

Report of the Head of Planning, Sport and Green Spaces

Address WATERLOO WHARF WATERLOO ROAD UXBRIDGE

Development: Demolition of existing buildings. Erection of 4 storey building containing 52 apartments and commercial unit together with associated car parking, access and landscaping.

LBH Ref Nos: 43016/APP/2016/2840

Drawing Nos:

- 209-PL-301-02: Proposed East Elevation (1:200)
- 209-PL-302-02: Proposed South & West Elevations (Flat) (1:200)
- 209-PL-303-02: Proposed North & East Elevations (Flat) (1:200)
- 209-PL-310-02: Proposed Grand Union Canal Elevation (1:250)
- 209-PL-400-02: Proposed Site Section (1:200)
- 209-PL-011-03: Existing Site Plan (1:500)
- 209-PL-030-00: Existing Elevations - Building A Sheet 1 (1:200)
- 209-PL-031-00: Existing elevations - Building A Sheet 2 (1:200)
- 209-PL-050-00: Demolition Site Plan (1:500)
- 209-PL-100-05: Proposed Site Plan (1:500)
- 209-PL-200-05: Proposed Ground Floor Plan (1:200)
- 209-PL-201-05: Proposed First Floor Plan (1:200)
- 209-PL-202-05: Proposed Second Floor Plan (1:200)
- 209-PL-203-05: Proposed Third Floor Plan (1:200)
- 209-PL-204-04: Proposed Roof Plan (1:200)
- 209-PL-300-02: Proposed West Elevation (1:200)
- 209-PL-010-01: Site Location Plan (1:1250)
- 209-PL-032-00: Existing Elevations Buildings B & C (1:200)

Date Plans Received: 22/07/2016 **Date(s) of Amendment(s):** 22/07/2016
Date Application Valid: 25/07/2016

DEFERRED ON 17th October 2016 FOR SITE VISIT .

This application was deferred at the Majors Planning Committee on 4th October 2016 for a Members site visit. The Committee Addendum Items from the 4th October 2016 meeting have been incorporated into this revised report.

Since the previous Committee meeting the applicant has not revised the plans but has submitted further visual information to clarify the proposals. A 3D model shows the width and extensive footprint and height of the existing warehouse resulting in significant site coverage and bulk, compared with the substantially set back and visually better proportioned building allowing for both new areas of landscaping and canal side amenity to enhance the site in the Conservation Area. In response to Members comments about the height of the gables, a section through this part of the scheme has been prepared, illustrating the comparative heights with the existing building. The gable design is an architectural feature only as a response to the wharf style of design and does not provide any habitable accommodation. The building is only one habitable storey higher than the existing height of the warehouse building.

1. SUMMARY

Planning permission is sought for demolition of existing buildings and redevelopment to provide a 4 storey building containing 52 flats (3 x studios, 26 x 1 bedroom, 19 x 2

bedroom, and 4 x 3 bedroom units) and a commercial unit with associated car parking, access and landscaping.

In terms of principle of development, there is both Local Plan and London Plan support for the release of surplus industrial land to provide more housing where appropriate. Evidence demonstrates that Hillingdon Borough has a surplus of employment land at present. The proposal includes 52 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy. In addition, the proposal would retain an employment offer in the form of an office block on the southern end of the site. In terms of employment, office uses generally provide a higher level than timber yards or warehousing. Therefore, the development is considered to also safeguard employment opportunities within the site.

The proposal is considered to have addressed the previous reasons for refusal. Specifically, in relation to its design, built form, and scale. The new building is well designed and will make a positive contribution to the location and surrounding area, in particular, it would be sympathetic to the character and appearance of the Uxbridge Moor Conservation Area and settings of the Statutory Listed Public House opposite and the Locally Listed boat yard adjacent to the site.

The proposal would be considered to sit comfortably within the site and it includes significant improvements to the canal setting, such as a well landscaped garden with trees, hedges, and plants that would also improve ecology. Opposite the site, a financial contribution has been offered to secure tow path/access improvements to the canal. To the rear of the site, adjoining residential properties along Waterloo Road, appropriate green buffer landscaping has been provided.

The building has been positioned away from neighbouring properties and its height and bulk can be satisfactorily accommodated in this location without appearing overbearing on the surrounding area or unacceptably detracting from the amenities of adjoining occupiers by reason of loss of light, privacy or outlook. The Council's Conservation and Urban Design Officer has reviewed the proposal and considers that it would be acceptable in design terms, subject to a condition to secure appropriate materials.

The proposal has also addressed the previous shortfall in parking provision by increasing the level from 0.7 to 1 parking space per unit. The Council's Highway Engineer is satisfied with the parking arrangements, along with the improvements to the access, which should further alleviate traffic at the junction between Waterloo Road and Rockingham Road.

Overall, the development would 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 recommended that the application be approved subject to conditions and the satisfactory completion of a S106 Legal Agreement securing on site Affordable Housing, Canalside Improvements, Carbon Fund Contribution, Highway Works, and contributions towards 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: 5 units (1 x 3 bed, 2 x 2 bed, and 2 x 1 bed).

ii) Affordable Housing Review Mechanism: The legal agreement shall provide for the Council to review the finances of the scheme at a set time in order to ensure that the maximum amount of affordable housing is being sought.

iii) S278/S38 agreement to secure access and pavement modifications.

iv) Travel Plan with £20,000 bond.

v) Noise Attenuation Scheme for the Uxbridge Boat Centre: This scheme shall be agreed by the Local Planning Authority and the land owner of the boat yard (Canal & River Trust). Once completed, another Environmental Noise Assessment shall be carried out to confirm that the upgrades to the Boat yard and dry dock area as detailed in Environmental Noise Assessment Ref: M3130HH (e.g. new acoustic shutters, upgraded external walls and suitable enhanced roof) and Noise Attenuation Scheme have protected the proposed development. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

Monetary contributions:

vi) 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.

vii) Canalside Improvement: The Canals and Rivers Trust seeks a contribution of £30,000 towards towpath and access improvements for opposite the proposed development site.

viii) Carbon Fund Contribution: Financial contribution of £29,621 towards provision of off site carbon reduction measures shall be secured.

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 26th April 2017 (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, affordable housing, and construction training). The proposal therefore conflicts with policies AM7 and R17 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and the Council's Planning Obligations SPD and Air Quality SPG, and the London Plan (2016).'

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 referenced below and shall thereafter be retained/maintained for as long as the development remains in existence:

- 209-PL-010-01: Site Location Plan (1:1250)
- 209-PL-011-03: Existing Site Plan (1:500)
- 209-PL-030-00: Existing Elevations - Building A Sheet 1 (1:200)
- 209-PL-031-00: Existing Elevations - Building A Sheet 2 (1:200)
- 209-PL-032-00: Existing Elevations - Buildings B & C (1:200)
- 209-PL-050-00: Demolition Site Plan (1:500)
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REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (2012) and the London Plan (2016).

3 COM5 General compliance with supporting documentation

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

- Schedule of Accommodation - Rev 4 (WaM)
- Arboricultural Statement and Tree Condition Survey (Ruskins)
- Environmental Noise Assessment v2 (Ian Sharland)
- Supplementary Assessment of Canalside Noise - Interim Report (Ian Sharland)
- Transport Statement & Appendices (Entran)
- Drainage Strategy (Curtins)
- SuDs Drainage Operations and Maintenance Manual (Curtins)
- Flood Risk Assessment & Appendices (Curtins)
- FRA Review (Lanmor Consulting)
- Flood Evacuation Plan (Lanmor Consulting)
- Geo-Environmental Site Appraisal, Phase 1 - Detailed Desk Top Study (Curtins)
- Geoarchaeological Monitoring of Evaluation Trenches (ARCA - Dept of Archaeology, University of Winchester)
- Energy & Sustainability Statement (Bluesky Unlimited)
- DAS and DAS Addendum V2 (WaM)

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (2012) and the London Plan (2016).

4 OM19 Demolition and 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 (please refer to informative I15).
- (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 policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

5 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

6 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

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

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Details of continued on site monitoring and supervision of tree protection measures by an arboricultural consultant.

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 2 - Saved UDP Policies (2012).

7 RES9 Landscaping (including treatment for defensible space)

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 All ornamental and ecological planting (at not less than a scale of 1:100),
 - 1.b Replacement tree planting to compensate for the loss of existing trees,
 - 1.c Written specification of planting and cultivation works to be undertaken,
 - 1.d Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Means of enclosure/boundary treatments, including details of the screening required for the defensive space at the front, side and rear of flats to ensure the privacy of these residents.
 - 2.b Hard Surfacing Materials
 - 2.c Other structures (such as gates, steps, ramps, retaining walls and chains/treatment to provide defensible space to ground floor units)
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 approved details shall be implemented prior to first occupation of the flats in full accordance with the approved details and shall be retained thereafter.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and contributes to a number of objectives in compliance with policies BE13 and BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012), and policy 5.17 (refuse storage) of the London Plan (2016).

8 NONSC Items of Heritage/Visual Amenity Interest to be retained

The 'Pill Box', the railings along the canal bridge, and the Waterloo Wharf stone plaque shall be retained and repaired/made good.

REASON:

To safeguard the heritage value/amenity of the area, in accordance with policies BE4, BE13, BE15, and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policies BE1 and HE1 of the Local Plan: Part 1: Strategic Policies (Nov 2012); policies 7.4, 7.6, 7.8, and 7.9 of the London Plan (2016); and chapter 12 of the National Planning Policy Framework (2012).

9 NONSC HE Recording Level 2

Prior to commencement of development (including any demolition works) recording of the building to Historic England Level 2 shall be completed, submitted, and approved in writing by the Local Planning Authority (LPA). The scope of recording is to be agreed with the LPA prior to the commencement of demolition. Copies of the final documents are to be made available to the LPA, Local History Library and Historic England.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with policies BE8, BE9, BE10, BE11 and BE12 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 7.8 of the London Plan (2016); and National Planning Policy Framework (2012).

10 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 follow the strategy set out in 'Flood Risk Assessment', produced by Curtains dated 19th July Rev 3.

The scheme shall clearly demonstrate how it, Manages Water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Capacity of Receptors

- i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.

c) Minimise water use.

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and grey water will be recycled and reused in the development.

d) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan
- ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).
- iii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
- iv. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

f) From commencement on site

- i. How temporary measures will be implemented to ensure no increase in flood risk from commencement on site including any clearance or demolition works.

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 there is no increase in the risk of flooding, and to ensure water is handled as close to its source as possible in accordance with policy EM6 Flood Risk Management of the Hillingdon Local Plan: Part 1- Strategic Policies (2012), policies 5.12 'Flood Risk Management', 5.13 'Sustainable Drainage', and 5.15 'Water use and supplies' of the London Plan (2016) and to the National Planning Policy Framework.

11 NONSC Waterway Wall Survey

Prior to the commencement of the development hereby approved a survey of the condition of the waterway wall, and a method statement and schedule of any repairs identified to be required to support the development shall be submitted to and approved in writing by the Local Planning Authority. Any heritage features and materials identified by the survey shall be made available for inspection and where appropriate, preserved in-situ or reclaimed and re-used elsewhere. Any repair works identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

REASON

In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity, in accordance with policies 7.4, 7.6, 7.24, 7.25, 7.26, 7.27, and 7.28 of the London Plan (2016).

12 NONSC Risk Assessment and Method Statement

Prior to the commencement of the development hereby approved a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal must be submitted and approved in writing by the Local Planning Authority.

REASON

To ensure the proposed construction works do not have any adverse impact on the safety of waterway users and the integrity of the canal, in accordance with policies 7.24, 7.25, 7.26, 7.27, and 7.28 of the London Plan (2016).

13 NONSC Surface Water

No development shall take place until details of surface water drainage into the Grand Union Canal are submitted and agreed in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

REASON

To protect the waterway from contamination during construction and operational phases of the proposed development, in accordance with policies 7.21, 7.24, 7.25, 7.26, 7.27, and 7.28 of the London Plan (2016).

14 RES26 Contaminated Land

(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

(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.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted 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 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 2 - Saved UDP Policies (2012) and policy 7.21 of the London Plan (2016).

15 NONSC Flood Mitigation

Prior to occupation, details of the condition survey and the proposed remediation and works to capping and walls to ensure an appropriate flood defence shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, the proposed works shall be implemented and carried out in accordance with the approved details.

REASON

To safeguard future residents of the development from the risk of flooding, in accordance with policy EM6 Flood Risk Management of the Hillingdon Local Plan: Part 1- Strategic Policies (2012), policy 5.12 'Flood Risk Management' of the London Plan (2016) and to the National Planning Policy Framework.

16 NONSC Cycle Storage

The development shall not be occupied until 56 cycle parking spaces are provided in accordance with the approved plans for use by future occupiers. Thereafter, these cycle parking spaces shall be permanently retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure that the development provides a quantum of cycle parking in accordance with policy 6.9 of the London Plan (2016).

17 RES16 Car Parking

The development shall not be occupied until 54 car parking spaces (inclusive of 1 commercial car parking space), including 6 disabled bays, 12 electric charging bays with a further 12 bays with passive provision have been provided. Thereafter the parking bays/areas shall be permanently retained and used for no other purpose than the parking of motor vehicles associated with the consented residential units at the site.

REASON

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site and meet the objectives of policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and Chapter 6 of the London Plan (2016).

18 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 Chapter 6 of the London Plan (2016).

19 RES18 Accessible Homes/Wheelchair Units

10% of the units shall meet the standards for M4(3) 'wheelchair user dwellings' and the remainder shall meet the standards for M4(2) 'Accessible and adaptable dwellings' as set out in Approved Document M to the Building Regulations (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 (2016) and the National Planning Policy Framework (2012).

20 NONSC Outdoor Amenity Areas

Prior to occupation of the development, the outdoor amenity areas as hereby approved shall be provided for future use by residents. Thereafter, the amenity areas shall be retained in perpetuity for their use.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.1 of the London Plan (2016).

21 NONSC Details of Finish

Prior to commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority for the following:

- 1) Samples and where appropriate, manufacturer's details, of all external materials,

including roofing.

- 2) Detailed drawings at an appropriate scale of the elevational treatment of the building to illustrate the finish of porches, doorways, openings, coping/parapets, brickwork and cladding detailing
- 3) Details of the materials, construction, colour and design of all new external windows and doors.
- 4) Details of the design of the balconies, balustrades and handrails
- 5) The location, type, size and finish of plant, vents, flues, grills and downpipes/hoppers
- 6) Details of the external appearance and colour of the lift overrun and housing

The approved details shall be implemented and maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To safeguard the visual amenity of the area in accordance with policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012), policy BE1 of the Local Plan: Part 1 Strategic Policies (2012), and policies 7.4 and 7.6 of the London Plan (2016).

22 NONSC Noise mitigation for future occupiers

Prior to first occupation of the development, the construction of the west elevation should be increased to at least the following noise attenuation specifications, in order to ensure acceptable conditions internally when windows are closed:

- 1) External walls - A brick or masonry external leaf, with either masonry or timber frame inner leaf (as before)
- 2) Glazing to Living Rooms - 32 dB Rw + Ctr, e.g. 8/12/6 configuration
- 3) Glazing to Bedrooms - 38 dB Rw + Ctr, e.g. 6/16/8.8A configuration Min.
- 4) Ventilation Provision - Ventilation to these flats should be provided in the form of a MVHR system, capable of achieving 2 air changes per hour in habitable rooms, and thereby minimising the call for residents to open windows. The air should be drawn from the east elevation, which should be the quietest side of the building.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected, in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012), and policy 7.15 of the London Plan (2016)

23 NONSC Noise 2

Post completion of the development, another Environmental Noise Assessment shall be carried out to confirm that the sound insulation scheme and ventilation scheme as detailed in interim report Ref: M3130HH-S1 and the Environmental Noise Assessment Ref: M3130HH shall protect the proposed development from road traffic, noise from the General Elliot, noise from the boatyard and (other) noise. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic, noise from the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012), and policy 7.15 of the London Plan (2016).

24 NONSC Noise 3

The undersides of the balconies on the west elevation should have a sound-absorbing finish. Noise levels immediately behind these screens should be at least 5 dB above the WHO requirements. This level could be partially attenuated by the addition of an acoustically absorbent soffit to the balcony area (e.g. perforated board with a mineral fibre slab in the void above. Details of which should be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic, noise from the General Elliot and noise from the boatyard, and (other) noise in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012), and policy 7.15 of the London Plan (2016).

25 NONSC Archaeological WSI

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON

To safeguard any archaeological interest on the site, in accordance with policy HE1 of the Local Plan: Part 1: Strategic Policies (Nov 2012); policy 7.8 of the London Plan (2016); and chapter 12 of the National Planning Policy Framework (2012).

INFORMATIVE: Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure)(England) Order 2015.

26 NONSC Archaeological Foundation design

No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON

To safeguard any archaeological interest on the site, in accordance with policy HE1 of the Local Plan: Part 1: Strategic Policies (Nov 2012); policy 7.8 of the London Plan (2016); and chapter 12 of the National Planning Policy Framework (2012).

27 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 excising 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 (2016) Policies 7.1 and 7.3.

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 (2016) and national guidance.

H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
H9	Provision for people with disabilities in new residential developments
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional

	surface water run-off - requirement for attenuation measures
BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE33	Proposals for the establishment of residential moorings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
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
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
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LPP 4.1	(2016) Developing London's economy
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LPP 5.1	(2015) Climate Change Mitigation

LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 5.10	(2016) 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 5.14	(2015) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.13	(2015) Parking
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
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LPP 7.26	(2015) Increasing the use of the Blue Ribbon Network for freight transport
LPP 7.27	(2016) Blue Ribbon Network: supporting infrastructure and recreational use
LPP 7.28	(2015) Restoration of the Blue Ribbon Network
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.1	(2016) Implementation
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment

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 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.

5 115 **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.

6 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.

7 121 **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).

8 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 - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

9 145 **Discharge of Conditions**

Your attention is drawn to the pre-commencement conditions which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

10 148 **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 - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

11

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

12

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

13

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

14

The Council's Environmental Protection Unit (EPU) must be consulted for their advice when importing soil to the site.

15

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 and should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure or towpath at this location. Please visit <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-onour-property>

The applicant is advised that surface water discharge to the waterway 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).

The applicant/developer is advised that any oversail, encroachment or access to the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust regarding the required access agreement. For the Trust to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

16

You are advised that the Environment Agency recommends that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the contaminated land pages on GOV.UK for more information.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to land owned by British Waterways, known as Waterloo Wharf, currently occupied by Y. Goldberg & Sons Ltd who operate a timber yard from the site. The 0.32 hectare site is accessed from Waterloo Road and comprises a large warehouse building, a two-storey office building and a detached property at 80 Rockingham Road. None of these buildings are subject to any listings, or considered to be of significant heritage or architectural value.

The site is within the Uxbridge Moor Conservation Area. It is also opposite the Grade II Listed General Elliot Public House as well as the dry dock and boat yard which are on Hillingdon's Local List of Buildings of Architectural or Historic Importance.

Waterloo Wharf was one of earliest wharves in Uxbridge and had been continuously available for over two centuries. The adjacent Uxbridge Wharf was and still is principally devoted to boat building and repair.

The immediate area is characterised by the waterside industrial/commercial nature of the canal and wharf buildings, together with the suburban nature of inter-War housing.

The scale of the buildings to the east of the site are residential in nature, consisting of predominantly large two storey residential dwellings with a short run of three storey flats. To the north, there are a mixture of two to three storey residential, commercial and leisure buildings, including 'The Dolphin Public House'. To the west, there is the two storey Grade II Listed General Elliot Public House, whilst to the south the boatyard premises consist of single storey commercial buildings with a barrel roof.

Uxbridge Train Station is approximately 12 minutes walk from the application site, being served by both the Metropolitan and Piccadilly Lines. The application site is also served by a number of bus routes within approximately five minutes walk.

The site has a PTAL rating of 2, is located within an Air Quality Management Area (AQMA), and part of the site next to the canal is within Flood Zone 2/3.

3.2 Proposed Scheme

The proposal consists of the demolition of existing buildings and redevelopment to provide a 4 storey building containing 52 flats (3 x studios, 26 x 1 bedroom, 19 x 2 bedroom, and 4 x 3 bedroom units) and a commercial unit with associated car parking, access and landscaping.

The proposed building would be aligned roughly with the canal, but would bend around to align with the building line of Rockingham Road. Next to the boat yard to the south, the building has a three storey commercial unit. The main entrances to the residential and commercial elements of the building are from the car park on the eastern side of the site and would be step free.

The building would comprise three main parts joined by two interlinking sections and the commercial element on the southern side. The central part of the building would have 3 pitched roofs with gables facing westwards (towards the canal) and eastwards. The parts on either side would have a flat roof with ornate parapet wall, giving the development a warehouse/industrial appearance.

The main site access would remain from Waterloo Road to the North of the site for vehicles, cyclists and pedestrians. This would serve both the residential and commercial elements.

The scheme provides 53 car parking spaces for the residential units, including 6 for disabled users. The commercial element would have the use of 1 car parking space which would meet the standard for disabled parking. There would also be 56 secure cycle spaces conveniently located adjacent to the main entrance lobby. The refuse storage area is located at ground floor level near to the entrance of the site.

The landscape proposals enable the replacement of vast swathes of hard standing with a well considered and extensive, high quality landscape, particularly along the canal frontage, which would enhance the setting of the Uxbridge Moor Conservation Area. The proposals includes provision of 49 new trees with associated planting, hedges, soft and hard landscaping.

The landscape proposal for the rear of the site is a mix of new trees, hedges and lawn, to form a green landscaped buffer between the car parking area and the neighbouring properties. The existing brick wall along the rear of the site is to be retained and matching new part height and full height brick walls are to be added with hedges planted alongside

these new walls. The car parking and access are to be constructed with the use of permeable paving.

3.3 Relevant Planning History

43016/APP/2014/4486 Waterloo Wharf Waterloo Road Uxbridge

Erection of 2 blocks containing 53 one, two and three bedroom apartments, together with associated parking, access and landscaping, involving demolition of existing buildings.

Decision: 05-01-2016 Refused

43016/APP/2016/1975 Waterloo Wharf Waterloo Road Uxbridge

Erection of 48 flats in two blocks, with associated parking, new access, amenity space and landscaping, involving demolition of existing warehouse, offices and 80 Rockingham Road. (Revised plans and reports).

Decision:

43016/PRC/2014/40 3-5 Waterloo Road Uxbridge

Demolition of existing warehouse and office buildings and redevelopment for residential development.

Decision: 30-09-2014 OBJ

43016/PRC/2016/56 Waterloo Wharf Waterloo Road Uxbridge

Residential led mixed use development.

Decision:

Comment on Relevant Planning History

In 2003, two planning applications (13350/APP/2003/2427 and 13350/APP/2003/2428) relating to the site were refused at the same Planning Committee on 22nd December 2003. They both sought the erection of a part 3, part 4 storey block of 38, two-bedroom flats with associated car parking. These applications were refused for the following:

- Too dense and large resulting in an unduly intrusive, visually prominent development which failed to respect the character of the Conservation Area and Grand Union Canal;
- The siting and scale of the proposal would be detrimental to the setting of the Listed Building General Elliot Public House;
- Insufficient car parking;
- The existing site access could not accommodate the increased traffic;
- Noise and vibrations from the adjoining boatyard and dry dock could be unacceptable to future residents and cause operational problems for the boatyard operator;
- No contributions were offered for school places; and
- None of the units were offered as affordable housing.

On 5th February 2016, a subsequent application (ref: 43016/APP/2014/4486) seeking permission for the erection of 2 blocks containing 53 (one, two and three bedroom) apartments, together with associated parking, access and landscaping, involving demolition of existing buildings was refused for the following reasons:

1. The proposed development, by reason of its layout, scale, proportions and massing would result in an unduly intrusive, visually prominent and incongruous form of development, which fails to respect the established character of the Uxbridge Moor Conservation Area, the locally listed buildings contained within it and the grade II Listed General Elliott public house and fails to compliment the visual qualities of the Grand Union Canal and the visual amenities of the street. The proposal is therefore contrary to Policies BE4, BE13, BE19 and BE32 of the Saved Policies of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

2. The applicant has failed to demonstrate that there is no realistic prospect of the land being used for industrial or warehousing purposes in the future. In addition, the proposed development, by reason of its close proximity to the adjoining boat yard and dry dock facility is likely to be subject to unacceptable levels of noise, detrimental to the residential amenities of future occupiers, giving rise to noise complaints. The proposal is therefore likely to cause operational problems for the boat yard operator, thereby prejudicing the conservation of buildings and features associated with the working life of The Grand Union Canal. The proposal is therefore contrary to Policies LE4 (iii), OE5, BE 31 and BE32 of the Saved Policies of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

3. The applicant has failed to provide, through an appropriate legal agreement, an appropriate provision of on site affordable housing. The proposal is therefore contrary to Saved Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), policy H2 of the Hillingdon Local Plan Part 1- Strategic Policies November 2012, the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations and Policies 3.10 - 3.13 of the London Plan (2015).

4. The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of construction training, off site highway works, the canal environment and towpath improvements and a project management and monitoring fee). Given that a legal agreement to address this issue has not at this stage been offered or secured, the proposal is considered to be contrary to Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations.

5. The proposal does not make adequate provision for on-site car parking in accordance with the Council's adopted standards and is likely to result in increased overspill parking on the surrounding local roads. The proposal is therefore contrary to the Council's adopted policies in particular policies AM7 and AM14 of the Hillingdon Local Plan, Part Two, Saved Policies (November 2012), policy BE1 of the adopted Local Plan Part 1 (2012).

More recently, a revised proposal under planning application (ref: 43016/APP/2016/1975) was received on 24th May 2016. This application seeks permission for the erection of 48 flats in two blocks with associated parking, new access, amenity space and landscaping, involving demolition of existing warehouse, offices and 80 Rockingham Road. This application was submitted by Premier Forest Estates.

This proposal under planning application (ref: 43016/APP/2016/2840) is significantly different from the earlier schemes and follows lengthy discussions at pre-application stage that have informed its design. Please see the main body of this report for consideration of how this development addresses the various refusal reasons in relation to previous planning applications.

Since this current application was received, an appeal has been lodged for planning application ref: 43016/APP/2014/4486. This has yet to be determined.

4. Planning Policies and Standards

Please see list of relevant policies below.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.E1 (2012) Managing the Supply of Employment Land
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM3 (2012) Blue Ribbon Network
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.H1 (2012) Housing Growth
- PT1.H2 (2012) Affordable Housing
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- H4 Mix of housing units
- H5 Dwellings suitable for large families
- H8 Change of use from non-residential to residential
- H9 Provision for people with disabilities in new residential developments
- LE4 Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- BE1 Development within archaeological priority areas
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains

BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE33	Proposals for the establishment of residential moorings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
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
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LPP 4.3	(2016) Mixed use development and offices
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- LPP 5.2 (2016) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2015) Sustainable design and construction
- LPP 5.7 (2015) Renewable energy
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- LPP 7.28 (2015) Restoration of the Blue Ribbon Network
- LPP 7.30 (2015) London's canals and other rivers and waterspaces
- LPP 8.1 (2016) Implementation
- LPP 8.2 (2015) Planning obligations
- LPP 8.3 (2016) Community infrastructure levy

LPP 8.4	(2016) Monitoring and review
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **8th September 2016**

5.2 Site Notice Expiry Date:- Not applicable

25th August 2016

6. Consultations

External Consultees

106 neighbouring households, amenity grounds, and local businesses were notified of the proposal on 2nd August 2016, site notices were erected 4th August 2016 and 17th August 2016, and an advert published 24th August 2016. The statutory consultation period expires on the 14th September 2016. At the time of writing this report, 11 responses were received which raised the following summarised concerns:

- (i) Exacerbation of parking stress
- (ii) Highway safety, particularly with regards to the access
- (iii) Impact from noise
- (iv) Wider infrastructure of the area cannot cope with the additional demands
- (v) Noise impact on future residents from adjacent uses
- (vi) The design, bulk and mass, is out of keeping with the character and appearance of the area
- (vii) Impact from air pollution
- (viii) Disruption during building works

Officer's response: Please see the main body of the report for consideration of the concerns raised.

THE MALL PAVILLIONS RESIDENTS ASSOCIATION

No comment

CANALS AND RIVERS TRUST

Comments:

On the basis of the information available our advice is that suitably worded conditions and a legal agreement are necessary to address matters relevant to the Trust. Our advice and comments are detailed below:

Impact on the Neighbouring Boatyard

The application site is adjacent to a working boatyard (the Uxbridge Boat Centre), with its associated intermittent loud noises and the potential for occasional paint fumes etc. The Trust is concerned about the potential for any redevelopment of this site to threaten the continued operation of the boatyard and considers that the development must provide for appropriate measures to protect existing boating operations and avoid any amenity issues or complaints. We note that policy protection is given to noise generating uses in Hillingdon Local Plan: Part 1 policy EM8, London Plan policy 7.15 and NPPF paras 109 and 123.

A noise assessment has been provided by the applicant. We consider that the Council must satisfy itself that the modelled noise levels within the proposed residential development are technically sound and would not result in a threat to the future of the boat yard.

In arriving at the modelled noise levels, the applicant has, in part, relied on the delivery of noise attenuation measures at the Uxbridge Boat Centre. The Planning Statement suggests that these will be agreed with the freehold owner (the Canal & River Trust), through a legal agreement. They will also be agreed with the existing tenant. The Trust is willing to discuss these measures with the

applicant (and the operator of the Uxbridge Boat Centre) but the Council should note that no agreement between the applicant and the Trust has currently been reached. The Council should also consider whether the noise attenuation measures, in particular the roller shutter, would require planning permission and, if so, whether these can be secured through a s106 agreement before permission is granted. At present, the Trust would suggest that the Council regards the delivery of these measures as uncertain and should consider the applicant's noise assessment in this context.

Should such an agreement between the applicant, the Trust and the tenant be reached, the Trust would expect that the Council would only permit the scheme subject to a suitably worded s106 agreement, with the Trust as a signatory. The Trust would want a further opportunity to comment on the details of this.

Design and Heritage

The Trust has no objection to the proposed design and the relationship between the new dwellings and the canal setting. We would, however, suggest that the appearance of the proposed building from the canal could be improved by extending the gabled roof design out from the centre of the site to the north and south.

Moorings

The Trust considers that there is the opportunity to provide visitor mooring rings to allow boats to safely moor on the canal adjacent to the site. However, we would only support this if public access through the site to the canal is provided. The depth of the canal at this point would also need to be considered. Moorings would help to sustain the active use of the waterspace at this location, providing, amongst other things, a degree of natural surveillance to the proposed open space between the dwellings and the water.

Ecology

In order to ensure that the development complies with Local Plan: Part 1 policies EM3 and EM7, minimal lighting should be installed near the canal, and any lighting near the canal should be bat friendly, avoiding spillage onto the canal waterway. It is recommended that bat friendly lighting is used throughout the development to encourage local bat populations. This should be secured through an appropriately worded condition.

The Trust only supports the planting of locally native plant species in proximity to the canal. Prior to planting, CRT would appreciate seeing a planting list that includes the plants common names, and then can comment and approve the list for planting. Any trees/shrubs that are proposed to be planted near the canal wall should not negatively impact on the structural integrity of the canal wall. Any negative impact on the structural integrity of the canal wall caused by the development's trees will need to be rectified by the development (i.e. cost, resources, operation).

Waterway Wall

A survey of the waterway wall should be carried out to ensure it is fit for its new design life in order to protect the physical integrity of the canal. A condition to address this issue is suggested below.

The Trust considers this request to be consistent with paragraphs 120-121 of the NPPF. The Trust's approval should be sought for any demolition works that will be required, in order to protect the canal and its users. This should be covered by a Risk Assessment and Method Statement, secured by condition, as proposed below.

Surface Water Drainage and Land Contamination

The Trust notes that the applicant proposes that surface water will drain into the canal using the existing 150mm outfall, although the rate of discharge will be reduced. The applicant should be advised that the Trust's consent will be required for any discharges to the canal.

We note that the application form states that land contamination is not suspected. However, this contradicts the findings of the Phase 1 Geo-environmental Desk Top Study (Oct 2014) submitted as part of 43016/APP/2016/1975, which states that as a result of historical development on site, there may be contamination from ash and fill, hydrocarbons (e.g. fuel oils), heavy metals, herbicides /pesticides and asbestos. This study recommends that there be an intrusive site investigation to establish the quality of the shallow soils. There is no evidence that this has been carried out. As a result, the Trust would not accept any discharge of surface water or extracted groundwater during the construction phase of this project as the quality of such waters would be unknown.

The Trust would want to review plans for surface water discharge during the construction phase and during the operational phase of the proposed development. In reviewing plans for the operational phase, we would want to see details of the storage tanks that will be used to reduce surface water flows and the "downstream defender or similar device" that will reduce pollutants and ensure the quality of runoff discharging into the watercourse is acceptable.

A condition to address these issues is suggested, below. The Trust considers that it is required to ensure that the proposal is consistent with policy EM8 of the Hillingdon Local Plan: Part 1.

Planning obligations

Policy EM3 of the Hillingdon Local Plan: Part 1 states that the Council will promote and contribute to the enhancement of canal corridors through developer contributions, where appropriate. The Council's CIL Regulation 123 List states that transport and open space improvements will be secured through planning obligations where they are required to make the development acceptable in planning terms.

It is for the Council to determine whether this contribution should be secured through a planning obligation or through the Council's Community Infrastructure Levy. However, the Trust considers that new residential development in this location will undoubtedly lead to increased use of the towpath as new residents come to see it as a valuable piece of open space and a sustainable transport facility. In accordance with Local Plan policy EM3, the Trust considers that towpath upgrade works are required to make this development acceptable.

In responding to 43016/APP/2016/1975, the Trust suggested that a contribution of £30,000 for towpath and access improvements broadly opposite the proposed development site is proportionate. This figure has been estimated on the basis of towpath upgrade works to provide a tar spray and chip finish for a 130m stretch south of the Rockingham Road bridge, costed at £230/m (including the Trust's project management costs). These costs are based on recent experience of towpath upgrade works, including within the Hillingdon Council area. We continue to consider that this is an appropriate figure, i.e. a larger contribution is not requested as a result of the additional 7 dwellings proposed in this development. Unless covered by the Council's Community Infrastructure Levy, this contribution should be included within the s106 negotiations for the site and the Canal & River Trust should be named within the agreement. We would welcome further consultation on the details of this.

The Trust would want to be consulted on details submitted to discharge the following conditions

Waterway Wall Survey

Prior to the commencement of the development hereby approved a survey of the condition of the

waterway wall, and a method statement and schedule of any repairs identified to be required to support the development shall be submitted to and approved in writing by the Local Planning Authority. Any heritage features and materials identified by the survey shall be made available for inspection and where appropriate, preserved in -situ or reclaimed and re-used elsewhere. Any repair works identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

Reason: In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity, the survey is required prior to any construction work being undertaken.

Risk Assessment and Method Statement

Prior to the commencement of the development hereby approved a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal must be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed construction works do not have any adverse impact on the safety of waterway users and the integrity of the canal.

Surface Water

No development shall take place until details of surface water drainage into the Grand Union Canal are submitted and agreed in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To protect the waterway from contamination during construction and operational phases of the proposed development.

In addition, the Trust will expect that if the applicant is able to reach agreement with the Trust and the tenant over the noise attenuation measures to the Uxbridge Boat Centre these should be secured through a planning obligation to which we are a signatory.

Informatives

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 and should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure or towpath at this location. Please visit <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-onour-property>

The applicant is advised that surface water discharge to the waterway 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).

The applicant/developer is advised that any oversail, encroachment or access to the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust regarding the required access agreement. For the Trust to effectively monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

DESIGNING OUT CRIME OFFICER (DOCO)

Comments (summary): No objection, subject to condition to achieve Secure by Design.

Officer's response: Approved Document Q 'security, dwellings' of the Building Regulations 2015 applies to all new dwellings, including those resulting from a change in use of an existing building, such as commercial premises, warehouse and barns undergoing conversions into dwellings. It also applies within Conservation Areas. It requires that reasonable provision be made to resist unauthorised access to any dwelling; and any part of a building from which access can be gained to a flat within the building. This is a mandatory requirement for new residential development and compliance with it would achieve a Silver Award or higher in terms of Secure By Design. Therefore, it is unnecessary to further condition the development given there is existing separate legislation that would achieve the same objective.

ENVIRONMENT AGENCY

Comments (summary): No objection, subject to informative regarding contamination.

Although the site contains an area of Flood Zone 3b, as defined by the Hillingdon Strategic Flood Risk Assessment (SFRA), having reviewed the Proposed Site Plan (referenced: 209-PL-100-03) and the submitted Flood and Drainage Assessment it is clear that the proposed works fall within Flood Zone 1.

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)

Comments: The planning application lies in an area of archaeological interest (Archaeological Priority Zone) identified for the Local Plan: Colne Valley.

Despite being located within the Colne Valley Archaeological Priority Zone, this application does not appear to be accompanied by an archaeological assessment. Archaeology has however been considered in relation to previous development proposals leading to the submission to the Greater London Historic Environment Record of a selection of reports (listed below). This advice reiterates previous advice based on these reports.

The Colne Valley Archaeological Priority Zone is identified mainly for its potential for rare early prehistoric hunter-gatherer sites. The application site lies in an area which has numerous records of hunter gatherer (Upper Palaeolithic and Mesolithic) occupation including undisturbed in-situ camp sites consisting of scatters of worked flint tools and waste, animal bone, hazel nut shells, fire sites and in one case possibly a preserved wooden structure. Such sites will either be of major regional or national importance. Only c 800m north and in a similar topographic location is the site of Three Ways Wharf (Uxbridge). Three Ways Wharf and the New Denham site (nearby but in Buckinghamshire) are considered to be nationally important undesignated heritage assets which under the provisions of NPPF 139 would be subject to the policies applying to designated heritage assets. Similarly, remains could exist on this site. Also of interest is the site's proximity to the Grand Union Canal, as early docks and wharves associated with the canal or its construction may extend into the site.

So far the following archaeological investigations have been carried out:

1. Archaeological Desk Based Assessment of Palaeolithic/Mesolithic Potential (Cotswold Archaeology April 2015) this included a geo-archaeological model of the site and its environs to understand the potential for Mesolithic and Upper Palaeolithic occupation or associated environmental remains. Importantly it also compared this site to other local sites.
2. Fieldwork and report of the Geoarchaeological monitoring of boreholes (Cotswold Archaeology/ARC, August 2015)
3. This work was followed by fieldwork and a report entitled 'Phase II: Geoarchaeological monitoring of evaluation trenches' (Cotswold Archaeology/ARCA October 2015)

These reports showed a conscientious effort had been made to determine the value and

significance of the potential buried archaeology of this site but unfortunately there were on-site logistical constraints to carrying out further predetermination evaluation works at that time due to the continuing operation of the saw mill. Although useful these works do not decisively confirm whether archaeology similar to Three Ways Wharf and New Denham is or is not present on this site. They indicate that from the very small sample area available there is currently no evidence for prehistoric human activity at the site but over much of the site the geological conditions appear conducive to the survival of such remains.

The evaluation trial trenching work revealed a deposit of black organic mud of similar depth and nature to that seen at the Three Ways Wharf site covering undisturbed remains. This deposit has been described as containing macro biological remains (plant matter and mollusc shells). It would need to be excavated more fully to see if artefactual or ecofactual evidence of human activity was present. The advice of the Historic England Science Adviser, Dr Sylvia Warman, is that the retained samples of this deposit should be analysed to see if any macro botanical remains are present that could be submitted for radiocarbon 14 dating. A date now would clarify where this deposit sits within the known Three Ways Wharf and Phase 500 Riverside Way (Uxbridge) chronologies and be helpful for determining the archaeological strategy here.

If the Borough is minded to grant consent, I recommend that the following two planning conditions are applied. The first Condition is for archaeological investigation and then - dependent upon a review of the results of the investigations - the Borough could recommend either full excavation of any discovered archaeological remains or preservation in situ (or a combination of the two).

The preservation in situ requirement could be achieved via the second condition, which is for flexibility in the foundation design to safeguard buried archaeological deposits.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition as follows:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative: Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure)(England) Order 2015.

- Evaluation

The applicant will need to submit a suitable methodology for demolishing the buildings without harming the below ground archaeological interest. The evaluation required by Part A should then take the form of a grid of archaeological test pits which are sieved for worked flint and other anthropogenic material and recorded/sampled for evidence of formation processes and palaeo-environmental data.

If significant remains are found then Part B of the condition would secure arrangements for investigation of new discoveries, notably relating to the Palaeolithic/Mesolithic interest. If remains of major regional or national importance are found then options to preserve remains in-situ should be prioritised including use of sympathetic foundation design secured by the second condition recommended below.

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.

- Refer to Science Advisor

In preparing a written scheme for this site, the applicant's archaeologist should consult Historic England's Regional Science Advisor.

- Condition foundation design

I also recommend that the following condition is applied... Reason: The planning authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF.

Condition: No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

HISTORIC ENGLAND

Comments:

The development site is located within the Uxbridge Moor Conservation Area which encompasses a strip of the historic Grand Union Canal and a number of associated structures. The site is located at the north-east end of the conservation area, which has a distinctively industrial character, and contains a number of buildings of varying quality. These include a large 1950s warehouse, a 1960s office block, a WWII pillbox and a 19th century house which is believed to have been canal offices.

Both the house and the warehouse are representative of the historic canal-side activity in this part of the conservation area, and possess modest architectural value. We therefore consider that these structures collectively make some contribution to the character of the conservation area.

Their loss would therefore cause some harm to the character of the conservation area, and, in accordance with Paragraph 134 of the National Planning Policy Framework (NPPF), your Council must weigh this harm against the public benefits of the proposals in determining the application.

We note that the pillbox and a 19th century wall will be retained as part of the scheme and this is welcomed. We would encourage the conservation of both structures as part of the scheme which we consider could support the application as heritage-related public benefits.

Your Council should also take into account the desirability of new developments making a positive contribution to local character and distinctiveness as per Para 131 of the NPPF. Similarly, opportunities should be sought for new development within Conservation Areas to enhance or better reveal their significance in accordance with Para 137 of the NPPF. We recognise that efforts have been made to respond to the wharf character of this part of the conservation area in the tall gable fronted bays in the centre of the development. Your Council must be satisfied that the remainder of the canal-facing elevation takes the same opportunities to draw on this local industrial character in the interest of preserving the character of the conservation area.

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

THAMES WATER

No comment

Internal Consultees

ACCESSIBILITY OFFICER

Comments (summary): No objection, subject to condition to secure wheelchair accessible and adaptable units.

CONSERVATION AND URBAN DESIGN

Comments (summary): No objection, the revised elevations are as discussed with the architect and are generally acceptable in design terms. The building would be set back generously from the canal, the fact that it turns the corner in a considered manner and has a varied footprint will reduce the impact of the bulk of the buildings on the wider setting of the CA and in particular on the setting of the listed building opposite. The detailed design of the building is considered appropriate to the location.

Please ensure that conditions covering the following are included:

- The Pill Box is retained and repaired
- The railings along the canal bridge are retained and repaired as required
- The Waterloo Wharf stone plaque is retained for reuse on the new building with its location to be agreed
- The buildings to be demolished are recorded to a minimum of HE level 2
- That the archaeological conditions required by GLAAS are included
- Samples of all the external materials are agreed for the new buildings and design details are requested of the windows and doors, balconies, dormers, parapets, stone and brickwork detailing
- A scheme of hard and soft landscaping should be provided for the site

ECOLOGY OFFICER

Comments (summary): No objection, subject to condition to secure a scheme of ecological enhancements for the development.

EPU

Contaminated Land

Comments (summary): No objection, subject to imposition of a contaminated land condition.

Noise

Comments (summary): No objection, subject to conditions and legal agreement to secure appropriate noise attenuation measures to safeguard the amenity of future occupants and to protect the long term viability of adjacent commercial uses.

Air Quality

No comment

Officer's comments: No objection has been raised regarding air quality on previous residential development for this site. Please see section 7.18 for further consideration of air quality matters.

HIGHWAYS

Comments (summary):

I have reviewed the relevant material supplied with the above application and have the following comments:

Existing

This application is for the demolition of the existing buildings on the site and the construction of 52 flats and a commercial unit on the site at the corner of Waterloo Road and Rockingham Road Uxbridge.

There have been previous applications on this site for residential development on this site and in 2014 a flat development of 52 flats, mixed 1,2 and 3 bed flats with 37 car parking spaces was refused on the basis of insufficient on site car parking.

This latest application is for the erection of 52 apartments on the site and on-site 52 car parking spaces, 56 cycle parking spaces and 3 motorcycle parking spaces. There is an existing vehicular access onto the site close to the corner of Waterloo Road and Rockingham Road which currently causes delay at the junction as large vehicles enter and leave the site. There are waiting restrictions in place at this junction and nearby side roads. There is a residents parking scheme operating in the area but there is still parking stress due to limited off-street parking.

The footpath at the junction of Waterloo Road and Rockingham Road is narrow adjacent to the site. The site has a PTAL of 3 (moderate which is due to local bus services. The applicant supplied a Transport Statement in support of the the application and that document showed that the existing site generated as many as 50 highway trips per day.

Proposed development

The proposed development is for 52 flats as well as a commercial unit.

There are 53 car parking spaces, 56 cycle parking spaces, and 3 motorcycle bays.

The 53 on-site car parking spaces (average 1 space per unit) are accessed from a new access point on Waterloo Road further away from the the Rockingham Road junction than the existing arrangement. The design of the new access will mean a short stretch of existing parking bay will be lost to maintain adequate sight distance. The applicant does not show a small area of land dedicated to Council to increase the width of the adjoining footpath.

The refuse store is close to the Waterloo Road boundary so there is no need for refuse vehicles to enter the site. The TS suggests that that 5% active and 5% passive EV charging will take place but this is below TfL standards.

Development Impact

The proposed development will develop slightly more traffic than the existing use. The proposed parking provision will be generally in line with Council's policies. The change of the access arrangement will improve safety and the performance of the Waterloo Road/Rockingham Road junction. The existing pedestrian facilities at the same junction will remain as is.

Conclusions

The level of on-site car parking has been significantly increased since the previous application. There will be a small (12m) loss of on-street car parking to provide sight distances to the new access. The traffic levels will increase slightly. The access point has been designed to improve safety and performance of the nearby junction.

On the basis of the above comments there are no significant highway concerns over this application.

Conditions

- New access to be constructed and existing access to be re-instated
- EV charging - 20% active and 20% passive

PLANNING POLICY

Comments: No objection

The main issue from a policy perspective is the loss of industrial floorspace. Given that the site is not designated as a Strategic Industrial Location or an IBA, the relevant policy relating to this issue is LE4 in the UDP Saved Policies document. The key issues relating to this point are:

- The proposals will result in the loss of existing industrial floorspace, however this will be mitigated to some extent by the provision of B1 office uses.
- The applicant states that the site is unsuitable for industrial use on the basis that it is in close proximity to residential uses. Whilst it is unclear to what extent the existing operation creates disturbance, it is agreed that the proposed use has the potential to have less of an impact on surrounding residential areas.
- Subject to comments from urban design colleagues, it is also considered that the proposals have the potential to improve local amenity in the proximity of the site.
- I understand from our discussion that the applicant has been marketing the site for 2 years and has received no interest from industrial occupiers. On this basis, they have concluded that there is no realistic prospect of the land being used for industrial use in the future.
- The Local Plan Part 1 identifies a surplus of industrial land in the borough, which could be released for other uses.

On balance, it is not considered that the proposals present in-principle planning policy objections.

SUSTAINABILITY OFFICER

Comments (summary): No objection, subject to legal agreement to secure a carbon off site payment of £29,621 towards the Council's Carbon Fund.

TREE AND LANDSCAPING OFFICER

Comments (summary): No objection, subject to conditions relating to levels, tree protection, and securing a landscaping scheme.

WATER MANAGEMENT OFFICER

Comments (summary): No objection, subject to conditions requiring the submission of a sustainable water management scheme and to obtain a survey and remediation works to the canal flood wall.

WASTE MANAGEMENT OFFICER

No comment

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site falls outside of the proposed Strategic Industrial Locations in the emerging Local Plan: Part 2 and it is not identified as a Locally Significant Industrial Site.

Paragraph 5.10 of policy HE1 of the Local Plan: Part 1 Strategic Policies (2012) sets out that there is more employment land in the Borough than is currently needed. Policy E1: Managing the Supply of Employment Land, identifies areas of managed release of employment land for development.

Policy 4.4 of the London Plan states that the Borough should plan, monitor and manage the release of surplus industrial land so that it can contribute to strategic and local planning objectives, specifically those to provide more housing. However, it should be noted that the the application site is not identified through the Local Plan as a site for managed release.

Policy LE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) sets out that proposals involving the loss of existing industrial floorspace or land outside of designated industrial and business areas will normally only be permitted subject to certain criteria. Addressing each of the 'saved' policy LE4 criteria in turn, the applicant contends that there is a strong case to support the loss of employment use at the application site.

(i) The existing use seriously affects amenity, through disturbance to neighbours, visual intrusion or an adverse impact in the character of an area;

The current use of the site is unrestricted in planning terms, with no conditions controlling hours of operation, noise levels or vehicle movements to and from the site. As the commercial use of the site is unregulated, the use of the site for industrial purposes has the potential to now and in the future, have a detrimental impact on the prevailing residential character, amenity and outlook of residents in the area. However, it should be noted that current use of the site as a timber yard is long established, and the Council's Environmental Protection Unit has no record of noise complaints associated with the use of the site as a timber yard.

(ii) The site is unsuitable for industrial redevelopment because of the size, shape, location

or lack of vehicular access;

The Transport Statement that accompanies this application demonstrates that the current use and operation of the site has a detrimental impact on the local highway network, particularly through the level and frequency of HGV traffic which causes local congestion and road safety issues adjacent to the St Mary's Catholic Primary School.

Any proposals for redevelopment of the site for employment generating uses in the future would be assessed against impact on amenity.

It is considered that residential use of the site would be compatible with the residential character of the area. However, concerns remain regarding the relationship of a residential use on the site with the adjoining boat yard.

(iii) There is no realistic prospect of the land being used for industrial or warehousing purposes in the future;

The applicants contend that the location of the site is unattractive to potential business / commercial users of the site. To reinforce this conclusion, an independent market report has been submitted for previous planning applications. The report highlights the poor prospect of successful sale / lease of the site for its future utilisation for industrial, storage or commercial purposes, due to its relatively inferior location compared to purpose built employment centres / business parks in the Borough, access restrictions, the current state of repair of existing site buildings, high potential for conflict with adjacent residential uses (noise, disturbance, hours of operation, highways safety etc) and financial and market conditions.

The applicant has stated that the site has been marketed since May 2014. The marketing report explained that despite several enquiries, the marketing campaign has failed to attract an occupier. However, it is noted that the disposal options were quite restrictive. The property was marketed on a leasehold basis only, with a view to agreeing a new lease for a period of five to 10 years. The freehold of the property was not available. Furthermore, the site was occupied during the marketing period by Goldberg who was to remain in situ. The explanation to the market was that should a transaction be agreed, the current occupiers (Goldberg) would be given sufficient time in which to relocate, which was considered to be in the region of three months from after exchange of contracts.

The report concludes that the fact that the property is 45 years old means that there are two inescapable consequences that have put off occupiers. The first is that when the property was built it may well have been adequate in terms of access and circulation but occupiers are now seeking detached properties with secure yards with adequate circulation which leads to a more efficient site. The second fact is the condition of the building, leading to worries over high maintenance costs and even having to replace the roof at some stage. Even though the site could be redeveloped to be replaced with a modern building with a better site configuration, it would not mitigate the access issue which would always be prevalent, as the property is located on a predominantly residential street.

In addition, there has been a number of speculative schemes being built which has led to occupiers being given more choice. All these new developments are providing occupiers with better options which have led to the subject site struggling to attract interest.

(iv) They are in accordance with the Council's regeneration policies for the area.

The Local Plan lists individual strategic policies including Policy E1 relating to Managing the Supply of Employment Land and states the Council will accommodate growth by protecting Strategic Industrial Locations and the designation of Locally Significant Industrial Sites (LSIS) and Locally Significant Employment Locations (LSEL), including the designation of 13.63 hectares of new employment land. The site which is the subject of this application does not fall within a LSIS or LSEL.

The NPPF, The London Plan (2016), the adopted Hillingdon Local Plan: Part 1- Strategic policies and the saved Hillingdon Unitary Development Plan Policies (2007) all support the provision of residential accommodation in appropriate locations. London Plan Policy 3.3 (increasing housing supply) seeks to increase London's housing supply, enhance the environment, improve housing choice and affordability and to provide better accommodation for Londoners. Local Plan: Strategic Policy PT1.H1 affirms the London Plan targets to deliver 4,250 new homes in the Borough from 2011 to 2021 or 6,375 dwellings up to 2026. The proposal includes 52 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy. However, it is noted that the site is not identified in the forthcoming Site Allocations and Designations document as being required to meet the Council's housing targets.

In terms of Blue Ribbon policies, although the loss of potential wharfage facilities is a material consideration, it is not considered on its own to justify a reason for refusal, given that these facilities have not been used as such since the present incumbents occupied the site in 1954.

Conclusion

There is local and London Plan support to release surplus industrial land to provide more housing where appropriate. Evidence demonstrates that Hillingdon Borough has a surplus of employment land at present. However, the site is not identified in the forthcoming Site Allocations and Designations document as being required for the managed release of employment land, to meet the Council's housing targets.

Nevertheless, the proposal includes 52 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy. In addition, the proposal would retain an employment offer in the form of an office block on the southern end of the site. In terms of employment, office uses generally provide a higher level than timber yards or warehousing. Therefore, the development is considered to also safeguard employment opportunities within the site, despite the loss of industrial use.

The Council's Planning Policy Team has reviewed the proposal and has not raised an in principle objection to the development. Therefore, the principle of development is considered acceptable.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

Site densities are of only limited value when considering the suitability of housing schemes of this scale. The London Plan (2016) advises that an appropriate residential density for the site would range from 200-450 habitable rooms per hectare (hr/ha) and 70-170 units per

hectare (u/ha) for units with a typical size of 2.7 - 3.0 habitable rooms per unit (hr/u). The development would have a density of 149 units per hectare and 374 habitable rooms per hectare which would be within the range of acceptability for a site at this location. Therefore, in terms of density, the proposal would be considered acceptable and would secure the optimum potential of the site, in accordance with policy 3.4 of the London Plan (2016).

MIX OF UNITS

Policy 3.8 'Housing Choice' of the London Plan (2016) encourages a full range of housing choice and policies H4 and H5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) seek to ensure a practicable mix of housing units are provided within residential schemes. These policies are supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for Councils in assessing their local needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing.

The development would provide 52 units with a housing mix of 3 x studios, 26 x 1 bedroom units; 19 x 2 bedroom units; and 4 x 3 bedroom units. The housing mix proposed at this location is considered acceptable and meets a local housing need for the delivery of one and two bedroom homes.

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

ARCHAEOLOGY

The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation. Policy BE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will only allow development, which would disturb remains of importance in archaeological priority areas where exceptional circumstances can be demonstrated. Part 2 Saved Policy BE3 states that the applicant will be expected to have properly assessed and planned for the archaeological implications of their proposal. Proposals which destroy important remains will not be permitted.

This application involves a substantial development within the Council's Colne Valley Archaeological Priority Zone identified for its potential for rare early prehistoric hunter-gatherer sites. Also of interest is the site's proximity to the Grand Union Canal, as early docks and wharves associated with the canal or its construction may extend into the site. The proposed development may, therefore, affect remains of archaeological importance.

GLAAS advise that the development would not cause sufficient harm to justify refusal of planning permission, provided that robust arrangements are made to safeguard the archaeological interest and/or require an investigation to be undertaken to advance understanding. These safeguards would be secured by a conditions attached to a planning consent.

LISTED BUILDINGS

The site is located at a key location in the Uxbridge Moor Conservation Area and close to the Grade 2 Listed General Elliot Public House. The relationship with the locally listed Uxbridge Boat Yard immediately to the south of the site is considered to be particularly

important. Accordingly, Policies BE4 and BE10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) are relevant. Any development would therefore be expected to address these matters.

In terms of the impact of the development on heritage assets, the relationship with the Locally Listed Boat Yard as proposed, is considered to be acceptable. The building steps down to three storeys adjacent to the historic sheds of the former Fellows Morton and Clayton dock. This is considered to be a significant improvement on the an earlier scheme for the site which was four storeys adjacent to this boundary with this Locally Listed Building.

The current scheme has also been set further back from the canal and Grade II listed General Elliot PH opposite. Although, much of the building would be four storeys, it would sit comfortably back from the Grade II Listed Building. The improvements to the canal side setting hereby sought and the architectural styling of the proposal are considered to compliment and appear sympathetic to the setting of this existing heritage asset and the canal. Therefore, the proposal is not considered to harm the building's significance.

CONSERVATION AREA

There is no objection in principle to the demolition of the Waterloo Wharf building and the post-War housing block (3-5 Waterloo Road). These are not considered to have any particular architectural or historic merit and do not contribute to the conservation area.

Please see 'impact on the character & appearance of the area' section below for further consideration of impact on the Conservation Area from the proposed development.

7.04 Airport safeguarding

There are no airport safeguarding considerations relevant to this application.

7.05 Impact on the green belt

The site is not located within or adjacent to any green belt. Therefore, this is not a relevant consideration for the determination of the proposal.

7.07 Impact on the character & appearance of the area

Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that new development within or on the fringes of conservation areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities.

Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that the Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy BE1 of the Local Plan: Part 1 Strategic Policies (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents.

Policies 7.4 and 7.6 of the London Plan (2016) and chapter 7 of the National Planning Policy Framework (2012) stipulate that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive

elements that can contribute to establishing an enhanced character for the future. In addition, Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Policies 7.8 and 7.9 of the London Plan (2016) and chapter 12 of the National Planning Policy Framework are concerned with conserving and enhancing the historic environment.

The proposal is smaller than the previously refused planning application and is considered to have addressed the previous reasons for refusal. Specifically, in relation to its design, built form, and scale. The new building has been thoughtfully designed and will make a positive contribution to the location and surrounding area, in particular, it would be sympathetic to the character and appearance of the Uxbridge Moor Conservation Area and settings of the Statutory Listed Public House opposite and the Locally Listed boat yard adjacent to the site.

In comparison with the previous refusal, it has been set generously further back from the canal. Therefore, its relationship with the canal and site environs has been much improved. In addition, the proposal includes significant improvements to the canal setting itself, such as a well landscaped garden with trees, hedges, and plants that would also improve ecology. It was noted by Historic England that the pillbox and a 19th century wall will be retained as part of the scheme and this was supported. They have stated that they 'would encourage the conservation of both structures as part of the scheme which we consider could support the application as heritage-related public benefits.'

Opposite the site, a financial contribution has also been offered to secure tow path/access improvements to the canal. To the rear of the site (adjoining residential properties along Waterloo Road), an enhanced soft landscaped buffer has been provided.

The proposed building would be aligned roughly with the canal, but would bend around to align with the building line of Rockingham Road. Next to the boat yard to the south, the building has a three storey commercial unit. The layout of the building is rational as it lends itself to adequately addressing the canal, Rockingham Road, and Waterloo Road frontages.

The building would comprise three main parts joined by two interlinking sections and the commercial element on the southern side. The central part of the building would have 3 pitched roofs with gables facing westwards (towards the canal) and eastwards. The parts on either side would have a flat roof with ornate parapet walls, giving the development a warehouse/industrial appearance, which has been supported by the Council's Conservation and Urban Design Officer.

It is clear that there has been an attempt to break the building up into separate parts through the use of the glazed inter sections and to a significant degree this has been accomplished. The use of a mansard roof at fourth floor level to the part of the building next to canal would further reduce the bulk and mass of the building from this perspective.

Similarly, on the opposite side (along Waterloo Road), the other end of the building has been set back from the rear elevation at fourth floor level to reduce the bulk and mass at this corner.

The three to four storey building is considered appropriate in scale and fitting to the

surrounding context of the site given its positioning, layout and design approach. The Council's Conservation and Urban Design Officer has raised no objection to the proposed design, bulk, mass, or proportions of the building stating that 'the detailed design of the building is considered appropriate to the location'. However, the Council's Conservation and Urban Design Officer has recommended a set of conditions to secure appropriate materials and to safeguard the historic and visual amenity of the area.

Subject to those conditions, no objection has been raised by the Council's Conservation and Urban Design Officer as the design, scale and materiality of the development would be considered to be sympathetic to the heritage value of adjoining locally and statutory listed buildings, and would preserve the character and appearance of the Uxbridge Moor Conservation Area more widely, in accordance with policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policies BE1 and HE1 of the Local Plan: Part 1: Strategic Policies (Nov 2012); policies 7.4, 7.6, 7.8, and 7.9 of the London Plan (2016); and chapter 12 of the National Planning Policy Framework (2012).

7.08 Impact on neighbours

Policies BE20, BE21, and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) seek to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and its impact on daylight/sunlight, privacy, and residential amenity of adjoining occupiers.

Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally.

The nearest residential properties to the site are located on Waterloo Road to the rear (Nos. 11 & 12 Waterloo Road being the closest). These residential dwellings are situated 6m back from the shared boundary of the site. The proposed building has been laid out to ensure that it is situated away from these neighbouring properties. At its closest point, the replacement building would be more than 22m from the rear of these neighbours, which is considered to be a comfortable distance to prevent loss of privacy.

The building would measure a maximum height of 14.6m to the top of the ridge, which is greater than the existing building on site. However, the position of the replacement building would be at least 7m further back than the current commercial building which would compensate for the additional height. Therefore, in terms of access to outlook, daylight and overshadowing, the proposal is not considered to have any greater impact than that of the current building on these neighbours.

No. 79 Rockingham Road is located approximately 14m from the development. However, it is separated by Waterloo Road and its orientation with its flank wall facing the development, would ensure there would be no harm to the residential amenity of its occupiers.

No other residential properties are likely to be impacted by the proposal given they are situated farther from the site.

Therefore, the proposal would not be considered to harm the residential amenity of neighbouring properties, in accordance with policies BE20, BE21, BE24, and OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

7.09 Living conditions for future occupiers

INTERNAL LIVING SPACE

The Government's national space standards contained in the Technical Housing Standards and policy 3.5 of the London Plan (2016) set out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants.

A schedule has been provided by the applicant confirming residential floor space provision would be provided which exceeds the minimum standards of policy 3.5 of the London Plan (2016) and Technical Housing Standards. In addition, it is clear from the plans that all of the habitable room windows would benefit from adequate access to outlook and natural daylight.

The plans demonstrate that the entrances to the building would have level access to/from external areas. The cores are appropriately positioned and the communal corridors would be acceptable in terms of accessibility. Please see 'Accessibility' below for further consideration of these matters.

EXTERNAL AMENITY SPACE

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity of existing and future occupants which is usable in terms of its shape and siting. Developments should incorporate usable, attractively laid out and conveniently located garden space in relation to the flats they serve. It should be of an appropriate size, having regard to the size of the flats and character of the area.

The policy requirement for this development is 1175sqm of usable and conveniently located communal garden space. The site plan indicates that there would be a small shortfall of 72sqm in the level of communal external green space. However, the proposal would provide good quality, highly usable, and attractive communal green space immediately adjacent to the canal. In addition, a significant proportion of the units would have access to private outdoor amenity areas. Furthermore, the development is located within 400m of Uxbridge Town Centre and the various amenities nearby, including Rockingham Park/Playing Fields which is located 140m from the site. Also, the 'Housing Mix' with an emphasis on 1 and 2 bedroom sized units, which is appropriate for this edge of town location, would require less outdoor amenity space than 3 bedroom plus sized units which are more likely to attract families. On this basis, the proposal is considered to be acceptable in terms of outdoor amenity space provision.

At ground floor level, the plans indicate that all of the units would be provided with their own private terrace and defensible space buffer between their openings and the communal areas. Nevertheless, it is considered reasonable to seek further details of these arrangements, including landscaping and boundary treatments.

Subject to condition, future occupiers would not suffer from lack of privacy or security from communal areas and the level and quality of external amenity space would be acceptable, in accordance with policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

CHILDREN'S PLAY SPACE

Policy 3.6 'Children and young people's play and informal recreation facilities' of the London Plan (2016) 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 would 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. Therefore, provision of children's play space would not be necessary on this site.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

TRAFFIC IMPACT/HIGHWAY & PEDESTRIAN SAFETY

Policy AM2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that all proposals for development will be assessed against: (i) their contribution to traffic generation and their impact on congestion, particularly on the principal road network as defined in paragraph 14.14 of the plan, and (ii) the present and potential availability of public transport, and its capacity to meet increased demand.

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that the local planning authority will consider whether the traffic generated by proposed developments is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local distributor and access roads may have for carrying through traffic. The local planning authority will not grant permission for developments whose traffic generation is likely to: (i) unacceptably increase demand along roads or through junctions which are already used to capacity, especially where such roads or junctions form part of the strategic London road network; or (ii) prejudice the free flow of traffic or conditions of general highway or pedestrian safety; (iii) diminish materially the environmental benefits brought about by new or improved roads; or (iv) infiltrate streets classed as local roads in the borough road hierarchy unless satisfactory traffic calming measures can be installed. Traffic calming schemes should, where appropriate, include environmental improvements such as hard and soft landscaping, and should be completed before the development is first used or occupied.

Policy 6.3 'Assessing effects of development on transport capacity' of the London Plan (2016) states that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network.

The site has an existing vehicular access point on Waterloo Road, near to its junction with Rockingham Road. The access point for the proposed development would be marginally wider and would be relocated farther from the junction with Rockingham Road. This would enable the pavement to be extended around the corner further which is likely to improve pedestrian safety.

The Transport Statement submitted with the application shows that the existing site generates as many as 50 highway tips per day. The proposal would result in slightly more traffic than the existing use. However, currently, delays were caused at the junction of Waterloo Road and Rockingham Road due to large vehicles entering and leaving the site and due to the proximity of the existing crossover to the junction. The replacement

crossover would be situated more appropriately in relation to the junction and the nature of the new use is likely to significantly reduce trips made to the site by larger vehicles (apart from potentially temporarily during construction). The Council's Highway Engineer has stated that 'the change to the access arrangements will improve safety and the performance of the Waterloo Road/Rockingham Road junction. In addition, Auto Tracks have been provided to demonstrate that refuse vehicles could access the site safely without impacting on the free flow of traffic'.

The development would increase the number of likely users/trips to the site, however, this level of intensification is not considered likely to cause significant traffic implications given the capacity of surrounding roads and improvements to the access.

The proposal is considered to be acceptable in terms of access, traffic impact, and highway/pedestrian safety, in accordance with policies AM2 and AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 6.3 of the London Plan (2016).

CAR/CYCLE PARKING

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that new development will only be permitted where it is in accordance with the council's adopted car parking standards.

Policy AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that all car parks provided for new development shall contain conveniently located reserved spaces for disabled persons in accordance with the council's adopted car parking standards.

Policy 6.9 'Cycling' of the London Plan (2016) states that development should provide a secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 and the guidance set out in the London Cycle Design Standards (or subsequent revisions).

Policy 6.13 'Parking' of the London Plan (2016) sets maximum standards laid out in Table 6.2 in the parking addendum. In addition, developments must:

- ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles
- provide parking for disabled people
- meet the minimum cycle parking standards set out in Table 6.3
- provide for the needs of businesses for delivery and servicing.

The development provides parking at ground level to the rear of the building. The proposal would provide 53 car parking spaces (inclusive of 6 disabled spaces) and 3 motorcycle parking spaces for the residential element. The commercial element would be provided with 1 car parking space.

The disabled parking spaces would be situated near to the main entrance for ease of use and an acceptable level of provision has been provided. However, a deficient level of Electric Vehicle(EV) parking spaces has been provided. The applicant has agreed that should the application be approved, a condition should be imposed to require a policy compliant level.

The proposal includes provision for 56 cycle parking spaces which would be located at

ground level. They would be secure, sheltered, and reasonably accessible.

Given the site has a PTAL of 3, the overall level of parking provision would be considered acceptable, in accordance with policies AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policies 6.9 and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

SECURITY

Policy 7.3 'Designing Out Crime' of the London Plan (2016) states development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In addition, Building Regulations: Approved Document Q deals with security and requires that a reasonable provision must be made to resist unauthorised access to any dwelling: and any part of a building from which access can be gained to a flat within the building.

The scheme has been reviewed by the Metropolitan Police's Designing Out Crime Officer (DOCO), who raises no objection, subject to condition to achieve Secured by Design. Approved Document Q 'security, dwellings' of the Building Regulations 2015 applies to all new dwellings, including those resulting from a change in use of an existing building, such as commercial premises, warehouse and barns undergoing conversions into dwellings. It also applies within Conservation Areas. It requires that reasonable provision be made to resist unauthorised access to any dwelling; and any part of a building from which access can be gained to a flat within the building. This is a mandatory requirement for new residential development and compliance with it would achieve a Silver Award or higher in terms of Secured By Design. Therefore, it is unnecessary to further condition the development given there is existing separate legislation that would achieve the same objective.

For details of urban design please see section 7.07, and for details of access please see sections 7.8, 7.10, and 7.12, of this report.

7.12 Disabled access

In assessing this application, reference has been made to policy 3.8 'Housing Choice' of the London Plan (2016); Approved Document M to the Building Regulations (2015); and Accessible Hillingdon SPD adopted 2013.

The property is accessed off Richmansworth Road. The scheme incorporates a clear network of routes that are easily understandable, inclusive, safe and secure that connect to the main entrance to the building. The plans indicate that the development would provide step free access to and from the proposed building and that all of the units would comply with the Technical Housing Standards for internal floor space and category M4(2) 'Accessible and adaptable dwellings' of Approved Document M to the Building Regulations (2015). The proposal should also provide 10% category M4(3) 'wheelchair user dwellings' as outlined in Approved Document M to the Building Regulations (2015). Compliance with these standards will be secured by condition should the application be approved.

The development would also provide 6 disabled car parking spaces which is more than the 10% required by policy.

Overall, the layout of the development is inclusive and will function well, creating a safe and accessible environment. It would ensure the delivery of a range of house types that meet the diverse needs of Londoners and an ageing population, in accordance with regional and local planning requirements.

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 (2016) 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 - Strategic Policies.

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

The Council's third party FVA consultant considers that a profit can be achieved (potentially enabling the delivery of on site affordable housing provision).

Further to the independent review of the affordable housing FVA, it is agreed that an overall contribution of 5 units (1 x 3 bedroom, 2 x 2 bedroom and 2 x 1 bedroom flats) is acceptable, subject to a review mechanism. The legal agreement shall provide for the Council to review the finances of the scheme at a set time in order to ensure that the maximum amount of affordable housing is being sought.

7.14 Trees, landscaping and Ecology

TREE AND LANDSCAPING

Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applicants for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

Policy BE39 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that the Local Planning Authority recognises the importance of Tree Preservation Orders in protecting trees and woodlands in the landscape and will make orders where the possible loss of trees or woodlands would have a significant impact on their surroundings.

Policy OL26 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) recommends that the Local Planning Authority will protect trees and woodlands and encourage the preservation, proper management and in appropriate locations the extension of woodlands. Proposals for development in the more rural areas of the borough should be accompanied by proposals for landscaping and tree planting wherever practicable, and the retention of existing landscaping features where appropriate.

Policy 7.21 'Tree and Woodlands' of the London Plan (2016) stipulates that existing trees of value should be retained and any loss as the result of development should be replaced.

Chapter 11 of the National Planning Policy Framework (2012) states that 'the planning system should contribute to and enhance the natural and local environment by protecting

and enhancing valued landscapes'.

There are no existing trees within the site. However, there are some off-site trees which influence, or may be affected by any development. The site is located within the Uxbridge Moor Conservation Area, a designation which protects trees. Therefore, the main landscape issue to consider in this application relates to the safeguarding of off site trees that contribute to the arboreal character and visual amenity of the site and Conservation Area.

A Tree Survey accompanies this planning application which considers the arboricultural impact of the development on nearby trees. The report concludes that the proposed development does not impact directly on any vegetation and can be constructed without detriment to trees owned by third parties. The Council's Tree and Landscaping Officer is satisfied with the conclusions of the report.

The Design & Access Statement provides an attractive illustrated landscape masterplan for the site which considers the visual amenity of the residents and neighbours. The scheme is also sensitive to the canal side setting and the Uxbridge Moor Conservation Area. The proposal includes the provision of 38 new trees together with hedges, shrubs, ornamental grasses and lawn. The Council's Tree and Landscaping Officer is also satisfied with the proposed landscaping arrangements, subject to condition to secure further details.

Subject to conditions relating to tree protection and the provision of a comprehensive landscaping scheme, the proposal would be considered acceptable in terms of tree protection and landscaping, in accordance with local, regional and national planning policy.

ECOLOGY

The site is considered to be of low ecological value, with minimal potential to support protected, priority or rare species, or with significant abundance of common or widespread species, and with no UK priority habitats present. In addition, there are no trees within the site that have potential to support various species. The proposal would introduce 38 trees and a range of mid to smaller scale vegetation that would enhance the ecological value of the area. Therefore, the development is considered acceptable in terms of ecology, in accordance with policies EC2, EC3, EC4, EC5, and EC6 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.19 of the London Plan (2016).

7.15 Sustainable waste management

Integral waste storage for the residential element would be provided at ground level near to the entrance to the site. Separate commercial waste storage next to the main refuse area would be provided. The plans indicate that sufficient space would be provided to accommodate adequate capacity for waste and recycling. It would also be conveniently located for future occupants and for collection. Details have also been provided to demonstrate that refuse vehicles can safely enter and exit the site. Therefore, the refuse and recycling storage proposed would be acceptable, in compliance with policy 5.17 of the London Plan (2016).

7.16 Renewable energy / Sustainability

Policy 5.2 'Minimising Carbon Dioxide Emissions' of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions.

The Energy Statement submitted with the application sets out carbon reduction measures

including the provision of on site solar panels. However, due to concerns regarding the positioning and impact of the solar panels on the appearance of the Conservation Area, the Council's Sustainability Officer has agreed to accept an in lieu financial contribution of £29,621 towards the Council's Carbon Fund for provision of off site carbon reduction measures. Subject to a legal agreement to secure this financial contribution, the proposal would be considered acceptable, in accordance with policy 5.2 of the London Plan (2016).

7.17 Flooding or Drainage Issues

A strip of the site next to the canal is within Flood Zone 2/3. The proposed building would be situated outside of these Flood Zones. Hence, the Environment Agency has raised no objection. Nevertheless, the Council's Flood and Water Management Officer has requested that flood defences be provided for the development to mitigate from a 1 in 100 year flood event.

A Flood & Drainage Assessment was submitted with the application. Subsequently, to address the concerns raised by the Council's Flood and Water Management Officer a Flood Evacuation Plan has been provided which includes flood mitigation measures such as a 300mm high flood defence wall and ramp at the entrance to the site to prevent ingress of water into the site during a flood.

The Council's Flood and Water Management Officer has reviewed the details submitted and is satisfied that subject to conditions, the development would not raise any flood risk issues, in accordance with policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), policy 5.12 Flood Risk Management of the London Plan (2016), and National Planning Policy Framework (March 2012).

7.18 Noise or Air Quality Issues

NOISE

Policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that proposals for the siting of noise sensitive development such as family housing, schools or certain forms of commercial activity where the occupiers may suffer from noise or vibration will not be permitted in areas which are, or are expected to become, subject to unacceptable levels of noise or vibration. Where development is acceptable in principle, it will still be necessary to establish that the proposed building or use can be sited, designed, insulated or otherwise protected from external noise or vibration sources to appropriate national and local standards.

Policy 7.15 'Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes' of the London Plan (2016) recommends that development proposals should seek to manage noise by (a) avoiding significant adverse noise impacts on health and quality of life as a result of new development; (b) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens on existing businesses; (c) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity); (d) separating new noise sensitive development from major noise sources (such as road, rail, air transport and some types of industrial development) through the use of distance, screening or internal layout - in preference to sole reliance on sound insulation; (e) where it is not possible to achieve separation of noise sensitive development and noise sources, without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through the application of good acoustic design principles; (f) having particular regard to the impact of aviation noise on

noise sensitive development; and (g) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

The proposed use would be more noise sensitive than the existing use.

An Environmental Noise Assessment and Supplementary Assessment of canal side noise in an interim report have been submitted to support this application to assess the likelihood of complaints from future occupiers of the development on noise, from surrounding established commercial premises occurring in the future.

The site is in an area subject to road traffic noise, noise from the various surrounding commercial premises, including the two public houses, The Dolphin PH and the General Elliot PH. The other commercial business that poses a potential problem is the Boat Yard, south of the development site, which specialises in the repair of steel boats and is in use 7 days a week.

In 2009, the Town and Country Planning Association working with the Canal & River Trust (as British Waterways) published 'A Policy Advice Note: Inland Waterways -Unlocking the Potential and Securing the Future of Inland Waterways through the Planning System'. This document includes a 'development management and control checklist for waterside developments'. The checklist can help to identify those matters which require careful analysis, informed by the views of the relevant navigation authority. The advice note includes inter alia, a requirement to ensure that development located adjacent to or in close proximity to a waterway does not involve the loss of a boatyard (either boat building or boat repair), servicing or maintenance yard, slipway, dry dock, crane or other services needed for day-to-day cruising, used in connection with water-based transport, tourism, leisure and recreation.

There have been several examples of dry docks and boat yards closing due to the development of adjacent residential development. New residential development in close proximity to existing boat yards can cause operational problems for the boat yard operator and could theoretically contribute to the closure of the boat yard. The proposed residential development at this location therefore has the potential to cause operational problems for the boat yard, whose regional importance in providing essential maintenance of boats using the canal was emphasised by numerous letters from individuals and organisations, on the previously refused scheme for residential development on this site.

The application has been reviewed by the Council's Environmental Protection Unit who note the differences to the scheme in comparison with previous schemes for the site. Notably, the provision of a commercial buffer between the boat yard and the residential element of the scheme. In addition, a range of noise attenuation measures are set out in the submitted Environmental Noise Assessment, including works to the boat yard to prevent the escape of noise (a suspended ceiling and provision of a new roller shutter), and measures to the fabric of the proposed building to mitigate from excessive noise (mechanical ventilation and high performance acoustic windows/doors).

In combination, the provision of further noise results, along with the commercial buffer, and the attenuation measures to the boat yard and proposed building are considered to give sufficient comfort to the Council's Environmental Protection Team that the proposal could be adequately attenuated to prevent the amenity of future occupiers being adversely impacted upon by virtue of external noise from either the boat yard or adjacent uses including the public houses. This in turn, would also safeguard the operational viability of

the adjacent boat yard.

With regards to the impact on neighbouring properties, the proposal is not considered likely to cause significant noise or disturbance given its scale and residential nature.

Overall, subject to legal agreement and conditions to secure attenuation measures to safeguard the amenity of future occupiers, the development would be considered to comply with policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.15 of the London Plan (2016).

AIR QUALITY

Policy 7.14 'Improving air quality' of the London Plan (2016) states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans. It also recommends that development proposals should promote sustainable design and construction to reduce emissions from the demolition and construction of buildings.

The site is located within an Air Quality Management Area. An interim Air Quality Assessment has been submitted with the application and an Air Quality Assessment was provided for the previous proposal for the site which concluded that the location is considered suitable for residential use and that air quality impacts would be negligible. The Council's Air Quality Officer has not raised an objection to the proposal. Previously, a low emission strategy was requested to reduce poor air quality. However, such a strategy is considered unnecessary given that conditions requested by the Council's Highways Engineer in relation to the provision of Electric Vehicles and the Council's Tree/Landscaping Officer in relation to landscaping are considered to achieve the required objectives.

Subject to these conditions, the proposal is not considered to raise any concern with regards to air quality, in compliance with policy 7.14 of the London Plan (2016).

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.

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (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 (2016) 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: 5 units (1 x 3 bed, 2 x 2 bed, and 2 x 1 bed)
- Affordable Housing Review Mechanism: The legal agreement shall provide for the Council to review the finances of the scheme at a set time in order to ensure that the maximum amount of affordable housing is being sought.
- Travel Plan with £20,000 bond.
- S278/S38 highway works to secure access and pavement modifications.
- Noise Attenuation Scheme for the Uxbridge Boat Centre: This scheme shall be agreed by the Local Planning Authority and the land owner of the boat yard (Canal & River Trust). Once completed, another Environmental Noise Assessment shall be carried out to confirm that the upgrades to the Boat yard and dry dock area as detailed in Environmental Noise Assessment Ref: M3130HH (e.g. new acoustic shutters, upgraded external walls and suitable enhanced roof) and Noise Attenuation Scheme have protected the proposed development. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

Monetary contributions:

- Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided) 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.
- Canalside Improvement: The Canals and Rivers Trust seeks a contribution of £30,000 towards towpath and access improvements for opposite the proposed development site.
- Carbon Fund Contribution: Financial contribution of £29,621 towards provision of off site carbon reduction measures shall be secured.
- 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 52 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 enforcement issues related to this site.

7.22 Other Issues

CONTAMINATION & ENVIRONMENTAL IMPACT

A Phase 1 Detailed Study was submitted in support of the previous planning application for residential at this site. It concluded that there is an overall negligible to moderate level of risk from potential contaminants.

The Council's Environmental Protection Unit raises no objections to specific contamination issues at this site. A condition could be imposed to minimise risk of contamination from garden and landscaped areas.

In addition, the Canals and Rivers Trust have recommended conditions requiring the submission of a waterway wall survey and a risk assessment, in order to ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the canal.

Subject to these conditions, it is considered that the scheme would satisfactorily address the issues relating to land contamination and the integrity of the adjoining canal, in compliance with policy OE11 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (Nov 2012).

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

In terms of principle of development, there is local and London Plan support for the release of surplus industrial land to provide more housing where appropriate. Evidence demonstrates that Hillingdon Borough has a surplus of employment land at present. The proposal includes 52 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy. In addition, the proposal would retain an employment offer in the form of an office block on the southern end of the site. In terms of employment, office uses generally provide a higher level than timber yards or warehousing. Therefore, the development is considered to also safeguard employment opportunities within the site.

The proposal is considered to have addressed the previous reasons for refusal. Specifically, in relation to its design, built form, and scale. The new building is well designed and will make a positive contribution to the location and surrounding area, in particular, it would be sympathetic to, and preserve the character and appearance of the Uxbridge Moor Conservation Area and the settings of the Statutory Listed Public House opposite and the Locally Listed boat yard adjacent to the site.

The proposal would be considered to sit comfortably within the site and it includes significant improvements to the canal setting, such as a well landscaped garden with trees, hedges, and plants that would also improve ecology. Opposite the site, a financial contribution has been offered to secure tow path/access improvements to the canal. To the rear of the site, adjoining residential properties along Waterloo Road, appropriate green buffer landscaping has been provided.

The building has been positioned away from neighbouring properties and its height and bulk can be satisfactorily accommodated in this location without appearing overbearing on the surrounding area or unacceptably detracting from the amenities of adjoining occupiers by reason of loss of light, privacy or outlook. The Council's Conservation and Urban Design Officer has reviewed the proposal and considers that it would be acceptable in design terms, subject to a condition to secure appropriate materials.

The proposal has also addressed the previous shortfall in parking provision by increasing the level from 0.7 to 1 parking space per unit. The Council's Highway Engineer is satisfied with the parking arrangements, along with the improvements to the access, which should further alleviate traffic at the junction between Waterloo Road and Rockingham Road.

Overall, the development would 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.

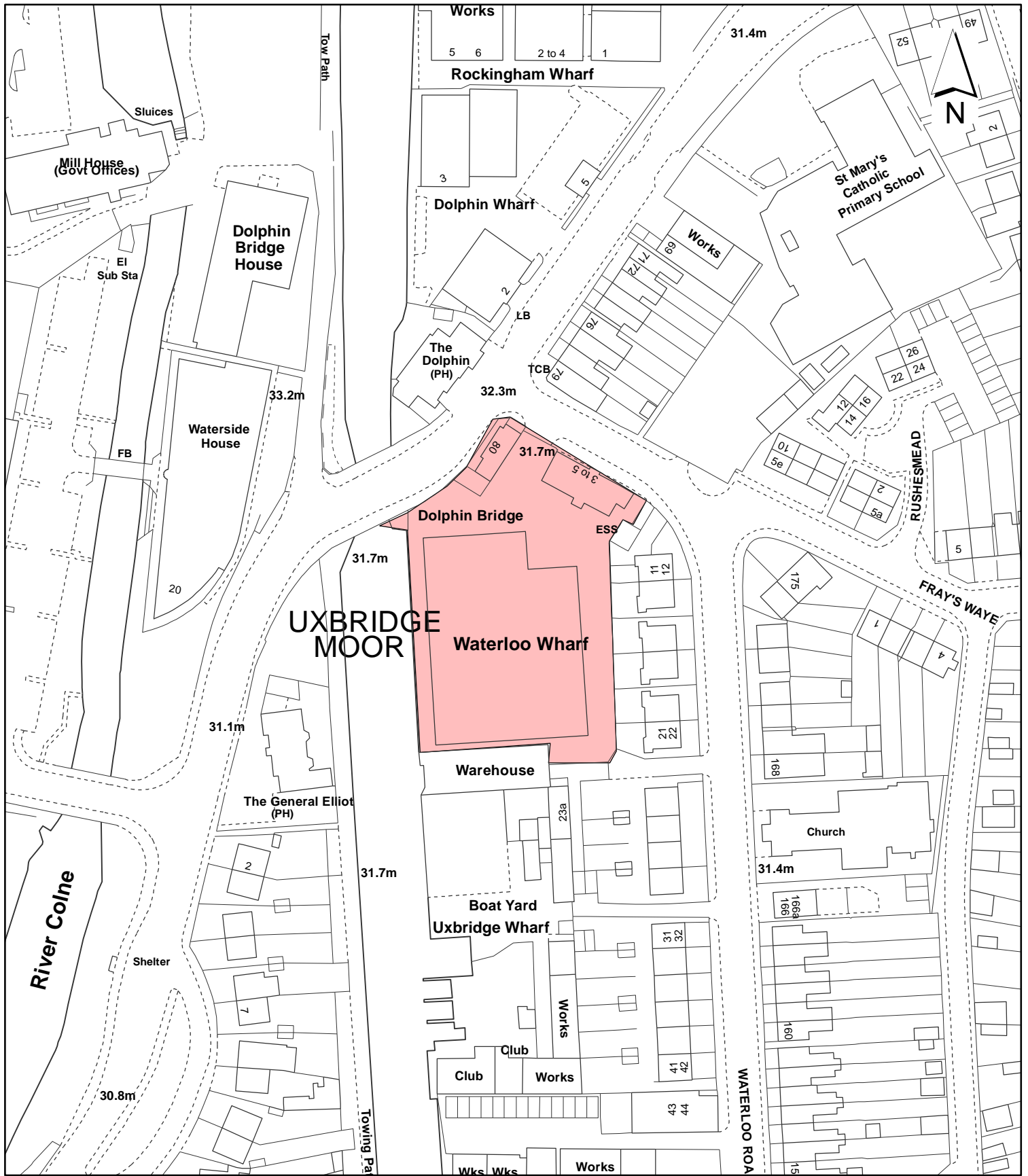
It is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the items referred to in section 7.20 of this report.

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 (2016)
National Planning Policy Framework (2012)
Technical Housing Standards - Nationally described space standards (2015)
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Guidance - Community Safety
Council's Supplementary Planning Guidance - Land Contamination
Council's Supplementary Planning Document - Accessible Hillingdon
Council's Supplementary Planning Document - Affordable Housing
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Document - Planning Obligations
The Mayor's Housing Supplementary Planning Guidance

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Notes:

 Site boundary

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Site Address:

**Waterloo Wharf
 Uxbridge**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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

Planning Application Ref:

43016/APP/2016/2840

Scale:

1:1,250

Planning Committee:

Major

Date:

October 2016



HILLINGDON
 LONDON