

Report of the Head of Planning, Sport and Green Spaces

Address HERMITAGE SCHOOL NURSERY & LANCASTER CENTRE SITE
LANCASTER ROAD UXBRIDGE

Development: Variation of condition 2 (approved plans) of planning permission ref: 68164/APP/2013/758 dated 30/08/13 (Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total)) to change the unit mix from 2 x studio flats, 7 x 1-bed flats and 10 x 2-bed flats to 2 studio flats, 2 x 1-bed, 14 x 2-bed & 1 x 3-bed flats (total 19 units); make associated alterations to internal layouts; increase height of lift shaft; and ancillary minor alterations.

LBH Ref Nos: 68164/APP/2015/4167

Drawing Nos: A010213/DP2 Rev.D (Proposed First Floor Layout)
A010213/DP3 Rev.B (Proposed Attic Floor Layout)
A010213/DP4 Rev.D (Proposed Elevations)
A010213/DP8 Rev.A (Proposed Roof Plan)
A010213/DP1 Rev.E (Proposed Site & Ground Floor Layout)

Date Plans Received: 12/11/2015

Date(s) of Amendment(s):

Date Application Valid: 12/11/2015

1. SUMMARY

Planning permission (ref: 68164/APP/2011/2711) was approved on 27/03/12 for the redevelopment of the Lancaster Centre & Hermitage Nursery site in Uxbridge for residential purposes. It was proposed to provide a new two storey building fronting the site and to convert and alter the Lancaster Centre to provide a total of 19 flats, comprising 18 x 1 bedroom units and 1 x 2 bedroom unit.

Planning permission (ref: 68164/APP/2013/758) was subsequently granted on 30/08/13 for the variation of that original consent to allow for amendments to the stair cores, fenestration and rear elevation to enable a change to the unit mix to provide 19 units comprising 2 x studio flats, 7 x 1 bedroom units and 10 x 2 bedroom units. This planning permission has been implemented.

This current application now seeks further variation to make internal and external alterations to accommodate a further revised unit mix to comprise 2 x studio flats; 2 X 1 bedroom units; 14 x 2 bedroom units; and 1 x 3 bedroom unit (total 19 units).

The changes now sought would not detrimentally impact on the residential amenity of neighbouring occupiers. Furthermore, an acceptable level of residential amenity to existing and future occupants would be achieved. Although a higher number of two-bedroom rather than one-bedroom units are now proposed, given the proximity of the site to Uxbridge Town Centre, underground and central bus stations, the parking provision of one space per unit is considered to be acceptable.

The development is considered to comply with current local, London Plan and national

planning policies relating to residential development and, accordingly, the application is recommended for approval, subject to conditions and the signing of a revised S106 Legal Agreement.

2. RECOMMENDATION

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

A. That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

- 1. Construction Training: Financial contribution in the sum of £3,062.41.**
- 2. Education Contribution: Financial contribution in the sum of £37,604.**
- 3. Health facilities: Financial contribution in the sum of £6,972.44.**
- 4. Library contribution: Financial contribution in the sum of £740.14.**
- 5. Restriction on Parking Permits: No permits shall be issued to future occupiers of the flats.**
- 6. Affordable Housing: Financial contribution in the sum of £378,000.**
- 7. Project Management and Monitoring Sum: to remain as per the s106 dated 22 March 2013 (5% of total cash contributions).**

B. That the applicant meets the Council's reasonable costs in the preparation of the Statement and any abortive work as a result of the agreement not being completed.

C. That the officers be authorised to negotiate the terms of the proposed Statement.

D. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 11th February 2016, or any other period deemed appropriate by the Head of Planning and Enforcement, then delegated authority be granted to the Head of Planning and Enforcement to refuse the application on the basis that the applicant has refused to address planning obligation requirements.

E. That if the application is approved, the following conditions be attached:

1 RES3 Time Limit

The development hereby permitted shall be begun before the 30/08/16.

REASON

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

2 RES4 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

A010213/DP1 Rev.E

A010213/DP2 Rev.D

A010213/DP3 Rev.B
A010213/DP4 Rev.D
A010213/DP8 Rev.A
A010213/DP1 Rev.C
A010213/DP2 Rev.B
A010213/DP3 Rev.A
A010213/DP4 Rev.A
A010213/DP8
2011/D88/P/01
2011/D88/P/02A
2011/D88/P/03
2011/D88/P/04
2011/D88/P/05
2011/D88/P/14
2011/D88/P/11 Rev E
2011/D88/P/12 Rev E

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be carried out otherwise in accordance with those sustainable water management measures agreed via planning permission ref: 68164/APP/2013/3685 dated 28/02/14.

REASON

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

4 RES23 Visibility Splays - Pedestrian

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

REASON

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

5 RES24 Secured by Design

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the

well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2015) Policies 7.1 and 7.3.

6 RES6 Levels

No development approved by this permission shall be carried out otherwise than in accordance with those details of levels approved via planning permission ref:68164/APP/2013/1417 dated 22/10/13.

REASON

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

7 RES9 Landscaping (car parking & refuse/cycle storage)

No development approved by this permission shall be carried out otherwise than in accordance with the landscaping scheme approved via planning permission ref: 68164/APP/2013/3685 dated 28/02/14.

REASON

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

8 RES5 General compliance with supporting documentation

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

- i) Obscure Glazing as shown on the hereby approved plans, unless otherwise stipulated by a condition attached to this consent.
- ii) Materials as shown in the original planning permission (ref: 68164/APP/2011/2711). Where amendments to that consent have been made materials used shall be in keeping with those shown on drawing nos. 2011/D88/P/11 Rev.D and 2011/D88/P/12 Rev.E of that consent.
- iii) Car parking allocation (numbered spaces being allocated to the corresponding unit number) as shown on plan no. A010213/DP1 Rev.E.

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

REASON

To prevent overlooking to adjoining properties, to ensure adequate provision of car parking for future residents and to ensure the appearance of the scheme is adequate in accordance with policies AM14, AM16, BE13 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

9 RES13 Obscure Glazing 1

The window in flat 19 (shown on plan A010213/DP2 Rev.D) in the lounge/dining room, facing northwest shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

10 RES8 Communal Amenity Space

Tree protection shall be provided throughout any remaining external construction works on site in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. That scheme shall contain:

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

Thereafter, the remaining development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

REASON

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

11 NONSC Contamination

All soils used for gardens and/or 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 OM19 Construction Management Plan

Any remaining construction works on site shall be carried out in accordance with those details approved by planning permission ref: 68164/APP/2013/1417 dated 22/10/13.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

13 NONSC **Obscure Glazing 2**

Notwithstanding the approved plans, all first and second storey windows in the north west elevation of the development, including that serving flat no.6 and dormer windows to the second storey, shall be obscure glazed. Furthermore, ground floor windows shall be obscure glazed in accordance with the glazing annotated on drawing no. A010213/DP1 Rev.E. Obscure glazing to these windows shall be provided within one month of the date of this consent or prior to occupation, whichever is latest, and retained and maintained for the lifetime of the development.

REASON

To prevent overlooking to adjoining properties and to safeguard the residential amenity of future occupants in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 **Compulsory Informative (1)**

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

2 I53 **Compulsory Informative (2)**

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

BE5	New development within areas of special local character
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
AM3	Proposals for new roads or widening of existing roads
AM7	Consideration of traffic generated by proposed developments.
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.

3 115 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 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.

4 121 Street Naming and Numbering

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

5 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 / 805 / 808).

6 114 Installation of Plant and Machinery

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

7 117 Communal Amenity Space

Where it is possible to convey communal areas of landscaping to individual householders, the applicant is requested to conclude a clause in the contract of the sale of the properties reminding owners of their responsibilities to maintain landscaped areas in their ownership and drawing to their attention the fact that a condition has been imposed to this effect in this planning permission.

8 118 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).

9 119 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 / 805 / 808).

10 132 Trees in a Conservation Area

As the application site is within a conservation area, not less than 6 weeks notice must be given to the Local Planning Authority of any intention to cut down, top, lop or uproot or otherwise damage or destroy any trees on the application site. Please contact the Trees & Landscape Officer, Residents Services, 3N/02, Civic Centre, Uxbridge, UB8 1UW for further advice.

11 143 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

12

When visiting the site it was observed that some of the glazing installed fails to comply with that shown on the approved plans. You are advised that all fenestration and glazing, including window type and sizes and provision of obscure glazing, must be installed as per that shown on the approved plans and in accordance with the requirements of conditions 9 and 13. This is to ensure the amenity of both future occupants and

neighbouring properties can be maintained.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.2 hectare broadly rectangular shaped plot located on the south west side of Lancaster Road in Uxbridge.

Formerly occupied by the 'L' shaped, purpose-built, part two, part single storey Lancaster Centre building (historically used as a Child Guidance Centre), a play area and single-storey building used by Hermitage Nursery, the site has now been redeveloped for residential purposes, in accordance with more recent consents. It now comprises two two-storey residential blocks, one with third-storey roof accommodation, with associated car parking and amenity space. It is unclear how many of the units, if any, are currently occupied.

Although located in close proximity to Uxbridge Town Centre and bounded by commercial properties in Belmont Road to the south east, the site nevertheless falls within a predominantly residential area and is bounded by residential properties on all other sides.

The site is located within the North Uxbridge Area of Special Local Character and an Archaeological Priority Area, as designated in the Hillingdon Local Plan. Properties immediately to the south east fall within Uxbridge Town Centre and nearby Belmont Road is designated as a Local Distributor Road.

3.2 Proposed Scheme

This application seeks the variation of planning permission ref: 68164/APP/2013/758 to alter the approved unit mix from 2 x studio flats, 7 x 1 bedroom units and 10 x 2 bedroom units to 2 x studio flats, 2 x 1 bed units, 14 x 2-bedroom units and 1 x 3 bedroom unit. The total number of units would remain at 19.

The key additional alterations now proposed are as follows:

1. Change to the unit mix to provide 2 x studio flats, 2 x 1-bedroom units, 14 x 2-bedroom units, and 1 x 3-bedroom unit;
2. Increase in height and change to the design of the lift core. This has already been implemented;
3. Revision to the size of flat 7 so that the bathroom in the approved plan becomes the second bedroom for flat 6;
4. Provision of a first floor extension to the Lancaster Centre building to create an office for flat 17. This has been implemented.

No changes are proposed to the car parking layout or landscaping.

3.3 Relevant Planning History

- 68164/APP/2011/2711 Hermitage School Nursery & Lancaster Centre Site Lancaster Road U
- Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total)

Decision: 27-03-2012 Approved

68164/APP/2013/1417 Hermitage School Nursery & Lancaster Centre Site Lancaster Road L

Details pursuant to conditions 8 (levels) and 12 (demolition) of planning permission ref:68164/APP/2013/758 Approved variation of planning permission ref:68164/APP/2011/2711 dated 28/11/2012 for Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total).

Decision: 22-10-2013 Approved

68164/APP/2013/3685 Hermitage School Nursery & Lancaster Centre Site Lancaster Road L

Details pursuant to condition 3 (sustainable water management), 9 (landscaping), and 14 (demolition) of planning permission ref: 68164/APP/2013/758, dated 30-08-13, (variation to planning permission ref:68164/APP/2011/2711, dated 28-11-12 (Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats)

Decision: 27-02-2014 Approved

68164/APP/2013/3762 Hermitage School Nursery & Lancaster Centre Site Lancaster Road L

Details pursuant to condition 4 (Code for Sustainable Homes) of permission 68164/APP/2013/758 (Amendment to permission ref: 68164/APP/2011/2711 for Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total).

Decision: 10-02-2014 Approved

68164/APP/2013/692 Hermitage School Nursery & Lancaster Centre Site Lancaster Road L

Details pursuant to conditions 12 (demolition protocol) and 14 (Construction Management Plan) planning permission ref: 68164/APP/2011/2711 dated 28/11/2013 for Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total).

Decision: 15-05-2013 Refused

68164/APP/2013/758 Hermitage School Nursery & Lancaster Centre Site Lancaster Road L

Application to vary condition 2 (to allow for amendments to the stair cores on the rear elevation) planning permission ref:68164/APP/2011/2711 dated 28/11/2012 for Alterations and conversion of the existing Lancaster Centre building into 7 self-contained flats. Demolition of the existing Hermitage Nursery Building and construction of a two storey (with accommodation in roof) block of 12 flats with associated car parking, soft and hard landscaping (19 residential flats in total).

Decision: 27-06-2013 Approved

Comment on Relevant Planning History

Planning permission ref: 68164/APP/2011/2711, which sought the redevelopment of the site to provide a residential development comprising 19 units (18 x 1 bedroom and 1 x 2 bedroom) with associated facilities, was approved on 28/11/2012.

Planning permission ref: 68164/APP/2013/758, which was approved on 30/08/13, sought to vary the above consent to make internal and external alterations associated with a revised unit mix of 2 x studio flats; 7 x 1 bedroom units and 10 x 2 bedroom units. The approved external changes have been implemented.

4. Planning Policies and Standards

National Planning Policy Framework

London Plan (2015)

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

Hillingdon Supplementary Planning Document: Accessible Hillingdon

Hillingdon Supplementary Planning Document: Residential Layouts

Hillingdon Supplementary Planning Guidance - Community Safety by Design

Hillingdon Supplementary Planning Guidance - Noise

Hillingdon Supplementary Planning Document - Air Quality

Hillingdon Supplementary Planning Document - Planning Obligations

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.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.EM11 (2012) Sustainable Waste Management

PT1.EM6 (2012) Flood Risk Management

PT1.H1 (2012) Housing Growth

PT1.H2 (2012) Affordable Housing

PT1.HE1 (2012) Heritage

Part 2 Policies:

BE5 New development within areas of special local character

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM3	Proposals for new roads or widening of existing roads
AM7	Consideration of traffic generated by proposed developments.
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.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **25th December 2015**

5.2 Site Notice Expiry Date:- **24th December 2015**

6. Consultations

External Consultees

Consultation letters were sent to 70 local owner/occupiers and the North Uxbridge Residents' Association. Site and press notices were also posted. No responses have been received.

Internal Consultees

S106 OFFICER

A Deed of Variation to the S106 will be required.

HIGHWAY ENGINEER

- Further details of arrangements for refuse collection should be provided.
- Electric vehicle charging points should be provided.
- Increased cycle parking provision should be provided.
- One motorcycle parking bay should be provided.
- A Construction Management Plan will be required.
- Vehicular swept paths for cars entering and leaving parking bays are required.
- Car parking should be allocated at 1 space per dwelling.

Officer comment:

All these matters were considered in the Council's assessment of the original application and found

to be acceptable. Notably, the Highway Engineer has confirmed that the proposed parking ratio remains acceptable despite the change to the unit mix.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of development of the site for residential use was established in assessing the original planning permission ref: 68164/APP/2011/2711. The vast majority of external changes to the original consent were subsequently approved by planning permission ref: 68164/APP/2013/758 and have been implemented in accordance with that consent. Therefore, the key consideration in assessing this scheme is whether the proposed change to the unit mix is acceptable, in principle.

Policy 3.8 'Housing Choice' of the London Plan (2015) encourages a range of housing choice. This is reiterated by saved policies H4 and H5 of the Local Plan Part 2. However, notwithstanding this, policy H4 strongly encourages one and two bedroom units and goes so far as to state that predominantly one and two bedroom development will be preferable in town centre locations. Given the location of the development on the edge of Uxbridge Town Centre, the unit mix proposed is considered to fully comply with this policy objective and, accordingly, no objections are raised to the principle of the development in this instance, subject to the development meeting other site specific criteria.

7.02 Density of the proposed development

The site has a Public Transport Accessibility Level (PTAL) of 5, where 1 is low and 6 is high. The London Plan 2015 range for residential sites with a PTAL of 4-6, which fall within an urban area, as defined in the London Plan, is 200-700 habitable rooms per hectare (hrph) and 55-225 units per hectare (based on an average number of habitable rooms per unit of 3.1-3.7). Where room sizes exceed 20m², these have been counted as the equivalent of two habitable rooms in compliance with the Council's Supplementary Planning Document on Residential Layouts. As such, based on a total site area of approximately 2000m² the site would have a density of 95 units per hectare and 290 hrph. This fully complies with London Plan density standards set out in policy 3.4 and Table 3.2 and is therefore considered to be acceptable.

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

The site does not fall within an Archaeological Priority Area or Conservation Area and there are no listed buildings within the vicinity. However it does fall within the North Uxbridge Area of Special Local Character.

The key external alterations proposed relate to alterations to the lift shaft and provision of a small first floor extension to the side elevation of the Lancaster Centre building (to provide additional space to flat 17). These have both been implemented.

Whilst the increase in the height of the lift shaft is undesirable it is not considered that it has such a significant impact on the visual amenities of the development or Area of Special Local Character that refusal could be justified. This is seen in context with the wider development and limited views of it are available in the Lancaster Road street scene. Therefore, on balance, it is not considered that this has a significant detrimental impact on the character or appearance of the North Uxbridge Area of Special Local Character.

The first floor extension to the Lancaster Centre building, which has also been implemented, is modest in size and subordinate to the main buildings. It has limited impact on the overall character and appearance of the building and surrounding area and is considered to be visually acceptable in this location.

Taking the above into consideration, the development is considered to comply with the objectives of Local Plan Part 2 policy BE5.

7.04 Airport safeguarding

Not applicable. There is no requirement to consult the aerodrome safeguarding authorities on this application.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land within the vicinity of the application site.

7.06 Environmental Impact

Not applicable. The proposal would not give rise to any additional impacts on the environment over the originally approved scheme.

7.07 Impact on the character & appearance of the area

Limited external alterations are proposed. The alterations to the lift shaft are most visible from outside the application site. However, views of it from Lancaster Road are nevertheless still limited and it is not so significantly different to that previously approved that its visual appearance is considered to be unacceptable and refusal could be justified. On balance the development is considered to comply with Local Plan Part 2 policies BE13, BE15, BE19 and OE1 which all seek to safeguard visual amenity.

7.08 Impact on neighbours

As per previous consents windows in the rear elevation, which could cause overlooking to neighbouring occupants, would be obscure glazed. Furthermore, those additional windows proposed to the side of the lift core, which would all serve WCs/bathrooms, would also be obscure glazed.

The only anomaly to this relates to the windows in the side elevation adjacent to No.1 Lancaster Road. Previous consents show the ground floor window here to be high level and the first floor window to be obscure glazed. The elevation drawings provided for the current scheme similarly show the ground floor window to be high level but they no longer indicate that the first floor window will be obscure glazed. This is inconsistent with the floor plans where annotations suggest the window will be obscure glazed. Furthering the inconsistency, full size non-obscure glazed windows have been installed on site at both levels.

Whilst the harm caused by this at ground floor level is questionable due to views being obscured by fencing in any case, at first floor level the perceived level of overlooking is likely to be much greater. The first floor window serves a kitchette forming part of a larger living area within flat no.6 and is the secondary window serving that room. Although no direct overlooking would occur to windows of adjoining properties, the positioning of the window is such that it could directly overlook the area of garden immediately to the rear of the house, which it is believed is served by patio doors. The perception of overlooking to this area is likely to be high such that it is not considered that the requirement for obscure glazing here is unreasonable, particularly given that the room affected is served by an alternative large window. Accordingly, it is recommended that a condition is attached, should planning permission be granted, to ensure that the first floor window is obscure glazed.

These windows must be changed as per condition requirements and within a specified time limit.

Aside from the above mentioned issue concerning the fenestration to the side elevation, the proposed changes to the development are not considered to have any impact on adjoining

occupiers over and above that considered acceptable under previous consents. Previous conditions relating to residential amenity would continue to apply.

Subject to the above mentioned condition, the development is considered to comply with policies BE19, BE20, BE21, BE22, BE23, BE24 and OE1 of the Local Plan Part 2, which seek to safeguard residential amenity.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document (SPD) on Residential Layouts, Policy 3.5 of the London Plan and the recently published Housing Standards Policy Transition Statement (October 2015), all set out minimum floorspace standards which should be met by residential developments. All three documents generally seek similar standards but there are small variations. Taking the most onerous requirements of the three documents, minimum floor spaces of 39m² should be provided for studio flats; 50m² for 1-bedroom units; 63m² for 2-bedroom units (assuming 3 person occupancy); and 86m² for 3-bedroom units (assuming 5 person occupancy). All the units proposed are considered to provide generous levels of floorspace in excess of these minimum standards.

Despite the high levels of obscure glazing to the rear elevation, with the exception of one small study, this does not impact on any habitable rooms and has notably been deemed acceptable by previous consents. Issues such as overlooking distances have also been accepted by previous consents. Accordingly, it is considered that all habitable rooms would receive an adequate outlook and levels of daylight.

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 20m² usable external amenity space should be provided for studio and one-bedroom flats, 25m² for two-bedroom flats and 30m² for three-bedroom flats. It confirms that balconies should be provided wherever possible for upper floor flats, along with private patio or garden areas and that where usable balconies or private garden space is provided for individual units the floorspace can be deducted from the overall calculation of outdoor amenity space. No standards are provided within the London Plan. Accordingly, in total, at least 460m² of external amenity space should ideally be provided.

All of the ground floor units would be provided with private terraces or garden areas. The majority of upper floor units would also be provided with balconies. Additionally two areas of shared and usable amenity space would be provided. In total this equates to approximately 475m² of amenity space provision for the development, which complies with the Council's minimum standards and is considered to be acceptable.

The scheme exceeds current standards relating to internal floor space and meets Council guidelines relating to external amenity space. It is considered that the proposal would adequately serve the needs of future occupiers and that it fully complies with current local, London Plan and national policies relating to residential amenity.

7.10 Traffic impact, car/cycle parking, pedestrian safety

No alterations are proposed to the site layout, access arrangements, parking or cycle storage provision over that approved under previous consents.

The site is located in very close proximity to Uxbridge Town Centre, Uxbridge Underground Station and Uxbridge Central bus station. Accordingly, despite the proposed increase in larger units, the proposed parking ratio on one space per unit is considered to be fully acceptable. Notably, the Council's Highway Engineer has raised no objections in this regard.

As per the original consent, planning obligations would be attached, should approval be granted, to ensure that no car parking permits can be issued to future occupiers of the flats. This would ensure there is no increase in parking demand along Lancaster Road and in the surrounding area, which is subject to controlled parking.

7.11 Urban design, access and security

Issues relating to design have been discussed in parts 7.03 and 7.07 of the report.

The proposed variation of the original scheme does not give rise to any new security issues and such issues are addressed by way of condition in any case.

7.12 Disabled access

Access in and around the building would be as per that previously approved via planning permission ref: 68164/APP/2013/758, which also sought amendments to the original planning permission. The applicant has confirmed that 10% of the units are wheelchair accessible and that all units comply with Lifetime Homes standards, in accordance with previous condition requirements. Notwithstanding this, a previous condition requiring the development to achieve Lifetime Homes Standards has been removed as this is no longer a planning policy requirement.

7.13 Provision of affordable & special needs housing

Affordable housing provision remains as per the implemented consent (ref: 68164/APP/2013/758).

7.14 Trees, Landscaping and Ecology

No changes to the implemented consent are proposed in respect of landscaping.

7.15 Sustainable waste management

No changes are proposed in this respect from the planning permission ref: 68164/APP/2013/758.

7.16 Renewable energy / Sustainability

No changes are proposed in this respect from the planning permission ref: 68164/APP/2013/758. However, a previous condition requiring the development to achieve level 4 of the Code for Sustainable Homes has been removed as this is no longer a planning policy requirement. It is noted however that the developer had previously discharged the relevant condition relating to this.

7.17 Flooding or Drainage Issues

No changes are proposed in this respect from the planning permission ref: 68164/APP/2013/758.

7.18 Noise or Air Quality Issues

No changes are proposed in this respect from the planning permission ref: 68164/APP/2013/758.

7.19 Comments on Public Consultations

None received.

7.20 Planning Obligations

Policy R17 of the Council's Unitary Development Plan states that: The Local Planning Authority will, where appropriate, seek 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.

In accordance with the previous consents, the following contributions are sought through a deed of variation to the S106 agreement:

1. Construction Training: Financial contribution in the sum of £3,062.41.
2. Education Contribution: Financial contribution in the sum of £37,604.
3. Health facilities: Financial contribution in the sum of £6,972.44.
4. Library contribution: Financial contribution in the sum of £740.14.
5. Restriction on Parking Permits: to remain as per the s106 dated 22 March 2013.
6. Affordable Housing: Financial contribution in the sum of £378,000.
7. Project Management and Monitoring Sum: to remain as per the s106 dated 22 March 2013 (5% of total cash contributions).

As the uplift in floorspace over the approved and implemented scheme is under 100m² the scheme is not liable to pay any further contributions towards the Mayoral CIL.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of

opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The principle of redeveloping the site for residential purposes has been well established via previous consents. Furthermore, amendments to the layout and design of the buildings were approved via previous variations to the original planning permission and those have, for the most part, already been implemented.

The proposed change to the unit mix would be achieved through very limited reconfiguration of internal spaces and the development would continue to provide a satisfactory living environment to future occupants. The now proposed alterations to the design of the lift shaft are, on balance, considered to be acceptable and the proposed amendments would not result in any additional impact on neighbouring properties.

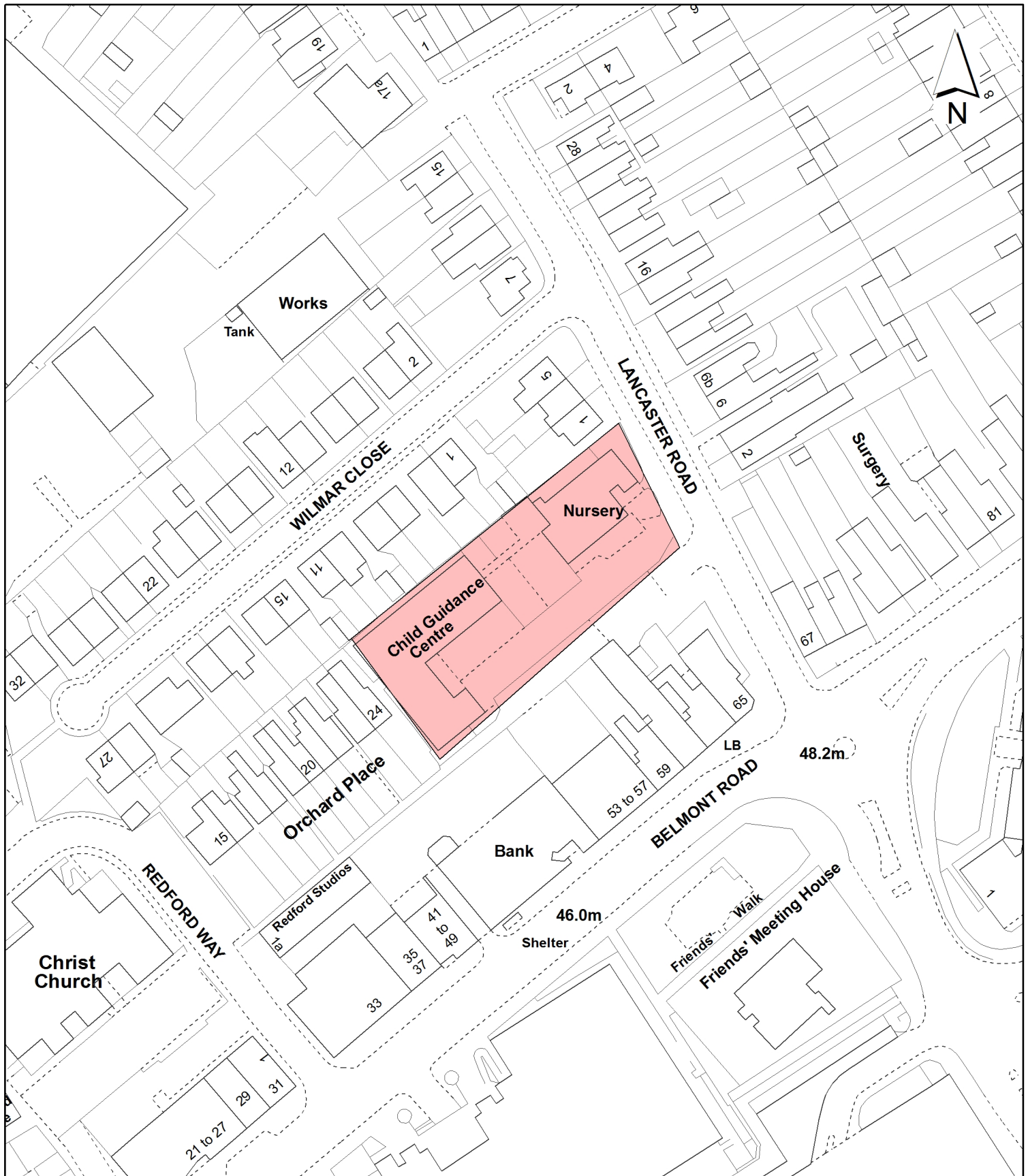
The development is considered to comply with current local, London Plan and national planning policies relating to residential development and, accordingly, approved is recommended, subject to previously applied conditions and a variation to the original S106 agreement.

11. Reference Documents

National Planning Policy Framework
London Plan (2015)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Hillingdon Supplementary Planning Document: Accessible Hillingdon
Hillingdon Supplementary Planning Document: Residential Layouts
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Noise
Hillingdon Supplementary Planning Document - Air Quality
Hillingdon Supplementary Planning Document - Planning Obligations

Contact Officer: Johanna Hart

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**HERMITAGE SCHOOL NURSERY &
 LANCASTER CENTRE SITE
 LANCASTER ROAD UXBRIDGE**

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

Planning Application Ref:

68164/APP/2015/4167

Scale:

1:1,000

Planning Committee:

Major

Date:

February 2016



HILLINGDON
 LONDON