A2 (offices) to Sui Generis for use as a vehicle hire and installation of wash-bay canopy to rear) - Decision: Approved. Decision Date: 16/01/2013.

3016/APP/2012/662 - Change of use from Use Class A2 (offices) to Sui Generis for use as a vehicle hire and installation of wash-bay canopy to rear - Decision: Approved. Decision Date: 23/05/2012.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

Part 2 Policies:

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

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

Part 1 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 BE1 Alterations and extensions to existing buildings

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.

BE26 Town centres - design, layout and landscaping of new buildings

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

H4 Mix of housing units

H8 Change of use from non-residential to residential

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

OE1 Protection of the character and amenities of surrounding properties and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OE11 Development involving hazardous substances and contaminated land - requiremer for ameliorative measures

NPPF National Planning Policy Framework

LPP 3.3 (2015) Increasing housing supply

- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2015) Quality and design of housing developments
- LPP 3.8 (2015) Housing Choice
- LPP 7.4 (2015) Local character
- LPP 7.6 (2015) Architecture

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date:- Not applicable
- 5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

EXTERNAL CONSULTTEES

Letters were sent to the owners/occupiers of 13 neighbouring properties including the Eastcote Residents Association and the Eastcote Conservation Area Advisory Panel on 20/07/2015. A site notice was also displayed on 29/07/2015.

One response expressing support for the proposal was received from a neighbouring resident: 'Redevelopment of this site would be welcome as it is currently, and has been for some time, a complete eyesore'.

An objection was received from the Eastcote Conservation Area Advisory Panel:

'This building is situated next to the Ascott PH, which is a locally listed building. The majority of the surrounding buildings are 'Metroland style', all erected pre 1935. Nearby is the Morford Way Conservation Area. 150 Field End Road has recently been changed from offices to a flatted development. Throughout the planning process for 150 Field End Road, there were many attempts to raise the height of the building, all unsuccessful.

The Conservation Panel objects to the proposal to raise the height of the building. It will be detrimental to the street scene and be over dominant to the Ascott PH. The previous application 3016/APP/2015/301 Prior Approval, was refused for lack of a soil report and material changes to the building. This application did not include the extra storey and was for 7 dwellings, 4x 1 bedroom flats and 3x 2 bedroom flats. There is a lack of shared amenity space for the occupants. The proposal is for mainly 2 and 3 bedroom dwellings, which could house a number of children, there is no dedicated play space. No attempt has been made to landscape the front of the building. The dwellings do not appear to have space to accommodate wheelchair users, especially considering the small size of the bathrooms'.

An objection was received from the Eastcote Residents Association:

'We ask that this application be refused.

The addition of an extra storey would be over-dominant generally, in relation to what is largely a 'metroland' street scene and, particularly, in relation to the Ascott Pub, which is a locally listed building.

We would also contend that the proposed total number of flats constitutes an over-development of the

site, both in terms of providing acceptable living conditions to future occupants and the impact on the local community services, due to the overall numbers of people living that could live in the property.

In relation to acceptable living conditions, in order to achieve the inclusion of 9 flats, the kitchens in 5 of the flats have no natural light and most of the bathroom/shower room/ areas are also without windows. Although provision has been made for balconies and windows, many of the habitable rooms appear to have only minimal access to daylight, due to their length and the fact that windows are only available in one of the shorter walls.

The amenity space shown on the drawings does not seem to allow for any children living in the flats.

The windows and balconies that have a view towards the flats in 150 Field End Road appear to have overlooking issues between the two properties.

No Design and Access Statement has been provided on the Planning Website. There are no details of the internal floorspace for each flat to understand whether standards have been met or exceeded and there is no information regarding the meeting of Lifetime Standards, covering disability and access issues'.

This application has been called to committee by a local Councillor.

Internal Consultees

INTERNAL CONSULTTEES

Highways Officer:

There are no Highways objection to the proposal.

- a. The site has moderate public transport accessibility (PTAL=3). Field End Road is a designated Borough Secondary Distributor Road.
- b. The car parking provision and allocation is acceptable. However provision for 20% active and 20% passive electric vehicle charging points should be included.

Case Officer comments:

Following on from the Highways Officer's comments, the applicant has shown the provision of two electric vehicle charging points in the allocated parking area, however this does not meet the necessary standard. Accordingly, an appropriate condition is required.

Environmental Protection Unit (EPU) Officer:

The applicant has submitted a site investigation including a desk study in addition to a Landmark Envirocheck (data and maps of the past uses).

The desk study information is sufficient, and as previously concluded the main issue is the garage upon which the current offices are built. unfortunately the desk study does not confirm whether this was a repair garage. a filling station or both. We did a little research in our planning records and a reference in 1971 mentioned an existing garage and service station. Both can be contaminated, but the service station is the greater concern as there are underground fuel tanks that can leak.

The site investigation provides some very useful information on the land. However it is not comprehensive, and does not clarify whether or not there is likely to be a problem with gas or from contamination at depth. I can briefly explain below.

The site investigation comprises four boreholes to about 3 metres depth, one being stopped by an obstruction. Four samples at 0.15 metre depth were tested and some modest levels of petroleum hydrocarbons in the heavier diesel range were found in the analysis. The soils appear to be made ground (brick, tarmac and such) to about 0.4 metres with a silty clay below this. No visible hydrocarbons (diesel / fuels) are noted in the silty clays. The samples are near the surface, and the deeper soils have not been sampled. Whether or not there is any deeper contamination or old underground tank or pipework on the site has not been clarified due to the extent of the investigation. The consultant advises removing the made ground to 0.4 metres in the soft landscaped areas and replacing with a clean soil with 150 to 200 mm of topsoil on top. I would agree remediation of the communal gardens and landscaped areas is essential.

The gas testing has involved one borehole being monitored on three occasions in June 2015. A high level of Carbon Dioxide was found. This would indicate a need for some gas protection measures. The consultant states protection should be on 'new build'. Gas and vapour protection would be needed on the building as there is a ground floor flat that may be very vulnerable to any gas or vapour migration. The borehole monitored is the one furthest from the building so it may not reflect the gas regime under the building. The monitoring would not meet the guidance in CIRIA 665.

The investigation does not necessarily show that the site cannot be used for residential given that remediation can be carried out. However the investigations do not appear sufficiently comprehensive to confirm that there is no risk from underground contamination to future occupiers.

Should you decide to grant prior approval then this site must have contaminated land conditions to ensure that it is made suitable for a new residential use. I would advise applying our standard condition which includes soil imports in addition to a gas / vapour condition.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The National Planning Policy Framework (NPPF) emphasises the role of the planning system in enabling the provision of homes and buildings which are consistent with the principles of sustainable development.

Policy 3.4 of The London Plan (2015) promotes the optimisation of housing output within different types of location. Policy 3.8 of The London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

Policy H4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) also seeks to encourage additional housing in Town Centres. The supporting text states: "The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly of one or two-bedroom units".

Policy H8 of the Local Plan (Part Two) specifies that change of use from non residential to residential will be permitted if

- (i) a satisfactory residential environment can be achieved
- (ii) the existing use is unlikely to meet the demand for such accommodation and
- (iii) the proposal is consistent with other objectives of the Local Plan.

The site is located within a 'Developed Area' as defined in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Whilst general policies are supportive of residential development in principle, this is subject to compliance with a number of detailed criteria, including the consideration of the loss of any existing use of the site.

In terms of the loss of the existing Use Class B1 Office use in the site, at the strategic level, the London Plan seeks to increase the level of office stock to meet the future needs of businesses. According to the GLA's London Annual Office Review 2006, Hillingdon Council has been identified as requiring a further 250,838 sqm. of office space between 2006 and 2026. However, there are no specific policies protecting office floor space in the Eastcote Town Centre, and it is not considered that the re-use of the office floor space would harm the overall office strategic objective due to new sites currently coming forward. The proposal incorporates the creation of a new Use Class A1 retail unit on the ground floor, which would have an internal trading floor area of 75 sq.m and its own dedicated servicing and parking area in the forecourt of the site. There is therefore no unreasonable impact to the retail frontage of the town centre in general pursuant to Policy BE26 of the Hillingdon Local Plan (Part Two), which variously seeks to promote, protect and reinforce the retail uses of the town centres.

Having regard to The London Plan and the Council's policies and guidelines, it is considered that in general, there is no objection to the principle of the proposed mixed use on the site incorporating retail and residential uses. It is considered that the proposal would provide an increase in smaller housing stock within the Borough and is acceptable in principle, as it would provide additional housing within an area of moderate public transport accessibility. The proposal is therefore considered to be in compliance with the outlined policies above.

7.02 Density of the proposed development

The application site is located within an area with a Public Transport Accessibility Level (PTAL) of 3 (PTAL has a range between 1 and 6, with 1 being low levels of public transport accessibility and 6 being high).

The London Plan notes for such urban areas with moderate PTAL scores, that between 45 and 120 units per hectare would be appropriate. The application site is approximately 0.1ha in area, and with 9 units proposed, this represents approximately 64 Units per hectare.

As such, the density is considered appropriate given the location.

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

The site lies farther outside the Eastcote (Morford Way) Conservation Area and is not within any Area of Special Local Character. The application building is neither statutorily listed nor locally listed. The design of the proposed third floor addition has been revised and is not considered to have any detrimental impact on the setting of the adjacent locally listed public house as discussed below in this report.

7.04 Airport safeguarding

This application raises no airport safeguarding concerns.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE19 seek to ensure that new development complements, improves and / or harmonises with the character and visual amenity of a streetscene and surrounding residential area in which it is situated. The scale, bulk and siting of buildings are key

determinants in ensuring that the amenity and character of established residential areas are not compromised by new development.

Chapter 7 of The London Plan (March 2015) sets out a series of overarching design principles for development in London and seeks to promote world-class, high quality design and design-led change in key locations.

There is no material objection to the creation of the proposed third floor given the four-storey height of the neighbouring building at No.150 (Portman House). The proposed third floor to be created would be set in from the front, rear, southern and northern side edges of the flat roof of the application building by 1.85m, 3.2m, 1.35m and 0.7m respectively. The third floor would have a flat roof height to 2.6m and it would be 11.15m wide to the front and 8.1m to the rear. The third floor would have stepped northern and southern flanks wall with total depth of 29m.

The application building is visually prominent on the streetscene given its three-storey form and detached context. The prominence of the building is particularly striking given that it is adjacent to the locally listed two-storey Ascott Public House building to the north, and the fact that it is higher than the adjacent building at No.148. It is however noted that the building at No.150 has a third floor with a Mansard style pitch roof comprising small front / side dormers. The sloping pitch and design of the Mansard roof are such that the third floor addition at No.150 is visually prominent on the streetscene. On the opposite side of the highway, the development context is characterised by rows of three-storey terraced buildings that form shopping parades.

The proposed set-in of the proposed third floor from the front, rear and side edges of the flat roof of the building are such that the third floor would appear as a subordinate addition on top of the host building. The flat roof height of 2.6m is considered modest, and given that it would be recessed farther behind the Mansard third floor roof at No.150, it would not be as visually prominent on the streetscene. It is therefore considered that the flat roof profile / height as well as its vertical built up form would be in keeping with the square shape and form of the building, and its set-in from all sides is such that it would offset the visual impact from its extensive depth along the side elevations. The proposed third floor would be set-in 0.7m from the northern side edge of the flat roof of the building, thereby ensuring an approximate separation distance of 11.2m from the adjacent public house building to the north. The separation distance is such that it would offset the extensive depth along that boundary, and ensure that the third floor would not appear overly dominating and visually obtrusive. It is therefore considered that the third floor would not have a detrimental impact on the setting of the locally listed public building. The modest height, profile, overall bulk and break up of the massing of the third floor are such that it would not appear contrived, obtrusive, overbearing and over-dominating in relation to the neighbouring properties and the streetscene. As proposed, the third floor would have a more subordinate scale and appearance in relation to the existing host building.

The design, scale and proportion of the proposed front and side-facing Juliet balconies, external rear balconies, front / rear French windows and side-facing bay windows are considered acceptable, as they would enhance the articulation of the building and give it interest. It is considered that the proposed white render finish would not be out of keeping with the facade of the adjacent buildings and would not result in an obtrusive appearance. It is therefore considered that the fenestration and external finish of the building, particularly to the front elevation would be acceptable on design grounds.

Other than the provision of a landscaped communal amenity area to the rear of the site and the retention of the trees on the side and rear boundaries, the proposal does not make provision for soft landscaping in the mainly hardsurfaced forecourt of the site. The HDAS SPD: Residential Layouts requires a minimum 25% soft landscape provision in forecourts as part of any residential conversion scheme. It is therefore considered appropriate to require the submission and approval of a landscape scheme by condition, to ensure compliance with the HDAS SPD and Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Given the above considerations, the overall bulk, scale, height, siting and design of the proposed third floor, are such that it would not subsume and dominate the scale of the existing building, and it would constitute a sympathetic addition to the existing building. Given that the third floor would be in keeping with the character and appearance of the existing / neighbouring buildings, the streetscene and the wider area, the proposal would accord with the design objectives and requirements of The London Plan (March 2015), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

7.08 Impact on neighbours

Policies BE20, BE21, BE22 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that new buildings / extensions should not result in the loss of sunlight or loss of host and neighbouring residential amenity, and that they should protect the privacy of host and neighbouring buildings.

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement (HDAS) SPD: Residential Layouts (July 2006) gives advice that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over-domination. 15m will be the minimum acceptable distance. Paragraph 4.11 of the HDAS SPD requires new development to ensure adequate privacy for its occupants and those of an adjacent residential property. It gives advice that in respect of overlooking, new buildings should not breach a 45 degree line drawn within 21m from the mid-point of existing windows that face a new building. To that effect, a distance of at least 21 metres should be maintained between facing habitable room windows in adjacent residential properties.

The adjacent expansive site to the north contains the Ascots Public House, which is a non-residential development. There are therefore no residential concerns to address in respect of that property. There are also no concerns to address in respect of the upper floor residential properties that lie above the commercial units on the opposite side of the highway.

The proposed third floor would not project beyond the rear building line of the existing application building. There is an approximate separation distance of 25.5m between the rear of the building and the rear boundary with the adjacent dwellinghouse to the west at No.26 Crescent Gardens. The orientation of the dwelling at No.26 in relation to the application site is such that the enlarged building would not breach the 45 degree line from the windows at that property.

As stated above in the 'Site and Locality' section, the application site borders both the properties at Nos. 148 and 150 (Portman House) to the south. No.148 has a relatively small rear yard and is not in use for any residential purposes. The property at No.150 has a

northern flank wall that extends beyond the rear wall of No.148 and is visible from the application building. The flank wall at No.150 contains upper floor habitable windows and is set away approximately 13.5m from the southern flank wall of the application building. The southern flank wall of the application building would also contain new upper floor habitable windows including for the proposed third floor. However, the submitted revised plans detail the provision of new upper floor bay windows in the southern flank wall, which would be oriented at 45 degrees angles, to ensure they are not directly facing the flank wall at No.150. The orientation of the side-facing windows at 45 degrees angles is such that it would not result in direct overlooking of the habitable windows and loss of privacy at No.150.

It is considered that the residential use of the car park with 13 spaces to the rear would not result in significant generation of vehicular movements over that currently experienced in respect of the existing Use Class B1 Office use. The town centre location of the site and commercial nature of the adjacent properties are such that they experience significant frequencies of vehicle movements, and as such, it is considered that the proposed residential use of the site would impact upon the stress to on street car parking in surrounding streets. Accordingly this aspect of the proposal complies with Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012). The proposed internal location of the refuse bin stores for both the retail and residential uses on the site would not give rise to the dispersal of odious smells to the adjacent properties.

Given the above considerations, the proposal would not have any detrimental impact on the residential amenities of the occupiers of adjacent properties from increased loss of sunlight, outlook, visual intrusion and overlooking. As such, the proposal would comply with Policies BE20, BE21, BE22, BE24, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the guidance contained in the adopted HDAS SPD: Residential Layouts (July 2006).

7.09 Living conditions for future occupiers

The London Plan and the HDAS SPD: Residential Layouts set out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants.

For a two-person one-bedroom flat, three-person two-bedroom flat and four-person three-bedroom flat, the HDAS SPD requires the provision of a minimum 50 sq.m, 61 sq.m and 77 sq.m area of internal amenity floor space respectively. Furthermore, paragraph 4.17 of the HDAS SPD requires communal amenity space to be provided for flats at a minimum area of 20 sq.m per one bedroom flats, 25 sq.m per two bedroom flats and 30 sq.m per three bedroom flats. Paragraph 4.17 further advises that where balconies are provided for upper floor flats along with private garden areas for ground floor units, the floorspace can be deducted from the calculation of outdoor amenity space. In accordance with the above standards, a minimum of 220 sq.m of combined usable communal and private amenity space would be required for the proposed 9 flats.

All the proposed 9 flats would have internal floor areas that comply with the minimum required areas and the communal amenity area to the rear would have an area of 85 sq.m. It is noted that the upper floor Juliet balconies to the front elevation are such that they would not result in the creation of any private amenity space. However, when the communal area is added to those of the private garden for the ground floor flat and the rear external balconies for the upper floor flats, it results in a combined area of 225 sq.m, which exceeds the minimum 220 sq.m required. It is also instructive to note that the application site is within 350

metres walking distance from a very expansive parkland to the west of Myrtle Avenue. The close proximity to the site is such that it would sufficiently offset any shortfall in on-site amenity provision.

With the exception of the 3-bed flat on the third floor and a 2-bed flat on the second floor, the living areas and habitable rooms in the flats would have an acceptable vertical stacking arrangement and primary window aspects with adequate entry of natural light. The sizes of the upper floor southern side-facing windows would allow for adequate outlook from the respective habitable rooms they serve. The 1-bed ground floor flat would have three side-facing obscure-glazed windows. However, these windows form secondary openings for the flat, given the provision of primary openings to the rear elevation. The obscure-glazing of the side windows of the ground floor flat negate the need for a defensible buffer between them and the vehicle access that leads to the rear parking area. This arrangement of the windows is not considered appropriate.

Given the above considerations, the proposal would provide a satisfactory living environment for future occupiers of the flats, thereby complying with Policy 3.5 of the London Plan, Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the requirements of the HDAS SPD: Residential Layouts (July 2006).

7.10 Traffic impact, car/cycle parking, pedestrian safety

It is considered that the proposed provision of 13 car parking spaces to the rear for the proposed residential use and 3 parking spaces (including 1 wheelchair accessible space) within the forecourt for the proposed retail use is acceptable, given the moderate public transport accessibility level (PTAL) of 3 in the area.

The existing vehicular access into the site off the highway is 4.3m wide and considered functional and adequate for ease of traffic passage in and out of the site. The recessed access, which is partly covered under the building's envelope, maintains adequate sightlines thereby ensuring there would be no impediment to the safe passage of pedestrians on the adjoining footpath. It is instructive to note that the buffer zone between the recessed vehicle access and the edge of the footpath adjoining the highway is adequate to safely accommodate a vehicle in a temporary manner when another car is utilising the access.

The applicant has proposed the provision of 16 cycle spaces in a secure location on the site and the internal location of the refuse store is such that it would allow for ease of collection. It is considered that any additional trip generations of vehicles in and out of the site during peak hours is unlikely to have any material impact on the adjoining highway network.

Given the above considerations, the proposal would not have any adverse impact on the flow of traffic in the area as well as on highway / pedestrian safety, thereby complying with the objectives of Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

The car parking arrangements to the rear and front provide for adequate turning areas and safe manoeuvring of vehicles in the site, as well as adequate safeguarding of servicing / delivering space in the forecourt for the ground floor retail use.

The proposal would therefore comply with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) in that regard.

7.12 Disabled access

In terms of suitable access for all persons, The London Plan Policy 3.8 requires all new housing to be built to Lifetime Homes Standards. The Council's SPD LDF: Accessible Hillingdon also requires all new housing to be built to Lifetime Homes Standards.

A ramp access would be provided for inclusive access into the ground floor retail shopfront and the new side entrance for the proposed flats would have a level threshold. One wheelchair accessible parking space in the forecourt parking area would ensure the proposal adequately integrates suitable inclusive access into the building.

The ground floor flat has an adequate sized bathroom with opening door width, which would allow for inclusive wheelchair access. The upper floor flats have internal areas that comply with the required space standards, and it is considered that there is adequate scope within the flats to create larger sized bathrooms should the need arise for inclusive access.

In terms of security, the retention of a gate on the part covered vehicular access and the siting of the entrances relative to the highway are such that adequate surveillance would be provided from the public realm. The proposal would therefore comply with 'secured by design' principles.

7.13 Provision of affordable & special needs housing

Not applicable to this application as the proposal does not constitute a major application.

7.14 Trees, Landscaping and Ecology

There are no protected trees on the site and the proposal would not be sited in close proximity of any trees with high amenity value on the site. A suitable landscape condition is recommended to be imposed to ensure the provision of soft landscaping particularly to the front of the site.

7.15 Sustainable waste management

The proposal incorporates adequate recycling and refuse storage provision for the retail and residential uses on the site.

7.16 Renewable energy / Sustainability

Conditions are recommended to ensure that the development is appropriate in terms of energy and water efficiency.

7.17 Flooding or Drainage Issues

The site is not located within a flood zone, however a condition is recommended to ensure the proposal does not result in increased surface water run off and appropriately manages surface water run off.

7.18 Noise or Air Quality Issues

The proposal would introduce retail and residential activities on the site, which would not result in any unacceptable generation of noise and disturbance to adjoining and nearby residents. The EPU Officer has recommended the imposition of a suitable condition in respect of gas vapour investigation / remediation, and subject to the implementation of that condition, the proposal would not have any adverse implications for air quality issues.

Therefore, the proposal accords with Policy OE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.19 Comments on Public Consultations

The representations received from the Eastcote Conservation Area Advisory Panel and the Eastcote Residents Association express objections in respect of the proposed third floor

addition, provision of adequate amenity space / dedicated play area, provision of soft landscape to the front of the building and the provision of adequate space in the flats to accommodate wheelchair users.

The concerns have been discussed in detail in the planning assessment of the scheme above. In relation to the concerns about lack of space in the flats to accommodate wheelchair access as a result of inadequate sized bathrooms, it is instructive to note that the flats have been found to comply with the required internal space standards, and it is considered that there is scope within the flats to create larger bathrooms, should the need arise in respect of wheelchair access.

7.20 Planning Obligations

Not applicable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Community Infrastructure Levy (CIL):

The CIL liability for the application has been calculated as £7,125.00.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

In conclusion, the resultant bulk, storey height and design of the proposed created third floor of the building are such that the development would be in keeping with the appearance of the existing and neighbouring buildings, and not detract from the prevalent form of development in the streetscene and the visual amenities of the wider area. The development would be compliant with the relevant policies of The London Plan 2015, Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

The proposal would provide a satisfactory level of accommodation and amenity space for future occupants of the proposed flats, as well as adequate off-street parking availability, compliant with Policies AM14, BE20, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

Accordingly, the application is recommended for approval.

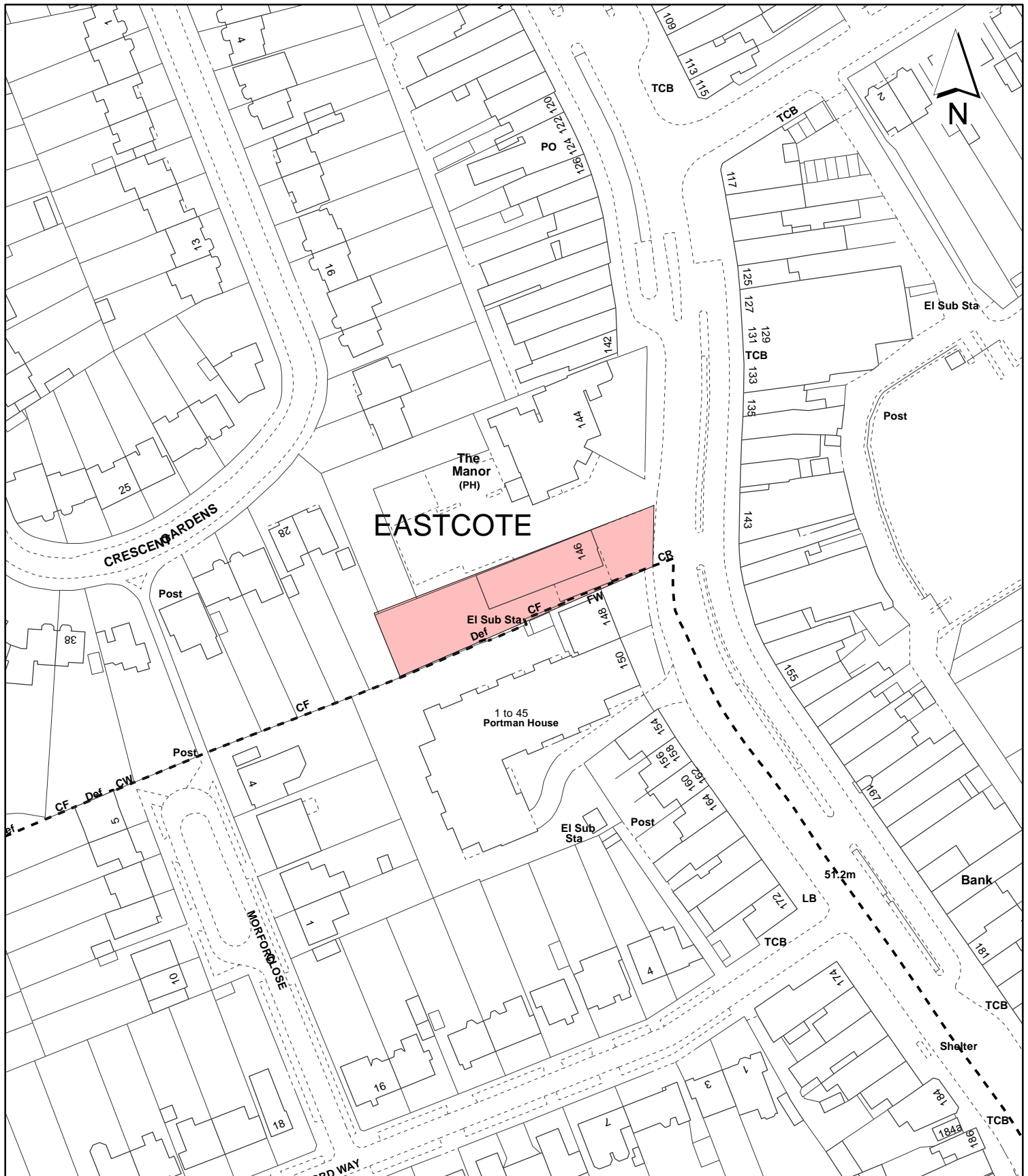
11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2015).
Mayor of London's Housing Supplementary Planning Guidance (November 2012)
Supplementary Planning Document HDAS: Residential Layouts (July 2006)
Supplementary Planning Document HDAS: Residential Extensions (December 2008)

Supplementary Planning Document HDAS: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

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

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

3016/APP/2015/2420

Scale:

1:1,250

Planning Committee:

North

Date:

October 2015



HILLINGDON
 LONDON