

Report of the Head of Planning, Sport and Green Spaces

Address KINGSWAY HOUSE HORTON ROAD YIEWSLEY

Development: Erection of a part 4 part 5 storey block of 34 new residential units, with associated car and cycle parking and amenity space, involving the demolition of the existing commercial buildings (outline application)

LBH Ref Nos: 70438/APP/2015/4424

Drawing Nos: Geo-Environmental Desk Study
Planning, Design and Access Statement
A2562 204 Rev R1 Roof Plan
Trip Rate Calculations Greater London
Trip Rate Calculations South East
PTAL Map
SK01 B Swept Path Analysis for a Delivery Vehicle
Response to Highways comments dated 26-04-16
A2562 200 Rev P5 Ground Floor Plan
A2562 203 Rev P5 3rd Floor Plan
A2562 202 Rev P5 2nd Floor Plan
A2562 201 Rev P5 1st Floor Plan
A2562 204 Rev P5 4th Floor Plan
Additional Supporting Information dated 07-06-16
Additional Letter dated 09-09-16
Extract from Horton Road Design & Access Statement Masterplan
Extract from Masterplan Impressions Pre-App Document
SK01 Rev C Swept Path Analysis for a Refuse Vehicle with 300m Offsets
A2562 200 Rev R1A OS Plan
CGI Visuals

Date Plans Received:	02/12/2015	Date(s) of Amendment(s):	09/09/2016
Date Application Valid:	05/01/2016		27/04/2016
			20/06/2016
			19/04/2016
			06/07/2016
			02/12/2015

DEFERRED ON 11th May 2016 FOR FURTHER INFORMATION .

The application was considered at the Majors Planning Application Committee held on 11th May 2016. It was agreed by the Planning Committee that more information was required in order to ensure that the proposed development met Council standards in regards to:

1. Amenity space provision to demonstrate compliance with minimum standards
2. Vehicle tracking, particularly for refuse vehicles
3. Clarification of overlooking distances to Building B and Bignell House
4. Clarification whether contributions towards health provision should be sought

The Planning Committee determined that the application should be deferred.

The applicant has provided the following additional information:
Additional Supporting Information dated 07-06-16

CGI Visuals

A2562 200 Rev R1A OS Plan

A2562 200 Rev P5 Ground Floor Plan

A2562 201 Rev P5 1st Floor Plan

A2562 202 Rev P5 2nd Floor Plan

A2562 203 Rev P5 3rd Floor Plan

A2562 204 Rev P5 4th Floor Plan

SK01 Rev C Swept Path Analysis for a Refuse Vehicle with 300m Offsets

The issues raised at the Planning Committee have been discussed in the relevant sections of this report.

The applicant has also provided a copy of an objection letter received from the landowners of the site objecting to the proposed development in regards to ownership of the application site and the Otter Way access road from Horton Road. The applicant has set out their response to the landowners objection letter in the following document: Additional Letter dated 09-09-16.

In summary, the applicant has confirmed that the correct ownership notices were served for this application. Provided that correct notices are served, the land ownership of an application site is not a material planning consideration in determining a planning application. Additional information was provided to show an overall masterplan for the surrounding area, including the application site. The masterplan included access to the application site from the recently completed Otter Way access road from Horton Road, which has now been implemented. The acceptability of the use of this access has been discussed elsewhere in this report.

Should planning permission be granted, it would be up to the applicants to negotiate with the landowners of the application site and the Otter Way access road to acquire the necessary land and easements required to deliver the scheme. As such, it is considered that the issue of ownership of the application site and Otter Way access road is not a material planning consideration in determining this planning application.

1. SUMMARY

Outline planning permission is sought for the erection of a part 4, part 5 storey block of 34 new residential units, with associated car & cycle parking and amenity space, involving the demolition of the existing commercial buildings.

The details of means of access and the scale of the residential redevelopment of the site are to be determined at this stage, with appearance, landscaping and layout as matters reserved for subsequent approval.

There is no land use policy objection to the principle of a residential use development of the site given the town centre location of the site, which is in an identified 'growth area' and will be the focus for future housing development.

The proposal provides a regeneration opportunity to improve the character and appearance of the canal side.

The proposal is considered to be acceptable in regards to access and the scale of the residential development.

The outline application is therefore recommended for approval, subject to conditions and a S106 Agreement.

2. RECOMMENDATION

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

1. That the applicant submit a Unilateral Undertaking, or the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:

(i) Highways Works: S278/S38 for required Highways Works subject to surrounding network adoption status

(ii) Construction Training: A financial contribution to the sum of £2500 per £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided.

(ii) Air Quality Monitoring: A financial contribution to the sum up to £12,500.

(iv) Travel Plan to include £20,000 Bond for each of the elements.

(v) Financial contribution of £17,000 towards improvements to the Canal towpath including a management scheme for the future maintenance of the towpath

(vi) Affordable Housing: 35% in habitable room terms with a tenure mix set at 100% affordable rent

(vii) Affordable Housing review mechanism.

(viii) A project management and monitoring fee of 5% of the total cash contributions for the management and monitoring of the resulting agreement (in the event that a S106 Agreement is completed).

2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of any S106 Agreement and any abortive work as a result of the agreement not being completed.

3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

4. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by the 31st August 2016, or any other period deemed appropriate by the Head of Planning and Enforcement then delegated authority be granted to the Head of Planning and Enforcement to refuse the application for the following reason:

The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of construction and employment training facilities, canal towpath improvements, affordable housing and travel plan). The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

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

1 RES1 Outline Time Limit

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

2 RES2 Outline Reserved Matters

Details of the appearance, landscaping and layout, (hereinafter called "the reserved matters") shall be submitted to the Local Planning Authority before the expiry of three years from the date of this permission and approved in writing before any development begins. The submitted details shall also include details of:

(i) Any phasing for the development.

The development shall be carried out in accordance with the approved details.

REASON

To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (As Amended).

3 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, A2562 200 Rev R1 OS Plan, A2562 200 Rev R1 Ground Floor Plan and A2562 204 Rev R1 Roof Plan and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

4 RES6 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 Two - Saved UDP Policies (November 2012)

5 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

REASON

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

REASON

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

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

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

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration that 40% of all parking spaces are served by electrical charging points (20% passive and 20% active) and that 10% of the

- total number of parking spaces are designed for disabled users)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture)

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

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

- 5. Schedule for Implementation

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

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

REASON

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

8 RES10 Tree to be retained

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

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

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

9 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

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

10 RES18 Accessible and Adaptable/Wheelchair Units

The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan (2016) Policy 3.8 d, is achieved and maintained.

11 RES17 Sound Insulation

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

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy OE5 of the Hillingdon Local Plan: Part Two -

Saved UDP Policies (November 2012) and London Plan (2015) Policy 7.15.

12 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 (2015).

13 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 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.

(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.

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

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

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

14 NONSC Vehicular Access Gates

The existing vehicular access gates on Otter Way shall be set back a minimum of 11m from the back of the public highway. Details of the revised access gates shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details.

REASON

To ensure pedestrian and vehicular safety in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

15 NONSC Vehicle Tracking

Notwithstanding the plans hereby approved, revised swept paths (showing vehicles entering and exiting in both directions) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.

REASON

To ensure pedestrian and vehicular safety in compliance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

16 NONSC Risk Assessment and Method Statement

Prior to the commencement of development hereby approved, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the Grand Union Canal must be submitted and approved in writing by the local planning authority in consultation with the Canal & River Trust. The risk assessment shall also include details of a monitoring strategy for the canal wall during the demolition and construction process.

REASON

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

17 NONSC Feasibility Study

Prior to the commencement of development hereby approved, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

REASON

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

18 NONSC Waterside Area Landscaping Scheme

Prior to the commencement of development hereby approved, full details of the proposed hard and soft landscaping scheme for the waterside area shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The landscaping shall be carried out in accordance with the approved details.

REASON

To improve the appearance of the site when viewed from the waterside and to enhance the biodiversity of the area, in accordance with Policies BE38 and EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Earthworks and associated landscaping also have the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for any planting.

19 NONSC Water Drainage into Waterway

If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Canal & River Trust prior to the commencement of development, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

REASON

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

20 NONSC Lighting and CCTV Scheme

Prior to the commencement of the development hereby permitted, full details of any proposed lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The approved lighting and CCTV scheme should be implemented prior to first occupation of the development.

REASON

In the interest of crime prevention, ecology, visual amenity and the waterway setting in accordance with Policies BE13 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

21 NONSC Ecological Survey

Prior to the commencement of the development hereby permitted, an ecological survey of the site, and proposals for mitigation of any impact on local ecology, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The approved mitigation measures should be implemented prior to first occupation of the development.

REASON

In the interest of ecology and the waterway setting in accordance with Policy EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

22 NONSC Bat Survey

Prior to the demolition of the existing building on site, the building and adjacent trees shall be surveyed for bats and the details of this survey shall be submitted and approved in writing by the Local Planning Authority before development commences.

REASON

To ensure that demolition process does not prejudice or compromise the ecological and conservation values found within the canal and immediate setting in accordance with Policy EC1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

23 NONSC Piling Method Statement

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

Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Development Services on 0800 009 3921 to discuss the details of the piling method statement.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H4	Mix of housing units
H8	Change of use from non-residential to residential
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
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
NPPF	National Planning Policy Framework
LPP 2.3	(2015) Growth Areas and Co-ordination Corridors
LPP 3.10	(2015) Definition of affordable housing

LPP 3.11	(2015) Affordable housing targets
LPP 3.12	(2015) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.3	(2015) Increasing housing supply
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.3	(2015) Designing out crime
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.3	(2015) Community infrastructure levy

3

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 (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-codeof-practice>)

4

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

5

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

6

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

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There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or underpinning work would be over the line of, or would come within 3 meters of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Development Services on 0800 009 3921 to discuss the options available at this site.

8

The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a

combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. They can be contacted on 0800 009 3921.

9 115 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 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.

10 121 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).

11 147 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

12 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies

appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). 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.

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In order to achieve improvements in the design of the final scheme the applicant is hereby advised to seek to discuss the detailed design aspects of the scheme with officers, including materials, landscaping and elevational profiles and articulation, prior to the submission of the reserved matters application. If you have any queries regarding the information contained in this informative then please email the Council Planning Services at planning@hillingdon.gov.uk. Alternatively, you can send your submissions to: London Borough of Hillingdon, Environment and Community Services, 3 North, Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW.

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Article 35 Statement:

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site currently contains an industrial building and associated hard standing and car parking and is surrounded by a combination of residential and industrial buildings.

The sites to the north and east have recently been granted planning permission for 3-5 storey residential apartments (ref: 3507/APP/2013/2327). Further to the north of the site on the other side of Horton Road, the area is predominantly low rise residential development. To the west, the site sits adjacent to several industrial buildings. To the south, the site fronts the Grand Union Canal, a site of Metropolitan Importance for Nature Conservation, with the mainline railway on the other side.

Vehicular and pedestrian access to the site is provided via the Bignell House/Horton Parade access which is mainly commercial. The site has a PTAL rating of 3. West Drayton Station is planned as a stop on the Crossrail route development. It is anticipated that this will improve the site's current PTAL rating from a 3 to a 4.

The site is located within the Yiewsley/West Drayton Major Town Centre, as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), but outside both the primary and secondary shopping areas. The site does not fall within an Archaeological Priority Area and there are no Conservation Areas or Listed Buildings within the vicinity.

3.2 Proposed Scheme

Outline planning permission is sought for the erection of a part 4, part 5 storey block of 34 new residential units, with associated car & cycle parking and amenity space, involving the demolition of the existing commercial buildings.

The details of means of access and the scale of the residential redevelopment of the site are to be determined at this stage, with appearance, landscaping and layout as matters reserved for subsequent approval.

Access to the site would be provided via the new access road (Otter Way) off of Horton Road. The access road is gated and would be shared with the neighbouring residential development. Parking would be partly provided within an undercroft with the remaining spaces located next to the proposed building.

3.3 Relevant Planning History

70438/PRC/2014/119 Impression Uk Ltd Horton Road Yiewsley

Demolition of existing commercial/light industrial unit and erection of approximately 34 new residential units, car parking and amenity.

Decision: 28-01-2015 NO

Comment on Relevant Planning History

In their response to the pre-application proposal (Ref:) for the residential redevelopment of the site, officers stated that a residential development within the town centre would be acceptable in principle, subject to any future application demonstrating compliance with the relevant development plan policies.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM6 (2012) Flood Risk Management
- PT1.H1 (2012) Housing Growth
- PT1.H2 (2012) Affordable Housing

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H4	Mix of housing units
H8	Change of use from non-residential to residential
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
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
NPPF	National Planning Policy Framework
LPP 2.3	(2015) Growth Areas and Co-ordination Corridors
LPP 3.10	(2015) Definition of affordable housing
LPP 3.11	(2015) Affordable housing targets
LPP 3.12	(2015) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 3.3	(2015) Increasing housing supply
LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 7.3	(2015) Designing out crime
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.3	(2015) Community infrastructure levy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th February 2016**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 27 local owners/occupiers and a site notice was displayed. No responses were received.

Following the submission of an amended Red Line Plan and Floor Plans, 14 day re-consultation letters were sent to 27 local owners/occupiers. No responses were received at the time of this report.

Canal & River Trust:

After due consideration of the application details, the Canal & River Trust has no objections to the proposed development, subject to the imposition of suitably worded conditions and the applicant first entering into a legal agreement relating to canalside and towpath improvements. We have the following specific comments about the submitted proposals:

- Scale and Layout

In principle, we support the opening up of the canalside and the development's potential for interaction with the waterside. However, we have some concern about the height of the canalside block adjacent to the towpath, which we feel is unduly overbearing and out of character in this location. We accept that the adjacent development has been approved with a similar height, and we are concerned that the proposal should not be any taller or closer to the canal than the adjacent approval for 26-36 Horton Road. This site and its surrounds, on the north side of the canal, is characterised by slightly lower development, with a more traditional scale and form. We are keen to avoid a canyoning effect on the canal corridor. We would therefore like to see the future reserved matters proposal move the development further back from the towpath, with a reduced height, stepping down towards the canalside.

- Access to Canalside

Any new accesses onto the towpath require a commercial agreement with our Estates team, and we request an informative regarding this.

We support the principle of improved access onto the towpath, but we are also aware that the development will bring more visitors to the site and the canal environment. They will make use of the towpath and waterspace as a valuable amenity resource, and also a useful walking and cycling route to West Drayton Station and other destinations. While we support increased access to this resource, we would request appropriate mitigation towards the increased use of the towpath and canal environment, such as upgrading of the towpath, through a S106 agreement. Given that the adjacent site made a S106 contribution of £25,000 towards the towpath, we would request £17,000 from this development towards the upgrade of the towpath environment.

- Ecology and Sustainability

The submission is not accompanied by an ecology report or EIA, and we would ask that this be supplied so that we can assess any impact on the local ecology.

The development may benefit from utilising its waterside location for moving demolition waste and materials from the site by barge. The site is within a lock-free section of the Grand Union Canal, which may make deliveries to the Powerday site (which has a wharf) at Willesden Junction more efficient than by road, as well as offering other benefits to the wider community. Please see the condition requested below.

If the Council is minded to grant planning permission, it is requested that the following conditions and informatives be attached to the decision notice (in addition to a S106 contribution towards the upgrade of the towpath environment for £17,000):

- Conditions

A Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with the Canal & River Trust. The risk assessment shall also include details of a monitoring strategy for the canal wall during the demolition and construction process. Reason: To ensure the proposed works

do not have any adverse impact on the safety of waterway users and the integrity of the navigation."

A feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables).

Full details of the proposed hard and soft landscaping scheme for the waterside area.

If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the Local Planning Authority.

Full details of any proposed lighting and CCTV scheme.

An ecological survey of the site, and proposals for mitigation of any impact on local ecology.

- 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 (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-codeof-practice>)."

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

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

In addition, in order for the Canal & River Trust to monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

Thames Water:

Waste comments

Thames Water requests the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management

Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Surface Water Drainage - with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or underpinning work would be over the line of, or would come within 3 meters of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Development Services on 0800 009 3921 to discuss the options available at this site.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including methods to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with on Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Development Services on 0800 009 3921 to discuss the details of the piling method statement.

Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Internal Consultees

Access Officer:

In assessing this application, reference has been made to the Further Alterations to the London Plan 2015, Policies 3.8 (Housing Choice), and Approved Document M to the Building Regulations 2015 (ADM 2015). 10% of the proposed residential unit should meet the standards for M4(3) Category 3 - wheelchair user dwellings, with all remaining units designed to the standards for Category 2 M4(2) - accessible and adaptable dwellings, as set out in ADM 2015.

The following access observations are provided:

1. For each different flat type/layout, floor plans of at least 1:100 should be submitted as part of this application. These should include furnished planned layouts, which clearly demonstrate the access zones and other accessibility provisions set out in Approved Document M for the required M4(2) and M4(3) housing types.

Conclusion: revised plans should be requested as a prerequisite to any planning approval. In any case, an additional Condition, as set out below, should be attached to any planning permission:

The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8 d, is achieved and maintained.

Officer comments:

As this is an outline application, full details of accessibility can be dealt with at Reserved Matters stage. The condition requested by the Access Officer will be added to any consent granted.

Conservation Officer:

The Conservation Officer has stated that they would prefer a greater set back from the canal edge and have criticisms of the roof form and its height.

Officer comments:

It should be clarified that the Conservation Officer has not objected to the scheme, rather they consider the illustrative plans can and should be improved upon at reserved matters stage. It is considered that an informative on the outline decision would help reinforce the need for further negotiations regarding appropriate external appearance at reserved matters stage.

Environmental Protection Unit:

I refer to your consultation of 15 January regarding the above site. The site for residential is on an industrial area. The use as residential is a sensitive use, although this development is flats with landscaping rather than private gardens. The submitted report by Jomas covers the information required for a preliminary desk study to support the application.

The application form confirms that the site is a commercial warehouse. Old maps we have show 'Works' at and around the building, but the 'Works' are not annotated as to what sort of business was carried out. There are quite a few historic uses around the area such as a cement works, oil works and pump station. There was an historic filled canal dock called Otter Dock 30 metres from the building and there was filled land nearby plus a noise bund. The adjacent (east) land was redeveloped for housing after the closure of a water pump station, and remediation in the 1980's was carried out. I think there is a filled underground reservoir to the east.

We visited the area in 2007 under our contaminated land strategy and there appeared to be various businesses in this area concerning printing, graphics, motor factors and metal fabrication.

The site will most likely have some contamination remediation works given the history of the area. The standard contaminated land condition with the soil import paragraph part iv included is essential should a permission be given. A comprehensive site investigation will be required.

The following condition and informative should be attached:

Condition - Noise protection scheme

Informative - Control of environmental nuisance from construction work

Highways:

- a. The site has poor public transport accessibility (PTAL = 2). Access to the site is via Horton Road.
- b. The proposed development is for 34 flats with a provision of 35 car parking spaces (including four spaces for disabled users). The Design and Access Statement indicates that cycle parking and provision for electric vehicles will be provided to LBH standards.
- c. An operational assessment of the Horton Road access junction and the junction of Horton Road/High Street is required to demonstrate existing conditions, impacts/mitigation to maintain adequate capacity required to accommodate the cumulative additional traffic generated from the proposed development and from other consented developments in the area.
- d. The applicant should provide vehicular swept paths (with 300mm error margins) to demonstrate service/delivery vehicles and other vehicular traffic can, together, enter and leave the site in forward gear, while maintaining two way traffic flow on the internal roads and at the access junction.
- e. Minimum headroom provision of 2.3m at the car parking spaces below the building should be confirmed.
- f. The transport assessment should assess traffic generation based on data from comparable sites within TRICS database. New traffic and queuing surveys should be undertaken to ensure that base year traffic modelling is acceptably calibrated and validated.

Officer comments:

The applicant has submitted additional information.

Highways:

The submitted swept paths are very tight based on the information shown on the plan. Could you please request the applicant to provide swept paths for vehicles entering and exiting in both directions. A footway should be provided along the access road, unless the existing pedestrian pathway is shown on the plan and is available to use for the proposed development.

It is unclear if the existing gates at the access were approved as part of the neighbouring development. Any vehicle gates should be set back 11m (minimum) from the back of the public highway (back of footway) to allow 2 vehicles or a refuse/service vehicle to wait without overhanging the adjoining highway. However, this would require amendments to car parking layout at the neighbouring development.

Overall the submitted information is rather unclear.

Officer comments:

The gates on the access road were approved as part of planning application ref: 3507/APP/2014/2724, dated 28-11-14, for amendments to planning permission ref: 3507/APP/2013/2327, dated 17-01-14. Given the Highways Engineer's concerns over vehicles being able to safely enter/exit the site, the existing vehicles gates should be set back 11m from the back of the public highway; it is considered that this can be dealt with by way of a condition on any outline planning consent.

Metropolitan Police (summary):

I have no objections to this as long as it achieves Secured by Design. However, it does prove to be difficult to overlay a crime survey, especially when all that there previously was commercial. I note from reading the DAS, that the canal is going to feature in this development. Having dealt with a

couple of these developments recently, I'm fully aware of TFL's 'Quiet Ways' in opening up the tow paths thus creating better links around London. The issue then comes down to lighting verses ecology.

Whilst I appreciate that residents of such developments will form a sense of territoriality with the canal/towpath. These towpaths are rarely opened up to a small group of people, instead they are opened for all members of the public. As a result, this creates it's own set of issues in the long term when developments are built close to canals with no lighting or insufficient fencing. As such, I would like to see good lighting and good boundary abutting the canal path.

I provide the following general advice for this scheme:

Where relevant, I would expect this development to incorporate all of the Secured by Design requirements detailed in the New Homes 2014 Guide.

Having reviewed the documentation on the portal and location of the site, it's difficult to overlay the crime survey on a disused building for comparision rerasons. However, due to the increase in population in the future, this area will be a crime generator if not built correctly and it is for this reason that security needs to be of paramount importance.

Section 106 Officer:

1. Highways Works: S278/S38 for required Highways Works subject to surrounding network adoption status
2. Construction Training: A financial contribution to the sum of: training costs: £2500 per £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided.
3. Air Quality Monitoring: A financial contribution to the sum of £12,500.
4. Travel Plan for the commercial and residential elements of the scheme and to include £20,000 Bond for each of the elements.
5. Financial contribution towards improvements to the Canal towpath including a management scheme for the future maintenance of the towpath
6. Affordable Housing subject to verification of the FVA
7. Affordable Housing Review Mechanism subject to verification of the FVA
8. Product Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions

Trees/Landscape Officer:

There are no Tree Preservation Orders and no Conservation Area designations affecting trees within the site.

- No tree survey has been undertaken and it is not known whether the trees near the towpath are within the site or on Canal and River Trust land.
- Either way it is unlikely that the trees will be affected by the proposed layout. This will need to be confirmed through a survey and analysis.
- The proposal shows an 'L'-shaped block with amenity space which maximises the potential of the south-facing part of the site which fronts onto the canal.
- The Design & Access Statement sets out little in the way of landscape site analysis or design objectives for the site - other than quoting the Buildings for Life Standards regarding the improvement of the quality of the public realm (p.17)
- The site layout plans define the hard and soft landscaped areas but, again, are hardly aspirational. Much more qualitative detail will be required at masterplan stage.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

Recommendations:

This application has been subject to pre-application discussions in 2014. No objection, subject to the above observations and following conditions:

- Outline Reserved Matters
- Levels
- Materials
- Tree Protection
- Landscaping (including refuse/cycle storage)

Officer comments:

The Council's Trees/Landscape Officer does not raise any additional comments following the submission of additional information.

Waste Strategy:

I would make the following comments on the above application regarding waste management.

1) Flats

a) I would estimate the waste arising from the development to be as shown below: -

Size of household: Two bedroom

Number in development: 34

Projected Weekly Waste & Recycling per household: 170 litres

Waste & Recycling produced from all households: 5570 litres

Thus at least 6 x 1,100 litre eurobins would be required. An additional container may be introduced for mixed dry recycling.

b) The bin enclosures must be built to ensure there is at least 150 mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections. The dimensions of an 1,100 litre bulk bin are shown in the table below: -

Bin Size: 1,100 litre Eurobin

Height: 1,370 mm

Depth: 990 mm

Width: 1,260 mm

c) Arrangements should be made for the cleansing of the bin stores with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

d) The material used for the floor should be 100 mm thick to withstand the weight of the bulk bins. Ideally the walls of the bin storage areas should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

e) The gate/door of the bin stores need to be made of metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150 mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

f) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

g) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

h) The access roads must be made strong enough to withstand the load of a 26 tonne refuse collection vehicle.

General Points

The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is not a designated Industrial or Business Area in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Employment and Land Map. Policy LE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) relates to the loss of employment land outside identified Industrial and Business Areas. This policy protects such uses subject to certain criteria. Also, Policy LE4 protects such uses unless:

1. The existing use seriously affects amenity, through disturbance to neighbours, visual intrusion, or an adverse impact on the character of the area;
2. The site is unsuitable for industrial or similar redevelopment due to its size, shape, location or lack of vehicular access;
3. There is no realistic prospect of the land being used for industrial, warehousing or employment generating land uses in the future;
4. The proposed use is in accordance with the Council's regeneration policies.

In order to demonstrate compliance with Policy LE4, the applicant is required to demonstrate that the site is surplus to employment requirements, especially as the site is presently occupied and in use. The Council's Employment Land Study 2009/2010 aims to assess the Borough's employment sites and premises in order to provide a robust evidence base to support the retention or release of existing employment land, where appropriate in the emerging Local Development Framework. It is acknowledged that the Employment Land Study 2009 and 2010 update confirms that there is an oversupply of industrial land in Hillingdon; the application site provides approximately 1,500sq.m of commercial/light industrial floor space which makes up approximately 3% of the total industrial land availability on the West Drayton Sub-Market and approximately 0.7% of the total industrial floor space in Hillingdon. The loss of this employment land may therefore be considered de minimus to the overall oversupply of employment land in Hillingdon, although the cumulative effect of such losses must be taken into consideration.

The application site is located within the Yiewsley/West Drayton Major Town Centre, as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and is an identified 'growth area' with a large number of residential developments within the immediate area. The appearance of the commercial site is considered to have a negative impact on the character and visual amenity of the surrounding residential area. It is considered that the proposal would provide an improvement to the amenity of the area.

Policy H4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to encourage additional housing, predominantly one or two-bedroom units, in town centres. Policy H8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the conversion or change of use of premises to residential use will only

be acceptable if a satisfactory residential environment can be achieved, as discussed elsewhere in this report.

Therefore, subject to compliance with other relevant policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), there is no objection in principle to the redevelopment of the site for residential use.

7.02 Density of the proposed development

The application site is located on Horton Road, West Drayton and has an area of 0.187 ha. The local area is considered to represent an urban context and has a Public Transport Accessibility Level (PTAL) of 3.

Policy 3.4 of the London Plan seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 of the London Plan recommends that for a PTAL of 3, a density of 200 - 450 hr/ha or between 70 -170 u/ha, (assuming 2.7 - 3.0 hr/u) could be achieved for the application site.

The proposed scheme would provide 34 residential units with a density of 182 units per hectare. Whilst the level of development for the site itself is above the guidelines set out within Table 3.2 density matrix of the London Plan, assuming a PTAL of 3, taking the wider 'masterplan' site (including the adjacent consented scheme) into consideration, the level of development would be within the London Plan guidance.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

A Geo-Environmental Desk Study has been submitted in support of the application.

The Environmental Protection Unit has assessed the report and recommends conditions to effect the removal of any contamination and ensure that imported soils are free from contamination. Subject to these conditions, it is considered that the proposal can be implemented without the future occupiers of the development being subject to any risks from soil or ground water contamination, in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene and other features of the area that are considered desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

Policy BE26 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

Policy BE32 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

seeks to ensure that proposals adjacent to the Grand Union Canal enhance the environmental and visual qualities of the canal.

The scale of the residential redevelopment of the site is to be determined at this outline stage, with details of appearance, landscaping and layout as matters reserved for subsequent approval. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established residential areas are not compromised by new development. The main constraints and opportunities of the site have been identified, in particular its relationship to neighbouring residential and industrial properties and the potential to open up physical/visual links from Horton Road to the canal side. As such, the proposals need to be considered with regard to the impact on Horton Road and the Grand Union Canal.

The current building is considered to have a relatively poor relationship to the street and the canal, with no active frontage or natural surveillance to either Horton Road or the waterway. The redevelopment of the site therefore presents an opportunity to improve the site's relationship with the street frontage and canal.

The immediate area does not have one specific architectural style with a variety of different residential buildings and some industrial and warehouse buildings with heights ranging from two to six storeys in places. The proposed residential development would be part four and part five storeys high. It is considered that the proposed building would not appear unduly prominent within the street scene and would be compatible with the scale of surrounding development. It is considered that the proposed building will fit in with the scale of existing commercial and residential buildings to the south and will not obstruct views to any key focal points.

It is not possible to conclusively comment on the appearance of the proposed development as no elevations have been provided as part of this outline application. However, details of appearance will be dealt with as part of the Reserved Matters stage. The applicant has provided additional information in regards to the set back of the proposed building from the Canal. At its closest the proposed building would be set back 12m from the edge of the Grand Union Canal.

Although the Canal and River Trust has no principle objections to the proposed development, concerns have been raised about the height of the building adjacent to the towpath. They have asked that this block be no higher or nearer to the canal than the corresponding block in the recently granted planning permission for a housing development on the adjoining site at 26-36 Horton Road (Ref:3507/APP/2013/2327). Both the approved and proposed blocks would be 5 storeys high and while no elevations are provided in the outline scheme under consideration, indicative visuals in the applicants design and access statement show a similar appearance and design approach to the approved block, with pitched gables fronting the canal. The proposed and approved neighbouring blocks are therefore of a very similar size and scale when viewed from the canal side. While at its closest the proposed block is slightly nearer to the edge of the canal at 12m than the approved block at 13.5m, officers are satisfied that this is sufficient to provide for a suitable landscape treatment that would enhance the appearance of this stretch of the canal.

Overall, subject to detailed design at the Reserved Matters stage, it is considered that the outline scheme would have an acceptable impact on the Grand Union Canal and the area generally, in compliance with Policies BE13, BE19, BE26 and BE32 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policies BE20 and BE21 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Layouts SPD seek to ensure that new buildings and extensions maintain and allow adequate levels of daylight and sunlight to penetrate into and between them; the minimum acceptable distance between residential properties is 15m. New developments should comply with the 45 degree principle. Furthermore these policies state that planning permission will not be granted for new buildings and extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Following the previous Committee deferral, indicative floor plans have been received demonstrating the relationship of the proposed units with the neighbouring residential blocks. The revised indicative layout show that the minimum 15m separation between existing and proposed buildings can be achieved. Full details of layouts are secured by condition and can be dealt with at Reserved Matters stage.

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to protect the privacy of neighbouring dwellings. Furthermore, Paragraph 6.12 of the Council's HDAS: Residential Extensions SPD requires a 21m separation distance between habitable rooms to ensure no loss of privacy would occur.

Members sought clarification in regards to overlooking distances between the proposed building and the adjoining Bignell House (to the west) and Building B (to the east); the submitted indicative layout plans demonstrate that the 21m separation distance would be achieved between the proposed block and Building B, to the east, and Building C, to the north. In regards to Bignell House, no habitable room windows would be provided on the elevation facing the neighbouring building; any windows on this elevation would be either high level or obscure glazed. Further details of elevations and window locations would be dealt with at Reserved Matters stage.

Overall it is considered that the proposed development would provide adequate levels of daylight/sunlight and privacy, and so would not cause harm to residential amenity, in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

7.09 Living conditions for future occupiers

Internal Floor Space:

Policy 3.5 of the London Plan sets out minimum internal floor space standards for residential units requiring 50sq.m for one-bed two person units, 61sq.m for two-bed three person units, 70sq.m for two-bed four person units and 86sq.m for three-bed five person units.

The applicant has provided indicative floor plans for the proposed development which indicate that the proposed units would comply with the minimum floor space standards set out in Policy 3.5 of the London Plan. Further details of the internal layouts would be provided at the Reserved Matters stage.

External Amenity Space:

Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that adequate external amenity space is retained for residential properties. The Council's HDAS: Residential Layouts SPD states that one-bed units should be provided with a minimum of 20sq.m of external amenity space, 25sq.m for two-bed and

30sq.m for three-bed units.

Concern was raised by the Planning Committee over the provision of adequate amenity spaces for the proposed units. Although final details of the amenity space will be dealt with at Reserved Matters stage, the application needs to demonstrate that adequate amenity spaces can be provided for the number of units proposed.

The applicant has provided indicative layouts of all floors in the proposed development, which include the proposed unit mix. The proposed 32 unit scheme would provide 12 one-bed, 21 two-bed and 1 three-bed units, and would require 795sq.m of external amenity space.

The proposal would provide 494sq.m of communal amenity space at the rear and a 37sq.m rooftop terrace on the fourth floor. Although locations of balconies or terraces have not been provided on the revised plans, the Mayor's Supplementary Planning Guidance - Housing November 2012 states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. As such, it is assumed that the units would be provided with approximately 6sqm of private amenity space in the form of balconies or terraces for each of the 34 units, resulting in at least 204sq.m of combined external private amenity space.

Based on the above, officers are satisfied that the scheme is capable of providing up to 735sq.m of amenity space within the development. This would represent a shortfall of 60sq.m from the level suggested by the Council's SPD. However, it is worth noting that the application is in outline form with Landscaping being a matter reserved for more detailed consideration in a subsequent submission. In addition the development also includes improvements to the towpath and canal frontage on land outside of the applicant's ownership. On balance, it is considered that an acceptable amount of usable external amenity space would be provided for the proposed development with final details of external amenity space dealt with at the Reserved Matters stage.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The details of means of access to the site are to be determined at this outline stage. Access to the site would be provided via the existing access road (Otter Way) off of Horton Road. The access road is gated and would be shared with the neighbouring residential development. The use of Otter Way to access the site is considered to be acceptable.

During the Planning Committee concerns were raised by Members over the submitted vehicle tracking diagrams, particularly for refuse vehicles, where the swept path over-runs fell outside the red line plan. The red line plan has been amended to include all the overhang areas within the Refuse Vehicle Swept Path Analysis and revised swept paths have been provided. The Highways Engineer has raised concerns over vehicles being able to safely enter/exit the site due to the existing access gates being set back less than 11m from the public highway. Subject to a condition requiring the existing vehicle access gates to be set back 11m from the back of the public highway, it is considered that Members concerns over vehicle tracking have been addressed.

In regards to traffic generation and the impact on the highway network, it is considered that

the proposed development would not result in a significant increase in traffic generation on the existing highway network, with a lower proposed trip generation than the existing commercial use. The proposal would therefore comply with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that developments should comply with the Council's Car Parking Standards.

Parking would be partly provided within an undercroft with the remaining spaces located next to the proposed building. Each residential unit would be provided with one parking space (1:1 ratio); 35 parking spaces, including four disabled parking spaces would be provided in total. The parking is therefore considered to be in accordance with the Council's Car Parking Standards and Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Urban Design:
See Section 7.03 of this report.

Access and Security:

The Metropolitan Police have assessed the proposed development and considers the scheme to be acceptable provided it achieves Secure by Design. These matters are now largely covered under Building Regulations.

7.12 Disabled access

Although the proposal only seeks outline permission at this stage, it will be important for access considerations to be taken into account so that they can be successfully incorporated at the Reserved Matters stage. The Council's Access Officer has assessed the application and requires 10% of the residential units to be constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015. This can be dealt with by way of a condition on any consent granted.

7.13 Provision of affordable & special needs housing

The application exceeds the threshold of 10 units and above, therefore affordable housing provision by way of a S106 Legal Agreement is required. Policy H2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that 35% of all new residential units in the borough should be delivered as affordable housing. Subject to the provision of robust evidence, the Council will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough as well as the viability of schemes.

The application has been assessed on the basis that 35% affordable housing will be provided with the tenure for delivery to be sought on an Affordable Rent basis as this is the need in this area, with grant funding being available for this type of tenure.

Notwithstanding this, it is worth noting that the application is in outline form, where detailed information of the development, construction costs and development viability are unavailable. In the circumstances, a review mechanism is recommended to ensure that the development viability can be reappraised, if required, when the final details of the scheme are available and the development costs have been fully identified.

In the case that less than 35% affordable housing is proposed, any application to review

affordable housing provision will need to be supported by a financial viability appraisal. This will need to be submitted using the Three Dragons Toolkit provided by the Greater London Authority. Financial appraisals may be referred to the Council's specialist Consultant for comment. The applicant will be asked to meet the Council's costs prior to any such action.

The Council would expect the affordable housing provision to be similar in design to the rest of the site, as well as complying with Housing Quality Indicators (HQI's) and Design and Quality Standards (Housing Corporation). The room sizes must meet minimum standards for affordable housing in Hillingdon.

The Affordable Housing provision and the review mechanism shall be secured through a Section 106 Legal Agreement for the development in the event of an approval.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that new development should retain topographical and landscape features of merit and that new planting and landscaping within development proposals should be provided wherever it is appropriate.

The site borders the Grand Union Canal, a site of Metropolitan Importance for Nature Conservation. There are established off-site trees on the towpath, along the southern site boundary. The development of the site would give rise to new landscaping opportunities that would potentially benefit the visual amenity of this part of West Drayton.

The Council's Trees/Landscape Officer has assessed the application and raises no objection to the proposed residential development subject to conditions to ensure that the detailed landscape proposals preserve and enhance the character and appearance of the area. It is considered that the scheme is on the whole acceptable and in compliance with Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Ecology:

Policy EC2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks the promotion of nature conservation interests whilst Policy EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks the retention of features, enhancements and creation of new habitats. London Plan Policy 7.19[c] seeks ecological enhancement. Policy 7.30 seeks the protection of the Blue Ribbon Network (a network of strategic waterways identified within the London Plan with measures taken to improve the habitat and amenity value of the waterways).

The Canal and River Trust recommends a condition requiring the submission and approval of an ecological enhancement scheme is provided on any consent granted in order to ensure that the proposed development does not cause harm to the ecology. Subject to this condition, the proposal complies with Policy 7.19 of the London Plan which requires that development protects and enhances biodiversity, Policy EM7 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies EC2 and EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy EM7 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) seeks to preserve and enhance Hillingdon's biodiversity, including protected species such as bats. Policy EC1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect sites of Metropolitan Importance for Nature Conservation from unacceptable ecological effects.

As the proposal involves the demolition of an existing building close to the Grand Union Canal, there may be bats within the vicinity; in order to ensure that demolition will not cause harm to bats, a bat survey will be required by way of a condition on any consent granted.

7.15 Sustainable waste management

Conditions and informatives will be attached to a future decision notice to ensure adequate provision of waste and recycling facilities on site and the retention of such facilities in perpetuity.

7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in Carbon Emissions, including a reduction of 40% in carbon emissions. Sustainability measures will need to be incorporated at the Reserved Matters stage.

Due to the location next to the Grand Union Canal, the development may benefit from utilising its waterside location for moving demolition waste and materials from the site by barge. The Canal and River Trust has therefore requested a condition requiring a feasibility study to be carried out to assess the potential for moving freight by water during the construction cycle.

7.17 Flooding or Drainage Issues

Policies OE7 and OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. The site falls outside any flood zones as defined in the Council's own Strategic Flood Risk Assessment (SFRA) and is within Flood Zone 1 on the Environment Agency maps; a flood risk assessment is not required.

Given the proximity of the canal, which is a controlled waterway, a canal/drainage statement would be provided at the Reserved Matters stage. Details of sustainable water management will be secured by condition. The Canal and River Trust have recommended a condition which requires details of any surface water run-off and ground water drainage into the waterway.

7.18 Noise or Air Quality Issues

Noise:

Policy 7.15 of the London Plan seeks to reduce noise and minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals. Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not grant permission for uses detrimental to the character or amenities of surrounding properties due to noise unless sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable.

It is considered that flatted development on this site is acceptable in principle, subject to adequate sound insulation, which can be dealt with by way of a condition on any consent granted.

Air Quality:

No information was submitted with regard to air quality. Besides the impact of the development on the existing residents, air quality consideration also needs to be given to the impact on the proposed development of existing air quality in the area, as a number of new sensitive receptors are being introduced to the site.

The proposed development is within the declared AQMA and in an area that is likely to be

slightly below the European Union limit value for annual mean nitrogen dioxide (40.0mg/m³).

The development is introducing sensitive receptors into a poor air quality area. As no air quality assessment has been provided, it is unclear if air quality will improve or by how much, as a consequence of the development. Details of the final energy provision at the site can be addressed at reserved matters stage and can be secured by condition. In addition, a Section 106 obligation of £12,500 for contributions to the air quality monitoring network in the area is considered appropriate.

Subject to a satisfactory energy strategy for the site and planning obligation, it is considered that the impact of the development on the air quality of the area can be mitigated, to the extent that refusal of the application on these grounds would not be justified, in accordance with Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

7.19 Comments on Public Consultations

No responses were received during the public consultation.

7.20 Planning obligations

The proposed development would be Mayoral CIL Liabile. The London Borough of Hillingdon falls within Charging Zone 2, therefore, a flat rate fee of £35 per square metre would be required for each net additional square metre added to the site as part of the development.

The proposal would also be liable under the London Borough of Hillingdon's Community Infrastructure Levy (CIL), which was introduced in August 2014. The charging schedule requires a fee of £95 per square metre for residential developments.

The Planning Committee required clarification on whether contributions towards health provision should be sought. The Council's Section 106 Officer has confirmed that the Council's Planning Obligations SPD does not require any contributions towards public health as these have been included in the infrastructure requirements as set out in the CIL Charging Schedule. This is in line with regulation 123 of the CIL regulations. As such, public health is now funded via the Community Infrastructure Levy rather than via s106 mechanisms.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

Outline planning permission is sought for the erection of a part 4, part 5 storey block of 34 new residential units, with associated car & cycle parking and amenity space, involving the demolition of the existing commercial buildings.

The details of means of access and the scale of the residential redevelopment of the site are to be determined at this stage, with appearance, landscaping and layout as matters

reserved for subsequent approval.

There is no land use policy objection to the principle of a residential use development of the site given the town centre location of the site, which is in an identified 'growth area' and will be the focus for housing developments.

The proposal provides a regeneration opportunity to improve the character and appearance of the canal side.

The proposal is considered to be acceptable in regards to access and the scale of the residential development and contribute towards the Council's housing stock.

The outline application is therefore recommended for approval, subject to conditions and a S106 Agreement, subject to conditions and a S106 Agreement.

11. Reference Documents

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

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

National Planning Policy Framework

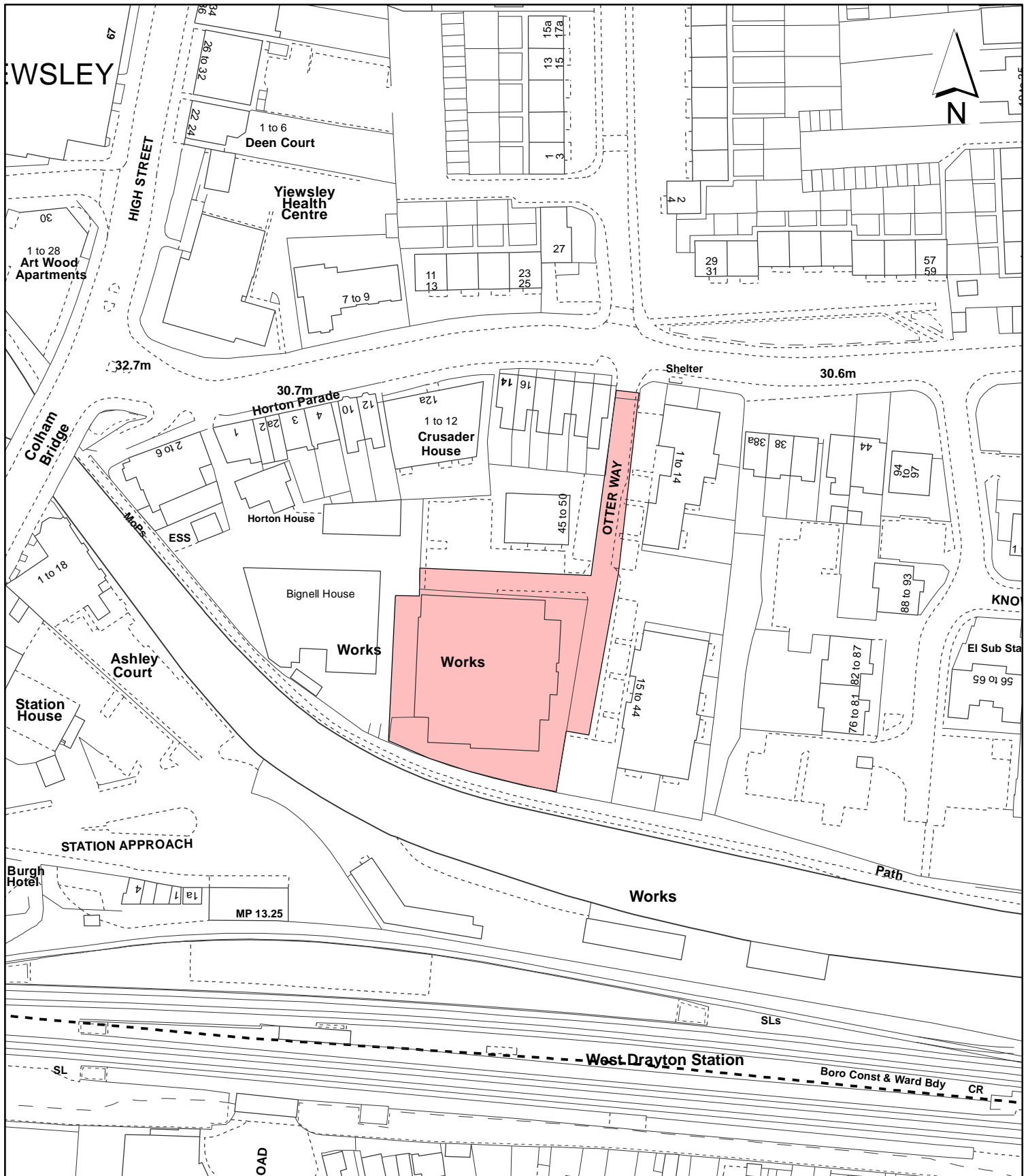
London Plan (2015)

HDAS: Residential Layouts

HDAS: Accessible Hillingdon

Contact Officer: Katherine Mills

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
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Site Address:

**Kingsway House
 Horton Road**

Planning Application Ref:

70438/APP/2015/4424

Planning Committee:

Major

Scale:

1:1,250

Date:

October 2016

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

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