

## Report of the Head of Planning, Sport and Green Spaces

**Address** FORMER ARLA FOOD DEPOT VICTORIA ROAD RUISLIP

**Development:** S73 application seeking variation of condition 2 (approved plans) and 3 (approved documents) of planning permission ref 66819/APP/2014/1600 dated 24th December 2014 for:  
Redevelopment of the site to provide a foodstore with ancillary cafe (Class A1) and ancillary petrol filling station, cinema (Class D2), 5 x restaurant units (Class A3), and residential development consisting of 132 units, together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

changes sought: 1) Increase of total units on the site from 132 to 163 and associated design/elevation changes.  
2) Changes to the approved Energy Strategy  
AMENDED PLANS RECEIVED 21/1/16 INCREASING THE AMOUNT OF PARKING SPACES TO 163 AND AMENDING THE PARKING LAYOUT.

**LBH Ref Nos:** 66819/APP/2015/3653

**Drawing Nos:** 3510/02/2002 Rev M  
3510/02/2003 Rev M  
3510/02/2004 Rev M  
3510/02/2005 Rev M  
3510/02/2006 Rev M  
3510/02/2007 Rev M  
3510/02/2001 Rev M  
3510/02/2008 Rev M  
3510/02/2009 Rev M  
3510/02/2010 Rev M  
Planning Statement Reference 3510\_S-02 Rev A  
Economic Viability Appraisal Report October 2015  
Revised affordable housing offer  
WD-02-0007 Rev N  
WD-02-0005 Rev N  
WD-02-0008 Rev N  
WD-02-0009 Rev N  
WD-00-001 Rev N  
3510/02-0030 Rev M  
3510/02/1001 Rev M  
3510/02/1002 Rev M  
3510/02/2011 Rev M  
3510/02/1003 Rev M  
3510/02/1014 Rev M  
3510/02/1015 Rev M  
3510/02/1016 Rev M  
3510/02/1017 Rev M  
3510/02/1018 Rev M  
3510/02/1019 Rev M  
3510/02/2020 Rev M  
02-5015M1 - LTH Checklist - Typical 1B Flat - Bloc

02-5016M1 - LTH Checklist - Typical 2B Flat - Bloc  
 02-5017M1 - LTH Checklist - Typical 3B Flat - Bloc  
 02-5034M1-Wheelchair Unit-Type WCH1D  
 02-5035M-Wheelchair Unit-Type WCH1E  
 02-5036M-Wheelchair Unit-Type WCH2B  
 3510/02/1004 Rev N  
 3510/02/1005 Rev N  
 3510/02/1006 Rev N  
 3510/02/1007 Rev N  
 3510/02/1008 Rev N  
 3510/02/1009 Rev N  
 3510/02/1010 Rev N  
 3510/02/1011 Rev N  
 3510/02/1012 Rev N  
 3510/02/1013 Rev N  
 02-5018M1 - LTH Checklist - Typical 4B Maisonette  
 02-5019M - LTH Checklist - Typical 2B HA Flat - B  
 02-5020M - LTH Checklist - Typical 2B HA Flat Bloc  
 02-5021M - LTH Checklist - Typical 1B HA Flat Bloc  
 02-5022M - LTH Checklist - Typical 2B Flat Block F  
 02-5023M - LTH Checklist - Typical 1B Flat Block F  
 02-5030M1-Wheelchair Unit-Type WCH1A  
 02-5031M1-Wheelchair Unit-Type WCH2A  
 02-5032M-Wheelchair Unit-Type WCH1B  
 02-5033M-Wheelchair Unit-Type WCH1C  
 Supporting Planning Note reference 3510-Supporting Statement-01  
 Code for Sustainable Homes Strategy Report  
 3510 02-4050M Accommodation Schedule  
 3510 Visual-0001N  
 3510 Visual-0002N  
 Car Parking Management Strategy Document reference 3510\_S-03  
 Energy Statement - Arla Dairy Site Reference BHNL-ARLA-ES-  
 04.docx/R/3.0/MJF  
 Transport planning Practice Parking Note

<b>Date Plans Received:</b>	30/09/2015	<b>Date(s) of Amendment(s):</b>	21/10/2015
<b>Date Application Valid:</b>	05/10/2015		02/10/2015
			08/12/2015

## 1. SUMMARY

This application seeks to vary conditions 2 (approved drawings) and condition 3 (approved documents) of application 66819/APP/2014/1600, which granted consent on 24th December 2014 for the redevelopment of the Former Arla Dairy site, to provide a foodstore with ancillary cafe (total floor area of 7,131sqm) (Class A1) and ancillary petrol filling station, cinema (floor area of 5,634sqm) (Class D2), 5 x restaurant units (total floor area of 2,027sqm) (Class A3), and residential development consisting of 132 units (34 x 1-bed flats, 86 x 2-bed flats, 10 x 3-bed houses, 2 x 4-bed houses), together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

This application seeks amendments to the residential element only of the approved scheme. The scheme has been revised to alter the unit mix and layouts of all the residential units within the site, which has resulted in an increase the total number of units to 163 (28x1 bed, 128x2bed, 6x3bed and 4x4bed houses). Blocks F and J have altered from three storey pitched roof dwellinghouses to a four storey block, of a design and scale that matches the surrounding blocks. The windows and door positions, overall elevation treatment and proportions of the openings have been revised on all of the blocks, however, with the exception of Blocks F and J, the overall scale, massing and design intent have been retained, as has the height of the building and location of the balconies. The parking provision and layout has been revised to provide 163 parking spaces.

The proposed increase in the number of units, alterations to the height of Blocks F and J, elevation alterations and the revised parking provision and layout have been considered in the context of the site and the surrounding area. The proposed increase in the number of units has allowed for a higher provision of affordable units to be provided within the site, and all of the existing and additional units proposed meet or exceed the required internal unit size standards. The parking layout and provision has been revised during the course of the application, and now provides a ratio of 1 space per unit, to which no objection is raised.

Overall, the proposed alterations to the approved scheme are considered acceptable in the context of the approved scheme and surrounding area. The scheme is not considered to have a detrimental impact on the amenities of the existing surrounding residential occupants or future occupiers of the buildings, and would not have an unduly detrimental impact on the surrounding highway network. The proposals are therefore considered to comply with the relevant policies contained within the NPPF, London Plan, Hillingdon Local Plan: Part 1 - Strategic Policies, Hillingdon Local Plan: Part 2 - Saved UDP Policies and the Councils adopted Guidance.

Approval is recommended.

## **2. RECOMMENDATION**

**1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to the following:**

**A) The completion of a Deed of Variation pursuant to Section 106A of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to vary the terms of the S106 Agreement so as to reference the S73 application, and secure the following:**

**1. Affordable Housing: Provision of 18.4% of the total units being dedicated as affordable housing;**

**2. Review Mechanism: The agreement shall provide for the Council to review the finances at set times, in order to ensure that the maximum amount of affordable housing is being sought:**

**i) Firstly before the construction start if that does not occur within two years of consent, ii)secondly on occupation of 85% of the proposed units, at which time actual costs and values will be available. Should value increases and/or cost savings arise, after a 20% profit margin on value is achieved, then additional financial contributions towards the shortfall in affordable housing should be required.**

**B) That in respect of the application for planning permission, the applicant meets**

the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreement/s have not been finalised by the 9th May 2016, delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The development has failed to secure obligations relating to affordable housing provision. Accordingly, the proposal is contrary to policies R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD (July 2014) and Policy H2 of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) and Policy 3.12 of the London Plan (March 2015) and the NPPF.'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the Deed of Variation under Section 106A of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning and Enforcement prior to issuing the decision:

**1 COM3 Time Limit**

The development hereby permitted shall be begun before the 24th December 2017.

**REASON**

To comply with Section 73 and 91 of the Town and Country Planning Act 1990 and the terms and conditions of planning application 66819/APP/2014/1600.

**2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

**DRAWINGS APPROVED IN APPLICATION 66819/APP/2014/1600 AND SUBSEQUENT NMAs**

2013-056/G101 Rev F; 2013-056/G102 Rev G; 2013-056/SK103; 2013-056/G104 Rev G; 2013-056/SK109 Rev Q; 2013-056/G112; 2013-056/SK200 RevC; 2013-056/SK201 Rev D; 2013-056/G202 Rev S; 2013-056/SK204 Rev C; 2013-056/SK220 Rev C; 2013-056/G221 Rev M; 2013-056/G222 Rev E; 2013-056/G223 Rev A; 2013-056/G224 Rev B; 2013-056/G225 Rev K; 2013-056/G226 Rev J; 2013-056/G227 Rev F; 2013-056/G250 Rev E; 2013-056/G801 Rev E; 2013-056/G802 Rev E; 2013-056/G803 Rev K; 2013-056/P220 Rev A; 2013-056/R201 Rev P; 2013-056/R202 Rev J; 2013-056/R220 Rev P; 2013-056/R230 Rev D;

1061-003 Rev V; 1061-004 Rev P; 1061-005 Rev N; 1061-006 Rev G; 1061-007 Rev K; 1061-020 Rev C; 1061-040 Rev C; 1061-041 Rev C; 1061-042 Rev B; 1061-043 Rev B; 1061-060 Rev B; 1061-061 Rev A; 1061-R-001 Rev E;

12101-02-0002;

**AMENDED DRAWINGS (RESIDENTIAL)**

WD-02-0007 Rev N; WD-02-0005 Rev N; WD-02-0008 Rev N; WD-02-0009 Rev N; WD-00-001 Rev N; 3510-02-1001 Rev M; 3510-02-1002 Rev M; 3510-02-1003 Rev M; 3510-02-1004 Rev M; 3510-02-1005 Rev M; 3510-02-1006 Rev M; 3510-02-1007 Rev M; 3510-02-1008 Rev M; 3510-02-1009 Rev M; 3510-02-1010 Rev M; 3510-02-1011 Rev M; 3510-02-1012 Rev M; 3510-02-1013 Rev M; 3510-02-1014 Rev M; 3510-02-1015 Rev M; 3510-02-1016 Rev M; 3510-02-1017 Rev M; 3510-02-1018 Rev M; 3510-02-1019 Rev M; 3510-02-1020 Rev M; 3510-02-2001 Rev M; 3510-02-2002 Rev M; 3510-02-2003 Rev M; 3510-02-2004 Rev M; 3510-02-2005 Rev M; 3510-02-2006 Rev M; 3510-02-2007 Rev M; 3510-02-2008 Rev M; 3510-02-2009 Rev M; 3510-02-2010 Rev M; 3510-02-2011 Rev M; 3510-Visual 0001 Rev M; 3510-Visual 0002 Rev M; 3510-02-0030 Rev M; 3510-02-5015 Rev M1; 3510-02-5016 Rev M1; 3510-02-5017 Rev M1; 3510-02-5018 Rev M1; 3510-02-5019 Rev M; 3510-02-5020 Rev M; 3510-02-5021 Rev M; 3510-02-5022 Rev M; 3510-02-5023 Rev M; 3510-02-5030 Rev M1; 3510-02-5031 Rev M1; 3510-02-5032 Rev M; 3510-02-5033 Rev M; 3510-02-5034 Rev M; 3510-02-5035 Rev M1; 3510-02-5036 Rev M

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

**REASON:**

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

**3 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be carried out except in complete accordance with the details contained within the specified supporting documents:

Design & Access Statement - Rev A (14/05/14)  
Transport Assessment - PMcL/3008d51/April 2014  
Travel Plan - Framework - PMcL/3008d53/April 2014  
Travel Plan - ASDA - PMcL/3008d21/April 2014  
Travel Plan - Residential - PMcL/3008d54/April 2014  
Pedestrian (PERS) Audit - PMcL/3008d57/April 2014  
Car Parking Management Plan - PMcL/3008d56/April 2014  
Delivery and Servicing Plan - PMcL/3008d55/Apr 2014  
LINSIG Details - 11/08/2014  
VISSIM Modelling Report - April 2014  
Planning Report - May 2014  
Retail & Leisure Report - May 2014  
Note on Scale and Town Centre Network - June 2014  
Employment Land Report - April 2014  
BREEAM Pre-assessment - Cinema - 24/04/14  
BREEAM Pre-assessment - Foodstore - 24/04/14  
BREEAM Pre-assessment - Restaurant Units - 24/04/14  
Energy Strategy - 24/04/14  
Energy Strategy Addendum - 11/08/2014  
Sustainability Report - 30/04/14  
Preliminary Risk Assessment - 03/05/13  
Air Quality Assessment - Rev 2 (29/04/14)  
Construction Management Plan - Rev A (24/04/14)  
Demolition Strategy - Rev A (23/04/14)

Ventilation and Air Exhaust Discharge Strategy - 24/04/14  
Noise Assessment - 29/04/14  
Site Waste Management Plan - 12/04/14  
Flood Risk Assessment and Drainage Strategy - 25/04/14  
External Lighting Statement - 24/04/14  
Landscape Strategy - Rev B (29/04/13)  
Aboriginal Report - 02/04/14  
Preliminary Ecological Appraisal - 15/05/14  
Archaeology/Heritage Assessment - December 2012  
Daylight & Sunlight Report - 23/04/14  
Utilities Design Statement - 24/04/14  
Statement of Community Involvement - May 2014  
Response to Mayor of London Stage 1 Report and Consultee Responses - August 2014

Accommodation schedule 3510-02-4050 Rev M- 02/10/15  
Planning Statement 3510\_S-02 27 August 2015  
Supporting Statement 02/10/15  
Parking Note 30749/D1E 21/01/16  
Code for Sustainable Homes Strategy Report 02/10/15  
Energy Statement BHNL-ARLA-ES-04.docx/R/3.0/MJF

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

**REASON:**

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

**4 NONSC Phasing**

The commercial development shall be carried out in accordance with the phasing and implementation details approved within drawing G118\_B and covering letter of application 66819/APP/2015/149 dated 20/2/15 unless otherwise agreed in writing with the local planning authority.

Prior to the commencement of the residential development, a detailed phasing and implementation plan, including the order and timing of development of individual buildings, landscaped areas, vehicular and pedestrian access ways, car and cycle parking areas, refuse storage and any other structures and facilities to be included within any phase shall be submitted to and approved in writing by the Local Planning Authority.

The phasing plan shall include details of the provision of the pedestrian link from Long Drive to the commercial elements of the site.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

**REASON:**

To ensure the development proceeds in a satisfactory manner, and to ensure the availability of linked trips between the site and the town centre, in accordance with policy E5 of the Hillingdon Local Plan Part 1, policies LE1, BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policies 2.15, 4.7 and 4.8 of the London Plan (march 2015).

## **5 COM7 Materials (Submission)**

The residential phase of the development shall not commence until details of all materials and external surfaces to be used on the buildings in the relevant phase, including details of balconies, windows, doors, porches, and PV panels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

The commercial phase of the development shall be carried out in strict accordance with the details: Materials Schedule; Materials Board (photograph and physical materials samples); Drawing G204 Rev AA Roof Plan; Drawing G220 Rev V Elevations; Drawing G221 Rev Q Entrance Elevations; Drawing G224 Rev F Car Park Wall Elevation; Drawing P220 Rev B Petrol Filling Station Elevations; Drawing R202 Rev P Roof Plan Restaurant units 1-3 and Drawing R220 Rev S Elevations Restaurant units 1-3 approved as part of application 66819/APP/2015/596 dated 15/4/15, and 2013-056\_R220\_RevT\_GA ELEVATIONS RESTAURANT UNITS; 2013-056\_G220\_RevW\_GA ELEVATIONS ASDA CINEMA UNITS; Materials Board and email from Paul Aldridge dated 28/10/15 approved within application 66819/APP/2015/3225 dated 3/11/15, unless otherwise agreed in writing with the local planning authority.

### **REASON:**

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

## **6 COM6 Levels**

The commercial development shall be carried out in accordance with the approved details contained within plans: Drawing 2013-056-G801 Revision E - Part 1 Topographical Survey Site Wide; Drawing 2013-056-G802 Revision E - Part 2 Topographical Survey Site Wide; Drawing 2013-056-G803 Revision L - Proposed Finished Levels for Commercial Site; 2013-056-G200 Revision AA - Ground Floor GA Plan Commercial Site; 2013-056-G201 Revision T - First Floor GA Plan Commercial Site; 2013-056-G202 Revision S - Second Floor GA Plan Commercial Site of application 66819/APP/2015/150 dated 16/3/15 and drawing 2013-056-G809 Rev E of application 66819/APP/2015/350 unless otherwise agreed in writing with the local planning authority.

No part of the residential development shall commence until plans of the development, showing the existing and proposed ground levels, as well as floor levels of all proposed buildings, together with the location of any earthworks and excavations to be carried out near to the railway boundary (if relevant), have been submitted to and approved in writing by the Local Planning Authority, in consultation with Network Rail. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the relevant phase of development shall not be carried out other than in accordance with the approved details.

### **REASON:**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policies AM7, AM11 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 2.6, 6.2, 6.3 and 6.4 of the London Plan (March 2015) and paragraph 32 of the National Planning Policy Framework.

## **7 COM9 Landscaping (car parking & refuse/cycle storage)**

The residential phase of the development shall not commence until a landscape scheme

for the has been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall include:

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:250),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate, including replacement semi-mature tree planting for trees removed at site entrances.

2. Details of Hard Landscaping

- 2.a Covered and Secure Cycle Parking (including 174 spaces for the residential component)
- 2.b Covered and secure cycle storage
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including 33 of the spaces for electric vehicles and an additional 33 passive provision)
- 2.e Hard Surfacing Materials, including paving materials (which shall be suitable for wheelchair users)
- 2.f External Lighting including lighting of all pedestrians links and accesses
- 2.g Other structures

3. Details of Landscape Maintenance

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

4. Schedule for Implementation

5. Other

- 5.a Existing and proposed functional services above and below ground

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

The hard and soft landscaping for the site shall be carried out in strict accordance with the details approved within drawings 1061-106A - Irrigation Points and 10-4313-505F - Drainage layout of application 66819/APP/2015/351, and drawings 1061-201 Rev C; 1061-202 Rev C; 1061-203 Rev C; 1061-206 Rev C; 1061-207 Rev B; 1061-SP-08; 1061-SH-04-C; 2013-056/G835; 2013-056/G200 Rev GG; 2013-056/G836; 2013-056/R201 Rev S; 2013-056/G201 Rev Y; 1061-301-C; 1061-302-C; 1061-303-C; 1061-020-C ; 1061-008-C; 2013-056/G109 Rev W; 2013-056/G200 Rev GG; 1061-SH-06A; 1061-008-C; 7594-E(97)01; 7594-E(97)02; Schedule of Luminaire; 1061-437-A; 2013-056/R202 Rev P Landscape Management & Maintenance Plan 1061-SP07A January 201; 1061-403 Rev B Tree pit in hard landscape; 1061-401 Rev C Tree pit in soft landscape; 1061-402 Rev B Tree pit in soft landscape under 20cm girth; 1061-404 Rev A Tree Pit in hard landscape with bollards of application 66819/APP/2015/350, unless otherwise agreed in writing with the local planning authority.

REASON:

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



AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policies 5.11 and 5.17 of the London Plan (2015).

**8 COM10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved Tree Retention plans shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

**REASON:**

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

**9 COM30 Contaminated Land**

The residential phase of the development shall be carried out in strict accordance with the scheme for dealing with contamination contained within: SITE INVESTIGATION REPORT Ref:3766-GE001 dated April 2015, Remediation Extent plan and Remediation Strategy Report Report Ref: 3766-GE002 approved within application 66819/APP/2015/1234 dated 21/10/15

In relation to the commercial element of the scheme, the development shall be carried out in strict accordance with the scheme for dealing with contamination contained within Remediation Strategy (Ref: 70006464); Validation of Tank Removal Report; Geo-Environmental and Geotechnical Ground Investigation Report; Geo-Environmental and Geotechnical Ground Investigation Report October and Preliminary Risk Assessment May 2013 approved within application 66819/APP/2015/152 dated 24/4/15 unless otherwise agreed in writing with the local planning authority.

**REASON:**

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

**10 NONSC Contaminated Land Remediation**

All works which form part of the remediation scheme detailed in the condition above for a

relevant phase shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the relevant phase is occupied or brought into use. Provided that unless the remediation scheme shall specifically require remediation works or unless contamination is discovered during the course of works in relation to the parking area located at 428 and 428a Victoria Road (the Aviva site) this condition shall not prevent occupation of that parking area.

**REASON:**

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

**11 NONSC Imported Soils**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination.

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

**12 NONSC Carbon Reduction**

The commercial scheme shall be implemented in accordance with the energy assessment report reference 'Planning Condition 12 - Carbon Reduction' and 'Requirements for Modelling CHP Stack Emissions' approved within application 66819/APP/2015/594 unless otherwise agreed in writing with the local planning authority.

**REASON:**

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

**13 NONSC Air Quality - Energy Provision**

The scheme shall be implemented in accordance with the Air Quality Neutral Report 02 January 2015 approved as part of application 66819/APP/2015/594 dated 22/5/15 unless otherwise agreed in writing with the local planning authority.

**REASON:**

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

**14 NONSC Sustainable Water Management**

The residential phase of the development shall be implemented in accordance with the following details and drawings approved as part of application 66819/APP/2015/1083 dated 6/11/15 unless otherwise agreed in writing with the local planning authority:

SUDS Maintenance and Management Plan  
3766-1000 P1 PROPOSED DRAINAGE STRATEGY

The commercial phase of the development shall be implemented in accordance with the following details and drawings approved as part of application 66819/APP/2015/351 dated 6/5/15, unless otherwise agreed in writing with the local planning authority:  
10-4313-505F - Drainage Layout

10-4313-506A - Drainage Detail Part 1  
10-4313-507A - Drainage Details Part 2  
10-4313-508A - Proposed Sewer Details  
10-4313-509 - Sewer Section  
APP L1-NE-2013 - Environment Agency  
APP2 - Thames Water Letter  
Drainage Strategy & Design  
Flood Risk Assessment April 2014 (to follow in the post)  
Surface Water Drainage  
Green Roof Plan R202 Rev P  
1061-106-A Irrigation Points

**REASON:**

To ensure the development does not increase the risk of flooding and ensure the development reduces the pressure on potable water in accordance with policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 5.12 and 5.15 of the London Plan (2015).

**15 NONSC Bird Hazard Management Plan**

The commercial elements of the development shall be implemented in accordance with the details contained within the Bird Management Hazard Plan and drawing 2013-056 South Ruislip - G114\_Rev\_UNIT PLAN approved as part of application 66819/APP/2015/161 dated 23/2/15 unless otherwise agreed in writing with the local planning authority.

The residential development shall not commence until a Bird Hazard Management Plan for the relevant phase has been submitted to and approved in writing by the Local Planning Authority for each phase. The submitted plan shall include details of:

- Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'.

The approved Bird Hazard Management Plan for the relevant phase shall be implemented upon completion of the roofs and shall remain in force for the life of the building.

**REASON:**

To comply with policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and because it is necessary to manage the roof areas in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport and RAF Northolt.

**16 NONSC Secured by Design**

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

**REASON:**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on

Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 7.1 and 7.3 of the London Plan (2015).

#### **17 NONSC Facilities for Disabled People**

The commercial development shall be carried out in strict accordance with the details contained within drawing 2013-056-G109 Revision W - Proposed Commercial Site plan marked up showing location of drop of points, disabled car parking spaces and facilities and headroom and 1061-011-D - Piazza Area Plan marked up to show levels, gradients to show how the piazza complied with BS 8300:2009+A1:2010 of application 66819/APP/2015/150 dated 16/03/15, showing how the commercial element would cater for high sided disabled vehicles and how the rise between the Piazza and restaurant will be accessible.

Before commencing development of any of the residential elements of the proposal, plans and details shall be submitted to and approved in writing by the Local Planning Authority which show:

- Details of amenity areas designed to allow disabled and non-disabled children to play together, along with accessible play equipment to be provided.

Thereafter the relevant phase shall be developed in strict accordance with the approved details.

#### **REASON:**

To ensure that sufficient measures are provided to meet the needs of disabled and elderly people in accordance with policies 3.1 and 7.2 of the London Plan (2015).

#### **18 NONSC Car Parking Allocation**

With the exception of the parking area located at 428 and 428a Victoria Road (the Aviva site), no phase of development shall be occupied until a Car Parking Allocation and Management Plan for the relevant phase has been submitted to, and approved in writing by, the Local Planning Authority.

The car parking allocation and management plan for the relevant phase shall clearly identify and delineate parking spaces which are allocated and dedicated for the non-residential and residential components of the relevant phase of development. The plan should include details of the following provision:

- 10% Disabled (16 spaces) (residential)
- 5% Disabled, 5% Brown Badge and 5% Parent & Child (commercial)
- 20% active + 20% passive electric vehicle charging points (33 active and 33 passive)(residential)
- 10% active + 10% passive electric vehicle charging points (commercial)
- provision of motorcycle parking at a ratio of 1 space per 20 car parking spaces

The provisions of the Car Parking Allocation and Management Plan shall be adhered to for the lifetime of the development.

#### **REASON:**

To ensure that an appropriate level of car parking provision is provided on site in accordance with policies AM14, AM15, and AM16 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015).

#### **19 NONSC Retail Split**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) or the Town and Country Planning (General Permitted Development) Order 1995), the split between convenience and comparison goods within the supermarket shall be at a ratio of 59% : 41% (2193sqm : 1524sqm) in favour of convenience goods, and shall be maintained for the life of the development. The net sales area of the supermarket shall not exceed 3,717sqm in area.

**REASON:**

To ensure unacceptable impacts on the town centre do not occur, as the retail impact resulting from a different split has not been tested, in accordance with accordance with policy E5 of the Hillingdon Local Plan Part 1, policy LE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policies 2.15, 4.7 and 4.8 of the London Plan (2015).

**20 NONSC Free Car Parking**

With the exception of the parking area located at 428 and 428a Victoria Road (the Aviva site), three (3) hours of free car parking shall be provided to the public on the site, for users of the commercial elements of the site, and this period of free parking shall be maintained on the site for the life of the commercial development.

**REASON:**

To enable linked trips between the development and South Ruislip Town Centre, in accordance with policy E5 of the Hillingdon Local Plan Part 1, policy LE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policies 2.15, 4.7 and 4.8 of the London Plan (2015).

**21 NONSC Shopping Trolley Storage**

The shopping trolley storage shall be implemented in accordance with the following details approved as part of application 66819/APP/2015/153 dated 24/02/15 unless otherwise agreed in writing by the local planning authority:

2013-056/G200 Rev GG

A\_13\_15

Cover Letter dated 15/01/2015

**REASON:**

To ensure that adequate storage capacity is provided and in the interests of the visual amenity of the area, in accordance with policies BE13 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**22 NONSC No Additional Floorspace**

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created in excess of that area expressly authorised by this permission.

**REASON:**

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**23 NONSC Customer Recycling Facilities**

Prior to the installation of any on site customer recycling facilities, details of such facilities shall be submitted to and approved in writing by the Local Planning Authority. Details shall include hours of operation and the location of any such facilities away from residential properties together with appropriate screening. Thereafter the facilities shall be maintained and retained for the life of the development.

**REASON:**

To provide a designated area where customers can dispose of recycled waste before it is removed from the site, in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**24 NONSC Delivery Noise Management Plan**

The commercial phase of development shall be implemented in strict accordance with the Delivery Noise Management Plan, which specifies the provisions to be made for the control of noise from delivery and service yard operations that may be associated with proposals, approved within application 66819/APP/2015/529 dated 22/5/2015 unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

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

**25 NONSC Mechanical Plant**

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

**REASON:**

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

**26 NONSC Air Extraction Systems**

No flues, air conditioning or other air extraction system shall be used on any individual commercial premises hereby approved until a scheme for the control of noise and odour emanating from the flues, air conditioning or other air extraction system for that premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON:**

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

**27 NONSC Lifetime Homes**

Ten per centum of the residential dwellings shall be constructed to meet the standards for Category 3 M4(3) dwellings, with all remaining units designed to the standards for Category 2 M4(2), as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure an appropriate standard of housing stock in accordance with policy 3.8 of the London Plan (2015) and Technical Housing Standards (2015).

**28 NONSC Amenity Areas (Residential Developments)**

None of the dwellings hereby permitted in a relevant phase shall be occupied, until the outdoor amenity areas serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) have been made available for the use of residents of the relevant phase of the development. Thereafter, the amenity areas shall so be retained for the life of the development.

REASON:

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.1 of the London Plan (2015).

**29 NONSC Childrens Play Space**

No residential phase of the development shall commence until details of secure play areas for children for the relevant phase have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the secure play areas shall be provided prior to the occupation of any unit within the relevant block and maintained for this purpose.

REASON

To ensure that the development makes adequate provision of children's play space in accordance with policy R1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 3.16 of the London Plan (July 2015).

**30 NONSC Insulation and Ventilation**

No residential phase of the development shall commence until a sound insulation and ventilation scheme for protecting the proposed residential development from road traffic, rail traffic, air traffic and other noise any air conditioning units has been submitted to and approved in writing by the Local Planning Authority. The sound insulation and ventilation scheme shall ensure that internal LAeq,Tand LMax noise levels meet appropriate noise criteria.

All works which form part of the sound insulation and ventilation scheme shall be fully implemented before the relevant residential phase of development is occupied and thereafter shall be retained and maintained in good working order for so long as the building/s remains in use.

REASON:

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

**31 NONSC HS21**

The following parts of the development, shall be carried out in accordance with the details approved in drawings 10/4313/505 Rev. D; 10/4313/EW001 Rev. D; 10\_4313/300 Rev. D; 10\_4313/416 Rev. A; 2013-056\_G200 Rev. GG; 2013-056/G803 Rev. L; Technical Note; 2013-056/G109 Rev. W; Covering Letter (Ref: PA/JLN0132); 2013-056/G802 Rev. E; 2013-056/G801 Rev. E; Safe working plan for piling and sub-structure works near HS2

and 2013-056/G103 Rev. Y of application 66819/APP/2015/456, unless otherwise agreed in writing with the local planning authority:

1. The Petrol Filling Station in the South West Corner of the site
2. Any of the Food Store and the Cinema building that lies within a distance of 20 metres of the 'land subject to consultation (safeguarding limits)' as shown drawing 2013-056/G103 Revision Y Titled 'Proposed Master Plan'
3. Any of the Access Ramps to the service area or sub-station, as shown on drawing 2013-056/G103 Revision Y Titled 'Proposed Master Plan'
4. Any other development within the 'commercial site boundary' as shown on drawing 2013-056/G103 Revision Y Titled 'Proposed Master Plan' that is also within 20 metres of the 'land subject to consultation (safeguarding limits)' as shown on drawing 2013-056/G103 Revision Y Titled 'Proposed Master Plan'

The development shall be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

**REASON:**

To ensure the proposed development does not impede the delivery of High Speed 2, a project of national importance.

**32 NONSC HS23**

No works below ground level comprised within the development hereby permitted shall be carried out at any time. When a tunnel boring machine used for the purposes of boring tunnels for the HS2 Ltd railway is within 100 metres of the land on which the development hereby permitted is situated.

**REASON:**

To ensure the proposed development does not impede the delivery of High Speed 2, a project of national importance.

**INFORMATIVES**

**1**

The applicant is advised that the application site falls within land that may be required to construct and/or operate Phase One of a high speed rail line between London and the West Midlands, known as High Speed 2. Powers to construct and operate HS2 are to be sought by promoting a hybrid Bill which was deposited in Parliament on 25th November 2013. As a result the application site, or part of it, may be compulsorily purchased. More information can be found at [www.hs2.org.uk](http://www.hs2.org.uk)

With regard to conditions 34, 35 and 36, the applicant is advised to liaise with HS2 Ltd.

**2 I52 Compulsory Informative**

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



**3**            I53            **Compulsory Informative**

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

AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM10	Incorporation in new developments of additions to the proposed cycle network
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
H4	Mix of housing units

H5	Dwellings suitable for large families
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE6	Major officer and other business proposals in town centres
LPP 2.15	(2015) Town Centres
LPP 2.6	(2015) Outer London: vision and strategy
LPP 2.7	(2015) Outer London: economy
LPP 2.8	(2015) Outer London: Transport
LPP 3.1	(2015) Ensuring equal life chances for all
LPP 3.10	(2015) Definition of affordable housing
LPP 3.11	(2015) Affordable housing targets
LPP 3.12	(2015) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.6	(2015) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2015) Large residential developments
LPP 3.8	(2015) Housing Choice
LPP 3.9	(2015) Mixed and Balanced Communities
LPP 4.1	(2015) Developing London's economy
LPP 4.4	(2015) Managing Industrial Land & Premises
LPP 4.7	(2015) Retail and town centre development
LPP 4.8	(2015) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 4.9	(2015) Small Shops
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.18	(2015) Construction, excavation and demolition waste
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions
LPP 5.21	(2015) Contaminated land
LPP 5.3	(2015) Sustainable design and construction
LPP 5.6	(2015) Decentralised Energy in Development Proposals
LPP 5.7	(2015) Renewable energy
LPP 6.1	(2015) Strategic Approach
LPP 6.10	(2015) Walking
LPP 6.11	(2015) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.12	(2015) Road Network Capacity
LPP 6.13	(2015) Parking
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 6.5	(2015) Funding Crossrail and other strategically important transport infrastructure
LPP 6.6	(2015) Aviation

LPP 6.9	(2015) Cycling
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2015) An inclusive environment
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.5	(2015) Public realm
LPP 7.6	(2015) Architecture
LPP 7.7	(2015) Location and design of tall and large buildings
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
NPPF1	NPPF - Delivering sustainable development
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
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
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
R2	Provision of recreation, entertainment and leisure facilities in Town Centres

**4 I1 Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

**5 I11 The Construction (Design and Management) Regulations 1994**

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

**6 I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control

of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

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

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

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

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

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

#### **7            118            Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans. For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

#### **8            119            Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE. Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804).

#### **9            13            Building Regulations - Demolition and Building Works**

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

#### **10          134          Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability

Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804.

## **11            I36                    Petrol Storage and Petrol Vapour Recovery - Filling Stations**

You should ensure that the arrangements for the delivery and storage of petrol at the service station comply fully with the relevant statutory requirements, in particular, the Environmental Protection Act 1990 and the Petrol Vapour Recovery (Stage 1) Local Enforcing Authorities Direction and Notice 1996 and the Petroleum (Consolidation) Act 1928. Advice on these requirements can be obtained from the London Fire Brigade, Petroleum Section, Room 810, Hampton House, 20 Albert Embankment, London, SE1 7SD (Tel. 020 7587 6378).

## **12            I58                    Opportunities for Work Experience**

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough

of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership. Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: [petersale@hillingdontraining.co.uk](mailto:petersale@hillingdontraining.co.uk).

### **13 I60 Cranes**

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

### **14**

Bird Hazard Management Plan:

The Bird Hazard Management Plan referred to in the conditions above must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting; roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

### **15**

Network Rail - Asset Protection Measures:

We would draw the councils attention to the following Rail Accident Investigation Branch report into 'Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013', which concluded: The intent of this recommendation is to ensure that the planning approval process reduces the risk to railway infrastructure due to adjacent developments. The Department for Communities and Local Government should introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process (paragraphs 97f and 101).

Network Rail requests that the developer submit a risk assessment and method statement (RAMS) for the proposal to Network Rail Asset Protection, once the proposal has entered the development and construction phase. The RAMS should consider all works to be undertaken within 10m of the operational railway. We require reviewing the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at [AssetProtectionLNWSouth@networkrail.co.uk](mailto:AssetProtectionLNWSouth@networkrail.co.uk) to discuss the proposal and RAMS requirements in more detail.

### Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by a third party that may adversely impact its land and infrastructure.
- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

### Scaffolding

Any scaffold which is to be constructed within 10 metres of the Network Rail / railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffold / access for working at height within the footprint of their property boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, should they topple over in the direction of the railway then there must be at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

### Demolition

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing (building), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings / structures belonging to the National Federation of Demolition Contractors.

This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service and that demolition works on site do not impact the safety and performance of the railway.

### Drainage

All surface water is to be directed away from the railway.

Soakaways, as a means of storm/surface water disposal must not be constructed near/within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property.

- Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.
- Suitable drainage or other works must be provided and maintained by the Developer to

prevent surface water flows or run-off onto Network Rail's property.

- Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
- Suitable foul drainage must be provided separate from Network Rail's existing drainage.
- Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.
- Drainage works could also impact upon culverts on developers land.

Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside safety critical equipment or de-stabilisation of land through water saturation.

Full details of the drainage plans are to be submitted for approval to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the approval of the Network Rail Asset Protection Engineer.

#### 2m Gap

Network Rail requests that the developer ensures there is a minimum 2 metres gap between the buildings and structures on site and our boundary fencing.

- To allow for all construction works on site and any future maintenance to be carried out wholly within the applicant's own land ownership and without encroachment onto Network Rail land and air-space. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949).
- To ensure that should the buildings and structures on site fail or collapse that it will do so without damaging Network Rail's boundary treatment or causing damage to the railway (e.g. any embankments, cuttings, any lineside equipment, signals, overhead lines) and to prevent the materials from the buildings and structures on site falling into the path of trains.
- To ensure that the buildings and structures on site cannot be scaled and thus used as a means of accessing Network Rail land without authorisation.
- To ensure that Network Rail can maintain and renew its boundary treatment, fencing, walls etc
- To ensure that the applicant does not construct their proposal so that any foundations (for walls, buildings etc) do not end up encroaching onto Network Rail land. Any foundations that encroach onto Network Rail land could undermine, de-stabilise or other impact upon the operational railway land, including embankments, cuttings etc.

#### **16            115            Control of Environmental Nuisance from Construction Work**

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

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

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



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

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

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

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The wider 'Former Arla Food Depot' covers 5.56 hectares and forms the majority of the Former Express Dairies depot which has been disused for a number of years. The site achieved planning permission in December 2014 for its redevelopment to provide a foodstore with ancillary cafe (total floor area of 7,131sqm) (Class A1) and ancillary petrol filling station, cinema (floor area of 5,634sqm) (Class D2), 5 x restaurant units (total floor area of 2,027sqm) (Class A3), and residential development consisting of 132 units (34 x 1-bed flats, 86 x 2-bed flats, 10 x 3-bed houses, 2 x 4-bed houses), together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

This application relates solely to the residential element of the approved scheme, which is sited in the northeast and southeastern part of the site.

In terms of the character of the surrounding area, to the south and west of the site is South Ruislip station on the Central Line of the Underground, and the Chiltern Line railway link from Marylebone to Birmingham. To the north of the site lies Victoria Road, a mature tree lined road which provides the main access into the site. The character of the road is residential, with of three storey housing with garages at ground level, slate pitched roofs and cream brickwork, located between the road and the site. The opposite side of Victoria Road is also predominantly residential with brick built 3-storey housing with pitched roofs. The residential areas are interrupted with a petrol filling station, a church and shops.

Beyond the southern boundary of the site lies Long Drive which links Victoria Road to South Ruislip Station. Between the road and the site at the corner of the junction are retail units, with apartments over dating from the 1960s. The Ramada Hotel and the Middlesex Arms Public house have frontage to Long Drive but back onto the site. A pedestrian link is proposed from Long Drive, between the public house and the terrace of retail units.

The north-west boundary is formed by the Aviva site comprising the former Focus and Land of Leather retail units with associated car parking, together with the access from Victoria Road. The application proposals include the remodelling of the access and car parking arrangement to these retail units.

The southwest boundary comprises the railway and industrial buildings. The proposed HS2 link out of London will run in a tunnel parallel in part with the site boundary and the existing railway line. The buildings proposed avoid the safeguarded area of the HS2 route. RAF Northolt lies further to the southwest.

### 3.2 Proposed Scheme

This application seeks to vary conditions 2 (approved drawings) and condition 3 (approved documents) of application 66819/APP/2014/1600, to allow for amendments to be made to the approved residential element of the scheme. The main change has been the increase in the number of residential units from 132 to 163 units. The alterations have meant that the layouts for all of the blocks have had to be adjusted, which has resulted in changes to the windows and door positions, overall elevation treatment and proportions of the openings. The overall scale, massing and design intent have been retained, as has the height of the building and location of the balconies.

The following alterations to the approved scheme are as follows:

1. The unit mix has altered.

- 25x1-bed units are proposed (decrease of 5 units from the approved scheme),
- 128x2-bed units are proposed (increase of 41 units from the approved scheme)
- 6x3-bed maisonettes/houses are proposed (decrease of 4 units from the approved scheme)
- 4x4bed houses are proposed (increase in 2 units from the approved scheme).

2. Block A East

- The wheelchair units on the ground floor have been omitted and replaced with 2 bed flats;
- The upper floor levels have been revised to ensure compliance with Building Regulations. As a result adjustments to the windows locations have occurred;

3. Block A West

- The wheelchair units have been omitted and replaced with 2 bed flats;
- The upper floor levels have been revised to ensure compliance with Building Regulations. As a result adjustments to the windows locations have occurred;
- Roof terrace has been omitted and solar photovoltaics located on the roof and access for maintenance only.

4. Blocks B, C, and D

- Wheelchair units have been located on the ground floor of these blocks as the regular shape facilitated improved layouts;
- Block D is designated as affordable tenure;
- The layouts have been revised to ensure compliance with Building Regulations. As a result adjustments to the windows locations have occurred;
- CHP plant has been omitted in block D to allow for an additional unit with roof terrace;
- Solar photovoltaics have been located on the roof with access for maintenance only.

5. Block E

- The wheelchair units have been omitted from the ground floor and replaced with standard flats;
- The internal layouts have been revised to ensure compliance with Building Regulations. As a result adjustments to the windows locations have occurred;
- The roof terrace has been omitted and solar photovoltaics located on the roof with access for maintenance only;

6. Blocks F/G

It is proposed to increase the density of this part of the development to reflect the scale and density of the surrounding blocks. The approved scheme was for 3 storey houses in the 'wings' of Blocks F and G. It is proposed to replace these 12 No. houses with three storey flats arranged around small cores.

- The layouts of the units facing the street have been re-planned to improve efficiency and the upper floors set back on the corners to ensure adequate daylighting to Block H;

#### 7. Block H

- Minor changes to the fenestration have occurred as a result of layout alterations;  
- One additional wheelchair unit has been provided at ground floor level;  
- The roof terrace has been omitted and solar photovoltaics located on the roof with access for maintenance only.

#### 8. Block J

- In lieu of the houses lost in Blocks F and G, Block J was approved as four flats over four floors, however this has been re-configured to provide 4 No. duplex apartments and 8 No. flats. These will all be designated as affordable units;  
- Balconies have been removed on the first floor as amenity space is proposed at ground floor level for the maisonettes;  
- The 4 balconies to the upper floors are projecting rather than recessed, but the locations remain the same as the approved scheme;  
- The set back of the building on the south east corner has been adjusted to improve the internal layouts of the units;  
- Solar photovoltaics are located on the roof with access for maintenance only.

#### 9. Car parking

The car parking layout has been revised and proposes to provide 163 car parking spaces for each of the units.

In relation to the retail and leisure element of the scheme, this remains exactly as approved within application 66819/APP/2014/1600. This application solely considers the amendments to the

### 3.3 Relevant Planning History

66819/APP/2014/1600 Former Arla Food Depot Victoria Road Ruislip

Redevelopment of the site to provide a foodstore with ancillary cafe (Class A1) and ancillary pet filling station, cinema (Class D2), 5 x restaurant units (Class A3), and residential development consisting of 132 units, together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

**Decision:** 24-12-2014 Approved

66819/APP/2015/4104 Former Arla Food Depot Victoria Road Ruislip

Application for a non-material amendments to the residential elements of planning permission reference: 66819/APP/2014/1600 (redevelopment of the site to provide a foodstore with ancillary cafe (class A1) and ancillary petrol filling station, cinema (class D2), 5 x restaurant units (class A3), and residential development consisting of 132 units, together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works) comprising amendments to wheelchair adaptable apartments, building A, building B, building C, building E and building H

**Decision:** 07-12-2015 Approved

66819/APP/2015/4404 Former Arla Food Depot Victoria Road Ruislip

APPLICATION FOR A NON MATERIAL AMENDMENT TO PLANNING PERMISSION

REFERENCE 66819/APP/2014/1600 (REDEVELOPMENT OF THE SITE TO PROVIDE A FOODSTORE WITH ANCILLARY CAFE (CLASS A1) AND ANCILLARY PETROL FILLING STATION, CINEMA (CLASS D2), 5 X RESTAURANT UNITS (CLASS A3), AND RESIDENTIAL DEVELOPMENT CONSISTING OF 132 UNITS, TOGETHER WITH NEW VEHICLE AND PEDESTRIAN ACCESSES, CAR PARKING, SERVICING AREAS, LANDSCAPING ARRANGEMENTS, AND OTHER ASSOCIATED WORKS) PROPOSED AMENDMENTS TO INCLUDE: INTRODUCTION OF "CLICK AND COLLECT" PARKING SPACES; CHANGES TO SPRINKLER TANK, PLANT/PUMP ROOM, ESCAPE STAIR CASES AND INTRODUCTION OF LIFT; ADDITIONAL TROLLEY BAY AND RELOCATION OF DISPLACED CAR PARKING SPACES; DELETION OF THE HOME DELIVERY AREA TO THE REAR SERVICE YARD; AND DELETION OF ROOF LIGHTS

**Decision:** 18-12-2015    Approved

#### **Comment on Relevant Planning History**

The most relevant planning history is referred to below.

#### **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.E1	(2012) Managing the Supply of Employment Land
PT1.E5	(2012) Town and Local Centres
PT1.E7	(2012) Raising Skills
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM11	(2012) Sustainable Waste Management
PT1.EM4	(2012) Open Space and Informal Recreation
PT1.EM5	(2012) Sport and Leisure
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.H1	(2012) Housing Growth
PT1.H2	(2012) Affordable Housing

- PT1.T1 (2012) Accessible Local Destinations
- PT1.T3 (2012) North-South Sustainable Transport Links

Part 2 Policies:

- AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
- AM10 Incorporation in new developments of additions to the proposed cycle network
- AM11 Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
 (i) Dial-a-ride and mobility bus services  
 (ii) Shopmobility schemes  
 (iii) Convenient parking spaces  
 (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE13 New development must harmonise with the existing street scene.
- BE14 Development of sites in isolation
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE26 Town centres - design, layout and landscaping of new buildings
- BE28 Shop fronts - design and materials
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

EC2	Nature conservation considerations and ecological assessments
H4	Mix of housing units
H5	Dwellings suitable for large families
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE6	Major officer and other business proposals in town centres
LPP 2.15	(2015) Town Centres
LPP 2.6	(2015) Outer London: vision and strategy
LPP 2.7	(2015) Outer London: economy
LPP 2.8	(2015) Outer London: Transport
LPP 3.1	(2015) Ensuring equal life chances for all
LPP 3.10	(2015) Definition of affordable housing
LPP 3.11	(2015) Affordable housing targets
LPP 3.12	(2015) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.6	(2015) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2015) Large residential developments
LPP 3.8	(2015) Housing Choice
LPP 3.9	(2015) Mixed and Balanced Communities
LPP 4.1	(2015) Developing London's economy
LPP 4.4	(2015) Managing Industrial Land & Premises
LPP 4.7	(2015) Retail and town centre development
LPP 4.8	(2015) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 4.9	(2015) Small Shops
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.18	(2015) Construction, excavation and demolition waste
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions
LPP 5.21	(2015) Contaminated land

- LPP 5.3 (2015) Sustainable design and construction
- LPP 5.6 (2015) Decentralised Energy in Development Proposals
- LPP 5.7 (2015) Renewable energy
- LPP 6.1 (2015) Strategic Approach
- LPP 6.10 (2015) Walking
- LPP 6.11 (2015) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
- LPP 6.12 (2015) Road Network Capacity
- LPP 6.13 (2015) Parking
- LPP 6.3 (2015) Assessing effects of development on transport capacity
- LPP 6.5 (2015) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.6 (2015) Aviation
- LPP 6.9 (2015) Cycling
- LPP 7.1 (2015) Lifetime Neighbourhoods
- LPP 7.13 (2015) Safety, security and resilience to emergency
- LPP 7.14 (2015) Improving air quality
- LPP 7.15 (2015) Reducing noise and and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- LPP 7.2 (2015) An inclusive environment
- LPP 7.3 (2015) Designing out crime
- LPP 7.4 (2015) Local character
- LPP 7.5 (2015) Public realm
- LPP 7.6 (2015) Architecture
- LPP 7.7 (2015) Location and design of tall and large buildings
- LPP 8.2 (2015) Planning obligations
- LPP 8.3 (2015) Community infrastructure levy
- NPPF1 NPPF - Delivering sustainable development
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- 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
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- R2 Provision of recreation, entertainment and leisure facilities in Town Centres

## **5. Advertisement and Site Notice**

**5.1 Advertisement Expiry Date:- 30th October 2015**

**5.2 Site Notice Expiry Date:- 11th November 2015**

## **6. Consultations**

### **External Consultees**

928 surrounding properties were notified of the application and site notices displayed around the site

13 responses were received in support, 16 responses were received objecting to the application and a petition with 59 signatories objecting to the application was also received.

The 13 responses in support are summarised as follows:

1. Scheme will bring jobs for local people and entertainment;
2. More residential units is a benefit for the area;
3. The plans are a positive change for the area;
4. The alterations do not increase the footprint of the development.

The 16 responses received objecting to the application are summarised as follows:

5. Construction noise from diggers on the site is already shaking surrounding properties;
6. The parking is already at 0.89 spaces per flat/house, more units will add to the parking problems;
7. There is severe congestion in South Ruislip, the addition units will worsen this;
8. No provision has been made for the additional traffic caused by the development;
9. More supermarkets and restaurants will not benefit anyone;
10. Unclear where extra units can be accommodated;
11. Not enough infrastructure to support an increase in residents;
12. Proposals will impact greatly on the residents of Angus Drive due to increased traffic;
13. Increased noise and pollution;
14. Provision of one car club should be a provision;
15. Too much weight is placed on the assumption that the 1 bed flat owners will have no car, they likely will, which will create problems;
16. Residential is close to distribution and banqueting suite which could cause noise/disturbance to residents;
17. Invasion of privacy to surrounding residents as a result of fourth floors.

A petition was received with 59 signatories and the main reasons for objection within this petition are as follows. It should also be noted that the following comments are also those of the South Ruislip Residents Association:

18. Original application was subject to significant scrutiny and delivered a completed package. Not acceptable for a company to achieve planning permission and then amend it;
19. There are a number of sites in the immediate area that will be developed, but must ensure a balance of property types. Could end up with too many flats when houses are needed;
20. Converting houses to flats will have a negative impact on the wellbeing of residents and environment;
21. Concern with impact that 30 extra units will have on traffic congestion in the area and increased pollution and parking problems.

OFFICER COMMENTS: Amended plans were received on the 20th January 2016 which amended the car parking layout and increased the number of spaces proposed to 163 (1:1 ratio). Residents were re-consulted on these alterations and any additional comments received will be reported in the addendum.



## EXTERNAL CONSULTEES

### GLA

The following comments from the GLA are summarised as follows:

- The amendments to the approved scheme do not raise any new strategic planning issues;
- The design changes to the buildings are supported;
- The revised scheme provides 27 affordable units which equates to 17% of the total number of units, which is an increase from 13 affordable units (10% affordable offer). This increase linked to the increase in larger family units is welcomed;
- TfL have specific issues and will contact the Council separately to address these
- The Council can proceed to determine the application without further reference to the GLA.

### TfL

- The ratio of 0.89 spaces per unit for 163 residential units compared to 1.09 in the consented scheme, with 12% designated disabled is considered acceptable;
- TfL welcomes the commitment to provide 20% car parking spaces with active electric and a further 20% should be provided with passive electric;
- Clarification on the exact cycle parking provision is required as well as the location and access to these facilities;
- Given the limited increase in units and parking, TfL considers that the net highway and traffic impact would be minimal compared with the previous proposal, similarly for the impact on the public transport network.

OFFICER COMMENTS: With regards to the provision of cycle parking, a condition was added to the previous consent to obtain the final details of this storage. It is therefore recommended that a similar condition is added to this application and TfL consulted on these details once received.

### MET POLICE

No objections.

### THAMES WATER

No comments to make as application does not affect Thames Water.

### ENVIRONMENT AGENCY

No comments to make on the application.

### NATS

No safeguarding objection to the application.

### HS2

No comments to make on the application.

### HEATHROW

No objections.

### **Internal Consultees**

#### TREES AND LANDSCAPING (summary)

No objection subject to the provision of landscaping condition requiring details of hard and soft landscaping, landscape maintenance, and implementation schedule to be submitted.

#### FLOOD WATER MANAGEMENT

No comments.

#### ACCESS (summary)

- Blocks A and J should be amended to provide step free access and lift access should facilitate

wheelchair access to all storeys above ground;

- Suggest that a condition be attached to ensure that 10% of the units are constructed to meet the standards for Category 3M4(3) dwellings and all remaining units to Category 2 M4(2) as set out in Approved Document M of the Building Regulations (2010) 2015.

## HIGHWAYS

No objection to the revised car parking layout.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The principle of redeveloping this site for residential and retail and leisure purposes was established and approved within application 66819/APP/2014/1600.

This application seeks to amend solely the residential element of the scheme to increase the total number of residential units from 132 - 163.

The London Plan (March 2015) aims to provide more homes within a range of tenures across the capital meeting a range of needs, of high design quality and supported by essential social infrastructure. In terms of new housing supply, the Borough of Hillingdon has been allocated a minimum target of 5,593 in the period from 2015-2025.

The National Planning Policy Framework (NPPF) and Hillingdon's Local Plan support the provision of residential accommodation in appropriate locations. The surrounding area is consists of a mix of residential and commercial development, and therefore, there is no objection to further residential units on this site, provided they are of an appropriate design and scale, and meet the requirements of all the relevant criteria and policies of the Council's planning policies.

### **7.02 Density of the proposed development**

#### DENSITY

Policy 3.4 of the London Plan (2015) seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The application site has an area of 1.41 hectares and the proposal seeks to provide 163 residential units. The local area is considered to represent a suburban context and has a Public Transport Accessibility Level (PTAL) of 3. Table 3.2 of the London Plan (2015) advises that an appropriate residential density for the site would range from 150-250 habitable rooms per hectare (hr/ha) and 50-95 units per hectare (u/ha) for units with a typical size of 3.1 - 3.7 habitable rooms per unit (hr/u) (The Council's HDAS: 'Residential Layouts' further advises that larger rooms over 20sqm and capable of subdivision should be counted as 2 rooms).

The development would have a density of 116 units per hectare and 306 habitable rooms per hectare which would exceed the guidelines set out within Table 3.2 density matrix of the London Plan. Paragraphs 3.29 and 3.30 of the London Plan (2015), states that higher density development should be focussed on areas with good public transport accessibility. Where a site has either good existing or planned public transport connectivity and capacity, the density of scheme may be at the higher end of the appropriate density range. Whilst this site is a suburban location, it is considered sustainable in terms of its accessibility. The PTAL is 3 and there are good public transport links with South Ruislip tube station to the south, and overland rail links to Marylebone. The site will also be close to two supermarkets, local shops, and other services once the whole redevelopment of the site

has been completed.

Whilst the Council acknowledge that the density of the site will be high, it is considered that in the context of this site, given its location and the size and scale of the approved scheme, a density of the amount proposed would not be inappropriate. An assessment of the quality of the accommodation will follow in later paragraphs of the report.

## MIX OF UNITS

Policy 3.8 'Housing Choice' of the London Plan (2015) encourages a full range of housing choice and saved Policies H4 and H5 of the Local Plan Part 2 seek to ensure a practicable mix of housing units are provided within residential schemes. These policies are supported by the London Plan Housing SPG, which seeks to secure family accommodation within the residential schemes, particularly within the social rented sector, and sets strategic guidance for Councils in assessing their local needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing.

The development would provide 163 units with a housing mix of 25 x 1 bed flats, 128 x 2 bed flats, 6 x 3 bed flats and 4 x 4 bed maisonettes. The housing mix proposed at this location is considered acceptable and meets a local housing need for the delivery of small and family sized (3 bedroom plus) homes.

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

The site is not located within a Conservation Area, Area of Special Local Character or Archaeological Priority Area, and there are no Listed Buildings on the site. As such, it is considered that the scheme would not impact in the heritage of the borough.

### **7.04 Airport safeguarding**

With regards to the height of the development proposed, BAA/Heathrow Safeguarding raises no concerns against the alterations to the proposed development.

### **7.05 Impact on the green belt**

The site is not located within or near to the Green Belt. As such, it is considered that the scheme would not impact on the Green Belt.

### **7.07 Impact on the character & appearance of the area**

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy 3.5 of the London Plan states that the design of all new housing developments should enhance the quality of local places, taking into account physical context and local character and Policy 7.4 states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.

In general terms the overarching design and appearance of the approved residential element of the development remains as consented within application 66819/APP/2014/1600. The main change to the external appearance and scale of the

development is in relation to Blocks F and G, which have been enlarged with the addition of a further floor, and alterations to the upper corners setting these back. Previously, these blocks consisted of 12 No. 3 storey pitched roof houses, however the 'wings' of these blocks have been re-planned to provide three storey flats arranged around small cores.

The overall design and scale of these alterations to Blocks F and G are considered acceptable in the context of the site, given that they are of a similar design, scale and massing to the other buildings approved within the residential element of the scheme.

A number of alterations are proposed to the elevations of the other residential blocks. The revised internal layouts of the buildings have resulted in the location of many windows/doors being altered. These alterations have been reviewed in the context of the site and surrounding area and the revised elevation details are considered acceptable.

Overall, the revisions to the design and appearance of the residential buildings are considered acceptable and no objections are raised in this regard.

#### **7.08 Impact on neighbours**

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

Paragraph 4.9 of the SPD, the Hillingdon Design & Accessibility Statement: Residential Layouts (July 2006) further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore a minimum of 21m overlooking distance should be maintained.

Paragraph 4.11 of HDAS Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 states that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy. Policy BE21 states that planning permission will not be granted for new buildings which by reason of their siting, bulk and proximity would result in significant loss of residential amenity.

In terms of the layout, footprint and siting of each of the blocks, no alteration has been made to this and the buildings remain in the layout approved. The main alterations for consideration are whether the additional height of Blocks F and G, and alterations to the location of the windows/doors in the other blocks have any detrimental impact on the surrounding residential amenity.

The proposed residential buildings would be over 21m from the nearest residential properties in Victoria Road and would be separated by rear gardens. There is similarly a distance of over 21 metres between the residential units in Long Drive and the proposed buildings. These distances are sufficient to ensure no harm to the residential occupiers by loss of privacy. Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## **7.09 Living conditions for future occupiers**

### **INTERNAL FLOOR SPACE**

The Government's national space standards contained in the Technical Housing Standards and policy 3.5 of the London Plan (2015) set out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants.

An accommodation schedule has been provided and indicates that all of the residential floor space provision would meet or exceed the minimum standards of policy 3.5 of the London Plan (2015) and Technical Housing Standards.

In terms of the quality of the accommodation provided, given the alterations to the layouts, location of windows and height of Blocks F and G, each of the units have been assessed to ensure that an adequate amount of daylight, outlook and privacy is maintained to each.

### **QUALITY OF ACCOMMODATION**

In terms of the increase in the height of Blocks F and G, the applicants have submitted a daylight study with the application to demonstrate that the increase in the height would not have a detrimental impact on the amount of daylight possible to the rooms within the blocks. The analysis demonstrates that only the ground floor bedroom window in Block H does not meet the minimum requirements. This is no worse than the situation presented by the approved planning scheme, and given that all other units exceed the minimum requirements, officers are satisfied with the amount of daylight possible to the units and it is not considered that a refusal on such grounds could be justified.

Whilst the scheme has been designed to ensure separation distances of at least 21m to existing neighbouring properties, it is acknowledged that some of the separation distances between units do not meet the 21m requirements. This is particularly evident between Blocks G and H, and F/G and B. The footprint and width of the buildings has not altered from the previous approval and therefore these distances were accepted and approved by the Council within the previous scheme. Notwithstanding such, the applicant has sought to improve the living conditions and privacy of the units. The removal of the rear gardens to Blocks F and G that were previously overlooked by the surrounding development, and conversion of all of these units to flats, has improved the privacy to these units. Further, the alterations and locations of the balconies/stairwells and habitable rooms in both Blocks B, F and G means that, whilst the 21m is still not achieved, the layouts are such that improvements have been made to the amount of direct overlooking between habitable room areas that could occur. On balance, given that the distances between the buildings has been established through the previous approval, it is not considered that officers could justify a reason for refusal on these grounds alone, and the alterations that have been made are supported in the context of the site.

It is noted that alterations to the window locations have been proposed within the other Blocks on the site. Further the balconies that were previously recessed on Block F, now protrude from the wall. Having reviewed the alterations to the layouts and elevations of each Block, the scheme overall, not considered to result in a detrimental loss of privacy or overlooking, and no objection is raised on these grounds.

On balance the quality of the accommodation is considered to present suitable and

adequate privacy, outlook and daylight to any future occupant that would reduce the potential for nuisance and disturbance to the future occupiers. As such the development is considered to be consistent with the relevant design guidance and policies BE20, BE21, BE22 and OE1 of the Hillingdon Local Plan: Part Two - Saved Policies.

## EXTERNAL AMENITY SPACE

The Hillingdon Local Plan: Part Two Policy BE23 states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity of existing and future occupants which is useable in terms of its shape and siting. Developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the flats they serve. It should be of an appropriate size, having regard to the size of the flats and character of the area.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, suggests that the following shared amenity space for residential units is provided:

- 1 bedroom flat - 20sqm
- 2 bedroom flat - 25sqm
- 3+ bedroom flat - 30sqm
- 4+ bedroom house - 100sqm

Based on the current accommodation schedule the required amenity space provision for 163 dwellings would be as follows:

- 25 x 1-bed flat x 20 = 500sqm
- 128 x 2-bed flat x 25 = 3200sqm
- 6 x 3-bed flat x 60 = 360sqm
- 4 x 4-bed maisonette x 100 = 400sqm

The development provides 4236sqm of amenity space in the form of private gardens at ground floor level, shared amenity space at ground floor level, together with private balconies for flats on the upper floors.

The amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Local Plan.

Each of the proposed maisonettes will have their own private rear garden whilst residents of the flats will have access to a private balcony, as well as an area of shared amenity. All gardens are in line with the requirements of the HDAS, therefore achieving an appropriate form of development.

The proposals seek to positively respond to the site characteristics by proposing amenity in a variety of forms, both shared and private space that will fulfil a number of functions. In addition, an area of doorstep play space and local play area would also be provided.

Overall, it is considered that the scheme would provide for sufficient amenity space of a satisfactory quality. As such the provision of amenity space is considered to accord with Policy BE23 (which requires sufficient provision of amenity space for future occupiers in the interest of residential amenity). Conditions are recommended to ensure that appropriate treatment is proposed and maintained around each of the amenity areas.

## **7.10 Traffic impact, car/cycle parking, pedestrian safety**

### **PARKING**

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

London Plan (2015) policy 6.1 seeks to ensure that the need for car use is reduced and Table 6.2 sets out the maximum standards for car parking provision in relation to development.

Table 6.2 of the London Plan states that for residential development for 1 to 2 bed units, less than one space should be provided, for 3 bedroom units, up to 1.5 spaces could be provided and for 4 bed units, up to 2 spaces allowed.

Bearing this in mind, the development would provide 163 car parking spaces within the site. This would equate to 1 space per unit. Whilst the development doesn't specifically comply with the London Plan requirements, it should be noted that the majority (94%) of the units proposed within the site are 1/2 bed units, which therefore limits the number of occupants, meaning the potential for parking demand would reduce also.

The site is located within PTAL 3, which is described as a moderate level of accessibility and the site is within close proximity to South Ruislip Station and several bus links. The previous scheme consented a parking ratio of 1.09 spaces per unit, which was considered appropriate for a development of 132 units. The additional 31 units on the site would provide a ratio of 1 space per unit. Given the predominance of 1/2 bed units within the development, and provision allowing for 1 space per unit, no objection is raised to this level of parking.

The development would provide 33 spaces fitted with charging points, although it is unclear from the submitted plans, where the 20% passive provision would be accommodated.

The development would provide 176 cycle parking spaces which exceeds the London Plan (2015) requirements.

### **IMPACT ON EXISTING TRANSPORT INFRASTRUCTURE**

Policies AM2 and AM7 consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Concern has been raised by a number of residents in respect of the congestion resulting from the additional residential units. The applicants have provided the residential trip rates for the consented scheme and proposed scheme. The results show that there would be a negligible uplift in trips generated by the additional dwellings. At worst, it is estimated that there would be a maximum increase of four vehicles departing in the morning peak hour and four arriving in the evening peak hour. The maximum number of trips in any peak hour could be 30 trips, which equates to one vehicle every two minutes. This is an increase of four vehicle movements from the consented scheme, which is considered to have a negligible impact on traffic conditions.

The applicant has stated that the development will additionally operate a Travel Plan aimed at encouraging sustainable and active travel. This will include measures such as a car club, travel information pack and cycle voucher.

Overall, in terms of the parking demand and impact of the development on the surrounding highway network, on balance, the additional 31 units within the site and provision of 1 space per unit, is not considered to have a detrimental impact on the surrounding highway network.

Officers have approached the applicant to ask whether improvements could be made to the access junction from Victoria Road to provide a double lane exit and any improvements that could be made to improve congestion along Victoria Road.

The Transport Consultant has investigated both requests. In respect to the increase in the access from Victoria Road, the existing access serving the residential scheme is not sufficient to accommodate the suggested widening. To widen the access will involve utilising public highway land to the north which would result in the loss of two mature trees. There are also a number of services locations, which would add further difficulties.

Whilst it is regrettable that the access cannot be widened, the Council accept the conclusions of the Transport Consultant. Given that the increase in unit numbers would result in a minor increase in vehicle movements, it is not considered that a reason for refusal could be sustained on these grounds.

#### **7.11 Urban design, access and security**

##### **SECURITY**

Policy 7.3 'Designing Out Crime' of the London Plan (2015) states development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In addition, Building Regulations: Approved Document Q deals with security and requires that a reasonable provision must be made to resist unauthorised access to any dwelling: and any part of a building from which access can be gained to a flat within the building.

No alterations are proposed to the scheme in terms of the security measures proposed and conditions will ensure that the appropriate measures are achieved.

For details of Urban Design, please see Section 7.03 and 7.07 and for details of access please see Section 7.10 of this report

#### **7.12 Disabled access**

In assessing this application, reference has been made to policy 3.8 'Housing Choice' of the London Plan (2015); Approved Document M to the Building Regulations 2010 (2015 edition); and Accessible Hillingdon SPD adopted 2013.

The adopted Technical Housing Standards state that 10% of the proposed residential units should meet the standards for Category 3 M4(3) dwellings and all remaining units to the Category 2 M4(2), as set out in Approved Document M to the Building regulations (2010) 2015. This application has been accompanied by detailed drawings of all accessible/wheelchair units proposed and has been reviewed by the Councils Access Officer. No objection is raised to the submission provided a condition is attached to ensure compliance with the aforementioned standards.

#### **7.13 Provision of affordable & special needs housing**

Policy 3.3 of the London Plan states that subject to viability, a minimum of 35% of all new homes on sites of 10 or more units should be delivered as affordable housing, with the tenure split (70% Social/Affordable Rent and 30% Intermediate) as set out in Policy H2: Affordable Housing of the Local Plan Part 1.



The consented scheme provided only 10% affordable units on site (13 affordable homes). Within this application, a Financial Viability Assessment (FVA) was received from the applicants, which was revised during its assessment to increase the number of affordable units from 27 to 30. The FVA (and subsequent amendments) concludes the scheme can viably provide 18.4% of the total 163 units as affordable units. This would include 12 units, comprising 8 No. 2-bedroom apartments and 4 No. 4-bedroom duplex apartments as affordable rent, and 18 units, comprising 5 No. 1-bedroom apartments and 13 No. 2-bedroom apartments as shared ownership (total of 30 affordable homes).

The National Planning Policy Framework makes clear that viability can be important where planning obligations or other costs are being introduced. In these cases, decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

The FVA has been assessed by an independent assessor, who concluded that whilst the scheme still falls short of a policy compliant scheme, the provision represents an improvement to which no objection is raised. It is advised that given the scheme is non-compliant with the Council's policies, that a review mechanism introduced firstly before the construction starts if that does not occur within two years of consent. Secondly, on occupation of 85% of the proposed units, at which time actual costs and values will be available. Should value increases and/or cost savings arise, after a 20% profit margin on value is achieved, then additional financial contributions towards the shortfall in affordable housing should be required.

Subject to the above, which will be sought as part of the legal agreement, the scheme is considered to comply with the Council's policies.

#### **7.14 Trees, Landscaping and Ecology**

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

The Council's Tree and Landscape Officer has reviewed the amended scheme and raises no objection to the proposed amendments. Conditions are recommended to ensure the submission of further details for the hard and soft landscaping within the site.

#### **7.15 Sustainable waste management**

Policy 5.17 'Waste Capacity' of the London Plan (2015) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

The plans indicate that refuse storage facilities will be provided for the residential properties at ground floor level.

Subject to condition to secure waste management arrangements, the proposal would be considered to be acceptable and compliant with policy 5.17 of the London Plan (2015).

#### **7.16 Renewable energy / Sustainability**

Policy 5.2 'Minimising Carbon Dioxide Emissions' of the London Plan (2015) stated that development proposals should make the fullest contribution to minimising carbon dioxide emissions

An energy report has been received by the Council which demonstrates that the residential part of the development will reduce the predicted energy and CO2 requirements, supply energy efficiently and introduce renewable energy.

It is proposed to incorporate energy efficiency measures and efficient heating and ventilation strategy within the residential element of the site. These elements are expected to save 156,771kg Co2 which represents a site saving of 19.54%. Further, it is proposed to install solar photovoltaics on the residential units. Using the proposed renewable energy strategy, 65,000kg CO2 will be saved across the whole site which represents a site wide saving of 21.54%.

In total, the scheme will achieve an overall improvement of 41.09%, which exceeds the Building Regulations target and achieves the requirement for CO2 reduction from on site renewables. No objection is therefore raised to the proposed scheme in this regard.

#### **7.17 Flooding or Drainage Issues**

The site does not fall within a flood zone and no issues relating to flooding have been identified.

London Plan policy 5.13 states that development proposals should use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. In addition, given the scale of the development, it is considered that additional water efficiency measures should be incorporated into the scheme, in accordance with London Plan policy.

These would be required by way of a condition, should permission be granted.

#### **7.18 Noise or Air Quality Issues**

Noise and air quality were assessed as part of the original application and no objection raised to either, subject to a contribution towards air quality monitoring as part of the S106 agreement. The addition of 31 units over and above that approved within the site is not considered to give rise to any additional impacts to noise or air quality, over and above those consented within the previous scheme. No objection is therefore raised in this regard.

#### **7.19 Comments on Public Consultations**

The comments raised to the public consultation have been addressed within the main body of the report.

#### **7.20 Planning Obligations**

Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision of 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 policies are supported by more specific supplementary planning guidance.

Application 66816/APP/2014/1600 was granted subject the completion of a S106 agreement to secure contributions towards transportation, air quality, construction logistics, affordable housing and review mechanism, training and employment, public transport, on street parking management and public realm improvements.

The Council adopted its Community Infrastructure Levy (CIL) charging schedule on the 10th July 2014 and the heads of term included in the original legal agreement are still considered relevant to the development. A Deed of Variation to this legal agreement has been drafted.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

## **7.22 Other Issues**

There are no other issues for consideration within this report.

## **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**

None.

#### **10. CONCLUSION**

The proposed increase in the number of units, alterations to the height of Blocks F and J, elevation alterations and the revised parking provision and layout have been considered in the context of the site and the surrounding area. The proposed increase in the number of units has allowed for a higher provision of affordable units to be provided within the site, and all of the existing and additional units proposed meet or exceed the required internal unit size standards. The parking layout and provision has been revised during the course of the application, and now provides a ratio of 1 space per unit, to which no objection is raised.

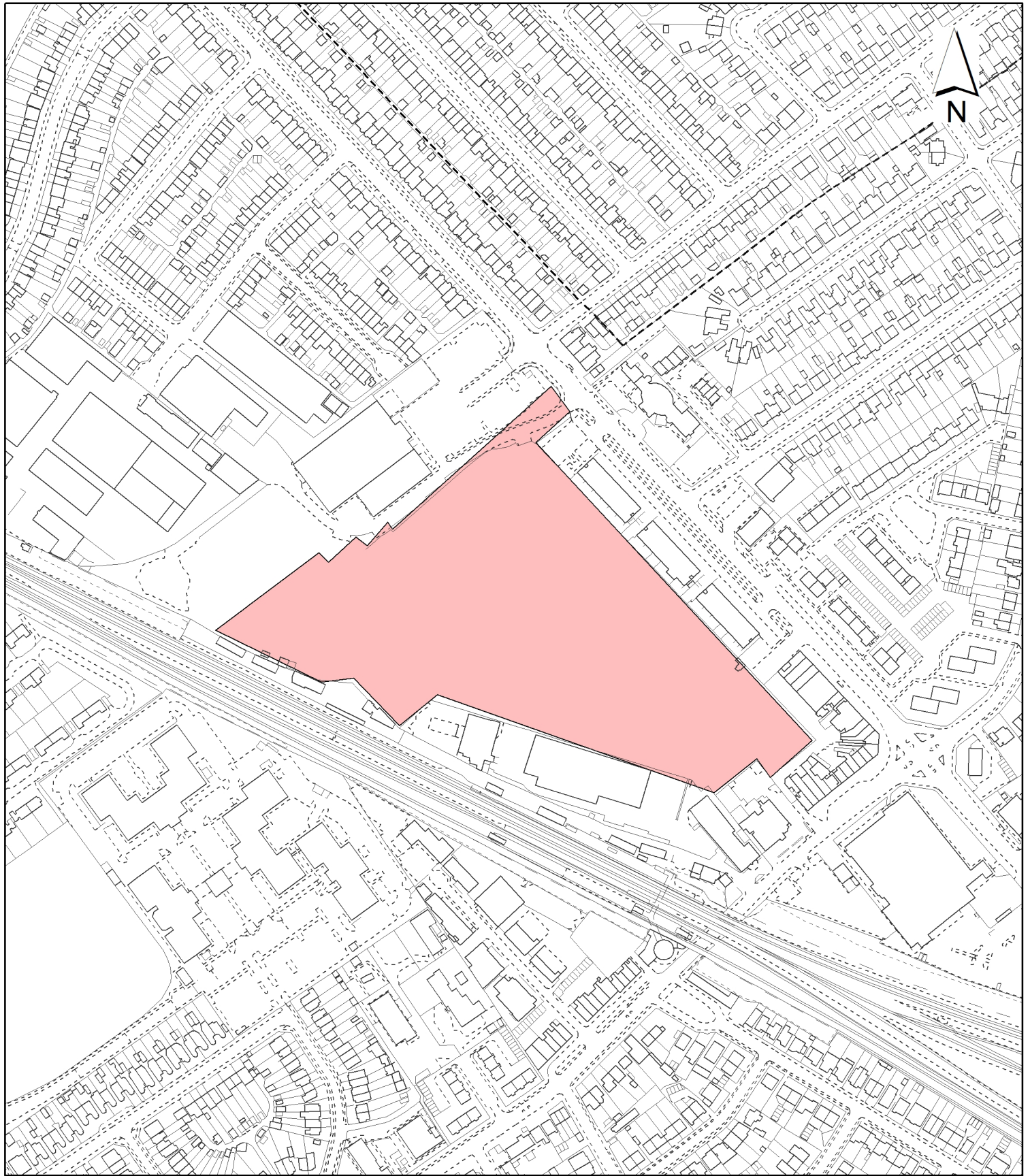
Overall, the proposed alterations to the approved scheme are considered acceptable in the context of the approved scheme and surrounding area. The scheme is not considered to have a detrimental impact on the amenities of the existing surrounding residential occupants or future occupiers of the buildings, and would not have an unduly detrimental impact on the surrounding highway network. The proposals are therefore considered to comply with the relevant policies contained within the NPPF, London Plan, Hillingdon Local Plan: Part 1 - Strategic Policies, Hillingdon Local Plan: Part 2 - Saved UDP Policies and the Councils adopted Guidance.

#### **11. Reference Documents**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (2015)  
National Planning Policy Framework (2012)  
Technical Housing Standards - Nationally described space standards (2015)  
Council's Supplementary Planning Guidance - Air Quality  
Council's Supplementary Planning Guidance - Community Safety  
Council's Supplementary Planning Guidance - Land Contamination  
Council's Supplementary Planning Document - Accessible Hillingdon  
Council's Supplementary Planning Document - Affordable Housing  
Council's Supplementary Planning Document - Noise  
Council's Supplementary Planning Document - Planning Obligations  
The Mayor's Housing Supplementary Planning Guidance

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**Notes:**

 Site boundary

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Site Address:

**FORMER ARLA FOOD DEPOT  
 VICTORIA ROAD  
 RUISLIP**

**LONDON BOROUGH  
 OF HILLINGDON**

**Residents Services  
 Planning Section**  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:

**66819/APP/2015/3653**

Scale:

**1:3,500**

Planning Committee:

**Major**

Date:

**February 2016**



**HILLINGDON**  
 LONDON