

Report of the Head of Planning, Sport and Green Spaces

Address SIPSON VILLAGE GARDEN CENTRE SIPSON ROAD SIPSON

Development: Mixed use development comprising up to 53 residential units (Use Class C3/C2) and associated private and public open space, pedestrian and vehicular access and parking, including demolition of garden centre (Outline application).

LBH Ref Nos: 67666/APP/2015/2413

Drawing Nos: Highway Correspondence dated 20/10/2015
8113-SK-001/A swept paths
8113-ATR-001/A
1620 P01 - Site Location Plan 1_2500 A:
1620 P02 Option A Site Layout - Rev B 1_1250 A:
1620 P03 Option B Site Layout - Rev A 1_1250 A:
LPA covering letter
Noise Impact Assessment
Planning Statement
Travel Plan
Flood Risk Assessment
Ecological Report (January 2012)
Transport Statement
Energy Sustainability Statement
Heritage Statement
Statement of Community Involvement
Air Quality Assessment November 2015
Tree condition Survey
Drainage Strategy Rev A

Date Plans Received: 26/06/2015 **Date(s) of Amendment(s):**

Date Application Valid: 01/07/2015

1. **SUMMARY**

Outline planning permission is sought for a residential development comprising 53 units, public open space, an ecology biodiversity area, a village green and 20 allotment pitches. The proposal includes the demolition of an existing buildings, structures and glasshouse associated with the former Sipson Village Garden Centre. The details of means of access are to be determined at this stage, with appearance, landscaping, layout and scale are matters reserved for subsequent approval.

121 surrounding occupiers were consulted. 65 representations have been received objecting to the scheme.

The scheme constitutes inappropriate development in the Green Belt and it has not been demonstrated that 'very special circumstances' exist to outweigh the the potential harm to the Green Belt by reason of inappropriateness, and any other harm.

It would also also result in a number of other fundamental planning concerns, including the unacceptable ecological impacts and sustainability. The applicant has failed to secure

provision of planning obligations, commensurate to the nature and scale of the proposed development.

Accordingly, it is recommended that planning permission be refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 reason for refusal - Inappropriate development

The proposed development represents inappropriate development within the Green Belt and no very special circumstances have been provided or are evident which either singularly or cumulatively overcome the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to the aims of Policy OL1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan (2015) and the NPPF.

2 NON2 reason for refusal - Impact on the Green Belt

The proposed development, by reason of the siting, overall size, bulk and height of the proposed structures and buildings, the associated infrastructure and the increased intensity of use would prejudice the openness of the Green Belt, resulting in an unacceptable degree of urbanisation. The proposal is therefore contrary to Policy OL1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) Policy 7.16 of the London Plan (2015) and the NPPF.

3 NON2 Non Standard reason for refusal

The submitted ecological assessment has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area. The proposal is therefore contrary to Policy EC1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy EM7 of the Local Plan Part 1, Policy 7.18 of the London Plan (2015) and the NPPF.

4 NON2 Non Standard reason for refusal

The application has failed to demonstrate that the proposed development would comply with the development plan in respect of energy/sustainable design, contrary to Policies 5.1, 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan (March 2015).

5 NON2 Non Standard reason for refusal

The applicant has failed to provide, through an appropriate legal agreement, an appropriate provision of on site affordable housing. The proposal is therefore contrary to Saved Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations and Policies 3.10 -3.13 of the London Plan (2015).

6 NON2 Non Standard reason for refusal

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of construction training, air quality monitoring and project management and monitoring fee). Given that a legal agreement to address this issue has not at this stage been offered or secured, the proposal is considered to be contrary to Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
A7	Developments likely to increase helicopter activity
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
H4	Mix of housing units
H5	Dwellings suitable for large families
LE1	Proposals for industry, warehousing and business development
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
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
R17	Use of planning obligations to supplement the provision of recreational leisure and community facilities
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement,

LDF-AH	Supplementary Planning Document, adopted July 2006 Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.11	(2011) Affordable housing targets
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.7	(2011) Renewable energy
LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.2	(2011) An inclusive environment
LPP 8.2	(2011) Planning obligations
NPPF	

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The Local Planning Authority has actively engaged with the applicant at the application stage of the planning process, in order to achieve an acceptable outcome. However, the scheme results in a number of fundamental planning concerns, including inappropriate development in the Green Belt, failure to demonstrate unacceptable ecological impacts would not occur, failure to demonstrate compliance with energy/sustainable design policies, lack of an appropriate provision of on site affordable housing, and failure to provide planning obligations. Accordingly, the planning application has been refused.

4 159 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.

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You are advised that had the Local Planning Authority not refused the application for the above reasons it would have required that further archaeological works be undertaken in accordance with advice received from the Greater London Archaeological Advisory Service prior to determining an application, and had the development been considered acceptable in other regards the Local Planning Authority would have imposed conditions to prevent development occurring until appropriate archaeological investigations had been undertaken.

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The Local Planning authority has taken into consideration the requirements of paragraph 186 and 187 of the National Planning Policy Framework and has worked pro-actively with the applicant through extensive negotiations to address material planning issues wherever possible. Notwithstanding these discussions, the scheme was ultimately considered to fail to comply with the development plan for the reason identified above.

You are advised that had the Local Planning Authority not refused permission for the above reasons, and had the development been considered acceptable in other regards it would have required that the applicant enter into a legal agreement to secure an appropriate provision of on site affordable housing and planning obligations relating to construction training, air quality monitoring and project monitoring & management, as set out within the Officers Report.

3. CONSIDERATIONS

3.1 Site and Locality

The 6.7ha application site is designated Metropolitan Green Belt. It is located to the north of Sipson Village (south west of the M4 Heathrow access junction) and comprises the Sipson Village Garden Centre and an area of vegetated land to the south.

This 6.7 hectare site was formerly occupied by a garden centre which has now been cleared, leaving an area of hard-standing (in the north) amidst a generally flat area of trees and ruderal vegetation. The site has a neglected and unmanaged urban fringe character at present, albeit forming a valuable landscape buffer between the residential areas of Sipson and the sunken motorway to the east. There are a number of trees on the site, predominantly in the northern section and along the north boundary, with four trees in the south-east corner.

The site is bounded to the north by the London Heathrow Holiday Inn Hotel, which is accessed off Sipson Road. To the east, the site is bounded by the M4 Spur Road, with residential properties in Vineries Close to the south and more residential properties to the west on Sipson Road and Russell Gardens.

The site is accessed from Sipson Road via an existing priority junction. The site records a low public transport accessibility level (PTAL) of 1b (on a scale from 1- 6, where 1 is poor and 6 is excellent).

Part of the site is currently occupied by single storey buildings, structures and glasshouses associated with the former Sipson Village Garden Centre, which was closed in late 2011. The remainder of the site is undeveloped paddock land.

3.2 Proposed Scheme

Outline planning permission is sought for the principle of the proposed development comprising:

- 53 residential units, including 12 elderly living units (22.6% of total units), 22 private open market units (41.5%) and 19 affordable social units (35.8%).
- Public open space, including approximately 3,700 square metres of ecology biodiversity improvement area (plus a 1,300 sq metre pond)
- A 4,500 square metre village green
- 20 allotment pitches (approximately 5,000 square metres).
- The details of means of access

Appearance, landscaping, layout and scale are matters reserved for subsequent approval.

The current application specifies the following:

- The uses proposed and distinct development zones.
 - The amount of development proposed for each use, with an indication of upper and lower parameters.
 - Indicative illustrative layouts, including a structural landscaping framework.
- Scale parameters with an indication of the upper and lower limits for height, in the range up to 2 storey (eaves 5-6 metres and ridge 8-10 metres); and up to 3 storey (eaves 8-10 metres and ridge 12-15 metres); width and length of buildings (5.3-10 metres and 8-12 metres respectively).

Two alternative indicative site layout plans, Option A and Option B have been submitted, to illustrate how the proposed development could be accommodated on the site. In Option A, new houses are located in the southwest corner of the site, adjacent to existing houses in Russell Gardens. In Option B, new houses are located within the building footprint and curtilage of the existing garden centre after the buildings and hardstandings are removed.

The proposed main vehicular, cycle and pedestrian access is sited just to the north of the existing access to the garden centre. It is the same location and details for either the Option A or B illustrative site layout plans.

The application is supported by a number of reports and documents that assess the impact of the proposal. A schedule of these reports are provided below:

- Planning Statement (incorporating a Design and Access Statement)
- Flood Risk Assessment
- Ecological Report (January 2012)
- Transport Statement
- Energy Sustainability Statement
- Heritage Statement
- Statement of Community Involvement
- Air Quality Assessment
- Tree condition Survey
- Drainage Strategy Rev A
- Noise Impact Assessment

3.3 Relevant Planning History

67666/APP/2013/1579 Heathrow Garden Centre & Land Adj To Heathrow Garden Centre Site

Mixed use development comprising of 53 residential units (Use Class C3), 3 light industrial commercial units (maximum 450 sqm total) (Use Class B1), neighbourhood community centre (Use Class D1), and 2 retail units (150 sqm each) (Use Class A1), together with associated private and public open space, pedestrian and vehicular access and parking, including the demolition of existing garden centre (Application for outline planning permission with all matters

reserved apart from access).

Decision: 14-10-2013 Refused

Comment on Relevant Planning History

The current application is a resubmission following a previous outline planning application refused permission on 14 October 2013 (ref:67666/APP/2013/1579).

As well as 53 residential units, the previous application also included 3 light industrial commercial units (maximum 450m², Use Class B1) and 2 retail units (150m² each, Use Class A1). These commercial and retail uses are excluded from the current application.

The previous application was refused for the following reasons:

- 1) Inappropriate development in the Green Belt and no very special circumstances provided.
- 2) No provision for on-site affordable housing.
- 3) Detriment to the ecological value of the area.
- 4) No provision for off-site services and facilities.
- 5) Significant impact on an Air Quality Management Area.
- 6) Unacceptable levels of noise detrimental to residential amenity.
- 7) Inappropriate levels of vehicular and pedestrian safety and unacceptable vehicle manoeuvring causing adverse impact on the operation of the highway network.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|---------|--|
| PT1.BE1 | (2012) Built Environment |
| PT1.CI1 | (2012) Community Infrastructure Provision |
| PT1.CI2 | (2012) Leisure and Recreation |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains |
| PT1.EM6 | (2012) Flood Risk Management |
| PT1.EM7 | (2012) Biodiversity and Geological Conservation |
| PT1.EM8 | (2012) Land, Water, Air and Noise |

Part 2 Policies:

- | | |
|------|---|
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| A7 | Developments likely to increase helicopter activity |
| AM14 | New development and car parking standards. |

AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
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H4	Mix of housing units
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LE1	Proposals for industry, warehousing and business development
OE1	Protection of the character and amenities of surrounding properties and the local area
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LPP 7.16	(2011) Green Belt
LPP 7.19	(2011) Biodiversity and access to nature

LPP 7.2 (2011) An inclusive environment

LPP 8.2 (2011) Planning obligations

NPPF

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **10th August 2015**

5.2 Site Notice Expiry Date:- Not applicable

19th August 2015

6. Consultations

External Consultees

The application has been advertised under Article 13 of the Town and Country Planning General Development Management Order 2010 as a Major Development. 121 surrounding property owners/occupiers have been consulted. At the time of writing the report, 65 letters or internet representations have been received objecting on the following grounds:

- Developing on green belt land is a shame, especially as we do not need more houses in Sipson.
- Too Close to the M4 Motorway
- Increased pollution
- The cycle and foot pathways via garage sites on Russell Gardens and Sipson Road would not be acceptable to existing residents because the land belongs to the garage owners
- It is important to protect areas which provide a natural barrier to the industrialisation of the area.
- The proposed properties would be considered to be family homes but the local infrastructure could not support this large number of families
- These properties would not be attractive to buyers other than buy to let landlords
- This community is already overly populated by transient residents who do not invest in the local economy or community so more people entering the village in this way would have a detrimental impact on the existing community.
- The land proposed for development is home to a variety of habitat, providing homes for an array of flora and fauna.
- A good idea to generate confidence in the housing market in Sipson Village, as long as the proposed housing stock is not 'Council Housing'.
- I am all for development of Sipson, to stop any threat of a third runway at Heathrow. But I strongly oppose parts of this development.
- Invasion of private space to the rear of our property.
- Since 2003 when the consultation was first proposed the area has been blighted by the runway threat, people have taken the BAA bond, which has decimated the area of local people.
- At the moment parking provisions are inadequate.
- Roads in the surrounding area are already congested with taxi drivers, airport workers as well as local residents.
- Sipson Village should be rejuvenated, especially the garden centre site, however I am very concerned with the number of houses proposed, particularly large houses.
- An influx of such a large number of people with social housing needs will destroy Sipson's 'village' feel and compromise our security.
- I do not want problem families on the doorstep and the potential of increased crime and anti-social behaviour.
- Our properties have been blighted by the threat of airport expansion for so long, I don't want this replaced with yet another blight.
- Privacy would be compromised.
- Noise disruption would be horrendous.
- Plans inconsistent.
- The Drainage Strategy appears to relate to a different scheme.
- The Drainage Strategy does not make it clear, whether the proposed discharge from the site can be accommodated within the existing sewer along Sipson Road.
- The application cannot currently be determined based on the information which has been provided.

GREATER LONDON AUTHORITY (GLA)

The Deputy Mayor considers that the application does not comply with the London Plan for the reasons set out in paragraph 57 of the report. Notwithstanding the objection in principle, there remain outstanding strategic issues that need to be addressed as set out in that paragraph of the report.

If your Council subsequently resolves to grant permission on the application it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

If your Council resolves to refuse permission, it need not consult the Mayor again (pursuant to article 5(2) of the Order and your Council may therefore proceed to determine the application without further reference to the GLA.

GLA STAGE 1 REPORT (SUMMARY)

London Plan policies on principle of development, Green Belt, housing/affordable housing, children's play space, urban design, access, sustainable development/energy, flooding and transport are relevant to this application. The proposed development does not comply with the London Plan for this are set out below:

- Principle of the development:Housing and Green Belt: The proposed housing deveopment on the Green Belt is inappropriate development. The very special circumstances put forward do not justify inappropriate development on Green Belt. Alternate site analysis that demonstrates that there are no sites identified that fall outside the Green Belt or MOL for the housing development has not been provided.
- Housing/Children's Play Space: Notwithstanding the objection in principle, there are concerns in regard to housing choice and quality, the level of affordable housing and children's play space as detailed in the report that need to be addressed.
- Urban Design and Access: Notwithstanding the objection in principle, there are strategic design and inclusive access concerns as detailed in the report that need to be addressed.
- Sustainable Development/Energy: Notwithstanding the objection in principle, there are strategic-energy concerns as detailed in the report that need to be addressed.
- Flooding: Notwithstanding the objection in principle, there are strategic-flooding concerns as detailed in the report that need to be addressed.
- Transport: Notwithstanding the objection in principle, there are strategic-transport concerns as detailed in the report that need to be addressed.

TRANSPORT FOR LONDON (TfL)

Proposal

The application proposes a mixed use development comprising up to 53 residential units (Use Class C3/C2) and associated private and public open space, pedestrian and vehicular access and parking, including demolition of garden centre.

Site Description

The development site is located at Sipson Road within the London Borough of Hillingdon. It is situated 1.9km south-east of West Drayton and 1.3km north of Heathrow Airport. The site is bordered by the A408 Sipson Road and existing residential units to the west, a hotel to the north, the M4 to the east and Sipson Lane and existing residential units to the south. The site is currently accessed directly from Sipson Road via a simple priority controlled access; this access was also

used by the previous operators at the site, a garden centre.

The site currently records a Public Transport Accessibility Level (PTAL) of 1b, on a scale where 1 is the lowest and 6 the highest. One bus service currently serves the site, the 222, which stops approximately 100m to the north of the site on Sipson Road. The service connects Uxbridge to Hounslow, passing through West Drayton Station en route. The bus runs at a frequency of 4 to 5 buses per hour. The nearest National Rail Station is West Drayton, located approximately 1.9km north-west of the site. The station is served by First Great Western trains, providing local services into central London and west-bound services out towards Reading. It is worth noting that West Drayton will be serviced by Crossrail in 2019. Crossrail will provide up to six services an hour which will allow passengers from West Drayton to travel right through central London without having to change trains. The journey to Bond Street will take 23 minutes and passengers will be able to get to Canary Wharf in 37 minutes.

The site is distant from the London Underground network, with the nearest station being Hounslow West, located approximately 4.8km south-east of the site. Hounslow West is on the Piccadilly line, providing access to central London, with Earls Court a 30 minute journey away. The Underground station is serviced by the 222 from the proposed site.

Car Parking

The applicant has not specified the amount of car parking they will provide, TfL requests that the applicant provides a clear number of parking spaces that they wish to provide on site and cannot support the application until it is known whether compliance with London Plan standards has been achieved.

Cycle Parking

The applicant has not specified the amount of cycle parking they will provide, with the same concern raised as above. It must be provided in line with the latest London Plan Cycle Parking Standards; these state that for any studio and 1 bedroom unit the applicant must provide 1 cycle parking space, and for any other dwelling the applicant must provide 2 cycle parking spaces. Furthermore, the applicant must provide a minimum of 1 visitor cycle parking space for every 40 units provided. To comply with the latest London Cycle Design Standards, cycle parking should be made as convenient as possible, particularly in terms of location, security and protection from the elements. Shower and changing facilities should also be provided 3 to encourage staff commuting by bikes. TfL request that the applicant informs TfL of the amount of cycle parking spaces they are providing on site prior to determination. Cycling, Walking and Accessibility

In terms of cycling infrastructure there is a strategic on-road cycle route running past the site on Sipson Road, this connects to a London Cycling Campaign (LCC) advisory route that provides access to the strategic off road routes that run alongside the A4 Bath Road. To the north, the strategic on road cycle route provides connection into West Drayton and beyond. Due to the areas very low PTAL rating of 1b, TfL would support LB Hillingdon discussing cycle network improvements with the applicant if they deemed it appropriate.

TfL expect there will be a minimal uplift in pedestrian activity with the development of the site. TfL are content with the pedestrian environment around the vicinity of the site and therefore do not request a PERS audit in this instance. However, LB Hillingdon may want to secure pedestrian environment improvements through a s106 agreement with the applicant; this may for example include improvements to subway lighting to the north of the site (running beneath the M4, connecting the site to West Drayton Rail Station).

Traffic and Highway Impact

It was estimated in the Transport Assessment that the development would generate an additional 60AM and 54PM trips daily. TfL however believe this to be an inaccurate estimation due to the

applicant using TRICS data rather than 2011 Census data. The TRICS tables use averages of other sites from the South East as well as Greater London, meaning data is not specific to a particular locality; TfL does not accept analysis from out-of-London sites. Furthermore, TfL requires this assessment to be supplemented with 2011 Census data. The latter provides an accurate and area-specific understanding of transport trips and modes to the proposed development site. Until this is supplied, TfL is unable to support the proposal.

Public Transport Impacts

TfL considers that the demand from the development of the 53 dwellings will have a negligible impact to public transport services in the area, therefore no financial contribution will be sought for this instance. TfL also do not believe that there will be a sufficient increase in car usage to put surrounding junctions over their capacity.

Travel Planning

TfL have assessed the submitted Travel Plan using AttrBute, regrettably, it has failed the assessment. The plan should be updated to provide details on how the Travel Plan is going to be secured and additional details on the number of users expected on site (including employees, residents, deliveries and visitors).

Deliveries and Servicing

TfL usually expects a draft Delivery and Servicing Plan (DSP) to be submitted with proposals of this nature. TfL is nevertheless content on this occasion for the submission of this plan and its implementation to be secured by planning condition. This will ensure compliance with London Plan policy 6.14 'Freight'.

Construction Management Plan

TfL expects the development will be supported by a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP). Both of these plans should be secured by condition and/or through the s106 agreement as appropriate and should accord with TfL guidance. Both plans should identify efficient, safe and sustainable arrangements to be employed at each stage of implementation the development to reduce and mitigate impacts of freight vehicle movements arising from the scheme, including impacts on the expeditious movement of traffic, amenity and highway safety. Details should, where relevant, include Freight Operator Recognition Scheme (FORS) or similar accreditation, site access, loading/unloading and parking arrangements, booking systems and timing of arrivals at and departures from the site, vehicular routes, scope for load consolidation and use of alternative modes and measures to reduce risks and impact of collisions with vulnerable road users.

Community Infrastructure Levy

In accordance with London Plan policy 8.3, Community Infrastructure Levy, the Mayor agreed to commence CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within LB Hillingdon, where the Mayoral charge is £35 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. Further details can be found at: <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>

Summary

The following matters should be resolved before the application can be considered in line with the transport policies of the London Plan:

- a) Provide numbers of how many cycle parking and car parking spaces will be on site
- b) Update the Travel Plan to provide details on how the TP is going to be secured as well as details on the number of users expected on site
- c) Re-do the mode-share and trip generation estimates using 2011 Census data
- d) Secure a CMP, CLP and DSP via appropriate conditions/s106 agreement

(Officer Note: The methodology adopted for the trip generation was the same as the previous application that was submitted for the site and previously accepted by the Council. Deetailed matters could be resolved at reserved matters stage).

ENVIRONMENT AGENCY

We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend however that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:-

From www.gov.uk:

- Groundwater Protection: Principles and Practice (August 2013) End 2
- Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
- Use MCERTS accredited methods for testing contaminated soils at the site- From the National Planning Practice Guidance:
 - Land affected by contamination- British Standards when investigating potentially contaminated sites and groundwater:
 - BS 5930: 1999+A2:2010 Code of practice for site investigations
 - BS 10175:2011 Code of practice for investigation of potentially contaminated sites
 - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points
 - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

HISTORIC ENGLAND

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

The above planning application either affects a heritage asset of archaeological interest or lies in an area where such assets are expected.

The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding. The archaeological interest should be conserved by attaching a condition as follows:

Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results.

A) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part(A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

The written scheme of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs

It is recommended that the archaeological fieldwork should comprise of the following:

The site lies within the Council's Heathrow Archaeological Priority Zone. The applicant's desk-based assessment confirms that the site lies within an extensive multi-period archaeological landscape with important remains of prehistoric, Roman, Saxon and medieval date recorded in the surrounding area. The application site itself has been subject to a field evaluation (trial trenching) in 2001-2 which found a relatively low density of premodern features. Nevertheless despite the small sample a late Bronze Age/Early Iron Age ditch and possible Roman ditch were found. The proposed built development will only affect part of the site and there is no indication of remains of national significance

Archaeological excavation is a structured investigation with defined research objectives which normally takes place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-excavation assessment' will be prepared followed by an appropriate level of further analysis, publication and archiving. Preservation in-situ

This approach should be applied to open spaces where earthmoving should be minimised and conducted

under archaeological supervision. The depth of overburden above archaeological levels should be considered in relation to proposed depth of ground disturbance- the allotments will require particular consideration. Please do not hesitate to contact me should you require further information or assistance. I would be grateful to be kept informed of the progress of this application.

Please note that this response relates solely to archaeological considerations. If necessary, Historic England's Development Management or Historic Places teams should be consulted separately regarding statutory matters.

NATURAL ENGLAND

No comment.

HERTS & MIDDLESEX WILDLIFE TRUST

The ecological information supplied with this planning application addresses the previous objection concerning lack of information on bats, birds and reptiles. It would appear that the proposed development may be capable of achieving no net loss and where possible net gains in biodiversity in accordance with NPPF and the LB Hillingdon LP. Option B would seem to be most capable of achieving this because it involves less disturbance to existing habitats. However no information in the form of habitat creation, enhancements, management or retention has been supplied. Until a comprehensive ecological creation and management plan has been supplied it will not be possible for the LPA to be sure that this development will be compliant with NPPF in conserving and enhancing biodiversity.

In principle Option B may be capable of this but this must be clarified. The LPA should not approve this application until the applicant supplies an ecological design strategy (EDS) that addresses [-mitigation - compensation - enhancement - restoration -] to the local planning authority. The EDS shall include the following. a) Purpose and conservation objectives for the proposed works. b) Review of site potential and constraints. c) Detailed design(s) and/or working method(s) to achieve stated objectives. d) Extent and location/area of proposed works on appropriate scale maps and plans. e) Type and source of materials to be used where appropriate, e.g. native species of local provenance. f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development. g) Persons responsible for implementing the works. h) Details of initial aftercare and long-term maintenance. i) Details for monitoring and remedial measures. j) Details for disposal of any wastes arising from works. If all the measures above are acceptable the EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

METROPOLITAN POLICE CRIME PREVENTION OFFICER

The development should achieve Secure by Design accreditation.

HEATHROW AIRPORT SAFEGUARDING

No comments received.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

Land Contamination

There were no specific contamination issues at this site. The former use appears to be Orchards, however as there are 3 landfill sites nearby a gas survey is recommended. A contaminated land condition may be too onerous in relation to the development (most good developers will carry out the contamination investigation as part of the geotechnical survey anyway).

It may be advisable to attach the following conditions as a minimum:

Condition to minimise risk of contamination from garden and landscaped area

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved by the Local Planning Authority.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Condition to minimise risk from landfill gases

The applicant shall carry out a landfill gas survey in the ground at the development site. Some of the landfill gas tests within the survey shall be taken below the proposed footprint of new buildings. If landfill gas is found the applicant shall install remediation measures to prevent gas ingress to any buildings on the development site to the satisfaction of the LPA.

REASON

The Council's records show that the development site is adjacent or near to three former landfill sites. The condition is required to clarify whether or not there is any hazard due to gas migration from the adjacent landfill to the proposed development site, and if there is a hazard to ensure any necessary gas remediation work is completed. Advice on this condition can be obtained from the Environmental Protection Unit on 01895 277440.

Noise

Although the reports outline that the development would not meet the preferred external noise criteria laid out in LBH's SPG, the internal noise levels over the night time and daytime would be practicable should the recommended mitigation measures be installed. I am concerned that the levels will increase significantly should Heathrow expand, and as such I would rather the development ensured that the internal noise criterion met the proposed levels should expansion occur - a worst- case scenario approach.

Air Quality

Whereas the Air Quality Assessment is conservative and electric charging points/charging bay are recommended in the report, I would still want to see a proper low emission strategy for the site given the exceedences to the directive 2008/50/EC in the area.

TREE AND LANDSCAPE OFFICER

Landscape planning designations / constraints

- Trees within the site are not protected by Tree Preservation Order or Conservation Area designation.
- Tree Preservation Order No. 262 protects selected trees at Inglenook, Sipson Lane, close to the southern boundary.
- The site lies within designated Green Belt.
- Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.
- Saved policy OL1 and 2, and the National Planning Policy Framework seek to restrict inappropriate

development and retain the openness, character and appearance of the Green Belt.

PROPOSAL: The proposal is an outline application to build a mixed use development comprising up to 53 residential units (Use Class C3/C2) and associated private and public open space, pedestrian and vehicular access and parking, including demolition of the garden centre.
(This application follows the refusal of a previous application ref. 2013/1579).

LANDSCAPE CONSIDERATIONS:

- A Tree Survey by Jonathan Hazell, dated July 2013, has been submitted in accordance with BS5837:2012. While this survey is not 'current' (trees tend to improve or decline over time), the assessment and recommendations are considered to be valid in this case.
- The survey assesses the quality and value of 38No. individual trees.
- The survey concludes that there are no 'A' grade (good) trees.
- There are 3No. 'B' grade trees, T2 and T3 Lawson Cypress and T36 Horse Chestnut, whose (moderate) quality indicates that they should be retained as part of any development.
- 27No. trees are grade 'C' (low quality). While trees in this category not normally considered a constraint on development, they may have some landscape value, for example visual amenity, screening function or ecological merit.
- 8No. trees are rated 'U', which are low value trees in poor condition, with a short useful life expectancy, whose removal can be justified on grounds of good management.
- The report noted (1.3) that the condition of the site precluded free access to all parts of the site, a point which is illustrated in the document. There is no objection to the tree assessments.
- Tree protection is discussed in section 5 of the report. Only three trees are considered to be individually worthy of retention (T2, T3 and T36) albeit others have some landscape value in the short term.
- As an outline application, the two sketch layout options do not confirm which trees will be removed or retained. However, both options A and B provide space to retain selected trees and groups.
- Both options also provide an indicative landscape framework with new structure planting of woodland as an integral part of the layout.
- A Phase 2 Ecology Report, by Applied Ecology, makes various recommendations (chapter4) to safeguard and enhance biodiversity, some of which involve specific landscape objectives and management / maintenance measures.
- Two illustrative masterplans have been submitted.
- Option A concentrates the new housing units in the south-west corner of the site, while option B locates the proposed housing in the north-east corner, closer to the access of Sipson Road.
- Both schemes feature 20No. allotments, a village green, an area for biodiversity enhancement and significant areas of unspecified open space.
- The management and maintenance of these areas of private land will need to be secured as part of any planning agreement. According to Green Spaces managers the demand / need for additional allotments in this area should be assessed.
- The National Planning Policy Framework (NPPF) advises that the enhancement essential characteristics of Green Belts is their openness, thus the loss of openness, however limited, would harm the essential character of the Green Belt.
- The design and siting of the proposed dwellings would give the area a suburban appearance and be perceived as extending urbanisation outside, but close to the built up area.
- The proposal would fail to safeguard the countryside from development.
- The above issues should be borne in mind when weighed against the applicant's 'very special circumstances'.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS:

No objection subject to conditions RES2, RES6, RES8, RES9 (parts 1,2,4,5 and 6), RES10.

SUSTAINABILITY OFFICER

I object to the proposed development on Ecology and Energy grounds.

Energy

The report submitted with the application (uploaded on to Ocella) dates from 2013 and shows a 25% reduction from 2010 Building Regulations. The London Plan higher reduction targets are now in place rendering the energy report outdated and the proposed energy strategy non-compliant. The development needs to achieve a 35% reduction from 2013 building regulations which needs to be clearly set out in an energy assessment. The development therefore does not comply with London Plan policy 5.2.

Ecology

The ecology report is an improvement from the last version but still lacks a linkage to the development proposals. The ecology report acknowledges that a substantial parcel of land could not be surveyed (which is where a large expanse of housing is proposed in option A) and finds the northern part of the site a foraging network for bats (which is where a large expanse of housing is proposed in option B). Accordingly, the housing options do not reflect the findings in the ecology report for option b, and for option a the lack of survey data for a large area means the Council cannot determine the exact impacts on flora and fauna.

The information submitted is therefore not sufficient to allow the Council to make an informed decision on the impacts and is not sufficient to allow for conditions to be imposed that clearly restricts development in areas of ecological importance.

Given the relative scarcity of ecological features in the area, it is absolutely essential that features on this site are protected and enhanced. The submitted details are not sufficient to allow the Council to ensure protection. The development is therefore contrary to Policy EM7 of the Local Plan Part 1 and 7.19 of the London Plan.

HIGHWAYS OFFICER

a. Details of proposed car parking layout / provision, and the sizes of the 53 residential dwellings should be provided.

b. The assessment of the trip generation is based on site data from Trics. However, it has not been demonstrated that the selected sites are comparable in terms of location, car parking provision, size of dwellings, tenure and accessibility to public transport. It is also necessary to consider the spread of trip rates to assess whether the use of average trip rates is appropriate.

c. The site has very poor public transport accessibility (PTAL=1b).

d. Vehicular swept paths should be provided with 300mm error margins. This should include movements at the main site access, car parks, turning heads and internal junctions. The vehicular swept paths for a refuse vehicle at the main site access indicates a need for some modifications to the proposed layout to ensure vehicles do not encroach onto opposing traffic lanes and to improve safety. A safety audit will be required.

e. It is not clear whether or not the internal roads are to be adopted and on-street parking is to be managed.

f. two alternative illustrative site layouts have been included. It is not clear whether there is any

potential for both residential development plots to be developed - this could affect the access proposals.

g. A construction and logistics plan should be provided.

h. A service and delivery plan should be provided.

i. Figure 7.2 - Development trip PM Peak does not reflect the corresponding figures in Table 7.4

j. The 2015 am and pm modelling (Junction8) results files indicates use of a flat demand profile and the flows do not correspond with the 2014 observed flows (Figs. 4.1-4.2) or the traffic generation (Tables 7.3-7.4). An explanation is required.

k. The 2020 am and pm modelling (Junction8) results files indicates use of a flat demand profile and the flows do not correspond with the 2020 observed flows (Figs. 8.1-8.2) or the traffic generation (Tables 7.3-7.4). An explanation is required.

(Officer Note: Additional information has been received addressing the above comments)

Additional Highway Engineer comments:

a. Given the transport comments and agreements regarding the assessment methodology and access arrangement for the previous application, there is no highway objection to the current outline application.

b. Please note s106/s278 agreements will be required for the new access junction (highway works) and for the Travel Plan.

CONSERVATION AND URBAN DESIGN OFFICER

BACKGROUND: Sipson Village is a relatively small residential area; it can be dated to the 13th century when it formed part of the wider Harmondsworth parish. The area retains its rural, open characteristic as well as being designated as a Green Belt area; therefore it is important such characteristics are retained. The site also lies with the Heathrow Archaeological Priority Zone and adjacent to the Sipson Archaeological Priority Area. A notable centre point to the area is formed at the junction of Sipson Road and Harmondsworth Lane; however the number of residential services in the immediate vicinity is limited, therefore adding to its sense of rurality.

There are a few notable buildings in Sipson which inform the area's past. Within what may be considered the village centre there is Lanz Farmhouse and the King William IV PH both of which are Grade II listed and the Former Baptist Church which is Locally Listed. The Plough PH is also Locally Listed and is situated adjacent to the proposed site for development. The previous similar scheme has been refused.

COMMENTS: Whilst there are in principle no objections to the concept of the overall development and it is duly noted that the small number of units proposed for the development options is considered commendable, given the designations and character of the surrounding area such a proposal may not be most appropriate for the location.

The re-use of the existing hard standing as the development site (Option B) may be the better option of the two; any proposal would need to integrate into the existing small settlement of Sipson. As proposed the options create a separate sense of community, the overall design would need to be carefully thought out given the sensitive nature of the site.

The relationship of the site and the surrounding area has not been properly assessed, particularly in regards to the character of the surrounding area or commendable features and the impact the proposal may have on the existing Sipson Village settlement. It is important that the development aims to preserve the setting and special character of the historic settlement of Sipson, therefore further justification of the development on Green Belt land would need to be provided. With regard to the proposed residential development, there are concerns regarding the overall scale, footprint and massing of the proposals and their associated uses.

The proposed options may also be viewed as phasing options and such a large development would significantly alter the rural character of Sipson and its surrounding area.

With regard to the archaeology of the site it is understood that this could be dealt with by way of a condition, and that GLAAS will be providing more specific advice on this matter.

CONCLUSION: Unacceptable

Should such a proposal progress to an application for full planning permission, further information would be required. This would relate to an adequate character analysis of the surrounding area and buildings, detailed drawings regarding the layout (parking), height and massing, overall design and materiality of the proposed development.

FLOOD AND WATER MANAGEMENT OFFICER

Although the Flood Risk Assessment is dated 2012 it is considered that the information contained within it identifying the site as Flood Zone 1 has not changed.

However the key risk is the flood risk generated by the development of the greenfield site itself and this information is contained in a separate Drainage Strategy report dated 2012 by Lanmor. There is further work required to demonstrate that this complies with the SuDs hierarchy and provides a suitable sustainable drainage scheme which will not increase flood risk elsewhere.

There are a number of issues with the Drainage Strategy, including the lack of demonstration of suitable foul sewer capacity in the area. There is also no adopted surface water sewer in the area and any discharge to the foul sewer of surface water is likely to increase the risk to the surrounding area, which appears to be suggested within the Strategy. Particularly where the area both foul and surface water drain to the south and the M4/ Bath Road, identified as a Critical Drainage Area, according to the Surface Water Management Plan Evidence Base published in 2013 and Action plan produced in 2014 and an area where foul issues have been reported.

The proposed arrangement of drainage within the site is not acceptable.

The Drainage Strategy drainage layout does not appear to be reflective of the current options A and B for the proposed layout of the site. All above ground features particularly drainage areas must be acknowledged in proposed layout to ensure that the most sustainable design is provided and suitable space kept aside for them.

Although it is acknowledged swales are suggested and indicated on the drainage strategy plans, and the use of these are supported, these are not shown in the proposed layouts. Please note in the Drainage Strategy the water appears piped to the swales, however it is considered there is sufficient space to use more above ground techniques and swales as conveyance not just storage.

It would be expected that any drainage strategy should incorporate the following:

- a) Suds features:
 - i. incorporating sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15

of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,

- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Receptors

- i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.
- ii. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

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

- i. incorporate water saving measures and equipment.
- ii. provide details of water collection facilities to capture excess rainwater;
- iii. provide details of how rain and grey water will be recycled and reused in the development.

e) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues. Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

Where the maintenance will not be the responsibility of an individual householder, the details of the body legally responsible for the implementation of the management and maintenance plan must be provided.

Therefore there should be an objection to the current proposals until further work has been done and evidence provided of the discussion with Thames Water and any required upgrade in infrastructure agreed, as well as a suitable overall design in compliance with the following: Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (2015) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (2015), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (2015).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is designated Green Belt land. The National Planning Policy Framework (paragraph 67) and the London Plan (policy 7.16) set out that only development associated with agriculture, forestry, outdoor sport and recreation is appropriate in the Green Belt.

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

"The strongest protection should be given to London's Green Belt, in accordance with

national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance".

In terms of local policy, Part 1 of the Local Plan continues to give strong protection to Green Belt land. The relevant policy in the Local Plan is EM2 which makes clear that: "The Council will seek to maintain the current extent, "Any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test".

The 2007 Unitary Development Plan Saved Policies (currently serving as Part 2 of the Hillingdon Local Plan) are also relevant. Planning policy on Green Belt land is set out at Policies OL1, OL2 and OL4 in the 2007 Hillingdon Unitary Development Plan "Saved" Policies. These policies give strong emphasis to not normally permitting new building in the Green Belt, reflecting overarching national and London wide policies.

Of particular relevance is Local Plan Part 2 Policy policy OL1 which states that agriculture, horticulture, natureconservation, open air recreation and cemeteries are the only open land uses which are acceptable in the Green Belt. All other forms of development are, by definition, 'inappropriate'. In order for 'inappropriate' development to be acceptable in the Green Belt, very special circumstances must apply.

The NPPF in Para 87 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The application for a mixed use development comprising 53 residential units, public open space, an ecological enhancement area and allotment plots on Green Belt land. Whilst the latter uses could be considered appropriate open uses in the Green Belt, the residential element is not. As such, the application proposal as submitted constitutes inappropriate development. In light of paragraph 87 of the NPPF and Policy 7.16 of the London Plan, the onus is therefore placed on the applicant to demonstrate the very special circumstances under which planning permission should be granted for the development and that: "the very special circumstances will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations."

Given the Green Belt designation of the site, it is considered reasonable, in accordance with national, local and London Plan policies to prevent its development, unless it was proven absolutely necessary to do so.

The applicant has put forward the following very special circumstances:

- Protection and provision of new open space and recreational space and provision of a clear break in the urban function;
- Serving the needs of Londoners and providing enhanced local access; and
- Affordable housing and other community benefits;

A Planning Statement has been submitted, which considers policy issues and sets out an assessment of the proposed development in response to the presumption against

development within the Green Belt. This report confirms that the development would include a 'considered landscape structure' and include landscape improvements, the provision of extensive tree cover and the creation of wildlife habitat enhancements. It will also provide open space and connectivity for the wider community benefit, with a significant area of the site remaining as open Green Belt land.

The applicant has stated that, whilst the site is located in the designated Green Belt, it is not designated by any statutory or non statutory wildlife designation and is located within an urban fringe environment that is isolated from open countryside by major roads and other urban development. Furthermore, the applicant's submits that the site is isolated from the village of Sipson with very limited physical and visual connections and that it is separated from the adjacent open land designated as Green Belt by existing road networks.

However, it should be noted roads, railways and motorways area common feature in London's Green Belt and beyond, as the designation washes over these infrastructure features. It does not follow that land surrounded by such features no longer meets a Green Belt function.

The applicant has stated that members of the local public will also be afforded enhanced local access to the site at all times, thereby enhancing the current situation. This involves the planting of new trees and shrubs; hard landscaping works and the introduction of accessible public open space. However, it should be noted that providing public access to members of the local public does not outweigh the harm that may be caused to the Green Belt, particularly given there is no identified need for this provision. The Council has not identified the need for additional recreational/public open space in this area. This lack of support significantly reduces the weight that could be attached to the benefit of such provision, together with the fact that given its location, very few people are expected to benefit from it. Therefore, the above issue cannot be considered as a very special circumstance.

The applicant has identified the benefits of provision of 35% of affordable housing and 12 elderly living units on site, as a very special circumstance. However the provision of these elements as part of a mixed use proposal is only to be expected of a development of this nature and is common to many developments of this scale in London. As such it is not considered to be a very special circumstance. The provision of 35% affordable housing is more than is currently being achieved on comparably sized schemes, but this in itself cannot be accepted as a very special circumstance. To do so would result in swathes of Green Belt being developed, as the need for affordable housing is always present.

In conclusion, it is considered that the proposal represents inappropriate development within the Green Belt and no very special circumstances have been provided or are evident, which either singularly or cumulatively overcome the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to the aims of Policy OL1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan (2015) and the NPPF.

7.02 Density of the proposed development

The the site has a suburban character with a PTAL rating of 1b. The London Plan therefore provides for a density range between 50-75u/ha or 50-200hr/ha for sites with a PTAL of 1 in a suburban location and with an indicative average unit size of 2.7hr -3.0hr/unit.

The scheme would result in 53 dwelling units. However, the site area for the residential element for options A or B are not clearly defined. It is therefore difficult to calculate the

density of the proposed development. Nevertheless, the location of the scheme in the Green Belt would result in higher density development being inappropriate. Had the principle of residential development been acceptable on this site, no objections would be raised to the proposed density, given site specific issue, (designation as Green Belt land).

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

ARCHAEOLOGY

Saved Part 2 Policy BE3 of the Local Plan states that the applicant will be expected to have properly assessed and planned for the archaeological implications of their proposal. Proposals which destroy important remains will not be permitted. The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process.

Paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

The Greater London Archaeological Advisory Service (GLAAS) considers the proposal as affecting a heritage asset of archaeological interest or lying in an area where such assets are expected based on information held in the Greater London Historic Environment Record and/or made available in connection with this application.

An Archaeological Desk Based Assessment has been submitted in support of the application. The assessment considers the impact of the proposed redevelopment on archaeological assets. The site lies within the proposed Heathrow Archaeological Priority Zone. The applicant's desk-based assessment confirms that the site lies within an extensive multi-period archaeological landscape with important remains of prehistoric, Roman, Saxon and medieval date recorded in the surrounding area. The application site itself has been subject to a field evaluation (trial trenching) in 2001-2 which found a relatively low density of pre-modern features. Nevertheless despite the small sample a late Bronze Age/Early Iron Age ditch and possible Roman ditch were found. The proposed built development will only affect part of the site and there is no indication of remains of national significance.

GLAAS consider that the development would not cause sufficient harm to justify refusal of planning permission, provided that a condition is applied to require an investigation to be undertaken to advance understanding of their significance. This could be secured in the event of an approval by the imposition of an appropriately worded condition.

CONSERVATION AREAS, LISTED BUILDINGS, and AREAS OF SPECIAL LOCAL CHARACTER

The application site is not located such that it would have an impact on any of the aforementioned heritage assets or areas of special local character and accordingly raises no concerns in respect of these issues.

7.04 Airport safeguarding

Responses from the relevant aircraft/airport safeguarding authorities are outstanding at the time of writing this report. Their comments will be reported via the addendum.

7.05 Impact on the green belt

The most important attribute of Green Belts is their openness and the aim of preserving the openness of Green Belt land is reiterated in the NPPF, the London Plan and Local Plan

Part 2 Policy OL1.

Regardless of which option is adopted, there would be changes to the character and appearance of the vegetation, in the areas designated for residential development, even without delineation of individual space, and also the introduction of hard areas, leading to the appearance being removed from its current historic and rural character. After dark there would be lit windows and during the day these features would appear to dominate and will inevitably have an urbanising influence on this Green Belt site.

The separation of the Green Belt by road/rail networks and the presence of the Garden Centre (Glass Houses) on the site is not unexpected; whereas it is considered that replacement with houses, and internal roads would significantly harm the openness of the Green Belt, introducing an inappropriate use that would narrow the gap in the built form area and therefore conflict with policies of the Green Belt as set out in the London Plan and the NPPF.

It is considered that the proposed development would give parts of the site a suburban appearance, which would effectively extend the existing urban conurbation. The finished effect of developing this open, rural site for residential led purposes would be of an extension of the residential ribbon of development along Sipson Road, projecting urban development into the surrounding Green Belt. In effect, the development would result in residential sprawl encroaching into the surrounding open land and would be alien to the rural character of the site. It is therefore considered that the new buildings would result in a significant increase in the built up appearance of the site, and result in a reduction in the openness of the Green Belt. Therefore, the proposals are not considered acceptable on this basis.

It is considered that notwithstanding any tree screen that might remain, or the proposed tree planting, the dispersal of the proposed buildings, together with the enclosed gardens and other paraphernalia associated with residential development would result in a significant urbanising effect, and result in a reduction in the openness of the Green Belt. It is not considered that management regimes to prevent domestic paraphernalia and conditions could be used to effectively limit further changes to the character and appearance of the land.

While there is scope for soft landscape enhancement and restoration, in the form of new and / or replacement planting within the proposed layout, little detail has been provided and it is not considered that this would mitigate against the built development, which will be visually prominent.

In conclusion, the proposal would seriously and permanently diminish the intrinsic character of this Green Belt land, by transforming the open rural nature of the area to a harder, urban character, fragmenting the existing, spacious green landscape and influencing important views and vistas to and from the Green Belt. should the proposed development be implemented, part of this Green Belt land would no longer effectively fulfil its function of checking unrestricted urban sprawl, assist in safeguarding the countryside from encroachment, or preserve the setting and special character of historic importance, contrary to Policy OL1 of Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012), London Plan Policy 7.16 and the provisions of the NPPF.

7.06 Environmental Impact

The Council's Environmental Protection Unit raises no objections to specific contamination issues at this site. The former use appears to be orchards, before its last use as a garden

centre and paddock. However, Council records show that the development site is adjacent or near to three former landfill sites. The Environmental Protection Unit therefore recommend in the event of an approval, a condition requiring a landfill gas survey, to clarify whether or not there is any hazard due to gas migration from the adjacent landfill to the proposed development site; and if there is a hazard, to ensure any necessary gas remediation work is completed. In addition, a condition has been recommended to minimise risk of contamination from garden and landscaped areas.

Had the development been acceptable in other respects, subject to compliance with the afore mentioned conditions, it is considered that the scheme could satisfactorily address the issues relating to land contamination, in compliance with Policy OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

This is an outline application, in with all matters are reserved except access. Consequently limited information has been provided in terms of the nature of built form and layout, although, although broad parameters of the built form and an indicative layout for options A and B have been submitted, detailing two possible options for the layout of the proposed development. The site does not fall within a conservation area or area of special character.

Policies BE13 and BE19 of Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Saved Policy BE38 requires new development proposals to incorporate appropriate landscaping proposals.

The site is currently vacant, comprising areas of concrete hard-standing amidst a large area of ruderal vegetation. There are a number of dilapidated structures on the site, none of which are worthy of retention. There is therefore no objection to their demolition. In addition, there are a number of trees on the site, predominantly in the northern section and along the north boundary, with four trees in the south-east corner. None of the trees are protected by Tree Preservation Order or Conservation Area designation. However, the site lies within designated Green Belt.

A Tree Survey has been submitted which assesses the quality and value of 38 individual trees. Only three trees are considered to be individually worthy of retention, although others have some landscape value in the short term. While it is unclear precisely which trees will be removed / retained as part of the development, the Landscape Masterplan indicates that much new structure planting in the form of new / replacement trees will be an integral part of the proposals.

The Planning Statement confirms that the development would include a considered landscape structure and include landscape improvements, the provision of extensive tree cover and the creation of wildlife habitat enhancements. It will also provide open space and connectivity for the wider community benefit, with a significant area of the site remaining as open Green Belt land. However, the design and siting of the proposed buildings would give the built up area a suburban appearance and would be perceived as extending urbanisation outside, but close to the existing built up area. The proposal would therefore fail to safeguard the rural character of the site, which the Local Planning Authority considers it desirable to retain and enhance, contrary to policy BE13 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012).

The impact on the visual amenities of the Green Belt are dealt with elsewhere in this report.

7.08 Impact on neighbours

Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded. Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas. Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours.

The supporting text to Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states 'that while some proposals of substantial width, height and depth, may not cause loss of amenity by reason of daylight or sunlight, these may nonetheless still be over-dominant in relation to the adjoining property and/or its private amenity space. This in turn can result in a depressing outlook detracting from residential amenity'. The Council's Supplementary Planning Document 'Hillingdon Design and Access Statement' (HDAS) 'Residential Layouts' states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally 15m would be the minimum acceptable separation distance.

The scheme is in outline form only, with details of siting, appearance and scale to be determined at reserved matters stage. Nevertheless, the applicants have provided an indicative layout plan, showing two possible scenarios for the location of the residential element of the scheme. Option A shows the proposed dwelling units in relatively close proximity to the existing properties in Russell Gardens and Sipson Road, with back to back separation distances of only 17 metres at the closest point. In Option B, new houses are located within the building footprint and curtilage of the existing garden centre after the buildings and hardstandings are removed.

The indicative layouts suggests that the scheme could be designed to ensure that the proposal would not result in an over dominant form of development which would detract from the amenities of neighbouring occupiers in terms of loss of outlook and loss of privacy. It is considered there is sufficient scope for the scheme to be designed at reserved matters stage, to ensure that there would not be any loss of amenity to surrounding occupiers, in compliance with relevant Local Plan Policies and standards. As such, it is not considered that there is sufficient justification to refuse the scheme on this basis.

7.09 Living conditions for future occupiers

Amenity Space

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

It should be noted that in the event of an approval, the precise provision towards amenity space could be finalised as part of future reserved matters applications and aligned to the final agreed mix. Nevertheless, the indicative layout plan shows each of the dwellings with individual gardens and it is considered that there is enough scope to ensure that external amenity space could meet the Council's adopted standards, in compliance with the

Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Children play space

Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." As the tenure split between the market and the affordable units and within the affordable element is unknown, it is difficult to calculate how many children the proposals can accommodate.

In the event of an approval, the total resulting population anticipated, could be finalised as part of future reserved matters applications and aligned to the final agreed mix. However, it is likely that an on site children's play space will be required to serve the residential element of the scheme. Had the development been acceptable in other respects, this could be dealt with at reserved matters stage.

Floor Space / Accessibility Standards

Planning policy requires that all new housing should be built to Lifetime Homes standards, with 10% of new housing designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Although the applicant stated that all residential units will be designed to meet requirements of Lifetime Homes and that 10% of these will be wheelchair accessible, there are no plans and drawings demonstrating the provision of these.

Although insufficient information has been provided to demonstrate that the proposal complies with inclusive design policy 7.2 of the London Plan, it is considered that had the proposal been acceptable in other respects, the scheme could achieve lifetime homes and wheelchair standards at reserved matters stage, in accordance with London Plan Policies 3.8 and 7.2, and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

Outlook and Light

It should be noted that in the event of an approval, the internal layout and fenestration would be finalised as part of future reserved matters applications and aligned to the final agreed mix.

As such, it is considered that each of the units could be designed to benefit from a reasonable level of privacy, outlook and light, in compliance with Policies BE20 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), HDAS: Residential Layouts and the provisions of the London Plan.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Of particular relevance to this application are Policies AM7 and AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). Policy AM7 requires developments not to prejudice the free flow of traffic or conditions of highway/ pedestrian safety whilst AM14 set out the Council standards for car parking.

The car-parking standard for flats/housing without curtilage parking is 1.5 spaces per dwelling maximum. For housing with curtilage parking the maximum standard is 2 spaces per dwelling.

A Transport Assessment has been submitted as part of the application dealing with access, parking, traffic generation and public transport issues. The site has a Public Transport Accessibility Level (PTAL) score of 1a (on a scale of 1 to 6 where 6 is excellent).

It is important to bear in mind that details of access are not reserved and it is therefore necessary to consider in full the access arrangements contained within the current application.

Traffic Generation

The Highway Engineer has assessed the submitted Transport Assessment and initially raised concerns notes that the assessment of the trip generation is based on site data from Trics. The Highway Engineer also commented that there are discrepancies in the Transport Statement which require clarification. Following the submission of further information, the Highway Engineer is satisfied that traffic generated by the proposed development could be safely accommodated on the surrounding road network.

Access

Access is a matter for determination at this stage. Vehicular access to the site would remain from Sipson Road. The revised access would involve a dedicated right hand turn lane with a ghost island. Vehicular swept paths have been provided for movements at the main site access. The vehicular swept paths for a refuse vehicle at the main site access indicates that the access is acceptable for a vehicle of this size. With regard to the proposed car parks, turning heads and internal junctions, this is an outline application and these detailed matters can be resolved at reserved matters stage.

In addition to the main vehicular access, cycle and foot pathways are proposed via garage sites on Russell Gardens and Sipson Road. It is noted that these secondary access points would not be directly linked to a public highway but over privately owned land.

Parking

The Council's standards allow for a maximum provision of 2 spaces per dwelling and 1.5 spaces per flat. The provision of parking, including blue badge parking would need to be incorporated into the proposals and detailed information could be provided regarding the proposed level and location of these parking spaces at reserved matters stage.

Cycle Parking:

No details of cycle parking spaces are provided. Had the development been acceptable in other respects, this could have been secured by condition in order to be compliant with London Plan policy 6.9. The lack of detail is therefore not considered to be a sustainable reason to refuse the application.

Public Transport

Given the characteristics of the local area it is likely that sufficient capacity exists on the current bus network to accommodate the likely number of additional trips generated from the proposed development would not require any increase in public transport provision.

Travel Plan

The requirement for a Travel Plan could be addressed by condition in the event of an approval.

Conclusion

It is considered that the development as currently proposed would ensure appropriate levels of vehicular and pedestrian safety and it has been demonstrated that the vehicle manoeuvring within the site would not have adverse impacts on the operation of the highway network. The development is therefore in compliance with Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Issues of design and access are addressed elsewhere within this report.

In respect of security, the Metropolitan Police Crime Prevention Design advisor has commented on the proposals and there is no reason that the proposed development could not achieve appropriate standards of secure design.

7.12 Disabled access

The GLA have raised concerns that the level of information submitted with respect to accessibility is not adequate to demonstrate full compliance with policy 7.2 of the London Plan.

This comment is acknowledged; however regard has to be had to the nature of the application which seeks outline consent for the development, with matters relating to appearance, landscaping, layout and scale reserved. The nature of the application means that by necessity, detailed information on certain accessibility issues will not be available at this stage and will be subject to subsequent approval.

In this case, it is not considered that there is any aspect of the outline proposals which would make them intrinsically incapable of reaching the appropriate level of accessible design. It would therefore be appropriate for this particular matter to be reserved for later consideration by way of appropriate conditions and the lack of information in this particular respect would not be adequate to justify refusal on accessibility grounds.

7.13 Provision of affordable & special needs housing

The proposal under consideration seeks outline planning permission for the provision of 53 new homes, comprising:

- 12 elderly living units (22.6% of total units);
- 22 private open market units (41.5%); and
- 19 affordable social units (35.8%).

Accordingly, the proposal would make provision for a percentage of housing targeted at elderly people, in addition to a level of affordable housing, which complies with the targets set out within the Council's development plan.

The development would therefore meet policy requirements in terms of affordable housing, so long as an appropriate legal agreement were in place to secure this provision. Given that the provision has not currently been secured by way of a legal agreement, the development as it stands would not make adequate provision of affordable housing and should be refused. However it should be noted that this issue could be addressed, were an appropriate legal agreement to be completed.

7.14 Trees, landscaping and Ecology

ECOLOGY

Saved Policy EC1 states that the local planning authority will not permit development which would be unacceptably detrimental to designated local nature reserves and other nature reserves. If development is proposed on or in the near vicinity of such sites, applicants must submit an ecological assessment where considered appropriate by the local planning authority to demonstrate that the proposed development will not have unacceptable ecological effects.

Saved Policy EC3 requires proposals for development in the vicinity of sites of nature conservation importance to have regard to the potential effects on such sites on changes in the water table and of air, water, soil and other effects, which may arise from the development. Regarding the creation of new habitats.

Saved Policy EC5 of the plan seeks the retention of certain on-site ecological features enhancement of the nature conservation.

The Council's Sustainability Officer notes that while the ecology report submitted in support of the current application is an improvement from the last version, submitted as part of the refused scheme. However, it still lacks a linkage to the development proposals.

The ecology report acknowledges that a substantial parcel of land where housing is proposed on option A could not be surveyed and finds the northern part of the site where housing is proposed in option B is a foraging network for bats. Accordingly, the indicative housing options do not reflect the findings in the ecology report and there is insufficient survey information for the Council to make an informed decision as to the exact impacts on flora and fauna, or to determine whether conditions could be imposed to mitigate ecological impacts.

The Herts and Middlesex Wildlife Trust also notes that no information in the form of habitat creation, enhancements, management or retention has been provided and until a comprehensive ecological creation and management plan has been supplied, it will not be possible to assess whether the development will be compliant with the NPPF, in conserving and enhancing biodiversity.

The Sustainability Officer considers that given the relative scarcity of ecological features in the area, it is essential that features on this site are protected and enhanced. However, the submitted details are not sufficient to allow the Council to ensure protection.

In conclusion, it is considered that the application has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area. The proposal is therefore contrary to Policy EC1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy EM7 of the Local Plan Part 1, Policy 7.18 of the London Plan and the NPPF.

TREES AND LANDSCAPING

The Council's Landscape Officer has reviewed the proposals and provided comments. It should be noted that these are high level comments, as the detailed matters relating to landscaping are not provided as part of the application and are reserved for later consideration.

The advice provided indicates that the proposals would not result in any unacceptable loss of topographical features, which could not be mitigated as part of wider landscape proposals and that the scheme would be capable of achieving an appropriate landscape design.

As such, a specific reason for refusal relating to trees and landscaping in their own right would not be justified. However, regardless of any landscaping proposals which could come forward at reserved matters stage, the proposal would still ultimately have a more built up and less open appearance than the current situation and no level of landscaping would be capable of overcoming the in principle issues set out within the Green Belt section of this report.

7.15 Sustainable waste management

Given the outline nature of the application there are no details of waste management at this stage. However, it is clear that appropriate provision of waste and recycling facilities could be made within the scope of the outline application proposed and that these matters could be addressed by way of conditions, or the necessary reserved matters submissions. Accordingly, subject to appropriate conditions, the development would comply with Policy 7.15 of the London Plan.

7.16 Renewable energy / Sustainability

The requirements of new developments to achieve appropriate levels of sustainable and energy efficient design are set out within chapter 5 of the London Plan.

Both the Council's Sustainability Officer and the Greater London Authority have identified that the submitted energy statement is dated July 2013 and was assessed under Part L 2010 of the Building Regulations and demonstrates a 25% reduction from this baseline. The submitted statement therefore does not give consideration to the current policy context which requires the carbon emissions and savings to be calculated having regard to Part L 2013 and demonstrate a 35% reduction from this baseline.

It has therefore not been demonstrated that the proposed development is capable of complying with the development plan in respect of energy/sustainable design.

Given the outline nature of the application, consideration has been given to whether this matter could be addressed by way of condition or reserved matters submissions. However, the inadequacy of information raises a number of issues in this respect. Firstly, if compliance is possible, the proposals to achieve that outcome might have implications in respect of other material planning impacts; for example, air quality impacts should biomass be proposed, which would need to be fully assessed at this stage. Secondly, if compliance is not possible, an off site contribution to offset the impact may or may not be appropriate. It would be necessary to consider this matter fully and put in place the necessary provisions as part of the outline planning permission.

Overall, given the information before the Council, it is considered that the proposal has failed to demonstrate that it would be capable of complying with the provisions of Policies 5.1, 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan (2015).

7.17 Flooding or Drainage Issues

Policy EM6 (Flood Risk Management) of the Local Plan Part 1 Strategic Policies (Adopted Nov 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated. Saved Policies OE7 and OE8 of the Local Plan Part 2 seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

The application is not located within a zone at risk of flooding. However, due to the size of the development, it is necessary for it to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding, in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF.

A Flood Risk Assessment (FRA) and Drainage Strategy has been submitted as part of the application, taking into consideration the principles of the NPPF and other relevant regional and local policies. The FRA shows the site as being within Flood Zone 1. However, these documents relate to previous applications and have not been updated to reflect the current scheme.

The FRA states that there has been surface water flooding in nearby areas. This is backed up by surface water modelling undertaken by the Environmental Agency and by the Drain London project, that indicates surface water flood risk to some adjoining areas and notably to southern parts of the M4 Heathrow Spur. The FRA goes on to state that surface water will be managed to greenfield run off rates through the use of swales, water features and attenuation tanks.

The submitted FRA and Drainage Strategy documents have been reviewed by the Council's Flood and Drainage Officer who states that there is further work required to demonstrate that the later complies with the SuDs hierarchy and provides a suitable sustainable drainage scheme which will not increase flood risk elsewhere.

The Flood and Drainage officer identifies a number of issues with the Drainage Strategy, including the lack of demonstration of suitable foul sewer capacity in the area. There is also no adopted surface water sewer in the area and any discharge to the foul sewer of surface water is likely to increase the risk to the surrounding area. In addition, the drainage layout does not appear to be reflective of the current options A and B for the proposed layout of the site. Although swales are suggested and indicated on the drainage strategy plans, and the use of these are supported, these are not shown in the proposed layouts.

Notwithstanding the aforementioned concerns, in the event of an approval, the precise details of a drainage strategy could be secured by conditions, or finalised as part of future reserved matters applications and aligned to the final agreed layout. It is noted this approach was adopted by the Flood and Drainage officer on the recently refused scheme for a mixed residential/commercial scheme on this site and given the less intensive nature of the current scheme, it is considered that there is scope for an appropriate drainage system to be implemented within the development.

Accordingly, subject to appropriate conditions, the proposal would comply with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policies OE7 and OE8 of the Local Plan Part 2 Saved UDP Policies (Nov 2012), Policies 5.12 and 5.13 of the London Plan and the NPPF.

7.18 Noise or Air Quality Issues

AIR QUALITY

The site lies within an Air Quality Management Area and Local Plan Policy PT1.EM8 requires that an applicant demonstrates its proposal will cause no worsening of air quality.

An air quality assessment has been submitted in support of the application. This assessment identified that the proposed development is considered to be a low to medium risk site for dust deposition and PM10 concentrations. However, through good site practice

and the implementation of suitable mitigation measures, the effect of dust and PM10 releases would be significantly reduced, with residual effects considered to be negligible. The residual effects of emissions to air from construction vehicles and plant on local air quality is also considered to be negligible.

In addition, a quantitative assessment of the potential impacts during the operational phase was undertaken to predict the changes in NO2 and PM10 concentrations that would occur due to traffic generated by the proposed development. The results show that the proposed development would bring about an imperceptible increase in pollutant concentrations; consequently the proposed development is judged to have a negligible impact on air quality at existing properties.

the Council's Environmental Protection Unit has reviewed the Air Quality Assessment and raises no objection to the scheme on air quality grounds, subject to low emission strategy for the site, given the exceedences to the directive 2008/50/EC in the area. This strategy could be secured by condition, in the event of an approval.

Subject to this condition, it is considered that the development would not have a significant impact on an Air Quality Management Area (AQMA), in compliance with Policy 7.14 of the London Plan, the Council's Supplementary Planning Guidance on Air Quality and the provisions set out in the National Planning Policy Framework.

NOISE

The Government's National Planning Policy Framework (NPPF) which replaces PPG24 (Planning and Noise) gives the Government's guidance on noise issues. NPPF paragraph 123 states that planning decisions should (i) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (ii) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions. According to the Government's Noise Policy Statement for England (NPSE) of March 2010, these aims should be achieved within the context of Government policy on sustainable development.

Saved Policies OE1 and OE3 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. Saved Policy OE3 seeks to ensure that uses which have the potential to cause noise be permitted only where the impact is appropriately mitigated. Saved Policy OE5 seeks to ensure that noise sensitive developments such as the application proposal can be sited, designed, insulated or otherwise protected from external noise or vibration sources, to appropriate standards. Given the proximity of the site to Heathrow Airport and major road networks, a detailed noise report should be provided.

The Council's Environmental Protection Unit notes that although the submitted noise report states that the development would not meet the preferred external noise criteria laid out in the Council's supplementary planning guidance on noise, the internal noise levels over the night time and daytime would be acceptable should the recommended mitigation measures be installed. As such, it is considered that the development could be designed or insulated from road and aircraft noise, in accordance with Policy OE5 of the the Hillingdon

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

7.19 Comments on Public Consultations

7.20 Planning obligations

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

As the application is being recommended for refusal, no negotiations have been entered into with the developer in respect of these contributions. However, if the application were to be considered for approval, the following heads of terms would have been pursued:

1. Highways: in line with the SPD and depending upon the views of the highways engineer any and all highways works will be required to be met by the applicant.
2. Affordable Housing: In line with the SPD and current planning policy 35% of the scheme is required to be delivered as affordable housing with the tenure and mix to be agreed by the Council. In this case the applicant has offered 35% to be delivered.
3. construction training
4. air quality monitoring
5. project management and monitoring fee.

No legal agreement to address this issue has been offered. As such, the proposal fails to comply with Policy R17 of the UDP and it is recommended the application should be refused for the following reasons:

1. failure to provide for affordable housing.
2. failure to address impacts arising on construction training, air quality monitoring, project management and monitoring fee.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

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

It is considered that the applicant has failed to provide a robust or satisfactory argument that there are specific circumstances that justify the development of this site, which would overcome the loss of, or harm to the open character of the Green Belt in this instance. There is no overriding need for this site to be developed to meet Borough housing targets, public open space or community facilities. The principle of a residential led development on this site cannot be supported, as it is contrary to local, London Plan and national Green Belt policy.

Furthermore, the application has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area, or

that the development would not be contrary to the development plan with regard to sustainability.

The applicant has failed to secure provision of contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development in respect of affordable housing construction training, air quality monitoring and a project management and monitoring fee.

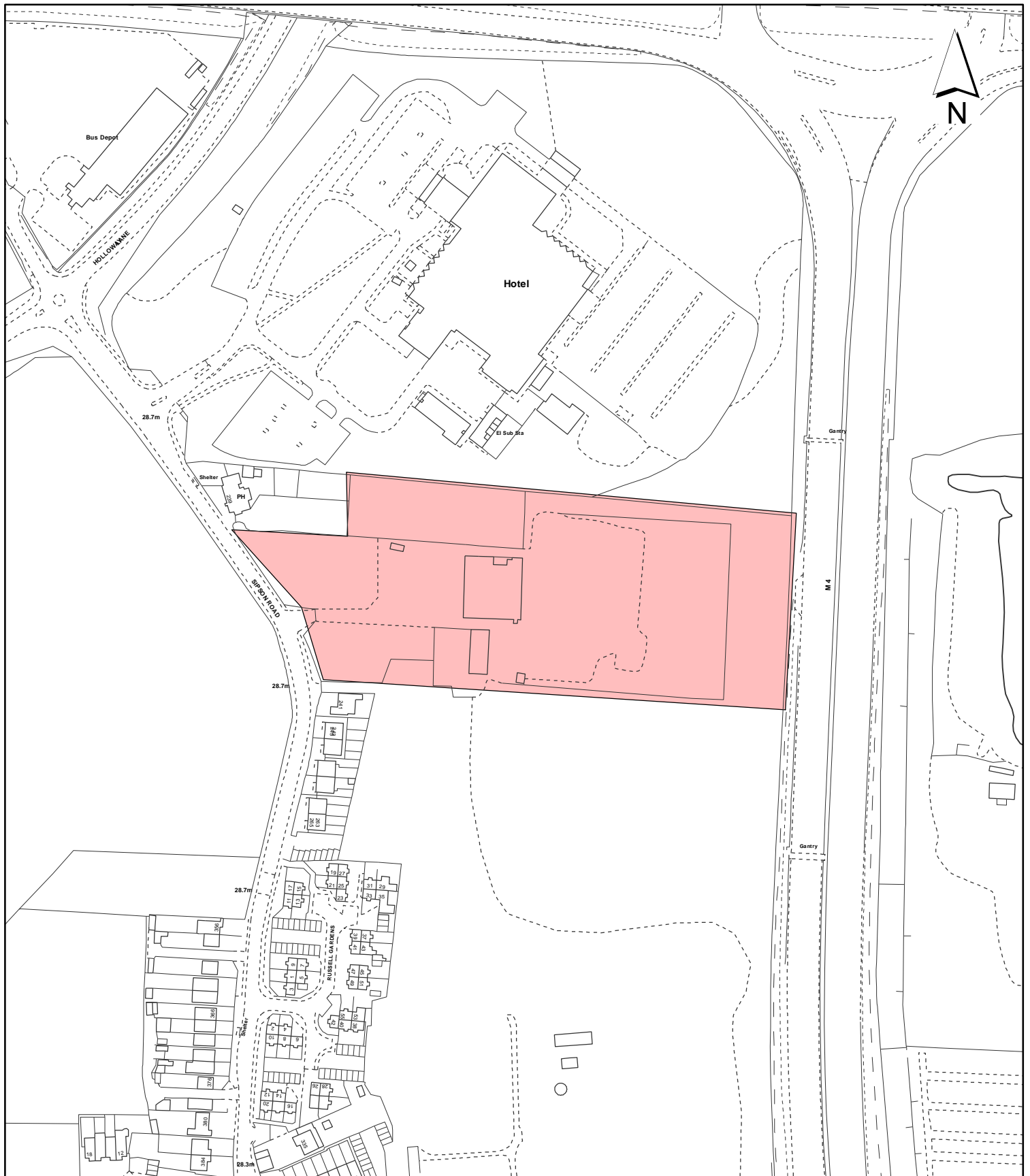
Refusal is recommended accordingly.

11. Reference Documents

- (a) Council's Supplementary Planning Document - Air Quality
- (b) The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 21012)
- (c) London Plan (2015)
- (d) Hillingdon Local Plan Part 2 Saved UDP Saved Policies (November 2012)
- (e) Supplementary Planning Document Accessible Hillingdon
- (f) Supplementary Planning Guidance Community Safety by Design

Contact Officer: Karl Dafe

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Notes:

 Site boundary

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Site Address:

**Sipson Village
 Garden Center
 Sipson Road**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
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 Telephone No.: Uxbridge 250111

Planning Application Ref:
67666/APP/2015/2413

Scale:
1:2,500

Planning Committee:
Major

Date:
December 2015



HILLINGDON
 LONDON