

Report of the Head of Planning, Sport and Green Spaces

Address 21 HIGH STREET YIEWSLEY

Development: Variation of condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675, dated 31/07/2014 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works) for the subdivision of approved Unit 51 to create two studio units together with the extension of the floorplate at Unit 51 only.

LBH Ref Nos: 26628/APP/2016/462

Drawing Nos: Planning Statement
5377/30/03 NMA04 Rev P1 Canal Side Elevation
5377/11/07 NMA 04 Rev P1 Roof Plan
5377/P/403 Rev P1 Proposed Plans Level 4
5377/30/02 NMA04 Rev P1 Union Wharf Elevation
5377/P/401 Rev P1 Proposed Plans Levels 1-3
5377/P/203 Rev P1 Proposed Plans Level 0 Plan
5377/11/05 NMA 04 Rev P1 Level 5 Plan
5377/30/00 NMA04 Rev P1 High Street Elevation
5377/30/01 NMA04 Rev P1 Bentnick Road Elevation
Location Plan

Date Plans Received: 05/02/2016

Date(s) of Amendment(s):

Date Application Valid: 05/02/2016

1. SUMMARY

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

This application seeks permission to vary condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675 to allow for the subdivision of approved two-bed unit (Unit 51) to create two studio units together with the extension of the floorplate at Unit 51 only.

The extension and subdivision of Unit 51 to create an additional unit is considered to be acceptable in principle and would not cause harm to the character and appearance of the building, the street scene or the surrounding area. The proposal would also not cause harm to residential amenity with adequate levels of internal floor space and external amenity space.

The proposed scheme complies with Policies BE13, BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan

(2015). The application is therefore recommended for approval.

2. RECOMMENDATION

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

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

a) A Deed of Variation to the previously secured legal agreement under planning ref: 26628/APP/2014/675. This legal agreement previously secured:

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

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

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

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

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

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

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

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

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

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

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the legal agreement and any abortive work as a result of the agreement not being completed.

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

D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 01/07/16, or such other date as agreed by the Head of Planning and Enforcement, delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the

following reason:

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

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

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

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

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

Location Plan

5377/P/203 Rev P1 Proposed Plans Level 0 Plan
5377/P/401 Rev P1 Proposed Plans Levels 1-3
5377/P/403 Rev P1 Proposed Plans Level 4
5377/11/05 NMA 04 Rev P1 Level 5 Plan
5377/11/07 NMA 04 Rev P1 Roof Plan
5377/30/00 NMA04 Rev P1 High Street Elevation
5377/30/01 NMA04 Rev P1 Bentnick Road Elevation
5377/30/02 NMA04 Rev P1 Union Wharf Elevation
5377/30/03 NMA04 Rev P1 Canal Side Elevation
270-01; Amenity Areas

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

REASON

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

3 COM5 General compliance with supporting documentation

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

The recommendations in the Planning Noise Assessment by Noise Solution Ltd February 2014, Ground levels indicated in the Topographical Survey by Site Visions Surveys Ltd,

recommendations in the Air Quality Assessment Bureau Veritas January 2014, recommendations in the Flood Risk Assessment and Drainage Strategy EAS February 2014, recommendations in the Transport Statement January 2014 EAS Transport Planning, Geo-Environmental Report Wde Consulting April 2014 & measures recommended in the Energy And Sustainability Statement OG Energy Ltd 23 March 2014, Fire Strategy Report, revision 3 (August 2015).

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

REASON

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

4 COM6 Levels

No development approved by this permission shall be carried out otherwise than in accordance with those details of levels approved via planning permission ref: 26628/APP/2015/1303 dated 21/10/2015.

REASON

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

5 NONSC Non Standard Condition

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

REASON

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

6 NONSC Non Standard Condition

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

REASON

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

7 RES22 Parking Allocation

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

REASON

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

8 NONSC Non Standard Condition

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

REASON

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

9 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with those details of balcony privacy screens approved via planning permission ref: 26628/APP/2016/1536 dated 05/05/2016.

REASON

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

10 COM7 Materials (Submission)

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

REASON

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

11 COM31 Secured by Design

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

REASON

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

12 RES16 Code for Sustainable Homes

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

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

REASON

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

13 NONSC Non Standard Condition

No development approved by this permission shall be carried out otherwise than in accordance with those details of BREEAM rating approved via planning permission ref: 26628/APP/2015/1611 dated 15/06/2015.

REASON

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

14 COM10 Tree to be retained

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

REASON

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

15 COM8 Tree Protection

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

REASON

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

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

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

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

2. Details of Hard Landscaping
 - 2.a Refuse Storage for the commercial and residential elements of the scheme
 - 2.b Means of enclosure/boundary treatments
 - 2.c Hard Surfacing Materials
 - 2.d External Lighting
 - 2.e Other structures (such as play equipment and furniture)

3. Living Walls and Roofs
 - 3.a Details of the inclusion of living walls and roofs
 - 3.b Justification as to why no part of the development can include living walls and roofs

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

5. Schedule for Implementation

6. Other
 - 6.a Existing and proposed functional services above and below ground
 - 6.b Proposed finishing levels or contours

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

REASON

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

17 NONSC Non Standard Condition

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

REASON

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

18 NONSC Non Standard Condition

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

REASON

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

19 NONSC Non Standard Condition

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

REASON

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

20 COM15 Sustainable Water Management

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

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

and maintenance plan.

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

iii. incorporate water saving measures and equipment.

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

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

21 NONSC Non Standard Condition

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

REASON

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

22 NONSC Non Standard Condition

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

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

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

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

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

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

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

REASON

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

23 NONSC Non Standard Condition

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

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (July 2015) Policy 7.14

24 NONSC Non Standard Condition

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

REASON

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

25 NONSC Non Standard Condition

The rating level of noise emitted from plant equipment, car stackers and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The

noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON

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

26 NONSC Non Standard Condition

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

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

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

REASON

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

27 COM21 Sound insulation /mitigation

The development shall not begin until a scheme for the control of noise transmission from the commercial premises to the residential units has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON:

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

28 COM25 Loading/unloading/deliveries

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

[0800 and 1800] Mondays - Fridays

[0800 and 1300] Saturdays

Not at all on Sundays, Public or Bank Holidays.

REASON

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

29 COM22 Operating Hours

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

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
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
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street

	furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
S12	Service uses in Secondary Shopping Areas
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
S6	Change of use of shops - safeguarding the amenities of shopping areas
R1	Development proposals in or near areas deficient in recreational open space
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
LPP 2.7	(2015) Outer London: economy
LPP 2.15	(2015) Town Centres
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 3.8	(2015) Housing Choice
LPP 3.9	(2015) Mixed and Balanced Communities
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 4.7	(2015) Retail and town centre development
LPP 4.8	(2015) Supporting a Successful and Diverse Retail Sector and relate

	facilities and services
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.13	(2015) Sustainable drainage
LPP 5.21	(2015) Contaminated land
LPP 6.9	(2015) Cycling
LPP 6.13	(2015) Parking
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.2	(2015) An inclusive environment
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.21	(2015) Trees and woodland
LPP 7.24	(2015) Blue Ribbon Network
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.6	(2015) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

3 115 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

4 158 Opportunities for Work Experience

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

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

5 159 Councils Local Plan : Part 1 - Strategic Policies

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

6 11 Building to Approved Drawing

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

7 12 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.

8 121 Street Naming and Numbering

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

9 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

10 I48 **Refuse/Storage Areas**

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

11 I60 **Cranes**

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

12

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

13

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

14

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>). "The applicant is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team (nick.pogson@canalrivertrust.org.uk).

15

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

16

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

3. CONSIDERATIONS

3.1 Site and Locality

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

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

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

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

3.2 Proposed Scheme

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

This application seeks permission to vary condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675 to allow for the subdivision of an approved two-bed unit (Unit 51) to create two studio units together with the extension of the floorplate at Unit 51 only. Unit 51 is located on the top floor of the building next to the roof garden.

The approved scheme is currently under construction.

3.3 Relevant Planning History

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

Decision: 19-08-1979 Approved

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

(Outline application).

Decision: 14-10-2008 Withdrawn

26628/APP/2009/2284 21 High Street Yiewsley

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

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

26628/APP/2009/557 Harrier House, 21 High Street Yiewsley

Redevelopment of site for mixed use development comprising a 46 unit apartment hotel, 1,344sq metres of office space, with associated access, car parking and landscaping (Outline application)

Decision: 06-07-2009 Refused

26628/APP/2010/1382 21 High Street Yiewsley

Use of site as a 65 space car park for a temporary period of 2 years.

Decision: 08-09-2010 Approved

26628/APP/2013/2604 21 High Street Yiewsley

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

Decision: 10-12-2013 Approved

26628/APP/2014/675 21 High Street Yiewsley

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

Decision: 31-07-2014 Approved

26628/APP/2015/1054 21 High Street Yiewsley

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

works)

Decision: 06-05-2015 Approved

26628/APP/2015/1192 21 High Street Yiewsley

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

Decision: 23-11-2015 Approved

26628/APP/2015/1193 21 High Street Yiewsley

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

Decision: 20-11-2015 Approved

26628/APP/2015/1303 21 High Street Yiewsley

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

Decision: 21-10-2015 Approved

26628/APP/2015/1385 21 High Street Yiewsley

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

Decision: 06-05-2015 Approved

26628/APP/2015/1513 21 High Street Yiewsley

Details pursuant to Condition 19 (Surface Water) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 5 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units (Use

Class A1) and one restaurant/cafe (Use Class A3) with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works)

Decision: 15-06-2015 Approved

26628/APP/2015/1611 21 High Street Yiewsley

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

Decision: 15-06-2015 Approved

26628/APP/2015/1888 21 High Street Yiewsley

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

Decision: 12-10-2015 Approved

26628/APP/2015/2048 21 High Street Yiewsley

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

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

Decision: 11-09-2015 Approved

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

Details pursuant to condition 22 parts (a) and (b) (Contamination) of planning permission ref: 26628/APP/2014/675, dated 31 July 2014 (Erection of part 4, part 5 storey building to provide 5

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

Decision: 24-02-2015 Approved

26628/APP/2015/2387 21 High Street Yiewsley

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

Decision:

26628/APP/2015/2742 21 High Street Yiewsley

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

Decision: 21-10-2015 Approved

26628/APP/2015/4284 21 High Street Yiewsley

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

Decision: 02-02-2016 Approved

26628/APP/2015/4299 21 High Street Yiewsley

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

Decision: 28-04-2016 Approved

26628/APP/2015/4612 21 High Street Yiewsley

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

Decision:

26628/APP/2015/4622 21 High Street Yiewsley

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

Decision: 08-03-2016 Approved

26628/APP/2016/288 21 High Street Yiewsley

Non-material amendment to planning permission ref: 26628/APP/2014/675, dated 31/07/14 (Erection of part 4, part 5 storey building to provide 51 self-contained residential units (22 x 1 bedroom and 29 x 2 bedroom) and two retail units Use Class A1 and one restaurant/cafe Use Class A3 with 53 car parking spaces, 3 motorcycle spaces and 51 cycle parking spaces, communal and private amenity areas and landscaping works) for the rearrangement of the car parking layout at Level 0 to provide an additional space and additional commercial waste store.

Decision:

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

Alterations to elevation (P)

Decision: 18-08-1979 Approved

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

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

Decision: 28-01-1982 Approved

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

Details in compliance with 26628/811306(P)

Decision: 06-10-1982 Approved

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

Details in compliance with 26628/811306(P)

Decision: 26-11-1982 Approved

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

Details in compliance with 26628/811306(P)

Decision: 07-02-1983 Approved

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

T P PRE - CORRES: REDEVELOPMENT OF SITE

Decision:

Comment on Relevant Planning History

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

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

Part 2 Policies:

- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- SPD-PO Planning Obligations Supplementary Planning Document, adopted July 2008
- SPG-AQ Air Quality Supplementary Planning Guidance, adopted May 2002
- SPG-CS Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
- 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
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with

	disabilities in development schemes through (where appropriate): -
	(i) Dial-a-ride and mobility bus services
	(ii) Shopmobility schemes
	(iii) Convenient parking spaces
	(iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
S12	Service uses in Secondary Shopping Areas
H4	Mix of housing units
OE1	Protection of the character and amenities of surrounding properties and the local area
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
S6	Change of use of shops - safeguarding the amenities of shopping areas
R1	Development proposals in or near areas deficient in recreational open space
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 2.7	(2015) Outer London: economy
LPP 2.15	(2015) Town Centres
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 3.8	(2015) Housing Choice

LPP 3.9	(2015) Mixed and Balanced Communities
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 4.7	(2015) Retail and town centre development
LPP 4.8	(2015) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.13	(2015) Sustainable drainage
LPP 5.21	(2015) Contaminated land
LPP 6.9	(2015) Cycling
LPP 6.13	(2015) Parking
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.2	(2015) An inclusive environment
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.21	(2015) Trees and woodland
LPP 7.24	(2015) Blue Ribbon Network
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.6	(2015) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th March 2016**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 97 local owners/occupiers and a site notice was displayed. No responses were received.

Internal Consultees

Highways:

Under the previously approved scheme ref. 26628/APP/2014/675 (see condition. 7), 3 car parking spaces were required for the commercial element and the remaining car parking spaces allocated to 51 residential flats.

There is no information provided under this application on how car parking will be allocated on the amended scheme. Unless the outstanding issues are satisfactorily resolved, the application cannot be supported.

Officer comments:

Condition 7 (parking allocation) on the original planning permission required details of a parking allocation scheme to be provided prior to occupation. No application to discharge condition 7 has been submitted at the time of this report.

Section 106 Officer:

A deed of variation will be required.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The use of the site as a mixed residential and commercial development was considered acceptable in principle at the time of the original planning application (ref: 26628/APP/2014/675). The proposal seeks to extend the floorplate at the approved two-bed unit (Unit 51) and subdivide the unit to create two studio units. There is no objection in principle to the extension and subdivision of Unit 51 to create an additional unit subject to compliance with the relevant Policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

The density of the proposed development was considered to be acceptable at the time of the original planning application (ref: 26628/APP/2014/675) and would not be significantly impacted by the extension and conversion of a two-bed unit into two studio units.

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

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

7.04 Airport safeguarding

All relevant authorities were consulted on the original planning application (ref: 26628/APP/2014/675) and no objections were raised in relation to airport safeguarding. The subdivision of an approved two-bed unit into two studio units would not impact on airport safeguarding.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires the appearance and layout of developments to harmonise with the existing street scene and the surrounding area.

The proposed scheme would subdivide an approved two-bed unit (Unit 51) into two studio units together with the extension of the floorplate at Unit 51 only. The extension to Unit 51

would be relatively small in scale and would appear as a subordinate addition to the building and of an appropriate design to the rest of the building.

It is considered that the proposed extension and the subdivision of Unit 51 would not detrimentally impact on the character and appearance of the building, the street scene or the surrounding area, thereby complying with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area. The impact of the mixed use development on neighbours was considered to be acceptable at the time of the original planning application (ref: 26628/APP/2014/675). The subdivision of an existing two-bed unit into two studio units would not detrimentally impact on residential amenity of neighbouring properties and would comply with Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Internal Floor Space:

Policy 3.5 of the London Plan (2015) states that studios should be provided with a minimum of 37sq.m of internal floor space. The proposed scheme would subdivide an existing two-bed unit (72.28sq.m) in order to provide two studio units with an internal floor space of 37.11sqm and 38.29sq.m. The two proposed studio units would therefore comply with Policy 3.5 of the London Plan (2015).

External Amenity Space:

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that adequate external amenity space is retained for residential properties whilst the Council's HDAS: Residential Layouts SPD sets out recommended external amenity space standards. The original planning permission (ref: 26628/APP/2014/675) provided 1.165sq.m of external amenity space through the provision of balconies to the flats and a roof garden, which exceeded the amenity standards set out the HDAS: Residential Extensions.

The floorplate of Unit 51 would be extended on the north-western side of the unit and the balcony would be extended and subdivided for the two proposed studio units. The proposal would not impact on the amount of amenity space provided by the roof garden. The amount of external amenity space for the overall development would be increased and so the proposed scheme would comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Layouts SPD.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that developments should comply with the Council's Car Parking Standards. The original application provided 53 parking spaces for the development; 3 parking spaces for the commercial uses and 50 parking spaces for the 51 residential units. Condition 7 of the original planning permission (ref: 26628/APP/2014/675) requires the provision of a parking allocation scheme for the residential units prior to occupation.

The proposed scheme would subdivide an existing two-bed unit into two studio flats, providing a total of 52 residential units within the development. Although an additional residential unit would be provided, no additional parking spaces are proposed as part of this

Section 73 application.

Due to the site's location within a 3 PTAL area and proximity to West Drayton Station, and considering the original application did not provide residential parking on a one for one basis, the lack of a parking space for the additional residential unit would not be a sufficient reason for refusal. Parking allocation for the residential units can be dealt with through Condition 7, which would be added to any consent granted.

The proposal is therefore considered to be acceptable in regards to Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Urban Design:

See Section 7.07 of this report.

Access and Security:

Issues relating to access and security were addressed as part of the original planning application (ref: 26628/APP/2014/675) and a Secure by Design condition was included on the planning permission. It is considered that the proposed subdivision of one of the units to provide an additional unit would not impact on access and security.

7.12 Disabled access

Accessibility measures were previously approved under the original application (ref: 26628/APP/2014/675). It is not considered that the proposed subdivision of one of the units would impact on the previously approved accessibility measures.

7.13 Provision of affordable & special needs housing

The approved scheme (ref: 26628/APP/2014/675) required the provision of five affordable housing units as part of the S106 Legal Agreement. The Council's Section 106 Officer requires a Deed of Variation to the original S106 Legal Agreement in order to re-secure the affordable housing planning obligation agreed under the original planning permission.

7.14 Trees, Landscaping and Ecology

Issues relating to landscaping were addressed as part of the original application (ref: 26628/APP/2014/675) and a landscaping condition was included on the planning permission. The proposed subdivision of one of the units would not impact on landscaping.

7.15 Sustainable waste management

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

7.16 Renewable energy / Sustainability

Issues relating to energy and sustainability were addressed as part of the original application (ref: 26628/APP/2014/675) and a number of conditions relating to energy and sustainability were included on the planning permission. The proposed subdivision of one of the units would not impact on energy and sustainability.

7.17 Flooding or Drainage Issues

Issues relating to flooding and drainage were addressed as part of the original application (ref: 26628/APP/2014/675) and conditions relating to surface water and sustainable water management were included on the planning permission. The proposed subdivision of one of the units would not impact on flooding or drainage.

7.18 Noise or Air Quality Issues

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

7.19 Comments on Public Consultations

No responses were received during the public consultation.

7.20 Planning Obligations

The original planning application (ref: 26628/APP/2014/675) was subject to a legal agreement and the Mayor's Community Infrastructure Levy (CIL).

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

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

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

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

This application seeks permission to vary condition 2 (Approved Plans) of planning permission ref: 26628/APP/2014/675 to allow for the subdivision of approved Unit 51 to create two studio units together with the extension of the floorplate at Unit 51 only.

The extension and subdivision of Unit 51 to create an additional unit is considered to be acceptable in principle and would not cause harm to the character and appearance of the building, the street scene or the surrounding area. The proposal would also not cause harm to residential amenity with adequate levels of internal floor space and external amenity space.

The proposed scheme complies with Policies BE13, BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (2015). The application is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

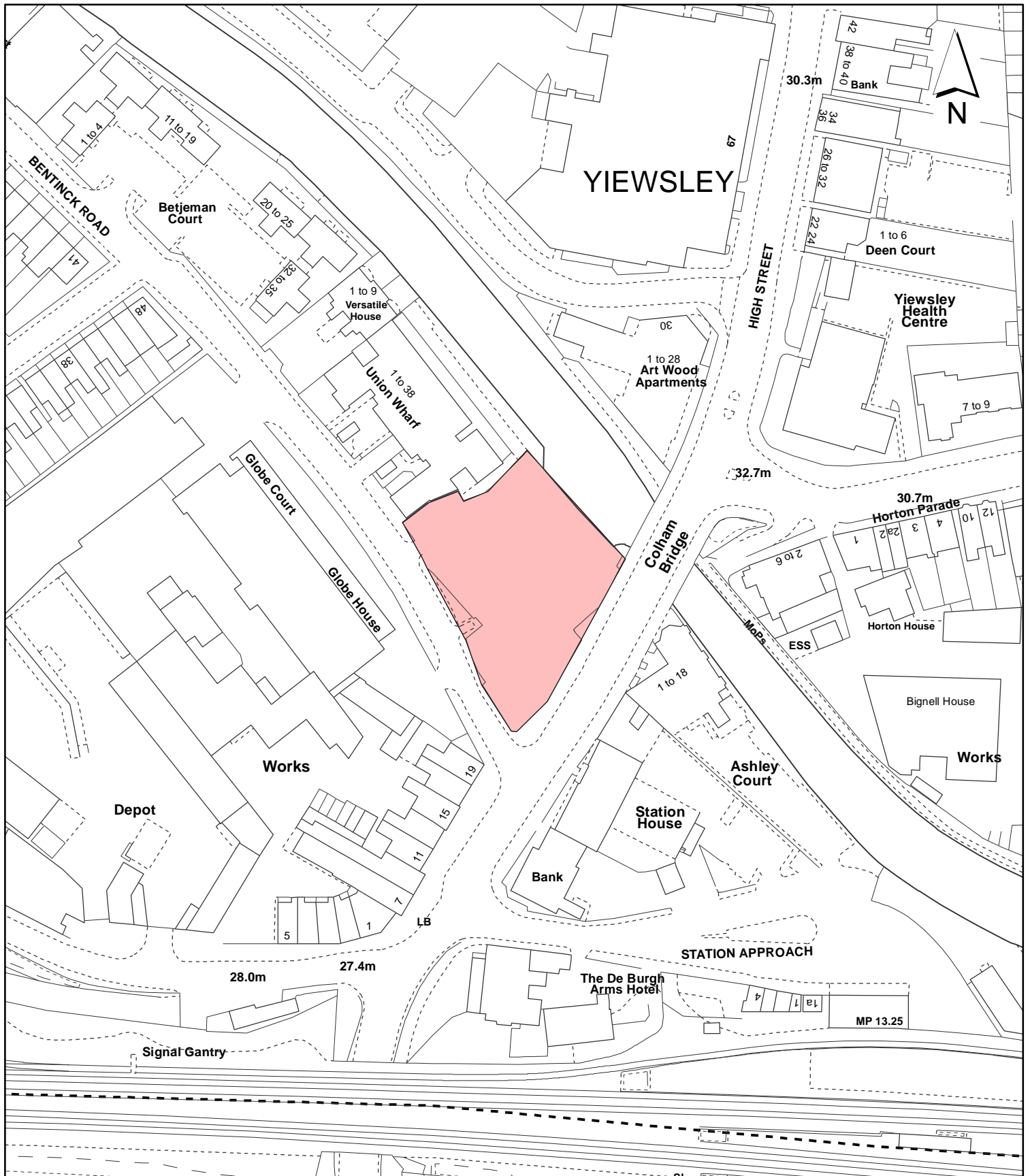
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

London Plan

National Planning Policy Framework

Contact Officer: Katherine Mills

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Notes:

 Site boundary

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**LONDON BOROUGH
 OF HILLINGDON**
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 Planning Section

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 Telephone No.: Uxbridge 250111

Planning Application Ref:

26628/APP/2016/462

Scale:

1:1,250

Planning Committee:

Major

Date:

May 2016



HILLINGDON
 LONDON