

Report of the Head of Planning, Sport and Green Spaces

Address 21 HIGH STREET YIEWSLEY

Development: Variation of condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675, dated 31/07/2014 (Erection of part 4, part 5 storey building to provide 51 self contained residential units (22 x 1 bedrooms and 29 x 2 bedrooms) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle spaces, communal and private amenity areas and landscaping works) to allow for a change of use from A1 (Retail) to a flexible A1 (Retail) and A2 (Financial & Professional Services) use.

LBH Ref Nos: 26628/APP/2015/4622

Drawing Nos: 5377HH01 Level 1 Plan Proposec

Date Plans Received: 17/12/2015 **Date(s) of Amendment(s):** 17/12/2015

Date Application Valid: 18/12/2015

1. SUMMARY

Planning permission is sought for the variation of condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675, dated 31/07/2014, for the erection of part 4, part 5 storey building to provide 51 self contained residential units (22 x 1 bedrooms and 29 x 2 bedrooms) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle spaces, communal and private amenity areas and landscaping works.

This application seeks permission to vary condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675 to allow for a change of use of the ground floor units from A1 (Retail) to a flexible A1 (Retail) and A2 (Financial & Professional Services) use.

The proposed change of use from A1 to a flexible A1/A2 use is considered to be acceptable and would not harm the viability or vitality of the Secondary Shopping Area of the Yiewsley/West Drayton Town Centre. The proposal would not cause harm to the character and appearance of the street scene or impact on the residential amenity of neighbours and future occupiers of the development.

The proposal complies with Policies BE13 and S12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application is therefore recommended for approval.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to the relevant conditions set out below:

A)(1) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:

a) A Deed of Variation to the previously secured legal agreement under planning

ref: 26628/APP/2014/675. This legal agreement previously secured:

i. Affordable Housing: that the scheme to be delivered with 5 units as Affordable with the tenure to be agreed.

ii. Education: a contribution in the sum of £123,825.00 is sought.

iii. Health: a contribution in the sum of £16,622.00 (£216.67 x 76.72) is sought.

iv. Libraries: a contribution in the sum of £1,762.00 is sought.

v. Public Realm/Town Centre: a contribution in the sum of £10,000 is sought.

vi. Canalside improvements: a contribution in the sum of £20,000.00 is sought.

vii. Air Quality: a contribution in the sum of £25,000 is sought.

viii. Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost number of units/160 x £71,675 = 22,821.00 Total Contribution) or an in kind training scheme equal to the financial contribution delivered during the construction period of the development. As discussed our preference is for an in kind scheme to be delivered.

ix. The provision of a travel plan including £20,000.00 Bond

x. Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement, is sought.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal agreement 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) 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 18/03/16, or such other date as agreed by the Head of Planning and Enforcement, delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and the environment as a consequence of demands created by the proposed development (in respect of construction training and air quality). The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG.'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country

Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from 31st July 2014.

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, 010-00; Location Plan; 270-01; amenity areas; 5377/P/402 rev P2; Proposed Plans(4, 5, and roof); 5377/P/410 rev P2; Proposed elevations; 5377/P/401 rev P1; Proposed Plan (1,2,3) 5377/HH/01

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 (July 2015).

3 COM5 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:

The recommendations in the Planning Noise Assessment by Noise Solution Ltd February 2014, Ground levels indicated in the Topographical Survey by Site Visions Surveys Ltd, recommendations in the Air Quality Assessment Bureau Veritas January 2014, recommendations in the Flood Risk Assessment and Drainage Strategy EAS February 2014, recommendations in the Transport Statement January 2014 EAS Transport Planning, Geo-Environmental Report Wde Consulting April 2014 & measures recommended in the Energy And Sustainability Statement OG Energy Ltd 23 March 2014, Fire Strategy Report, revision 3 (August 2015).

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

REASON

To ensure that the development complies with the objectives of relevant Policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

4 COM6 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: 26628/APP/2015/1303 dated 21/10/2015.

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)

5 NONSC Non Standard Condition

The development shall not be occupied until the eastern most existing access from the site to Bentinck Road has been permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority; and only the approved details shall be implemented.

REASON

To restrict access onto the public highway where it is necessary in the interest of highway safety in accordance with policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

6 NONSC Non Standard Condition

The development shall not be occupied until full details of the proposed vehicular access have been provided in a manner to be agreed in writing with the Local Planning Authority; and only the approved details shall be implemented. The details of the vehicular access shall include details of the pedestrian/vehicle visibility splays of 2.4 metres by 2.4 metres on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access and thereafter permanently retained; no fence, wall or other obstruction to visibility exceeding 0.6 metres in height above the surface of the adjoining highway shall be erected within the area of the pedestrian visibility splays. The visibility splays shall thereafter be permanently maintained.

REASON

To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway in accordance with policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7 RES22 Parking Allocation

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

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 6.13 of the London Plan (July 2015).

8 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with those details of car parking stackers approved via planning permission ref: 26628/APP/2015/1193 dated 20/11/2015.

REASON

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012) and Policy 6.13 of the London Plan (July 2015).

9 NONSC Non Standard Condition

Notwithstanding the details submitted, full details of the physical measures to prevent overlooking between the inner corner flats, including the height, colour and material of balcony privacy screens shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the flats hereby approved and shall be retained thereafter.

Reason

To safeguard the amenity of future occupiers in accordance with policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

10 COM7 Materials (Submission)

No development approved by this permission shall be carried out otherwise than in accordance with those details of materials approved via planning permission ref: 26628/APP/2015/1385 dated 06/05/2015.

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)

11 COM31 Secured by Design

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

REASON

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

12 RES16 Code for Sustainable Homes

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes in compliance with the signed design stage certificates confirming this level previously submitted to, and approved by, the Local Planning Authority via planning permission ref: 26628/APP/2015/1192 dated 23/11/2015. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2015) Policies 5.1 and 5.3.

13 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with those details of BREEAM rating approved via planning permission ref:

26628/APP/2015/1611 dated 15/06/2015.

REASON

To ensure that the non-residential elements of the scheme are designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 5.3 of the London Plan (July 2015).

14 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan 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.

15 COM8 Tree Protection

No development approved by this permission shall be carried out otherwise than in accordance with those details of tree protection approved via planning permission ref: 26628/APP/2015/1888 dated 12/10/2015.

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).

16 COM9 Landscaping (car parking & refuse/cycle storage)

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

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

where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage for the commercial and residential elements of the scheme

2.b Means of enclosure/boundary treatments

2.c Hard Surfacing Materials

2.d External Lighting

2.e Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

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

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

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

REASON

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

17 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with the Risk Assessment and Method Statement approved via planning permission ref: 26628/APP/2015/1888 dated 12/10/2015.

REASON

To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the Navigation in accordance with policy OL21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

18 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with the feasibility study approved via planning permission ref: 26628/APP/2015/1888 dated 12/10/2015.

REASON

To encourage the use of the canal for transporting waste and bulk materials in accordance with Policy 2.17 of the the London Plan (July 2015).

19 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with the details of surface water run-off and ground water drainage approved via planning permission ref: 26628/APP/2015/1513 dated 15/06/2015.

REASON

To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure in accordance with policy OL21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

20 COM15 Sustainable Water Management

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in Flood Risk Assessment produced by EAS dated the 3/02/2014 and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
 - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
 - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
 - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

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

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy 5.12 Flood Risk Management of the London Plan (July 2015) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2015), and conserve water supplies in accordance with Policy 5.15

Water use and supplies of the London Plan (July 2015).

21 NONSC Non Standard Condition

Before the development is commenced details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted for each unit to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies. The use of ultra low NOx emission gas CHPs and boilers is recommended.

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).

22 NONSC Non Standard Condition

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

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

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

(d) Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

(c)(i) No development approved by this permission shall be carried out otherwise than in accordance with the written method statement, providing details of the remediation scheme and how the completion of the remedial works will be verified along with details of a watching brief to address undiscovered contamination, approved via planning permission ref: 26628/APP/2015/1054 dated 06/05/2015.

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

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

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).

23 NONSC Non Standard Condition

Development shall not begin until a scheme for protecting the proposed development from road and rail traffic noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

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

24 NONSC Non Standard Condition

The development shall not begin until detailed drawings for the proposed wall fronting Bentinck Road has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the proposed wall shall not exceed 3 metres in height and shall include regular and even gaps to allow visual permeability and interest. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

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

25 NONSC Non Standard Condition

The rating level of noise emitted from plant equipment, car stackers and/or machinery hereby approved 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 the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

26 NONSC Non Standard Condition

No cooking shall take place in the commercial part of the development until full details, with calculations, of the proposed fume/ odour extraction system have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. The submission shall include details of:

- (i) The extract fan, silencers, anti-vibration mounts, high velocity cowl, correctly sized carbon filter and electrostatic precipitator systems and any other items of plant;
- (ii) The velocity of air flowing through the cooker hood, the carbon filters, electrostatic precipitator and at the duct termination;
- (iii) The retention time of gases in the carbon filters;

(iv) A maintenance schedule;

Before commencement of the approved ground floor use, the approved extraction system shall be installed on site in accordance with the approved details and shall be retained and maintained thereafter. Any variations thereafter shall be agreed in writing by the Local Planning Authority.

REASON

To safeguard the amenity of the future occupiers of the development and of occupiers of adjacent premises in accordance with Policy S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

27 COM21 Sound insulation /mitigation

The development shall not begin until a scheme for the control of noise transmission from the commercial premises to the residential units has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other 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 the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

28 COM25 Loading/unloading/deliveries

There shall be no loading or unloading of vehicles in connection with the commercial units, except between:-

[0800 and 1800] Mondays - Fridays

[0800 and 1300] Saturdays

Not at all on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

29 COM22 Operating Hours

The restaurant/ cafe premises located on the north eastern corner of the building shall not be used except between 0800 hours and 2300 hours.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 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 (July 2011) and national guidance.

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
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
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
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
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.
S12	Service uses in Secondary Shopping Areas
H4	Mix of housing units
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
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE26	Town centres - design, layout and landscaping of new buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
S6	Change of use of shops - safeguarding the amenities of shopping areas
R1	Development proposals in or near areas deficient in recreational open space
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
R6	Ancillary recreational facilities
LPP 2.15	(2011) Town Centres
LPP 2.7	(2011) Outer London: economy
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.13	(2011) Affordable housing thresholds
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.10	(2011) Urban Greening
LPP 5.13	(2011) Sustainable drainage
LPP 5.21	(2011) Contaminated land
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.2	(2011) An inclusive environment
LPP 7.21	(2011) Trees and woodland
LPP 7.24	(2011) Blue Ribbon Network
LPP 7.3	(2011) Designing out crime
LPP 7.30	(2011) London's canals and other rivers and waterspaces
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
LPP 8.2	(2011) Planning obligations
	(2011) Community infrastructure levy

LPP 8.3

HDAS-LAY

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

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.

4 158 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

5 159 Councils Local Plan : Part 1 - Strategic Policies

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

6 11 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.

7 I2 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

8 I21 **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).

9 I3 **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).

10 I48 **Refuse/Storage Areas**

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

11 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' (available at www.aoa.org.uk/publications/safeguarding.asp)

12

Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 7, Wind Turbines and Aviation (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

13

New planting should seek to enhance biodiversity, by including appropriate species of known value to wildlife which produce berries and / or nectar. This may include selected native species but should not be restricted to them.

14

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>)."

"The applicant is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team (nick.pogson@canalrivertrust.org.uk).

15

The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young (jonathan.young@canalrivertrust.org.uk) regarding the required access agreement

16

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission where those details would remain the same.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is bounded by the Grand Union Canal to the north east and the High Street to the east and south. Bentinck Road is to its west and a 5 storey residential building was recently built to its north. The site is located within a five minute walk of the West Drayton Station, which provides regular overland rail services to London Paddington, with an average journey time of 20 minutes. The site is also within a 3 PTAL area indicating reasonable levels of public transport accessibility.

The site's immediate context is largely characterised by a mix of development ranging between 3 and 5-storeys in height and incorporating a mixture of retail, office, community and residential uses. Adjacent to the west is Union Wharf, a four storey residential block containing 38 residential flats. Art Wood Apartments, 30 St Stephens Road (former Bentley's Public House/Club) are located directly opposite the application site and beyond the Grand Union Canal; further beyond to the north, is the Morrisons Supermarket.

To the south east by the High Street, the townscape is largely characterised by a mix of retail, office and residential uses; and to the south west beyond Bentinck Road are service areas serving the rear of shops and residential properties along the High Street, and opposite Bentinck Road is the Global House with the Padcroft Works which are substantial office and factory buildings with outline planning permission for comprehensive residential re-development with buildings up to 7 storey high.

The site falls within the Secondary Shopping Area of the Yiewsley/West Drayton Town Centre, and the Hayes/West Drayton Corridor, as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

Planning permission is sought for the variation of condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675, dated 31/07/2014, for the erection of part 4, part 5 storey building to provide 51 self contained residential units (22 x 1 bedrooms and 29 x 2 bedrooms) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle spaces, communal and private amenity areas and landscaping works.

This application seeks permission to vary condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675 to allow for a change of use from A1 (Retail) to a flexible A1 (Retail) and A2 (Financial & Professional Services) use. A flexible partition between the two units would be provided so that the units can be used as either two separate units or a single A1/A2 unit.

The approved scheme is currently under construction and the retail units have not come into use.

3.3 Relevant Planning History

26628/79/0730 Harrier House, 21 High Street Yiewsley
Extension/Alterations to Industrial premises (P) of 6 sq.m.

Decision: 19-08-1979 Approved

26628/APP/2008/1922 21 High Street Yiewsley
Redevelopment of site to provide 1,472m² of office floorspace and a 46 apart hotel unit scheme (Outline application).

Decision: 14-10-2008 Withdrawn

26628/APP/2009/2284 21 High Street Yiewsley
Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m² of office space and 135 m² restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access)

Decision: 05-01-2010 Refused **Appeal:** 03-12-2010 Allowed

26628/APP/2009/557 Harrier House, 21 High Street Yiewsley
Redevelopment of site for mixed use development comprising a 46 unit apartment hotel, 1,344sq metres of office space, with associated access, car parking and landscaping (Outline application)

Decision: 06-07-2009 Refused

26628/APP/2010/1382 21 High Street Yiewsley
Use of site as a 65 space car park for a temporary period of 2 years.

Decision: 08-09-2010 Approved

26628/APP/2013/2604 21 High Street Yiewsley

Reserved matters (appearance, landscaping, layout and scale) in compliance with conditions 2 and 4 of planning permission ref: APP/R5510/A/10/2130048 dated 03/12/2010 for Redevelopment of site for mixed use development comprising a 44-unit apartment hotel, 1,320 m² of office space and 135 m² restaurant/bar, with associated access, car parking and landscaping (Outline application for approval of access).

Decision: 10-12-2013 Approved

26628/APP/2014/675 21 High Street Yiewsley

Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/ cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works.

Decision: 31-07-2014 Approved

26628/APP/2015/1054 21 High Street Yiewsley

Details pursuant to condition 22(c)(i) (Contamination) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units (Use Class A1) and one restaurant/cafe (Use Class A3) with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 06-05-2015 Approved

26628/APP/2015/1192 21 High Street Yiewsley

Details pursuant to condition 12 (Code for Sustainable Homes) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units (Use Class A1) and one restaurant/cafe (Use Class A3) with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 23-11-2015 Approved

26628/APP/2015/1193 21 High Street Yiewsley

Details pursuant to condition 8 (Car Parking Stackers) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units (Use Class A1) and one restaurant/cafe (Use Class A3) with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 20-11-2015 Approved

26628/APP/2015/1303 21 High Street Yiewsley

Details pursuant to condition 4 (Site levels) of planning permission ref: 26628/APP/2014/675, dated 31st July 2014, for 'Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and on restaurant/ cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works.'

Decision: 21-10-2015 Approved

26628/APP/2015/1385 21 High Street Yiewsley

Details pursuant to discharge conditions No. 10 (Materials) of planning permission Ref:26628/APP/2014/675 dated 31/07/2014 (Erection of part 4, part 5 storey building to provide self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/ cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 06-05-2015 Approved

26628/APP/2015/1513 21 High Street Yiewsley

Details pursuant to Condition 19 (Surface Water) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 5 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units (Use Class A1) and one restaurant/cafe (Use Class A3) with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 15-06-2015 Approved

26628/APP/2015/1611 21 High Street Yiewsley

Details pursuant to Condition 13 (BREEAM Rating) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 5 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works).

Decision: 15-06-2015 Approved

26628/APP/2015/1888 21 High Street Yiewsley

Details pursuant to conditions 15 (tree protection), 17 (Risk Assessment/Method Statement) and 18 (feasibility study) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/ cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works).

Decision: 12-10-2015 Approved

26628/APP/2015/2048 21 High Street Yiewsley

Non-material amendment to planning permission ref: 26628/APP/2014/675, dated 31/07/14 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works) comprising:

- 1) Removal of two stair cores
- 2) Provision of plant room at Level 0
- 3) Rotation of columns
- 4) Rearrangement of car parking spaces and reduction of Car Stackers at Level 0
- 5) Rearrangement of cycle and motorcycle parking spaces at Level 0
- 6) Level access to cafe unit and residential entrance at Level 1
- 7) Rearrangement of central core
- 8) Building alignment
- 9) Removal of a 'step back' element
- 10) Change of material for balcony insets from Brick to Render

Decision: 11-09-2015 Approved

26628/APP/2015/213 Harrier House, 21 High Street Yiewsley

Details pursuant to condition 22 parts (a) and (b) (Contamination) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/ cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 24-02-2015 Approved

26628/APP/2015/2387 21 High Street Yiewsley

Details pursuant to condition 20 (sustainable water management) of planning permission ref: 26628/APP/2014/675, dated 31-07-14 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works).

Decision:

26628/APP/2015/2742 21 High Street Yiewsley

Application for a non-material amendments to planning permission ref: 26628/APP/2014/675, dated 31/07/2014 (Erection of part 4, part 5 storey building to provide 51 self contained residential units (22 x 1 bedrooms and 29 x 2 bedrooms) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle spaces, communal and private amenity areas and landscaping works) comprising: (1) Inclusion of risers within the building; (2) Re-planning of flats and ground floor retail unit; (3) Alteration to the saw-tooth roof (raised by 0.9m) and 4) Increase in parapet height

Decision: 21-10-2015 Approved

26628/APP/2015/4284 21 High Street Yiewsley

Details pursuant to conditions 23 (Rail Noise) and 27 (Sound Insulation) of planning permission ref: 26628/APP/2014/675, dated 31-07-14 (Erection of part 4, part 5 storey building to provide 5 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/ cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision:

26628/APP/2015/4299 21 High Street Yiewsley

Details pursuant to condition 21 (energy provision) of planning permission ref: 26628/APP/2014/675, dated 31-07-14 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units (Use Class A1) and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision:

26628/APP/2015/4612 21 High Street Yiewsley

Details pursuant to Schedule 6 (Travel Plan) of planning permission ref: 26628/APP/2014/675, dated 31-07-14 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works).

Decision:

26628/B/79/1215 Harrier House, 21 High Street Yiewsley

Alterations to elevation (P)

Decision: 18-08-1979 Approved

26628/C/81/1306 Harrier House, 21 High Street Yiewsley

Mixed dev. on 0.1954 hectares (full)(P)

Decision: 28-01-1982 Approved

26628/F/82/0987 Harrier House, 21 High Street Yiewsley

Details in compliance with 26628/811306(P)

Decision: 06-10-1982 Approved

26628/G/82/1401 Harrier House, 21 High Street Yiewsley

Details in compliance with 26628/811306(P)

Decision: 26-11-1982 Approved

26628/H/82/1631 Harrier House, 21 High Street Yiewsley

Details in compliance with 26628/811306(P)

Decision: 07-02-1983 Approved

26628/PRE/2005/63 Harrier House, 21 High Street Yiewsley

T P PRE - CORRES: REDEVELOPMENT OF SITE

Decision:

Comment on Relevant Planning History

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.EM3 (2012) Blue Ribbon Network
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008
- SPG-AQ Air Quality Supplementary Planning Guidance, adopted May 2002
- SPG-CS Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
- 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
- AM18 Developments adjoining the Grand Union Canal - securing facilities for canal borne

	freight
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
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.
S12	Service uses in Secondary Shopping Areas
H4	Mix of housing units
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
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE26	Town centres - design, layout and landscaping of new buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
S6	Change of use of shops - safeguarding the amenities of shopping areas
R1	Development proposals in or near areas deficient in recreational open space
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
R6	Ancillary recreational facilities
LPP 2.15	(2011) Town Centres
LPP 2.7	(2011) Outer London: economy
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes

LPP 3.13	(2011) Affordable housing thresholds
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.10	(2011) Urban Greening
LPP 5.13	(2011) Sustainable drainage
LPP 5.21	(2011) Contaminated land
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.19	(2011) Biodiversity and access to nature
LPP 7.2	(2011) An inclusive environment
LPP 7.21	(2011) Trees and woodland
LPP 7.24	(2011) Blue Ribbon Network
LPP 7.3	(2011) Designing out crime
LPP 7.30	(2011) London's canals and other rivers and waterspaces
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **3rd February 2016**

5.2 Site Notice Expiry Date:- **3rd February 2016**

6. Consultations

External Consultees

Consultation letters were sent to 131 local owners/occupiers and a site notice was displayed. No responses were received at the time of this report.

Internal Consultees

Highways:

The application should be assessed on the Council's Car Parking Standards which states that a minimum of 1 parking space per 50sq.m should be provided for A2 Use.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The use of the site as a mixed residential and commercial development was considered acceptable in principle at the time of the original planning application (ref: 26628/APP/2014/675). The proposal seeks to provide a flexible use of the two retail units to allow for use as A1 (Retail) and A2 (Financial & Professional Services) along with the provision of a flexible partition so that the units can be used as either two separate units or a single A1/A2 unit.

A2 uses at ground floor level within the shopping frontages of secondary shopping areas are considered to be acceptable under Policy S12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). It is considered a flexible use of the two ground floor units would result in an increased interest in the units by prospective occupiers, thereby increasing the saleability of the units. The change of use of the A1 retail units to a flexible A1/A2 use would not cause harm to viability or vitality of the Secondary Shopping Area of the Yiewsley/West Drayton Town Centre.

7.02 Density of the proposed development

The density of the proposed development was considered to be acceptable at the time of the original planning application (ref: 26628/APP/2014/675). No changes to the density are proposed as part of this application.

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

The application site is not located within a Conservation Area or an Area of Special Local Character, and does not contain any Listed Buildings.

7.04 Airport safeguarding

All relevant authorities were consulted on the original planning application (ref: 26628/APP/2014/675) and no objections were raised in relation to airport safeguarding. The change of use of the ground floor retail units would not impact on airport safeguarding.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The proposed change of use of the ground floor A1 retail units to a flexible A1/A2 use would not result in any external changes to the previously approved development and so the proposal would not have a detrimental impact on the character and appearance of the street scene. The proposed change of use would therefore comply with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area. The impact of the mixed use development on neighbours was considered to be acceptable at the time of the original planning application (ref: 26628/APP/2014/675). The proposed change of use of the previously approved A1 retail units on the ground floor to a flexible A1/A2 use would not detrimentally impact on residential amenity of neighbouring properties and would comply with Policy BE19 of the

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

7.09 Living conditions for future occupiers

The proposed change of use of the ground floor A1 retail units to a flexible A1/A2 use would not impact on living conditions for future occupiers of the approved residential units. Details of sound insulation between the commercial and residential use of the development were required by way of condition on the original application (ref: 26628/APP/2014/675) and have been submitted to the Council as part of details application ref: 26628/APP/2015/4284.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that developments should comply with the Council's Car Parking Standards. The Car Parking Standards states that a minimum of 1 parking space per 50sq.m should be provided for A2 Use.

The current application does not propose any changes to the approved vehicular access and car parking layout. The original scheme (ref: 26628/APP/2014/675) provided one parking space for the A3 unit and two parking spaces for the two A1 retail units. Based on the car parking standards the change of use to A1/A2 would require 3 car parking spaces for the two units.

On balance, whilst an additional parking space for the ground floor units is required to meet policy requirements, due to the site's shopfront location within the Yiewsley/West Drayton Town Centre and the existing parking arrangements it is considered that the proposed flexible A1/A2 use would not significantly increase the parking demand on the site. A condition requiring details of a parking allocation scheme has been included on the planning permission to ensure 1 space is available to serve each A1/A2 unit.

The proposed change of use of the A1 retail units to a flexible A1/A2 use is not considered to result in a significant increase in the amount of traffic to and from the site.

7.11 Urban design, access and security

Urban Design:
See Section 7.07 of this report.

Access and Security:
Issues relating to access and security were addressed as part of the original planning application (ref: 26628/APP/2014/675) and a Secure by Design condition was included on the planning permission.

7.12 Disabled access

The proposed change of use of the ground floor A1 retail units would not impact on accessibility measures previously approved under the original application (ref: 26628/APP/2014/675).

7.13 Provision of affordable & special needs housing

The approved scheme required the provision of five affordable housing units as part of the S106 Legal Agreement. The current application would not impact on the residential component of the approved scheme.

7.14 Trees, landscaping and Ecology

Issues relating to landscaping were addressed as part of the original application (ref: 26628/APP/2014/675) and a landscaping condition was included on the planning permission.

7.15 Sustainable waste management

There are no changes to the refuse and recycling storage facilities of the approved

scheme.

7.16 Renewable energy / Sustainability

Issues relating to energy and sustainability were addressed as part of the original application (ref: 26628/APP/2014/675) and a number of conditions relating to energy and sustainability were included on the planning permission.

7.17 Flooding or Drainage Issues

Issues relating to flooding and drainage were addressed as part of the original application (ref: 26628/APP/2014/675) and conditions relating to surface water and sustainable water management were included on the planning permission.

7.18 Noise or Air Quality Issues

Issues relating to noise and air quality were addressed as part of the original application (ref: 26628/APP/2014/675); conditions relating to noise were included on the planning permission whilst air quality was included as part of the S106 Legal Agreement.

7.19 Comments on Public Consultations

No responses were received during the public consultation at the time of this report.

7.20 Planning obligations

The original planning application (ref: 26628/APP/2014/675) was subject to a legal agreement and the Mayor's Community Infrastructure Levy (CIL). The proposed change of use of the ground floor A1 retail units would not result in an increase in floor space.

A new Deed of Variation/S106 Agreement would be required for this application to re-secure all planning obligations agreed under the original planning permission which included the following:

- i. Affordable Housing
- ii. Education
- iii. Health
- iv. Libraries
- v. Public Realm/Town Centre
- vi. Canalside improvements
- vii. Air Quality
- viii. Construction Training
- ix. Travel Plan

7.21 Expediency of enforcement action

Not applicable to this application.

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 to this application.

10. CONCLUSION

Planning permission is sought for the variation of condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675, dated 31/07/2014, for the erection of part 4, part 5 storey building to provide 51 self contained residential units (22 x 1 bedrooms and 29 x 2 bedrooms) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle spaces, communal and private

amenity areas and landscaping works.

This application seeks permission to vary condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675 to allow for a change of use of the ground floor units from A1 (Retail) to a flexible A1 (Retail) and A2 (Financial & Professional Services) use.

The proposed change of use from A1 to a flexible A1/A2 use is considered to be acceptable and would not harm the viability or vitality of the Secondary Shopping Area of the Yiewsley/West Drayton Town Centre. The proposal would not cause harm to the character and appearance of the street scene or impact on the residential amenity of neighbours and future occupiers of the development.

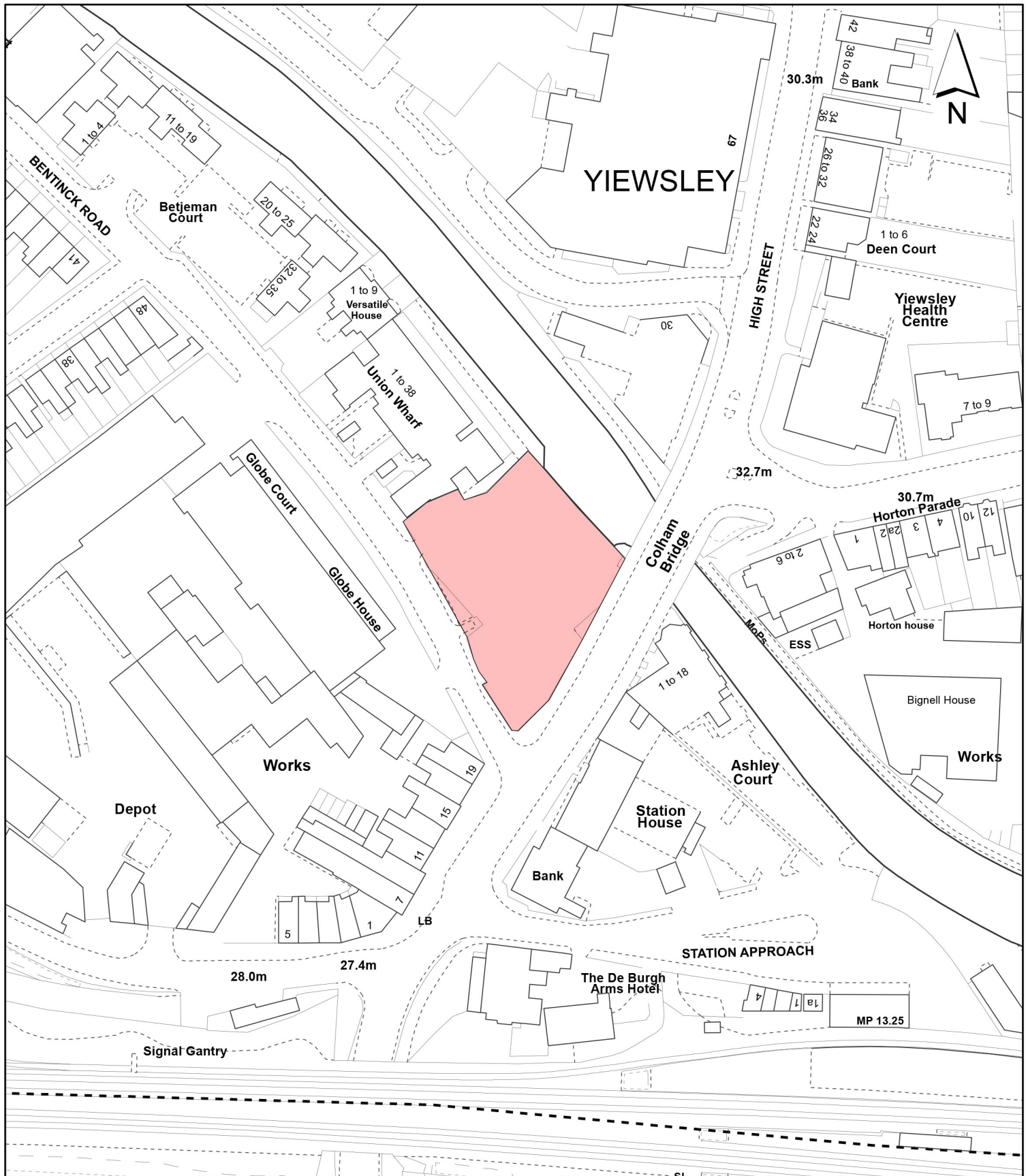
The proposal complies with Policies BE13 and S12 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
London Plan
National Planning Policy Framework

Contact Officer: Katherine Mills

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Notes:

 Site boundary

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

Planning Application Ref:

26628/APP/2015/4622

Scale:

1:1,250

Planning Committee:

Major

Date:

February 2016



HILLINGDON
 LONDON