

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

**Address** FASSNIDGE MEMORIAL HALL - R/O HIGH STREET UXBRIDGE

**Development:** Demolition of existing Fassnidge Community Dining Hall and garage, and erection of part 4, part 7, part 8 storey building to provide a replacement community dining facility and 73 self-contained residential units with associated undercroft car and cycle parking, new vehicle access point, communal and private amenity areas, and landscaping

**LBH Ref Nos:** 12156/APP/2015/4166

**Drawing Nos:** PART 1  
PART 2  
210-PL-010-01  
210-PL-011-01  
210-PL-012-01 Demolition Site Plan  
210-PL-100-01  
210-PL-200-01 Proposed Ground Floor Plan  
210-PL-201-01 Proposed First Floor Plan  
210-PL-202-01 Proposed Second Floor Plan  
210-PL-203-01 Proposed Third Floor Plan  
210-PL-204-01 Proposed Fourth Floor Plan  
210-PL-205-01 Proposed Fifth Floor Plan  
210-PL-206-02 Proposed Sixth Floor Plan  
210-PL-207-01 Proposed Seventh Floor Plan  
210-PL-208-01  
210-PL-209-01 Proposed Basement Plan  
210-PL-300-02 Proposed North West Elevation  
210-PL-301-02 Proposed North East Elevations  
210-PL-302-02 Proposed South East Elevation  
210-PL-303-02 Proposed South West Elevation

**Date Plans Received:** 12/11/2015                      **Date(s) of Amendment(s):**

**Date Application Valid:** 12/11/2015

### 1. SUMMARY

Planning permission is sought for a residential led mixed-use development, comprising a total of 73 new residential apartments (forty studio and thirty three, one bedroom units) within a part four, part seven, part eight storey building with three distinct but coherent elements arranged alongside Harefield Road and Oxford Road roundabout.

The site has extant planning permission ref. 12156/APP/2014/3099 for a similar proposal which is almost identical in external design, height, bulk, and appearance. The changes would be largely to the internal layout to facilitate an increase in the number of units from 48 to 73, which would be achieved by changing the housing mix from twelve 1-bed; thirty three 2-bed; and three 3-bed units; to provide forty studio and thirty three 1-bed units. While it would be preferable to secure a higher proportion of two and particularly three bedroom units in order to address a borough shortfall in family housing, no objection is raised having regard to the sites town centre location, car free profile and policy preferences. The previous scheme failed to provide sufficient family sized dwellings and

given the nature of the development and its location within the Uxbridge Metropolitan Centre and close proximity to Uxbridge Tube Station, it is considered that this location would be better suited to the provision of smaller scale units that would still serve a need in the borough.

The developer has offered to double the affordable housing contribution from that secured in the previous application to eight shared ownership units (five studio and three 1-bed units) of which five would be wheelchair accessible and the remainder wheelchair adaptable.

The site has excellent access to public transport including local services and facilities in the vicinity of the site and although the scheme is for a car free development, the proposal is acceptable with respect to highway, pedestrian safety and traffic flows.

All dwellings would comply with the unit size standards as prescribed by the London Plan (FALP 2015) and National Technical Housing Standards.

As per the previous approval, the scheme would provide a replacement community dining hall with a combined 255m<sup>2</sup> of modern floorspace flexibly designed and capable of accommodating a full range of compatible community uses and activities. A condition has been imposed to ensure that the community dining hall is built to 'shell and core' prior to occupation of the residential units within the scheme.

It is considered that the proposal would provide an increase in modern and flexible community floor space, which would promote, in turn, a greater footfall to the site and increase the vitality of this part of the town centre for community uses.

The building would considerably improve the appearance of the existing site as the proposal is for a high quality contemporary design development which would enhance the appearance of the streetscene whilst respecting the setting of adjacent grade II listed buildings and the areas urban features. The proposal will not have an adverse impact upon the nearby Rockingham Bridge Conservation Area to the south or Old Uxbridge and Windsor Street Conservation Area, immediately adjacent to the north and east of the site.

The height and bulk on this scheme can satisfactorily be accommodated in this urban location without appearing overbearing on the surrounding area and will not unacceptably detract from the amenities of adjoining occupiers by reason of loss of light, privacy or outlook. Indeed, the design, height, bulk, and massing are similar to the previously consented scheme for the site under application ref. 12156/APP/2014/3099 and is consistent with those considered acceptable in the immediate vicinity of the site. Subject to conditions, the proposal would not cause unacceptable harm to neighbouring occupiers through increased noise, disturbance or fumes.

The scheme includes a range of energy efficiency measures and the proposed sustainability measures will enable a reduction in CO<sub>2</sub> emissions together with the production of onsite renewable energy.

The current proposal for the redevelopment of the site with a residential led mixed use building is considered to be acceptable in this location and will represent an enhancement to the Uxbridge Metropolitan Centre.

It is recommended that the application be approved subject to the conditions and the satisfactory completion of a section 106 Legal Agreement securing Affordable Housing, Highways Works, a Servicing Management Plan, a formal Travel Plan, contributions

towards public realm improvements to include but not be limited to the works identified within the PERS Audit, Construction Training and a Project Management & Monitoring Fee.

## **2. RECOMMENDATION**

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

**A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:**

**Non-monetary contributions:**

**i) Affordable Housing: Eight shared ownership units comprising five studios and three 1-bed units. Five of these units shall be wheelchair accessible and three shall be wheelchair adaptable.**

**ii) Affordable Housing Review Mechanism**

**iii) Highways Works S278/S38.**

**iv) A Servicing Management Plan is required to be submitted and approved in writing by the LPA prior to first occupation. The Servicing Management Plan should detail how the development will be serviced and managed on a daily basis and to utilise joint servicing to minimise disruption along the adjacent highway.**

**v) A full and formal Travel Plan with associated bond is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.**

**vi) A restriction preventing future residents from applying for parking permits within the Parking Management Areas in the vicinity of the site.**

**Monetary contributions:**

**vii) Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost + £9,600 coordinator costs per phase) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered.**

**viii) Public Realm improvements, to cover but not to be limited to the works identified within the PERS audit: £100,000.**

**ix) Project Management & 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 Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.**

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

**D)If the Legal Agreements have not been finalised by 9th August 2016 (or such other timeframe as may be 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 measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of public realm, highways (including servicing and travel planning), affordable housing, and construction training). The proposal therefore conflicts with Policies AM7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG, and the London Plan (July 2011).'**

**E)That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to 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 subject to changes negotiated by the Head of Planning and Enforcement prior to issuing the decision.**

**1 COM3 Time Limit**

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

**REASON**

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

**2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 210-PL-010-01, 210-PL-011-01, 210-PL-012-01, 210-PL-100-01, 210-PL-200-01, 210-PL-201-01, 210-PL-202-01, 210-PL-203-01, 210-PL-204-01, 210-PL-205-01, 210-PL-206-02, 210-PL-207-01, 210-PL-208-01, 210-PL-209-01, 210-PL-300-02, 210-PL-301-02, and 210-PL-302-02, and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with 'saved' policies of the Unitary Development Plan (2012) and the London Plan (FALP 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:

- Design and Access Statement (Part 1-2)
- Planning Statement (November 2015)
- Extended Phase I Ecological Assessment (September 2014)
- Transport Assessment (November 2015)
- Air Quality Assessment (November 2015)
- Drainage Statement (November 2015)
- Heritage and Townscape Assessment (November 2015)
- PERS Audit (October 2014)
- Safety Audit (November 2014) & Designer's response (4th November 2014)

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 policy objectives of the Unitary Development Plan (2012) and National Planning Policy Framework (2012).

#### **4 NONSC Non Standard Condition**

Prior to first occupation of the residential accommodation hereby approved, the community dining hall (Class D1) hereby approved shall be completed to 'shell and core'. Details of the shell and core finish shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure the community/social use is re-provided to a suitable standard, in accordance with policy 3.16 'Protection and enhancement of social infrastructure' of the London Plan (FALP 2015).

#### **5 NONSC Archaeological Evaluation**

A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition shall take place other that in accordance with the Written

Scheme of Investigation approved under Part (B).

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

#### REASON

To safeguard the potential archaeological interest of the site in accordance with 'saved' policies BE1 and BE3 of the Unitary Development Plan (2012); policy 7.8 of the London Plan (FALP 2015); and National Planning Policy Framework (2012).

#### **6 COM7 Materials (Submission)**

Prior to where construction works are at damp proof course level, details of all materials and external surfaces, including details of balconies shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with 'saved' policy BE13 of the Unitary Development Plan (2012)

#### **7 NONSC Construction Environmental Management Plan**

Prior to commencement of development, a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including but not limited to vibration & TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess impacts during the demolition and construction phases of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details approved at all times and no change there from shall take place without the prior written consent of the Local Planning Authority.

#### REASON

In order to ensure that the proposal does not cause harm by way of vibration or loss of TV signal in accordance with sections 5 and 11 of the National Planning Policy Framework (2012).

#### **8 H17 Washing of Construction Vehicles**

Provision shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

#### REASON

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with 'saved' policy AM7 of the Unitary Development Plan (2012).

#### **9 OM19 Construction Management Plan**

Prior to commencement of development, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan

shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur.
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with 'saved' policy OE1 of the Unitary Development Plan (2012).

#### **10 RES18 Accessible Homes/Wheelchair Units**

10% of the dwellings hereby approved shall be constructed to meet Category 3 M4(3) 'wheelchair user dwellings, with all remaining units designed to the standards for Category 2 M4(2) 'accessible and adaptable' as set out in Building Regulations (ADM 2015). All such provisions shall remain in place in perpetuity.

#### REASON

To ensure an appropriate standard of housing stock is achieved and maintained which meet the needs of disabled and elderly people in accordance with policies 3.1, 3.8, and 7.2 of the London Plan (FALP 2015) and the National Planning Policy Framework (2012).

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

Prior to occupation of the development, a landscape scheme shall be 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
  - 1.d Ecological Enhancement Measures
  
2. Details of Hard Landscaping
  - 2.a Means of enclosure/boundary treatments and balustrades
  - 2.b Hard Surfacing Materials
  - 2.c External Lighting
  
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes

seriously damaged or diseased.

#### 4. Schedule for Implementation

#### 5. Other

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

5.b Proposed finishing levels or contours

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

#### REASON

To protect the visual amenity of the area and to enhance ecology, in compliance with 'saved' policy BE38 of the of the Unitary Development Plan (2012) and policies 7.4, 7.6 and 7.19 of the London Plan (FALP 2015).

### **12 NONSC Bird Hazard Management Plan**

Prior to the stage whereby construction works are at damp proof course level, details of a Bird Hazard Management Plan shall have to be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

-Management of any flat/shallow pitched/ green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'. The Bird Hazard Management Plan shall be implemented prior to occupation of the development, as approved, and shall remain in force to the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

#### REASON

In the interest of Aircraft safety. It is necessary to manage the flat/ green roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

### **13 RES16 Water Efficiency**

No part of the residential development hereby approved shall be occupied until evidence has been submitted to the LPA confirming that the development has achieved not less than the internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4 targets. Evidence requirements are detailed in the "Schedule of evidence required for Post Construction Stage from WAT1 of the Code for Sustainable Homes Technical Guide". Evidence must demonstrate an internal water usage rates of 105l/p/day which must be submitted to and approved by the Local Planning Authority, unless otherwise agreed in writing.

#### REASON

In the interests of sustainability in accordance with policy 5.3 (Sustainable Design & Construction) of the London Plan (FALP 2015).

### **14 COM25 Car Parking Layout**

Prior to occupation of the development, the car parking and service area will be marked out as shown on drawing No. 210 PL 209 Rev 01 and shall include two disabled spaces of which one shall be served by an electrical charging point.

Thereafter, the two disabled spaces shall be allocated for the sole use of disabled



occupiers of the residential buildings (or disabled visitors to the building) and the remaining two parking spaces shall be allocated for the sole use of the community hall. The parking spaces shall be used for no other purpose and the associated servicing area shall not be used for any parking purposes.

#### REASON

In order to meet the future needs and users of the development in accordance with 'saved' policy AM7 of the Unitary Development Plan (2012) and policy 6.13 of the London Plan (FALP 2015)

#### **15 NONSC Vehicular Access**

Prior to the stage whereby construction works are at damp proof course level, details of the proposed pedestrian and vehicular access shall be submitted to and approved 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 retained.

#### 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 'saved' policy AM7 of the Unitary Development Plan (2012).

#### **16 NONSC Cycle Parking**

Prior to occupation of the development, the proposed cycle parking spaces as shown on drawing No. 209 Rev 1 shall be provided and thereafter, maintained and retained for the lifetime of the development.

#### REASON

To ensure that an appropriate level of cycle parking provision is provided on site in accordance with 'saved' policy AM9 of the Unitary Development Plan (2012) and policy 6.9 of the London Plan (FALP 2015).

#### **17 NONSC Measures to Prevent Overlooking**

Notwithstanding the details submitted, full details of the physical measures to prevent overlooking between flats, including the height, colour and material of balcony privacy screens shall be submitted to and approved in writing by the Local Planning Authority prior to the stage whereby construction works are at damp proof course level. 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 'saved' policy BE24 of the Unitary Development Plan (2012).

#### **18 NONSC SUD's**

Prior to the stage whereby construction works are at damp proof course level, 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 the Drainage Statement (November 2015) 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, conserves water supplies, and suitable infrastructure is in place to support and improve water quality in accordance with policy EM6 Flood Risk Management in the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); policies 5.12, 5.13, 5.14, and 5.15 of the London Plan (FALP 2015); and National Planning Policy Framework (2012).

#### **19 NONSC Air Quality 1**

A scheme designed to minimise the ingress of polluted air shall be submitted and approved in writing by the Local planning Authority by the stage whereby construction works are at damp proof course level. The design must take into account climate change pollutants. Any suitable ventilation systems will need to address the following:

- Take air from a clean location or treat the air and remove pollutants;
- Be designed to minimise energy usage;
- Be sufficient to prevent summer overheating;
- Have robust arrangements for maintenance.

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

#### REASON

In order to safeguard the amenities of the area, in accordance with 'saved' policy OE1 of the Unitary Development Plan (2012) and policy 7.14 of the London Plan (FALP 2015).

#### **20 NONSC Air Quality 2**

The details of any plant, machinery or fuel burnt, as part of the energy provision for each of the development shall be submitted to and approved in writing by the LPA by the stage whereby construction works are at damp proof course level. 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 'saved' policy OE1 of the Unitary Development Plan (2012).

### **21 NONSC Land Contamination**

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

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

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

#### 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 'saved' policy OE11 of the Unitary Development Plan (2012).

**22 NONSC Imported Soil**

Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted to and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

**REASON**

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with 'saved' policy OE11 of the Unitary Development Plan (2012).

**23 NONSC Traffic Noise Mitigation**

A scheme shall be submitted and approved in writing by the Local Planning Authority by the stage whereby construction works are at damp proof course level for protecting the proposed development from road traffic noise and from the dining hall noise. 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 in perpetuity.

**REASON**

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise or noise from the non-residential use in accordance with 'saved' policy OE5 of the Unitary Development Plan (2012) and policy 7.15 of the London Plan (FALP 2015).

**24 NONSC Works Adjacent to Public Footpath**

Prior to commencement of the development, detailed drawings for the proposed treatment, including boundary walls and planting, lighting and hardsurface materials, alongside the south eastern public footpath shall have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the proposed hard and soft landscaping and boundary treatment shall not exceed the height of the existing walls 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 'saved' policy OE1 of the Unitary Development Plan (2012).

**25 NONSC Extract Systems - Community Hall**

No cooking shall take place in the community hall 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 non-residential 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 'saved' policy S6 of the Unitary Development Plan (2012).

#### **26 NONSC Impact Piling**

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

#### REASON

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and mitigation may be required to ensure that there is no detrimental impact on water supply or quality in accordance with the Water supply, wastewater and water quality section of the National Planning Practice Guidance.

### 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 (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (FALP 2015) and national guidance.

|      |   |
|------|---|
| AM14 | New development and car parking standards.  |
| AM15 | Provision of reserved parking spaces for disabled persons   |
| AM2  | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity               |
| AM7  | Consideration of traffic generated by proposed developments.  |
| AM8  | Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes                  |
| AM9  | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| BE1  | Development within archaeological priority areas<br>Proposals detrimental to the setting of a listed building                               |

|          |   |
|----------|---|
| BE10     |   |
| BE13     | New development must harmonise with the existing street scene.  |
| BE14     | Development of sites in isolation   |
| BE18     | Design considerations - pedestrian security and safety  |
| BE19     | New development must improve or complement the character of the area.   |
| BE20     | Daylight and sunlight considerations.   |
| BE21     | Siting, bulk and proximity of new buildings/extensions.   |
| BE22     | Residential extensions/buildings of two or more storeys.  |
| BE23     | Requires the provision of adequate amenity space.   |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.  |
| BE26     | Town centres - design, layout and landscaping of new buildings  |
| BE38     | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.           |
| BE4      | New development within or on the fringes of conservation 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 |
| 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 2.6  | (2015) Outer London: vision and strategy  |
| LPP 2.7  | (2015) Outer London: economy  |
| LPP 2.8  | (2015) Outer London: Transport  |
| LPP 3.1  | (2015) Ensuring equal life chances for all  |
| LPP 3.10 | (2015) Definition of affordable housing   |
| LPP 3.11 | (2015) Affordable housing targets   |
| LPP 3.12 | (2015) Negotiating affordable housing (in) on individual private residential and mixed-use schemes                                  |
| LPP 3.13 | (2015) Affordable housing thresholds  |
| LPP 3.16 | (2015) Protection and enhancement of social infrastructure  |
| LPP 3.3  | (2015) Increasing housing supply  |
| LPP 3.4  | (2015) Optimising housing potential   |
| LPP 3.5  | (2015) Quality and design of housing developments   |
| LPP 3.6  | (2015) Children and young people's play and informal recreation (strategies) facilities   |
| LPP 3.7  | (2015) Large residential developments   |
| LPP 3.8  | (2015) Housing Choice   |
| LPP 3.9  | (2015) Mixed and Balanced Communities   |
| LPP 5.1  | (2015) Climate Change Mitigation  |
| LPP 5.10 | (2015) Urban Greening   |
| LPP 5.11 | (2015) Green roofs and development site environs  |

|          |   |
|----------|---|
| LPP 5.12 | (2015) Flood risk management  |
| LPP 5.13 | (2015) Sustainable drainage   |
| LPP 5.15 | (2015) Water use and supplies   |
| LPP 5.17 | (2015) Waste capacity   |
| LPP 5.18 | (2015) Construction, excavation and demolition waste  |
| LPP 5.2  | (2015) Minimising Carbon Dioxide Emissions  |
| LPP 5.21 | (2015) Contaminated land  |
| LPP 6.10 | (2015) Walking  |
| LPP 6.11 | (2015) Smoothing Traffic Flow and Tackling Congestion and reducing traffic  |
| LPP 6.12 | (2015) Road Network Capacity  |
| LPP 6.13 | (2015) Parking  |
| LPP 6.9  | (2015) Cycling  |
| LPP 7.1  | (2015) Lifetime Neighbourhoods  |
| LPP 7.13 | (2015) Safety, security and resilience to emergency   |
| LPP 7.14 | (2015) Improving air quality  |
| LPP 7.15 | (2015) Reducing noise and and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes. |
| LPP 7.19 | (2015) Biodiversity and access to nature  |
| LPP 7.2  | (2015) An inclusive environment   |
| LPP 7.21 | (2015) Trees and woodland   |
| LPP 7.3  | (2015) Designing out crime  |
| LPP 7.4  | (2015) Local character  |
| LPP 7.5  | (2015) Public realm   |
| LPP 7.6  | (2015) Architecture   |
| LPP 7.8  | (2015) Heritage assets and archaeology  |
| LPP 7.9  | (2015) Heritage-led regeneration  |
| LPP 8.1  | (2015) Implementation   |
| LPP 8.2  | (2015) Planning obligations   |
| LPP 8.3  | (2015) Community infrastructure levy  |
| NPPF10   | NPPF - Meeting challenge of climate change flooding coastal   |
| NPPF12   | NPPF - Conserving & enhancing the historic environment  |
| NPPF4    | NPPF - Promoting sustainable transport  |
| NPPF6    | NPPF - Delivering a wide choice of high quality homes   |
| NPPF7    | NPPF - Requiring good design  |

### **3            159                    Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies, 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.

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

## **5**

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

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

### **Evaluation**

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

This would relate to Part A of the condition with further investigation to follow if significant remains were encountered.

## **6            I1            Building to Approved Drawing**

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

## **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           I58                    Opportunities for Work Experience**

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

**12           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](http://www.aoa.org.uk/publications/safeguarding.asp))

**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           I28                    Food Hygiene**

The Council's Commercial Premises Section should be consulted prior to the use of the

premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

## 15

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is situated at the south eastern end of Harefield Road in close proximity to the south western end of Uxbridge High Street and occupies an area of 0.24ha to the rear of The Cedars and the Old Bank sites. The site itself is located approximately 350 metres from Uxbridge Underground station and falls within the Uxbridge Town Centre with the site located less than 100 metres from the defined Primary Shopping Frontage. The site maintains frontages to both the Harefield Road and the Oxford Road roundabout, whilst the rear of the site adjoins the pedestrian path alongside the Cedars car park.

The site is located to the rear of 'The Cedars', which is a three storey Grade II listed building fronting the High Street while the Fassnidge Memorial Hall currently occupies the site. The corner of 'The Cedars' adjoining the junction of the High Street and Harefield Road is stepped as a result of an adjoining building being demolished. The Hall comprises a portacabin building which functions primarily as a pensioners dining centre with capacity for 70 persons. It is also used as a venue for social activities and provides a range of services for the elder community. The land between 'The Cedars' and the Hall is gravelled and used for car parking, with landscaping around the site periphery.

The site falls in gradient along Harefield Road with the ground level adjacent to the Oxford Road roundabout being some three metres below that of the High Street. The site is bounded by a high brick wall adjacent to Harefield Road which steps down and reduces in height as the site slopes away from the High Street frontage to an area of embankment adjacent to the Oxford Road roundabout (Uxbridge Ring Road roundabout) to the southwest. A public right of way runs immediately outside the southern boundary of the site.

The site is located within the Uxbridge Metropolitan Centre and the north eastern most boundary of the site abuts the Old Uxbridge and Windsor Street Conservation Area, which extends from 'The Cedars' south eastwards towards the Underground station. The surrounding built environment is varied and reflects these designations with the buildings within the Conservation Area being typically two or three storeys in height and a number of buildings within the immediate vicinity of the site being listed. These include the 'Old Bank House' located at 64 High Street, 118 and 122-123 High Street, and the Falcon Public House (all are Grade II).

A number of multi-storey modern buildings are also located within the vicinity of the site. The Cedars car park and Telephone Exchange (both six storeys in height) are located to the south of the site. 'The Atrium' is a seven storey office block located on the opposite side of Harefield Road and to the north of 'The Atrium' lies a former cinema, which has been converted to a gym. The Uxbridge Court House, Police Station and retail warehouses are located to the north along Harefield Road, with two storey houses beyond. Flatted residential developments up to eight storeys in height are also located further west along the High Street and less than 80 metres to the south west of the site lies Fassnidge Park, a public park covering approximately 3.1ha as well as the Rockingham Bridge Conservation Area.

### **3.2 Proposed Scheme**

The proposal seeks permission for the demolition of the existing Fassnidge community dining hall and garage, and the erection of a part four, part seven, part eight storey car free development comprising a mixed use building providing a replacement community dining facility and 73 self-contained residential units with associated undercroft car and cycle parking, new vehicle access point, communal and private amenity areas and landscaping.

The main entrance to the building is positioned to address Harefield Road. Four car parking spaces would be provided, including two disabled spaces and two parking bays dedicated to the community hall with secure cycle parking to be provided on site at basement level and also to the side of the site adjacent to the public footway. However, in terms of the proposed residential use the scheme is for a car free development.

Vehicle access to the site is proposed from the southern corner of the site, allowing level access for cars and sufficient room for manoeuvring service vehicles up to 7.5 metre long. Level pedestrian access to the dining hall and the residential units is provided via the public footpath from the High Street.

The replacement community hall would be integrated within the envelope of the main building and provides some 255m<sup>2</sup> of floorspace (a net gain of 35m<sup>2</sup> on the existing site's provision) located at ground floor level on the northern portion of the site. Refuse collection for the hall is proposed to continue as existing with the refuse bins positioned and collected by the Council from Darren House on collection days (Mondays and Tuesdays).

The residential element of the scheme would provide 73 new residential apartments (40 studio units and 33 1-bed) within a building with three distinct but coherent elements arranged alongside Harefield Road and Oxford Road roundabout. All dwellings would comply with the unit size standards as prescribed by the Mayor's Housing SPG and the National Housing Technical Standards.

The proposed building would be set back from the street edge and range from four storeys in height to a maximum of eight storeys in a stepped formation with the longer part of the development fronting Harefield Road including a westward projecting element at the northern end of the building and a southern projecting element at the south eastern corner.

The lowest part of the building would be located at its northern end adjacent to the rear boundaries of the listed properties fronting the High Street with the upper floors set back at strategic points from the building's outer edge to reduce the mass of the resulting structure. This response helps protect the setting of the Listed Buildings and Conservation Area and the amenity and privacy of existing occupiers. As ground levels gradually fall the building steps up in height to first seven storeys and then eight storeys at its south eastern

end along the Harefield Road and Oxford Road roundabout frontages where the slender and highest part of the building is most appropriately nested on the south eastern edge adjacent to The Cedars car park and the Telephone Exchange building where it will form as a new urban edge and gateway element into the Uxbridge Town Centre and also be seen against the backdrop of the residential elements erected above The Pavilions shopping mall.

A new pedestrian access route into the site is to be positioned off Harefield Road in a central position of the site. The proposal would retain, with alterations, the existing level access from the High Street along the north eastern boundary of the site whilst a new access to the south would provide vehicular access to the basement car park with a forecourt with space for larger servicing vehicles manoeuvring.

Tracking plans have been provided showing how service vehicles can access and manoeuvre within the site, entering and leaving the site in a forward movement. Refuse and recycling facilities for the residential units would be provided within the basement of the building. This will be managed via the adoption of a dedicated refuse management plan. Servicing is in part accommodated on site with larger vehicles.

The development would have ground level landscaped features and an upper floor roof terrace (on the northern element) providing an amenity space of sufficiently large dimensions to be able to offer a range of passive recreational activities as well as soft planting features. Many of the flats would have access to their own private terrace or balcony while the roof of the tallest element of the building will house the scheme's photo-voltaic panels.

### **3.3 Relevant Planning History**

12156/APP/2014/3099 Fassnidge Memorial Hall - R/O High Street Uxbridge

Demolition of existing Fassnidge Community Dining Hall and garage, and erection of part 4, part 7, part 8 storey building to provide a replacement community dining facility and 48 self-contained residential units with associated undercroft car and cycle parking, new vehicle access point, communal and private amenity areas, and landscaping.

**Decision:** 08-01-2015 Approved

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

12156/APP/2014/3099

Demolition of existing Fassnidge Community Dining Hall and garage, and erection of part 4, part 7, part 8 storey building to provide a replacement community dining facility and 48 self-contained residential units with associated undercroft car and cycle parking, new vehicle access point, communal and private amenity areas, and landscaping.

GRANTED, SUBJECT TO CONDITIONS AND LEGAL AGREEMENT - 1/09/2014

The current scheme is very similar to the granted scheme in terms of its external appearance. The proposal retains the height and scale of the approved mixed use building with internal layout alterations and fenestration alterations only to reflect the increase in the number of proposed units. The main change is the increase in number of units from 48 to 73 which would be achieved by changing the housing mix from twelve 1-bed, thirty three 2-bed and three 3-bed to provide forty studio and thirty three 1-bed units. The level of affordable housing provision has also been doubled to reflect the change in the overall

quantum of units within the scheme.

The level of social community use would remain unchanged in this proposal.

#### **4. Planning Policies and Standards**

Please see list below.

##### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.EM6 (2012) Flood Risk Management

Part 2 Policies:

- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE1 Development within archaeological priority areas
- BE10 Proposals detrimental to the setting of a listed building
- BE13 New development must harmonise with the existing street scene.
- BE14 Development of sites in isolation
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
  
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE26 Town centres - design, layout and landscaping of new buildings
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- BE4 New development within or on the fringes of conservation 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 |
| 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 2.6  | (2015) Outer London: vision and strategy  |
| LPP 2.7  | (2015) Outer London: economy  |
| LPP 2.8  | (2015) Outer London: Transport  |
| LPP 3.1  | (2015) Ensuring equal life chances for all  |
| LPP 3.10 | (2015) Definition of affordable housing   |
| LPP 3.11 | (2015) Affordable housing targets   |
| LPP 3.12 | (2015) Negotiating affordable housing (in) on individual private residential and mixed-use schemes                                  |
| LPP 3.13 | (2015) Affordable housing thresholds  |
| LPP 3.16 | (2015) Protection and enhancement of social infrastructure  |
| LPP 3.3  | (2015) Increasing housing supply  |
| LPP 3.4  | (2015) Optimising housing potential   |
| LPP 3.5  | (2015) Quality and design of housing developments   |
| LPP 3.6  | (2015) Children and young people's play and informal recreation (strategies) facilities   |
| LPP 3.7  | (2015) Large residential developments   |
| LPP 3.8  | (2015) Housing Choice   |
| LPP 3.9  | (2015) Mixed and Balanced Communities   |
| LPP 5.1  | (2015) Climate Change Mitigation  |
| LPP 5.10 | (2015) Urban Greening   |
| LPP 5.11 | (2015) Green roofs and development site environs  |
| LPP 5.12 | (2015) Flood risk management  |
| LPP 5.13 | (2015) Sustainable drainage   |
| LPP 5.15 | (2015) Water use and supplies   |
| LPP 5.17 | (2015) Waste capacity   |
| LPP 5.18 | (2015) Construction, excavation and demolition waste  |
| LPP 5.2  | (2015) Minimising Carbon Dioxide Emissions  |
| LPP 5.21 | (2015) Contaminated land  |
| LPP 6.10 | (2015) Walking  |
| LPP 6.11 | (2015) Smoothing Traffic Flow and Tackling Congestion and reducing traffic  |
| LPP 6.12 | (2015) Road Network Capacity  |

|          |   |
|----------|---|
| LPP 6.13 | (2015) Parking  |
| LPP 6.9  | (2015) Cycling  |
| LPP 7.1  | (2015) Lifetime Neighbourhoods  |
| LPP 7.13 | (2015) Safety, security and resilience to emergency   |
| LPP 7.14 | (2015) Improving air quality  |
| LPP 7.15 | (2015) Reducing noise and and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes. |
| LPP 7.19 | (2015) Biodiversity and access to nature  |
| LPP 7.2  | (2015) An inclusive environment   |
| LPP 7.21 | (2015) Trees and woodland   |
| LPP 7.3  | (2015) Designing out crime  |
| LPP 7.4  | (2015) Local character  |
| LPP 7.5  | (2015) Public realm   |
| LPP 7.6  | (2015) Architecture   |
| LPP 7.8  | (2015) Heritage assets and archaeology  |
| LPP 7.9  | (2015) Heritage-led regeneration  |
| LPP 8.1  | (2015) Implementation   |
| LPP 8.2  | (2015) Planning obligations   |
| LPP 8.3  | (2015) Community infrastructure levy  |
| NPPF10   | NPPF - Meeting challenge of climate change flooding coastal   |
| NPPF12   | NPPF - Conserving & enhancing the historic environment  |
| NPPF4    | NPPF - Promoting sustainable transport  |
| NPPF6    | NPPF - Delivering a wide choice of high quality homes   |
| NPPF7    | NPPF - Requiring good design  |

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

**5.1** Advertisement Expiry Date:- **16th December 2015**

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

## **6. Consultations**

### **External Consultees**

Site Notice: Erected 20th November 2015

Press Advertisement: 25th November 2015 & 2nd December 2015

Neighbouring households, amenity groups, and local businesses were notified of the proposal on 23rd November 2015. The consultation period expired on 23rd December 2015.

So far five responses have been received from four respondents objecting to the proposal. The objection responses raise the following concerns:

- (i) Excessive number of studio and one bedroom units.
- (ii) The appearance of the building is out of keeping with the character of the area.
- (iii) The balconies will expose people to pollution from road traffic and overlook neighbouring

properties.

(iv) Loss of trees from the site.

(v) Concern that the addition of 73 residential apartments across the way from a commercial venue will cause issues with licensing laws in regards to noise.

(vi) Inadequate parking

(vii) Old Bank House is not at No 66. Old Bank House is not Trinity Housing.

Officer's response: The issues raised have been considered in the main body of the report.

In addition, two letters in support of smaller scale units have been received from estate agents/surveyors. Their argument in support was largely economic (that there was a significant market need for this type of accommodation) and that the smaller units would provide those who could not afford elsewhere an opportunity to get onto the housing ladder.

These homes are likely to be of interest to those looking to down size, given the high accessibility standard of the development and its proximity to the town centre.

#### HISTORIC ENGLAND

Comments (summary): No objection.

Officer's response: Noted.

#### TFL

Comments (summary): No objection.

An additional 2 short stay cycle spaces should be provided. A Travel plan should be secured by legal agreement and to minimise the impact of the development on the highway during construction a Delivery Service Plan and Construction Logistics Plan will need to be secured.

Officer's response: A condition will be imposed to ensure an acceptable level of cycle parking provision. A separate condition will require the submission of a Construction Management Plan to include a Delivery Service Plan to ensure there is not any adverse impact on the highway during construction of the development. As agreed in the previous application, the applicant has agreed to a monetary contribution for public realm improvements to carry out works identified within the PERS audit and a Travel Plan will be secured by legal agreement.

#### GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE

Comments (summary): No comments received, however comments were received regarding the previous application whereby they stated that heritage assets of archaeological interest may survive on the site. No objection was raised subject to a condition to provide an appropriate archaeological investigation.

Officer's response: Subject to a condition to secure an appropriate archaeological investigation it is considered that the proposal would be acceptable in terms of archaeology.

#### NATS SAFEGUARDING

Comments (summary): No objection provided a condition is imposed which would require the submission of a Bird Hazard Management Plan.

Officer's response: Noted. Should the application be granted, a condition would be imposed to



require the submission of a Bird Hazard Management Plan to manage the roof space on the associated buildings in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

## THAMES WATER

Comments (summary): No objection. However it is recommended that a condition be imposed to ensure that no piling takes place until a piling method statement is submitted.

Officer's comments: Noted. Should the application be granted, a condition shall be imposed to require the submission of a piling method statement prior to any piling.

### **Internal Consultees**

#### ACCESSIBILITY OFFICER

Comments (Summary): No objection.

Subject to a condition to ensure that 10% of the proposed residential units meet the standards for M4(3) Category 3 - wheelchair user dwellings, with all remaining units designed to the standards for Category 2 M4(2) - accessible and adaptable, as set out in ADM 2015.

Officer's response: Noted. Should the application be granted, a condition as suggested above will be imposed to ensure the delivery of a range of housing types that meet the diverse needs of Londoners and an ageing population.

## CONSERVATION AND URBAN DESIGN

Comments (summary): No objection.

The proposed external changes to the approved building appear to be largely minor alterations to the fenestration of the structure, the overall scale and massing of the building would be unchanged. It is considered that they would not have any significantly greater impact on the setting of the conservation area or the nearby listed buildings than the approved scheme and that the overall design of the new building would remain of an appropriate quality in this sensitive location.

No objection subject to the same conditions being applied and the retention of the existing garden wall to the south east of the site.

Officer's response: Noted. Should the application be granted, conditions regarding the detailed design and materials of the new building will be imposed to ensure that the proposal has an appropriate finish.

## ENVIRONMENTAL PROTECTION UNIT

Comments (summary):

### Air Quality

The air quality assessment could not assess the air quality due to a lack of information, but does indicate the EU limit value for nitrogen dioxide is likely to be exceeded at this location and recommends mitigation will be required at the development on air quality grounds. This would include mechanical ventilation with heat recovery, as well as designing the building to minimise exposure to poor air quality including green barriers, window design and room usage and design.

On the presumption that the NO<sub>2</sub> levels are likely to exceed at the facade of the building, and given the junction location and the proximity to a multi-storey car park, this is likely, the following ingress of polluted air condition is recommended for any permission that may be given.

In addition, before the development is commenced details of any plant, machinery and fuel burnt, as part of the energy provision and the location of the flue at the development shall be submitted to the LPA for approval. This shall include pollutant emission rates at the flue with or without mitigation technologies. The use of ultra low NO<sub>x</sub> emission gas-fired CHPs and boilers is recommended. The development should as a minimum be 'air quality neutral' and demonstrably below the building emissions benchmark.

Officer's response: Noted. The conditions recommended will be imposed should the application be granted in order to safeguard the amenity of existing and future occupiers.

#### Land Contamination

No information has been submitted with the application regarding land contamination. The standard contaminated land condition and condition to minimise risk of contamination from garden and landscape areas are recommended for inclusion in any permission given.

Officer's response: Noted. Should the application be granted, the conditions suggested will be imposed to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

#### HIGHWAYS

Comments (summary): No objection.

The site has very good public transport accessibility (PTAL=5).

The level of car parking is limited to two spaces and correspondingly the traffic generation / impacts are not significant.

The level of cycle parking is acceptable.

The proposal includes provision for delivery vehicles to enter and leave the site in forward gear. Refuse collection will be from Harefield Road.

The access to the service yard / car parking will be off the access road leading to Cedars Car Park. Adequate visibility sight-lines have been provided. These highway works will require a s106 / s278 agreement.

Officer's response: Noted. Should the application be granted, a legal agreement to secure highway works will be agreed and as per the previous granted application, the submission of a Travel Plan will also be required.

#### SUSTAINABILITY OFFICER

Comments (summary): No objection.

Subject to it being carried out in accordance with the approved plans.

Officer's response: Noted.

## TREE AND LANDSCAPING OFFICER

Comments (summary): No objection.

Officer's response: The external areas and landscaping has not changed from the previous granted proposal. Subject the same conditions as per the previous application, the proposal would not be considered to raise any tree or landscaping concerns.

## WASTE MANAGEMENT OFFICER

Comments (summary): No objection.

Officers's response: Noted. Waste arrangements for the site would remain as per the previous approval apart from the size of the storage area which would be more than doubled in size to accommodate the needs of the additional residential units.

## WATER MANAGEMENT OFFICER

Comments (summary): No objection

Subject to condition to require the submission of a scheme for the provision of sustainable water management to ensure there is no increased risk of flooding as a result of the development.

## **7. MAIN PLANNING ISSUES**

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

The building, as proposed, is a part four, part seven, part eight storey building with main frontages to Harefield Road and the Oxford Road roundabout but also visible from the High Street. The development seeks to provide forty studio flats and thirty three 1-bedroom flats with communal amenity space provided in the form of a roof garden and a ground floor amenity area laid out alongside the Harefield Road and the Oxford Road frontages. A community hall comprising 255m<sup>2</sup> of floorspace is proposed at the northern end of the site with level access provided directly to the High Street. The building's massing and height rises in a north south direction.

The principle of demolishing and replacing Fassnidge Memorial Hall and provision of residential development on this site has already been established through the previous consented planning permission. The level of community facility provision would remain largely the same. The major change would relate to an increase in the number of units and change to the housing mix.

Paragraph 7.11 of the UDP, states that the Council recognises the importance of residential development in town centres as part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport.

The site is situated in a location which is highly accessible by public transport giving it has, in part, a PTAL rating of 5 and in part a PTAL rating of 6 and is located within 300 metres to the east of the Uxbridge Underground Station, which provides connections to the Piccadilly and Metropolitan Lines. The site is located within the Secondary Shopping Frontage of Uxbridge town centre and less than 50 metres from the Primary Shopping Frontage. The site is considered an appropriate and highly sustainable location for residential development given the high propensity for linked trips and for those without the need for

use of the private car.

Policy H4 of the Local Plan Part 2, states that one and two bedroom development will be preferable within town centres. The scheme proposes a mix of studio and one bedroom units. While it would be preferable to secure a higher proportion of two and particularly three bedroom units in order to address a borough shortfall in family housing, no objection is raised having regard to the site's town centre location, car free profile and policy preferences.

The proposed scheme for a residential led, mixed use development providing a replacement community hall within this site is considered acceptable in principle, subject to compliance with other relevant planning policies and all other national considerations.

It is considered that the National Planning Policy Framework would be permissive of this development which would enable the provision of a desirable combination of uses from within this site located within a town centre of metropolitan importance and a dense urban area.

Furthermore, it is considered that the presence of the proposed residential uses within this site, in the terms proposed, would ensure there is a healthy mix of sustainable housing provided within the Borough, in accordance with the National Planning Policy Framework requirements.

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

The scheme would achieve a residential density of 404 dwellings per hectare (441 habitable rooms/ ha) which would be within the upper range of 215 to 405 dwellings per hectare (slightly below the 650 to 1100 hr/ha) recommended in Policy 3.4 (Optimising Housing Potential) of the London Plan for urban areas with a good PTAL (5) level.

In this instance, whilst 73 residential units are proposed within the site, the overall density of the development is not considered excessive and in this respect, the development would not be out of character with the immediate or wider surrounding area.

Accordingly, no objection is raised in terms of Policy 3.4 of the London Plan, subject to the scheme according with other policies associated with preserving and enhancing the character and appearance of the adjoining conservation area, the setting of the adjacent Listed Building and internal floor area standards set out in Policy 3.5 of the London Plan (FALP 2015)

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

The proposal would have no greater impact on the surrounding Heritage Assets than the existing extant permission.

This proposal is considered to be of a high quality design and of a scale that would be acceptable and respect the adjacent listed building and conservation area. It is considered that the high quality design of the proposal, replacing the existing undistinguished building whilst screening parts of the larger building existing to the east, west and south, would enhance the setting of the listed buildings and would provide a considerable improvement in architectural quality in this part of Uxbridge.

It is worth noting that the Council's Conservations and Design Officer as well as Historic England have no objections to the scheme in conservation or listed building grounds.

#### **7.04 Airport safeguarding**

National Air Traffic Services (NATS) have reviewed the proposal and raised no objection in relation to airport safeguarding. However, Heathrow Airport Limited (former BAA) has expressed concerns regarding potential bird hazards arising from the proposed roof garden areas. A condition is therefore recommended to request the submission and approval of a Bird Hazard Management Plan.

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

Not applicable.

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

There are a few minor changes to the fenestration from the previous approval however nothing substantial. The proposed massing and form of the development would remain the same. The design and appearance of the building would not materially change from the previous proposal which was considered acceptable in this regard. The proposal would be considered to comply with local, regional, and national policy in terms of scale, design and general appearance.

To ensure that the external finishes are of sufficiently high quality, it will be necessary to include a condition that requires the full approval of all facing materials.

Given the standard of the design, it is considered that this building would satisfy the requirements of 'saved' policy BE13 of the Unitary Development Plan (2012) and policies 7.4 and 7.6 of the London Plan (FALP 2015) as it is well designed and will make a positive contribution towards the skyline and the surrounding area.

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

The scheme is no larger than the existing approved development. There are alterations/changes to the openings however they are not significant and would not create any new issues with regards to impact on the amenity of neighbouring properties. The proposal would therefore not impact on the amenity of any residents in the surrounding area and, as such, the scheme is considered to be in accordance with 'saved' policies BE19, BE20, and BE21 of the Unitary Development Plan (2012).

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

##### **INTERNAL LAYOUT AND ACCOMMODATION**

Given the separation distances provided between buildings, it is considered that the proposal ensures sufficient privacy and outlook to each property.

Although most of the units are single aspect, their layout would ensure acceptable levels of outlook and daylight would be available for the future occupiers of the flats.

All units when assessed against the internal floorspace standards in policy 3.5 (table 3.3) of the London Plan (FALP 2015), Technical Housing Standards, Accessible Hillingdon Guidance, and Accessible Hillingdon Wheelchair Standard Homes Guidance would satisfy those standards and overall the standard of accommodation proposed is deemed to be appropriate and acceptable, in accordance with planning policy.

##### **AMENITY SPACE**

The Hillingdon Design and Accessibility Statement Residential Layouts (HDAS) requires the provision of 20m<sup>2</sup> of amenity space for a studio or 1 bedroom flat. Therefore a total of 1,460m<sup>2</sup> of external amenity space would be required for the 73 unit proposal. Apart from one studio flat on the first floor level and one studio flat on the second floor level, the development would provide each dwelling with either a balcony or a terrace, totalling

approximately 546m<sup>2</sup> between the 73 units with access to private balconies or terraces, while 215m<sup>2</sup> of shared amenity is proposed as a rooftop garden. Therefore, the total amenity space proposed for this site would equate to 761m<sup>2</sup>, resulting in a shortfall of 699m<sup>2</sup> below the requirements of the HDAS Residential Layouts.

However it is worth bearing in mind that the previous scheme also had a shortfall which was considered acceptable. In addition, this scheme provides smaller sized units which is less likely to attract families. Further, given the proximity of a substantial area of public open space in Fassnidge Park, there would be sound reasons for setting aside the private amenity standards set out in 'saved' policy BE23 of the Unitary Development Plan (2012). In the circumstances, it would be unreasonable to object to the development on these grounds.

Should the application be approved, a condition is imposed requiring details of the position and materials of the roof terrace safety balustrades.

#### CHILDREN'S PLAY SPACE

Policy 3.6 'Children and young people's play and informal recreation facilities' of the London Plan (FALP 2015) recommends that development that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

The Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation sets out guidance to assist in this process.

It is anticipated that there will be less than five children within the development (based on the housing mix). The London Plan and the SPG do not require children's play space for a child population of less than ten and provision of children's play space would not be necessary on this site.

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

The proposal for the site comprises studio and one bedroom units within a metropolitan town centre location with a PTAL score of 5 and 6 (excellent). The scheme includes a total of 4 parking spaces, 2 of which will be reserved for the exclusive use of disabled users while 2 of the remaining spaces would be allocated to the community hall.

The development is essentially for car free development, in particular with regard to the residential element of the scheme. Transport for London (TfL) and the Highways Officer reviewed this proposal and considered that as the site is for studio and one bedroom units within a highly accessible location, no objection was raised to a car free development and the parking provision provided at the site for disabled and community hall users. Therefore, the development is considered to comply with 'saved' policy AM14 of the Unitary Development Plan (2012).

The scheme also includes satisfactory provision for the storage of 73 cycles, therefore the proposed development is in accordance with parking standards, in compliance with 'saved' policy AM9 of the Unitary Development Plan (2012) and policy 6.9 of the London Plan (FALP 2015).

The vehicular access details include visibility splays to either side of the proposed access but a condition is included requiring full details of the new access and no obstructions within the splays more than 600mm in height above the adjoining highway. Further

conditions requiring a construction management plan, provision of car parking and to prevent parking within the servicing area, as identified in the submitted Safety Audit, have also been imposed.

A PERS audit with an assessment of the pedestrian environment accompanies the application. The audit concludes the general pedestrian environment is good quality. However, the general observations of the pedestrian environment is that (i) there is scope to improve the sense of place and environmental quality of public areas; (ii) lack of good signage which would otherwise encourage more pedestrian and public transport movements; and (iii) improved tactile paving for blind and partially sighted persons. 'Link 7' in particular, relating to the pedestrian link between the High Street and Oxford Road roundabout, is the only link to score negatively, albeit only marginally and specifically with regard to 'Route 2' between Fassnidge Hall and Fassnidge Park a specific requirement for increased lighting and security / CCTV has been identified to enhance safety of this environment.

In this instance, a monetary contribution has been offered to mitigate the identified improvements from the PERS audit and should be agreed with the Council with contributions secured through the Section 106 agreement.

The Highways officer has also assessed the location of the refuse and recycling storage and considers this to be acceptable, in terms of their collection and the impact of this to highway safety. Therefore, the development is considered to comply with 'saved' policy AM2 of the Unitary Development Plan (2012).

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

The design, along with access and security arrangements would not be significantly different from that of the previous application which was considered acceptable. The current proposal which is not materially different in appearance or with regards to access and security is also considered acceptable in these regards, in accordance with local, regional, and national policy.

#### **7.12 Disabled access**

The Council's Accessibility Officer has reviewed the plans and raises no objection to the scheme in terms of access and special needs housing subject to a condition to ensure that 10% of the proposed residential units meet the standards for M4(3) Category 3 'wheelchair user dwellings', with all remaining units designed to the standards for Category 2 M4(2) 'accessible and adaptable', as set out in ADM 2015. Subject to this condition, the proposal would be considered to comply with policy 3.8 'Housing Choice' of the London Plan (FALP 2015) and ensure the delivery of a range of housing types that meet the diverse needs of Londoners and an ageing population.

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

With regards to special needs housing please see above.

### **AFFORDABLE HOUSING**

Policy 3.3 of the London Plan (FALP 2015) states that subject to viability, a minimum of 35% of all new homes on sites of 10 or more units should be delivered as affordable housing, with the tenure split (70% Social/Affordable Rent and 30% Intermediate) as set out in Policy H2: Affordable Housing of the Local Plan Part 1.

A Financial Viability Assessment has been received which concludes that on the basis of the costings for the project, the scheme will not achieve the 35% affordable housing

provision as the development is deemed to be 'unviable'.

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

A third party independent review of the Affordable Housing Viability Assessment was carried out which concurs with its findings that the level of affordable housing offered would be the maximum given the viability of the development. The independent assessor has also recommended a review mechanism to ensure that the Council obtains the highest contribution of affordable housing provision possible.

The developer has agreed to offer eight shared ownership units (five studio and three 1-bed units) or 11% which will be secured by legal agreement should planning permission be granted.

#### **7.14 Trees, landscaping and Ecology**

The removal of all trees on site was agreed in the previous consent and the new landscaping arrangements are identical. The previous scheme recommended that a financial contribution should be secured through a S106 legal agreement to enable improvements to the green space and path adjacent to the site and alongside the Cedars car park thereby securing a considerable enhancement to the green space/ public realm in very close proximity to the application site. There is still considered a need for this contribution. The current proposal does not raise any new issues with regards to trees, landscaping or ecology, and the proposal, subject to conditions to secure the final details of the landscaping scheme would accord with 'saved' policies BE38, OL2, EC2 and EC5 of the Unitary Development Plan (2012) and policy 7.19 of the London Plan (FALP 2015).

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

Waste arrangements for the site would remain as per the previous approval apart from the size of the residential storage area which would be more than doubled in size to accommodate the needs of the additional residential units. Separately, there would be 5sqm of waste and recycling storage the community use. The community refuse will be manually hauled to High Road from the rear of the community hall via the rear garden areas of the Cedars buildings in order for the refuse service to pick up within the required distance.

In this instance, an acceptable level of refuse and recycling storage is considered to have been provided for both uses, in compliance with policy 5.17 of the London Plan (FALP 2015).

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

The applicant has submitted an energy strategy in support of the application which details that the proposed development incorporating a fabric-first design approach, energy efficient fixed building services and renewable energy technology can achieve a 35% reduction in CO2 emissions as required by the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and policy 5.2 of the London Plan (FALP 2015).

The scheme would lead to the loss of pockets of vegetation, which carry an ecological value and play an important role in London's ecology, the condition to ascertain a landscaping scheme will also require the submission of ecological enhancement



measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the building.

With this condition attached, the proposed development is considered to comply with policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (Adopted November 2012) and policy 7.19 of the London Plan (FALP 2015).

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

The application site does not fall within a designated Flood Zone and the Water Management Officer has reviewed the submitted Flood and Drainage Assessment and raised no objection subject to a condition to require the submission of a scheme for the provision of sustainable water management to ensure there is no increased risk of flooding as a result of the development. With this condition attached, the proposed development is considered to comply with 'saved' policies OE7 and OE8 of the Unitary Development Plan (2012).

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

In terms of other environmental considerations, the proposed building would not emit any noise or odours beyond those associated with a residential development. Effects arising from the proposed dining hall would be commensurate with the town centre location and should see a marked improvement from the current arrangement. The Council's Environmental Health Officer has previously advised that a satisfactory noise environment can be secured for future occupants by condition. The impact of additional vehicles would be negligible given the levels of proposed parking provision and existing vehicle flows in the surrounding highway network. Key potential nuisance impacts arising from the development could be conditioned in the event of an approval.

The air quality assessment could not assess the air quality due to a lack of information, but does indicate the EU limit value for nitrogen dioxide is likely to be exceeded at this location. As such mitigation will be required at the development on air quality grounds. This would include mechanical ventilation with heat recovery, as well as designing the building to minimise exposure to poor air quality including green barriers, window design and room usage and design. These details will be secured via condition and as such, the proposals accords with local, regional and national planning policy.

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

Please see the beginning of the 'External Consultees' section of this report for details regarding public consultation.

#### **7.20 Planning obligations**

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

'Saved' policy R17 of the Unitary Development Plan (2012) is concerned with securing planning obligations to supplement the provision of recreational 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.

At a regional level, policy 8.2 'Planning Obligations' of the London Plan (FALP 2015) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees. The comments received indicate the need for the following contributions or planning obligations to mitigate the impact of the development.

Non-monetary contributions:

- . Affordable Housing: Eight shared ownership units comprising five studios and three 1-bed units. Five of these units shall be wheelchair accessible and three shall be wheelchair adaptable.

- . Affordable Housing Review Mechanism

- . Highways Works S278/S38.

- . A Servicing Management Plan is required to be submitted and approved in writing by the LPA prior to first occupation. The Servicing Management Plan should detail how the development will be serviced and managed on a daily basis and to utilise joint servicing to minimise disruption along the adjacent highway.

- . A full and formal Travel Plan with associated bond is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.

- . A restriction preventing future residents from applying for parking permits within the Parking Management Areas in the vicinity of the site.

Monetary contributions:

- . Construction Training: either a contribution equal to the formula ( $\text{£}2,500 \text{ for every } \text{£}1\text{m build cost} + \text{number of units}/160 \times \text{£}71,675$ ) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered.

- . Public Realm improvements, to cover but not to be limited to the works identified within the PERS audit:  $\text{£}100,000$ .

- . Project Management & 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.

The proposal would also be liable for the London Borough of Hillingdon CIL and the Mayor of London's CIL, as the scheme provides 73 new residential units. This would be collected by the Council after implementation (if permission were to be granted) and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

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

There are no referable enforcement issues relating to this site.

#### **7.22 Other Issues**

##### **TELEVISION AND COMMUNICATION INTERFERENCE**

If the development is consented, a certain amount of disruption and disturbance to neighbouring residents and commercial occupiers would be unavoidable. In order to ensure that any disruption and disturbance is kept to an absolute minimum a Construction Environment Management Plan (CEMP) would be secured by condition to protect the amenities of neighbouring residents and business occupiers during the period of works. This would cover issues with respect to: noise, air quality, dust, smoke, odour vibration and TV reception. Further to this, a Construction Management Plan covering issues regarding parking of vehicles of site operatives, loading and unloading of plant and materials, and storage of plant and materials shall also be secured by condition.

### **8. Observations of the Borough Solicitor**

#### **General**

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

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

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

#### **Planning Conditions**

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

#### **Planning Obligations**

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

the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

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

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

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

#### **9. Observations of the Director of Finance**

None.

#### **10. CONCLUSION**

The redevelopment of Fassnidge Dining Hall will replace a derelict and outdated portacabin building which represents a visual blight in this section of Harefield Road with a high quality building comprising 73 self contained residential units. The development makes better and more efficient use of this previously developed site in comparison with the consented scheme. It is considered that this is an adequate location for a car free development. The scheme would provide affordable units helping to meet the housing needs of the local area whilst the planning contributions would meet key infrastructure priorities in the area, including a significant improvement to the land and foot path alongside The Cedars Car park.

The proposal in terms of its appearance is similar to the previous consented scheme. It is considered to be of an appropriate design and scale that would not be out of character with the appearance of the area due to careful design and use of compatible materials that will ensure it is visually integrated in its surroundings. Furthermore it would effectively address its location through the use of stepped taller elements and distinct stepped design which adds rhythm to the new urban edge whilst successfully and contextually distributing the scale and mass within the site.

Overall, the development would strongly reflect the 12 core principles of sustainable development as set out in the NPPF. The application scheme meets the strategic policy objectives of the London Plan as well as the aims and objectives of Local Council Policy.

It is therefore recommended that planning permission be granted subject to conditions and

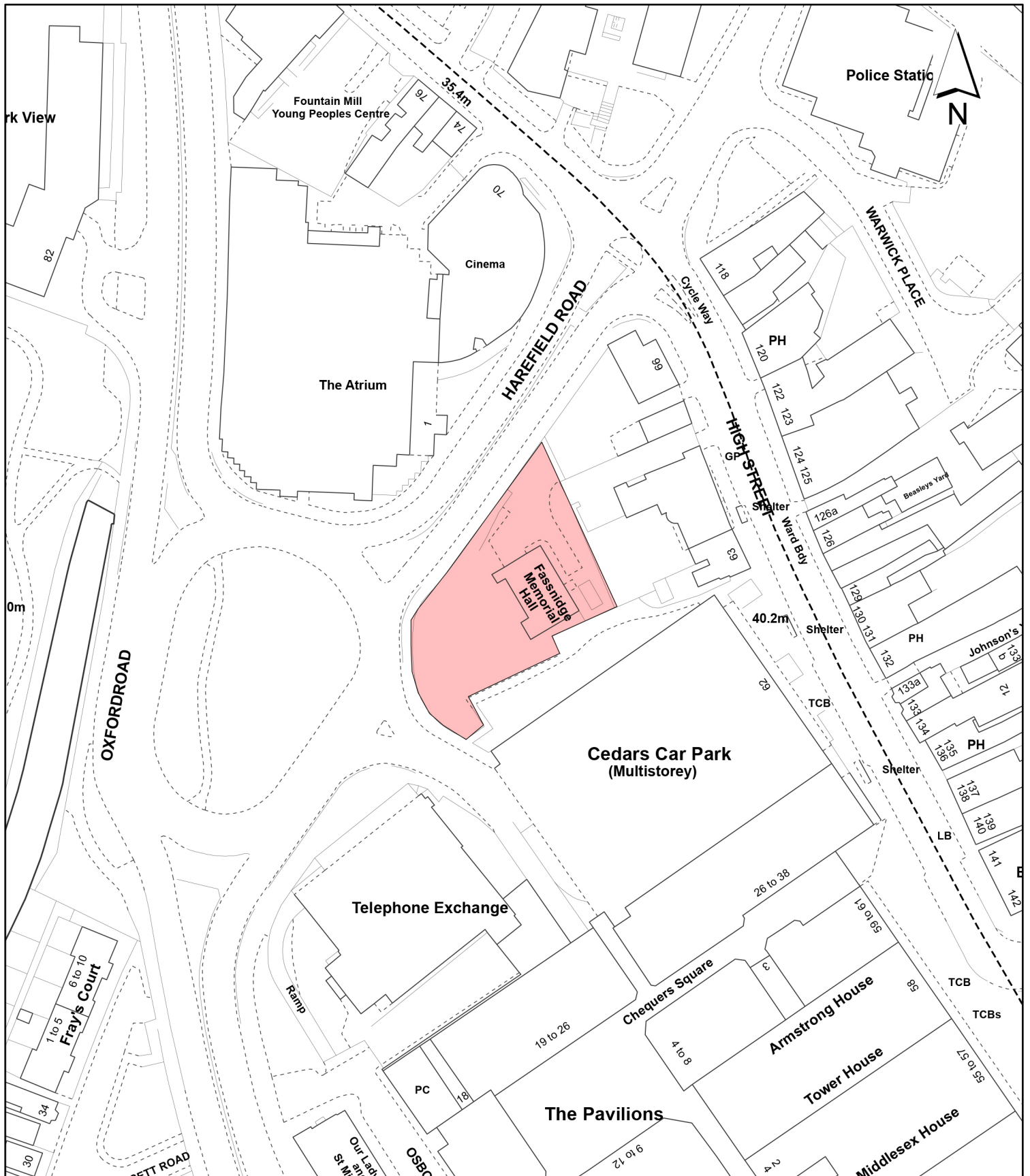
the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure the items referred to in section 7.20 of the report.

## **11. Reference Documents**

The Hillingdon Local Plan: Part 1 - Strategic Policies (8th November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (FALP 2015)  
National Planning Policy Framework (2012)  
Technical Housing Standards - Nationally described space standards (2015)  
Council's Supplementary Planning Guidance - Air Quality  
Council's Supplementary Planning Guidance - Community Safety  
Council's Supplementary Planning Guidance - Land Contamination  
Council's Supplementary Planning Document - Accessible Hillingdon  
Council's Supplementary Planning Document - Affordable Housing  
Council's Supplementary Planning Document - Noise  
Council's Supplementary Planning Document - Planning Obligations  
The Mayor's Housing Supplementary Planning Guidance

**Contact Officer:** Richard Conroy

**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:

**Fasnidge Memorial Hall  
 R/O High Street  
 Uxbridge**

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

Planning Application Ref:  
**12156/APP/2015/4166**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**March 2016**



**HILLINGDON**  
 LONDON