

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

**Address** WATERLOO WHARF WATERLOO ROAD UXBRIDGE

**Development:** Erection of 47 flats in two blocks, with associated parking, new access, amenity space and landscaping, involving demolition of existing warehouse, offices and 80 Rockingham Road.

**LBH Ref Nos:** 43016/APP/2016/1975

**Drawing Nos:**

- SUB 01 Location Plan (Rev B)
- SUB 02 Existing Survey Site (Rev A)
- SUB 03.1 Site Plan (Rev G)
- SUB 04 Ground Floor Plan (Rev J)
- SUB 05 First Floor Plan (Rev H)
- SUB 06 Second Floor Plan (Rev H)
- SUB 07 Third Floor Plan (Rev J)
- SUB 08 Roof Plan (Rev J)
- SUB 101 North + East Elevation Block A (Rev F)
- SUB 102 West + South Elevation Block A (Rev F)
- SUB 103 West + South Elevation Block B (Rev F)
- SUB 104 East + North Elevation Block B (Rev G)
- SUB 105 Previous & Proposed East + North Elevation Blocks A & B
- SUB 201 Existing Sectional Elevations AA + BB (Rev C)
- SUB 201. 1 Existing & Proposed Sectional Elevations AA + BB (Rev C)
- SUB 201. 2 Sectional Elevations AA + BB (Rev G)
- SUB 202 Existing Sectional Elevations CC + DD (Rev A)
- SUB 202. 2 Sectional Elevations CC + DD (Rev G)
- SUB 203 Existing Sectional Elevations EE + FF (Rev A)
- SUB 203. 2 Sectional Elevations EE + FF (Rev F)
- SUB 204 Existing Sectional Elevations GG + HH (Rev A)
- SUB 204. 2 Sectional Elevations GG + HH (Rev F)
- 01O External Works Masterplan 3'
- 02K External Works Masterplan Sections 3'
- Sorbus Aucuparia Streetwise Example
- Loss of Employment Land Briefing Paper
- Flood Risk Assessment (revised)
- Proposed Access Arrangements Plan SK20\_5 9 16
- Waterloo Road Bat Report\_22082016
- Ge archaeological monitoring of borehole:
- Energy strategy
- Design and Access Statement
- Daylight sunlight and overshadowing assessment
- Sustainable homes pre assessment
- Archaeological desk based assessment
- Arboricultural statement and tree condition survey
- Waterloo Wharf air quality assessment
- Photomontages 1 - 8
- Site views A, B and C
- Supplementary Noise Assessment
- Planning statement
- Waterloo Wharf Planning Statement Errata - June 2016

Transport statement  
Phase II geoarchaeological monitoring of evaluation trenches  
Noise assessment  
Landscape design statement  
Heritage statement  
Geoenvironmental study  
Topographical survey 19839/1

<b>Date Plans Received:</b>	24/05/2016	<b>Date(s) of Amendment(s):</b>	05/10/2016
<b>Date Application Valid:</b>	01/06/2016		06/10/2016
			24/08/2016
			26/05/2016
			14/09/2016
			09/09/2016
			16/06/2016

## 1. SUMMARY

Planning permission is sought for the erection of 2 separate part 3, part 4, storey blocks of flats at the site of Goldburg's Timber Yard, Waterloo Warf, at the junction of Rockingham Road and Waterloo Road. The proposal involves the demolition of the existing structures on the site, including the warehouse building, office building, main house and annex and redevelopment for residential purposes for 47 flats.

91 surrounding occupiers were consulted. 16 representations and one petition bearing 53 signatures have been received objecting to the scheme, mainly for the following reasons:

- (i) significant impact on residents living in the surrounding area due to the design, height and scale,
- (ii) limited parking planned,
- (iii) the poor access on a busy road and
- (iv) associated noise and pollution.

The site is not identified as being required to meet the Council's housing targets. However, the application has justified the loss of employment land in this case. In terms of principle of development, there is local and London Plan support for the release of surplus industrial land to provide more housing where appropriate. Evidence demonstrates that Hillingdon Borough has a surplus of employment land at present. The proposal includes 47 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy.

Because of the site's proximity to the adjoining boat yard and dry dock, future occupiers of the scheme may be subject to high levels of noise, with the potential for noise complaints, thereby prejudicing the long-term future of this important canal related operation. In order to address this issue, a range of noise attenuation measures are proposed, including works to the boat yard to prevent the escape of noise and measures to the fabric of the proposed buildings to mitigate against excessive noise (mechanical ventilation and high performance acoustic windows/doors).

The proposal is considered to have addressed the previous reasons for refusal with regard to its design, built form, height and scale. The new buildings are well designed and will make a positive contribution to the location and surrounding area. In particular, they would be sympathetic to the character and appearance of the Uxbridge Moor Conservation Area, whilst the impact of the development upon the setting of the Grade 2 listed General Elliott public house opposite and the adjacent locally listed boat yard would not harm those buildings' historic interest.

The proposal includes improvements to the canal setting, including a landscaped garden with trees, hedges, and plants that would also improve ecology. Opposite the site, a financial contribution has been offered to secure tow path/access improvements to the canal.

The proposed buildings have been positioned away from neighbouring properties and officers are satisfied that their height and bulk can be satisfactorily accommodated in this location without appearing overbearing on the surrounding area or unacceptably detracting from the amenities of adjoining occupiers, by reason of loss of light, privacy or outlook. A landscaped strip is proposed to the rear of the site along the boundary with the rear gardens of properties in Waterloo Road.

The Council's Conservation and Urban Design Officer has reviewed the proposal and considers that it would be acceptable in design terms, subject to a condition to secure appropriate materials and detailing of various elements of the scheme.

The Council's Highway Engineer is satisfied with the parking arrangements, along with the improvements to the access, which should further alleviate traffic at the junction between Waterloo Road and Rockingham Road.

Overall, the proposed development meets the strategic policy objectives of the London Plan as well as the aims and objectives of local Council policy and the NPPF.

It is recommended that the application be approved subject to conditions and the satisfactory completion of a S106 Legal Agreement securing on/off site Affordable Housing, Canalside Improvements, Highway Works, and contributions towards Construction Training and a Project Management & Monitoring Fee.

## **2. RECOMMENDATION**

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

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

**i) S278/S38 agreement to secure access and pavement modifications, traffic orders, signage and road markings.**

**ii) Affordable Housing:**

**iii) Affordable Housing Review Mechanism: The legal agreement shall provide for the Council to review the finances of the scheme at set times, in order to ensure that the maximum amount of affordable housing is being sought (seeking an uplift if viable).**

**iv) Noise Attenuation Scheme for the Uxbridge Boat Centre: This scheme shall be agreed by the Local Planning Authority and the land owner of the boat yard (Canal & River Trust). Once completed, another Environmental Noise Assessment shall be**

carried out to confirm that the upgrades to the Boat yard and dry dock area as detailed in Environmental Noise Assessment Ref: M3130HH (e.g. new acoustic shutters, upgraded external walls and suitable enhanced roof) and Noise Attenuation Scheme have protected the proposed development. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

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

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

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

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreements have not been finalised by 30 November 2016 (or such other timeframe as may be agreed by the Head of Planning and Enforcement), delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of noise mitigation, canal contributions, highways, affordable housing, and construction training). The proposal therefore conflicts with 'saved' policies AM7 and R17 of the Unitary Development Plan (2012) and the Council's Planning Obligations SPD and Air Quality SPG, and the London Plan (2016).'

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

F) That if the application is approved, the following conditions be imposed subject to changes negotiated by the Head of Planning and Enforcement prior to issuing the decision.

1            COM3            Time Limit

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

REASON

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

**2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans referenced below and shall thereafter be retained/maintained for as long as the development remains in existence:

- SUB 03. 1 - Site Plan (Rev G)
- SUB 04 - Ground Floor Plan (Rev J)
- SUB 05 - First Floor Plan (Rev H)
- SUB 06 - Second Floor Plan (Rev H)
- SUB 07 - Third Floor Plan (Rev J)
- SUB 08 - Roof Plan (Rev J)
- SUB 101 - North + East Elevation - Block A (Rev F)
- SUB 102 - West + South Elevation - Block A (Rev F)
- SUB 103 - West + South Elevation Block B (Rev F)
- SUB 104 - East + North Elevation Block B (Rev G)
- SUB 105 - Previous & Proposed - East + North Elevation Blocks A & B
- SUB 201. 2 - Sectional Elevations - AA + BB (Rev G)
- SUB 202. 2 - Sectional Elevations - CC + DD (Rev G)
- SUB 203. 2 - Sectional Elevations - EE + FF (Rev F)
- SUB 204. 2 - Sectional Elevations - GG + HH (Rev F).
- 01O External Works Masterplan 31-08-16
- 02K External Works Masterplan Sections 31-08-16

REASON

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

**3 COM5 General compliance with supporting documentation**

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

- Arboricultural Statement and Tree Condition Survey
- Transport Statement & Appendices
- Flood Risk Assessment & Appendices (Curtins) Ref: LO1653 Revision: 02
- Geo-Environmental Site Appraisal, Phase 1 - Detailed Desk Top Study (Curtins)
- Geoarchaeological Monitoring of Evaluation Trenches (ARCA - Dept of Archaeology, University of Winchester)

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

REASON

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

**4 OM19 Demolition and Construction Management Plan**

Prior to commencement of development, the applicant shall submit a demolition and

construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

#### REASON

To safeguard the amenity of surrounding areas in accordance with policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

#### **5 COM6 Levels**

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

#### REASON

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

#### **6 RES8 Tree Protection**

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

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

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course

of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

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

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

### **7 RES9 Landscaping (including treatment for defensible space)**

A landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

#### 1. Details of Soft Landscaping

- 1.a All ornamental and ecological planting (at not less than a scale of 1:100),
- 1.b Replacement tree planting to compensate for the loss of existing trees,
- 1.c Written specification of planting and cultivation works to be undertaken,
- 1.d Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

#### 2. Details of Hard Landscaping

- 2.a Means of enclosure/boundary treatments, including details of the screening required for the defensive space at the front, side and rear of flats to ensure the privacy of these residents.
- 2.b Hard Surfacing Materials
- 2.c Other structures (such as gates, steps, ramps, retaining walls and chains/treatment to provide defensible space to ground floor units)

#### 3. Details of Landscape Maintenance

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

#### 4. Schedule for Implementation

#### 5. Other

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

Thereafter the approved details shall be implemented prior to first occupation of the flats in full accordance with the approved details and shall be retained thereafter.

#### REASON

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

**8 CA2 Demolition - requirement for development contract**

The works of demolition, including partial demolition hereby approved shall not be commenced before contract(s) for the carrying out of the completion of the entire scheme of works approved under planning permission Ref:43016/APP/2016/1975, including the works contract, have been made and evidence of such contract(s) has been submitted to and accepted in writing by the Council as local planning authority.

**REASON**

To ensure that premature demolition does not occur in accordance with Policy BE4 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**9 NONSC Items of Heritage/Visual Amenity Interest to be retained**

The 'Pill Box', the railings along the canal bridge, and the Waterloo Wharf stone plaque shall be retained and repaired/made good, in accordance with a scheme shall be submitted to, and approved in writing by the Local Planning Authority. .

**REASON**

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

**10 NONSC HE Recording Level 2**

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

**REASON**

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

**11 COM15 Sustainable Water Management**

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it:

**Manages Water**

The scheme shall follow the strategy set out in 'Surface Water Drainage Strategy', produced by Ambiental dated demonstrate ways of controlling the surface water on site by providing information on:



a) Suds features:

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

b) Receptors

- i. Where infiltration techniques (soakaway) are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

c) Minimise water use.

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

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

d) Long Term Management and Maintenance of the drainage system, including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues. Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

e) During Construction; How temporary measures will be implemented to ensure no increase in flood risk from commencement of construction. Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON**

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

**12 NONSC Energy**

Prior to the commencement of development, a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall consolidate all the information provided in the Wallace Whittle Energy Strategy Issue 4 dated March 2016 and clearly set out the maintenance arrangements for the Combined

Heat and Power (CHP) plant. The development will proceed in accordance with the approved scheme.

**REASON**

To ensure there is a clear understanding of how each use within the development contributes to the site wide strategy and to ensure the energy reduction targets of Policy 5.2 of the London Plan (2016) are met.

**13 NONSC Waterway Wall Survey**

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

**REASON**

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

**14 NONSC Risk Assessment and Method Statement**

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

**REASON**

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

**15 NONSC Surface Water**

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

**REASON**

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

**16 RES26 Contaminated Land**

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

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all

potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site

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

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

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

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

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

#### REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.21 of the London Plan (2016).

#### **17 NONSC Flood Mitigation**

Prior to occupation of the development hereby approved, details of the the proposed works to ensure an appropriate flood defence and a flood evacuation plan shall be submitted to and and agreed in writing with the Local Planning Authority.

#### REASON

To demonstrate that the site is safe as required by:

- Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1-Strategic Policies (Nov 2012).
- Policy DME1 9 Management of Flood Risk in emerging Hillingdon Local Plan Part 2 - Development Management Policies.
- Policy 5.12 Flood Risk Management of the London Plan (2016)
- National Planning Policy Framework (2012) and
- Planning Practice Guidance (March 2014).

#### **18 NONSC Cycle Storage**

The development shall not be occupied until 47 cycle parking spaces are provided in accordance with the approved plans for use by future occupiers. Thereafter, these cycle parking spaces shall be permanently retained, unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

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

**19 RES16 Car Parking**

The development shall not be occupied until 39 car parking spaces, including 5 disabled bays, 8 electric charging bays with a further 8 bays with passive provision and 2 motor cycle bays have been provided. Thereafter the parking bays/areas shall be permanently retained and used for no other purpose than the parking of motor vehicles associated with the consented residential units at the site.

**REASON**

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

**20 RES22 Parking Allocation**

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

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with policy AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

**21 RES18 Accessible Homes/Wheelchair Units**

10% of the units shall meet the standards for M4(3) 'wheelchair user dwellings' and the remainder shall meet the standards for M4(2) 'Accessible and adaptable dwellings' as set out in Approved Document M to the Building Regulations (2015). All such provisions shall remain in place in perpetuity.

**REASON**

To ensure an appropriate standard of housing stock is achieved and maintained which meet the needs of disabled and elderly people in accordance with policies 3.1, 3.8, and 7.2 of the London Plan (2016) and the National Planning Policy Framework (2012).

**22 NONSC Outdoor Amenity Areas**

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

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance

with policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.1 of the London Plan (2016).

### **23 NONSC Details of Finish**

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

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

The approved details shall be implemented and maintained for so long as the development remains in existence, unless otherwise agreed in writing by the Local Planning Authority.

#### **REASON**

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

### **24 NONSC Noise mitigation for future occupiers**

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

- 1) External walls - A brick or masonry external leaf, with either masonry or timber frame inner leaf
- 2) Glazing to Living Rooms - 32 dB Rw + Ctr, e.g. 8/12/6 configuration
- 3) Glazing to Bedrooms - 38 dB Rw + Ctr, e.g. 8.4/16/10.4A configuration Min.
  
- 4) Ventilation Provision - Ventilation to these flats should be provided in the form of a MVHR system, capable of achieving 2 air changes per hour in habitable rooms, and thereby minimising the call for residents to open windows. The air should be drawn from the east elevation, which should be the quietest side of the building.

#### **REASON**

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

### **25 NONSC Noise - Assessment**

Post completion of the development, another Environmental Noise Assessment shall be carried out to confirm that the sound insulation scheme and ventilation scheme as detailed in interim report Ref: M3130HH-S1 and the Environmental Noise Assessment Ref:

M3130HH shall protect the proposed development from road traffic, noise from the General Elliot public house, noise from the adjoining boatyard and (other) noise. This assessment must be submitted and approved in writing by the Local Planning Authority prior to the occupation of the proposed development.

**REASON**

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

**26 NONSC Noise - Balconies**

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

**REASON**

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

**27 NONSC Noise Acoustic Wall**

Prior to first occupation of the development, an acoustic wall or fence (2 meters high and travelling the full length between the Southern Elevation of the proposed development and boatyard shed) shall be erected, details of which shall be submitted to and approved in writing by the Local Planning Authority.

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

**28 NONSC Noise - Acoustic Glazing**

Prior to first occupation of the development hereby approved, full length acoustic glazing barriers e.g. Winter garden barriers, shall be installed in the balconies serving the four flats at first and second floor level facing the western elevation, (plots F11, F12, S11 and S12), details of which shall be submitted to and approved in writing by the Local Planning Authority.

**REASON**

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

**29 NONSC Noise - Roof Gardens**

Roof gardens, terraces and outdoor living areas shall feature solid glazed balustrades to the perimeter, 1.2 M high with no gaps to the sides or base, details of which shall be

submitted to and approved in writing by the Local Planning Authority.

#### REASON

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

#### **30 NONSC Noise - Boatyard**

Once completed, another Environmental Noise Assessment shall be carried out to confirm that the upgrades to the adjacent Boatyard and Dry Dock Area, as detailed in Environmental Noise Assessment Ref: M3130-S1 (e.g. new acoustic shutters, upgraded external walls and suitable enhanced roof), agreed with and approved by the owners/occupiers of the boatyard, shall protect the proposed development. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

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

#### **31 NONSC Noise - Plant**

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

#### **32 NONSC Archaeological WSI**

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

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

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

B. The programme for post-investigation assessment and subsequent analysis, publication

& dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

#### REASON

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

#### **33 NONSC Archaeological Foundation design**

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

#### REASON

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

#### **34 COM31 Secured by Design**

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

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

### **INFORMATIVES**

#### **1 I52 Compulsory Informative (1)**

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

#### **2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2016) and national guidance.

H4	Mix of housing units
H5	Dwellings suitable for large families



H8	Change of use from non-residential to residential
H9	Provision for people with disabilities in new residential developments
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE33	Proposals for the establishment of residential moorings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential

LPP 3.5	(2016) Quality and design of housing developments
LPP 3.6	(2016) Children and young people's play and informal recreation facilities
LPP 3.7	(2016) Large residential developments
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 4.1	(2016) Developing London's economy
LPP 4.2	(2016) Offices
LPP 4.3	(2016) Mixed use development and offices
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.13	(2015) Parking
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.9	(2016) Heritage-led regeneration
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 7.24	(2015) Blue Ribbon Network
LPP 7.25	(2016) Increasing the use of the Blue Ribbon Network for passengers and tourism
LPP 7.26	(2015) Increasing the use of the Blue Ribbon Network for freight transport
LPP 7.27	(2016) Blue Ribbon Network: supporting infrastructure and recreational use
LPP 7.28	(2015) Restoration of the Blue Ribbon Network
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.1	(2016) Implementation

LPP 8.2	(2015) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment

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

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

### **4            11                        Building to Approved Drawing**

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

### **5            115                        Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

### **6            12                        Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to

be submitted. This planning permission is not valid for a development that results in any form of encroachment.

**7            I21                    Street Naming and Numbering**

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

**8            I3                            Building Regulations - Demolition and Building Works**

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

**9            I45                            Discharge of Conditions**

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

**10          I48                            Refuse/Storage Areas**

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

**11**

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

**12**

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy (CIL) which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority.

In addition the development hereby approved represents chargeable development under the Hilligdon Community Infrastructure Levy. Should you require further information please refer to the Council's Website [www.hillingdon.gov.uk/index.jsp?articleid=24738](http://www.hillingdon.gov.uk/index.jsp?articleid=24738).

### 13

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

### 14

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

### 15

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained and should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure or towpath at this location. Please visit <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-onour-property>

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

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

### 16

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

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

### 17

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

## 18

With regard to condition 34, the following measures should be incorporated into the scheme to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of this site:

### Public Realm

- . Routes for pedestrians, cyclist and vehicles should be open, direct and not segregated from one another.
- . Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings.
- . Communal areas, such as playgrounds, seating or drying areas should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. Windowless gable end walls adjacent to spaces for which the public have access should be avoided, as this prevents natural surveillance.

### Boundaries / Gates

- . Side and rear boundaries should be 2.1m in height (minimum), be positioned where possible at the front of the building line (if a recess is necessary, then not to exceed 600mm) and designed to avoid climbing aids. This can be achieved in a variety of different ways, i.e. closeboard, panel, etc. but if a trellis topping is to be used, this should be diamond style trellis.
- . Fencing between rear gardens should be 1.8m in height (minimum) and designed to avoid climbing aids. Chain link style fencing is not an acceptable option.
- . Slide gates should provide vision, be positioned where possible at the front of the building line, (if a recess is necessary, then not to exceed 600mm) 2.1m in height (minimum) and designed to avoid climbing aids, particularly around the hinges and locking mechanism.

### Balconies / Terraces

- . Enclosures to balconies at all levels should be designed to exclude handholds and to eliminate the opportunity for climbing up, down or across between balconies.
- . Drainpipes/soil pipes that provide access to flat roofs or balconies will require metal shrouds to prevent climbing (regardless of whether they are PVCu or not).

### Parking

- . Car parking areas should be close to the properties they serve, with good natural surveillance from regularly habitable rooms of adjacent properties, i.e. living rooms and kitchens.
- . Basement parking facilities should have secure, controlled access, incorporating full height gates or barriers, accessed via key, key code, key fob, proximity reader or combination thereof. Electronic access control proximity 'keys' and readers should be security encrypted to protect against unauthorised copying.

### Refuse / Cycle Storage

- . Bin storage areas should be enclosed and incorporate a self-closing mechanism and slam-shut BS 8621 lock with internal thumb turn.

. Cycle storage areas should, ideally be enclosed and built into the fabric of the building, be visibly permeable, incorporating a self-closing mechanism and slam-shut BS 8621 lock with internal thumb turn. Where this is not possible, it should be sited in a secure communal area, with good natural surveillance from regularly habitable rooms of adjacent properties, i.e. living rooms and kitchens.

#### External Lighting / Alarm Systems, etc

. All street lighting for both adopted highways and footpaths, private estate roads, footpaths and car parks, should comply with BS 5489.

. The overall uniformity of light is expected to achieve 40% and should never fall below 25%. The

colour rendering qualities should achieve 60 (minimum) on the Colour Rendition Index - certification will be required.

. External lighting should be switched using a photoelectric cell (dusk to dawn) with a manual override.

. Utility meters should, where possible, be sited outside the front of the dwelling - alternatively they should be sited on the ground floor, between access-controlled doors (air lock system).

. A 13amp non-switched fuse spur, suitable for an alarm system, should be provided - if a full alarm system is provided, it should comply with BS EN 50131 & PD6662 (wired system) BS 6799 (wire free system). If complete systems are installed and a police response is required, reference should be made to the ACPO Security Systems Policy, a copy of which can be obtained from the SBD website [www.securedbydesign.com](http://www.securedbydesign.com)

### 19

All Non Road Mobile Machinery (NRMM) used on major development sites within the London Borough of Hillingdon are required to meet Stage IIIA of EU Directive 97/68/EC and the development site should be registered online on the NRMM website at <http://nrmm.london/>.

### 20

The combined heat and power (CHP) plant should have regard to the emission limits detailed in the Greater London Authority's (GLA's) 2014 Sustainable Design SPG.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The site relates to land known as Waterloo Wharf, currently occupied by Y. Goldberg & Sons Ltd., who operate a timber yard. The site is accessed from Waterloo Road and comprises a large warehouse building, a two-storey office building and a detached property at 80 Rockingham Road. The site is located at the junction of Waterloo Road and Rockingham Road and is bounded on the west by the Grand Union Canal, to the south by a working boat yard and dry dock, while to the east lie two-storey maisonettes fronting Waterloo Road.

The site is one of the oldest wharves in Uxbridge. The adjacent Uxbridge Wharf and its drydock is principally devoted to boat building and repair, leaving Waterloo Wharf as the

only general wharfage left in Uxbridge.

The site is within the Uxbridge Moor Conservation Area. It is also opposite the Grade II Listed General Elliot Public House which along with the boatyard and its dry dock is on Hillingdon's Local List of Buildings of Architectural or Historic Importance. The site is considered to be highly sensitive. The immediate area is characterised by the waterside industrial/commercial nature of the canal and wharf buildings, together with the suburban nature of the inter-war housing.

### **3.2 Proposed Scheme**

The proposal involves the demolition of the existing structures on the site, including the warehouse building, office building, main house and annex and redevelopment for residential purposes for 47 flats.

The residential units will be provided in 2 separate blocks. Block A is located towards the northern corner edge of the site and junction between Rockingham Road and Waterloo Road. Block A is a part 2, part 3 and part 4 storey building accommodating 8 units, comprising 1 x 1 bedroom, 2 x 3 bedroom and 1 x 3 bedroom apartments. Building A will front both Waterloo Road and Rockingham Road, with an element of the western facing side towards Rockingham Bridge being below bridge level.

Block B is the larger of the two blocks and commands the most prominent canal views, with an east west orientation maximising on the canal frontage. This block is now a part 3 part 4 storey building accommodating 39 units comprising 27 x 1 bedroom, 11 x 2 bedroom and 1 x 3 bedroom apartments. Block B forms one long rectangular shaped block, synonymous with historical industrial canal front buildings. This block has been reduced in height, with the removal of the upper level. The building has been moved further away from the canal side over a series of design revisions, in order to accommodate additional amenity space along the canal front.

There are no south facing windows facing the boatyard, in order to address potential noise issues emanating from the boatyard. The final location of block B the applicant submits, is a balance between a greater separation from the east-side neighbouring residents (fronting Waterloo Road) and sufficient space for private and public amenity space facing the canal.

The proposed development includes a mixture of shared and private amenity space at ground level and the canal front has been made fully accessible for residents. The roof space has been configured to accommodate extensive communal roof terraces, to provide additional amenity space.

The existing listed Pillbox will be made habitable internally, with lighting and services, for leisure use by residents. Seating has also been introduced to the various external areas. The hard paved areas are intended in part to be used as multi-use shared space.

### **3.3 Relevant Planning History**

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

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



**Decision:** 05-01-2016    Refused

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

The timber yard has been in operation at this site for over 50 years, being established in 1954. Waterloo Wharf was one of the first wharves in Uxbridge having been established over two centuries ago.

Digging at this site commenced for the then Grand Junction Canal on 1st May 1793. Waterloo Wharf was almost certainly the Uxbridge terminus when the Canal was opened on 3 November 1794. For the first 150 years, Waterloo Wharf, which was originally known as Canal Wharf was a coal wharf, operated by Fellows Morton & Clayton Ltd. until 1949.

The adjacent Uxbridge Wharf was and still is principally devoted to boat building and repair, leaving Waterloo Wharf as the only general wharfage left in Uxbridge. 80 Rockingham Road (formally known as 1 Waterloo Road) was built in the mid 1800's. It was privately occupied at first, but by 1901 is shown as being in part occupied by the Wharf Manager. The building has been extended over time and for many years has been in use as offices.

In 2003 an application ref: 13550/APP/2003/2427 for a part 3, part 4 storey block of 38, 2 bedroom flats with 38 associated car parking spaces, together with refuse and cycle storage facilities was refused for the following reasons:

1. Impact on the character of the Uxbridge Moor Conservation Area, the visual qualities of the Grand Union Canal and the visual amenities of the street.
2. Detrimental to the canal side setting of the Listed Building known as the General Elliot Public House,
3. Inadequate provision for on site car parking
4. Inadequate access prejudicial to the free flow of traffic and will be detrimental to highway and pedestrian safety.
5. Unacceptable levels of noise and vibration from adjoining boat yard
6. Failure to address additional educational provisions, due to the shortfall of places in schools serving the area.
7. Lack of affordable housing.

An application for the erection of 2 blocks containing 52 one, two and three bedroom apartments, together with associated parking access and landscaping, involving demolition of existing buildings (Ref No: 43016/APP/2014/4486) was refused on 05-02-2016 for the following reasons:

1. The proposed development, by reason of its layout, scale, proportions and massing would result in an unduly intrusive, visually prominent and incongruous form of development, which fails to respect the established character of the Uxbridge Moor Conservation Area or compliment the visual qualities of the Grand Union Canal and the visual amenities of the street. The proposal is therefore contrary to Policies BE4, BE13, BE19 and BE32 of the Saved Policies of the Hillingdon Local Plan: Part 2 - Saved UDPPolicies (November 2012).
2. The applicant has failed to demonstrate that there is no realistic prospect of the land being used for industrial or warehousing purposes in the future. In addition, the proposed development, by reason of its close proximity to the adjoining boat yard and dry dock facility

is likely to be subject to unacceptable levels of noise, detrimental to the residential amenities of future occupiers, giving rise to noise complaints. The proposal is therefore likely to cause operational problems for the boat yard operator, thereby prejudicing the conservation of buildings and features associated with the working life of The Grand Union Canal. The proposal is therefore contrary to Policies LE4 (iii), OE5, BE 31 and BE32 of the Saved Policies of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

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

This application is subject to an appeal.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

- H4 Mix of housing units
- H5 Dwellings suitable for large families
- H8 Change of use from non-residential to residential
- H9 Provision for people with disabilities in new residential developments
- LE4 Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- BE1 Development within archaeological priority areas
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE10 Proposals detrimental to the setting of a listed building
- BE13 New development must harmonise with the existing street scene.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE31 Facilities for the recreational use of the canal
- BE32 Development proposals adjacent to or affecting the Grand Union Canal
- BE33 Proposals for the establishment of residential moorings
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
  - (i) Dial-a-ride and mobility bus services
  - (ii) Shopmobility schemes
  - (iii) Convenient parking spaces

	(iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.6	(2016) Children and young people's play and informal recreation facilities
LPP 3.7	(2016) Large residential developments
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 4.1	(2016) Developing London's economy
LPP 4.2	(2016) Offices
LPP 4.3	(2016) Mixed use development and offices
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.13	(2015) Parking
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2016) Local character

LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.9	(2016) Heritage-led regeneration
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 7.24	(2015) Blue Ribbon Network
LPP 7.25	(2016) Increasing the use of the Blue Ribbon Network for passengers and tourism
LPP 7.26	(2015) Increasing the use of the Blue Ribbon Network for freight transport
LPP 7.27	(2016) Blue Ribbon Network: supporting infrastructure and recreational use
LPP 7.28	(2015) Restoration of the Blue Ribbon Network
LPP 7.30	(2015) London's canals and other rivers and waterspaces
LPP 8.1	(2016) Implementation
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **25th October 2016**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015 as a Major Development. The application has been advertised as a development that affects the character and appearance of the Uxbridge Moor Conservation Area and the setting of the Grade 2 listed building, the General Elloit Public House.

91 surrounding occupiers were consulted. At the time of writing the report 16 representations have been received objecting to the scheme, mainly for the following reasons: significant impact on

residents living in the surrounding area due to the design, height and scale, limited parking planned, the poor access on a busy road and associated noise and pollution. The contents are summarised below:

- The height of the proposed new development blocks are much taller and imposing than the existing 'shed' type building that the development will replace.
- Little relief to the sky line
- The proposal will dominate the area
- There is not enough space on the site for 48 flats with amenities and parking spaces or refuse collection.
- Loss of sunlight in my garden.
- Overlooking to both my garden and bedroom.
- The ratio of flats planned vs car parking spaces is a concern.
- The entrance to Waterloo Road (from Rockingham Road) gets very busy and congested, especially during 'peak hours'. The additional traffic generated from the development will only add to this congestion.
- The reasons for refusal of the previous application still stand.
- The proposed widening of the pavement on the corner of Rockingham Road and Waterloo Road will be much appreciated.
- The extra volume of people and cars will cause noise and pollution.
- Waterloo Road has limited parking spaces, the proposal is for less spaces than the number of properties, therefore spaces on Waterloo Road and surrounding roads will become even more limited.
- Impact on local infrastructure and amenities been considered?
- Impact on the local wildlife.
- Why are there two concurrent applications for this site.

In addition, one petition with 53 signatures has been received objecting on the following grounds: "We object on the grounds that if the development went ahead it would have a significant impact on those living and visiting the surrounding area, due to its design, height and scale plus limited parking planned as well as the poor access on a busy road and additional traffic generation/congestion and associated noise and pollution".

Local residents were re-consulted following receipt of amended plans and additional information. One additional representation was received.

#### CANAL AND RIVER TRUST

The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding.

The Trust has a range of charitable objects including:

- To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
  - To protect and conserve objects and buildings of heritage interest;
  - To further the conservation, protection and improvement of the natural environment of inland waterways; and
  - To promote sustainable development in the vicinity of any inland waterways for the benefit of the public
- The Trust has the following comments to make on this application:

The application site is adjacent to a working boatyard (the Uxbridge Boat Centre), with its

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

A noise assessment has been provided by the applicant. We consider that the Council must satisfy itself that the modelled noise levels within the proposed residential development are technically sound and would not result in a threat to the future of the boat yard. In arriving at the modelled noise levels, the applicant has, in part, relied on the delivery of noise attenuation measures at the Uxbridge Boat Centre. The Planning Statement suggests that these will be agreed with the freehold owner (the Canal & River Trust), through a legal agreement. They will also be agreed with the existing tenant. The Trust is willing to discuss these measures with the applicant (and the operator of the Uxbridge Boat Centre) but the Council should note that no agreement between the applicant and the Trust has currently been reached. At present, the Trust would suggest that the Council regards the delivery of these measures as uncertain and should consider the applicant's noise assessment in this context.

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

#### Design and Heritage

The Trust has no objection to the proposed design and the relationship between the new dwellings and the canal setting.

#### Moorings

The Trust remains disappointed that the scheme's landscaping plan does not propose any visitor mooring rings to allow boats to safely moor on the canal adjacent to the site and a route through the site for boaters. Moorings would help to sustain the active use of the waterspace at this location, providing, amongst other things, a degree of natural surveillance to the proposed open space between the dwellings and the water.

#### Ecology

In order to ensure that the development complies with Local Plan: Part 1 policies EM3 and EM7, minimal lighting should be installed near the canal, and any lighting near the canal should be bat friendly, avoiding spillage onto the canal waterway. It is recommended that bat friendly lighting is used throughout the development to encourage local bat populations. This should be secured through an appropriately worded condition. The Trust only accepts locally native plant species to be planted in proximity to the canal. Prior to planting, CRT would appreciate seeing a planting list that includes the plants common names, and then can comment and approve the list for planting. Any trees/shrubs that are proposed to be planted near the canal wall should not negatively impact on the structural integrity of the canal wall.

Any negative impact on the structural integrity of the canal wall caused by the development's trees will need to be rectified by the development (i.e. cost, resources, operation). We note that it is proposed that six oak trees will be planted alongside the canal as part of the development. The Trust suggests that these are planted in tree pits.

#### Waterway Wall

The masterplan shows that the existing capping beam is to be retained. A survey of the wall should be carried out to ensure it is fit for its new design life in order to protect the physical integrity of the

canal. A condition to address this issue is suggested below. The Trust considers this request to be consistent with paragraphs 120-121 of the NPPF.

The Trust's approval should be sought for any demolition works that will be required, in order to protect the canal and its users. This should be covered by a Risk Assessment and Method Statement, secured by condition, as proposed below.

#### Surface Water Drainage and Land Contamination

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

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

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

A condition to address these issues is suggested, below. The Trust considers that it is required to ensure that the proposal is consistent with para EM8 of the Hillingdon Local Plan: Part 1. Planning obligations Policy EM3 of the Hillingdon Local Plan: Part 1 states that the Council will promote and contribute to the enhancement of canal corridors through developer contributions, where appropriate.

The Council's CIL Regulation 123 List states that transport and open space improvements will be secured through planning obligations where they are required to make the development acceptable in planning terms. It is for the Council to determine whether this contribution should be secured through a planning obligation or through the Council's Community Infrastructure Levy. However, the Trust considers that new residential development in this location will undoubtedly lead to increased use of the towpath as new residents come to see it as a valuable piece of open space and a sustainable transport facility. In accordance with Local Plan policy EM3 and CIL Regulation 122, the Trust considers that towpath upgrade works are required to make this development acceptable. We would suggest that a contribution of £30,000 for towpath and access improvements broadly opposite the proposed development site is proportionate. This contribution should be included within the s106 negotiations for the site and the Canal & River Trust should be named within the agreement, on which we would welcome further consultation.

After due consideration of the application details, the Canal & River Trust has no objections to the proposed development, subject to the Council being satisfied that the noise levels within the proposed development will not put at risk the future of the Uxbridge Boat Centre, the imposition of suitably worded conditions and the applicant first entering into a legal agreement, as described above.



The Trust would want to be consulted on details submitted to discharge these conditions.

#### Waterway Wall Survey

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

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

#### Risk Assessment and Method Statement

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

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

#### Surface Water

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

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

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

#### Informatives

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained and should take appropriate steps to ensure that their works do not adversely affect the canal infrastructure or towpath at this location. Please visit <http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-onour-property> The applicant is advised that surface water discharge to the waterway will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team ([nick.pogson@canalrivertrust.org.uk](mailto:nick.pogson@canalrivertrust.org.uk)).

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

#### INLAND WATERWAYS ASSOCIATION

Our principal interest is the relationship between the proposed development and the adjoining Grand Union Canal. We strongly object to the Planning Application (Application Ref:43016/APP/2016/1975) for the following reasons:

- Although we welcome the reduction of in scale of Block B from the earlier application made in December 2014, we still consider that the scheme disappoints in its interaction with the canal as the architectural design completely fails to respond to the wharf setting.
- Loss of sky to the canal side and the garden of the General Eliot public house.
- Inappropriate scale and harm to the Uxbridge Moor Conservation Area.
- Loss of heritage-the General Elliot public house together with the former Fellows Morton and Clayton Uxbridge dock and the existing timber warehouse collectively form a group of buildings which are an important heritage asset and typical of an historic urban canal setting.
- The inclusion of a communal roof terrace that will overlook exiting properties in Waterloo Road and the public house garden.
- Sterile and inappropriate landscape design next to the canal edge.
- Residential use close to the former Fellows Morton and Clayton boat yard, which may cause operational problems for the boat yard operator due to future residents complaining about noise.

## HISTORIC ENGLAND

### Historic England Advice

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

Both the house and the warehouse are representative of the historic canal-side activity in this part of the conservation area, and possess modest architectural value. We therefore consider that these structures collectively contribute to the character of the conservation area. Their loss would therefore cause some harm to the character of the conservation area, and, in accordance with Paragraph 134 of the National Planning Policy Framework (NPPF), your Council must weigh this harm against the public benefits of the proposals in determining the application. We note that the pillbox and a 19th century wall will be retained as part of the scheme and this is welcomed. We would encourage the conservation of both structures as part of the scheme which we consider could support the application as a heritage related public benefit.

Your Council should also take into account the desirability of new developments making a positive contribution to local character and distinctiveness as per Para 131 of the NPPF. Similarly, opportunities should be sought for new development within Conservation Areas to enhance or better reveal their significance in accordance with Para 137 of the NPPF. We recognise that efforts have been made at the south end of the residential building to respond to the adjacent dry dock sheds, in terms of scale and materiality. Your Council must be satisfied that the remainder of the canal-facing elevation takes the same opportunities to draw on this local industrial character in the interest of preserving the character of the conservation area.

### Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Please note that this response relates to historic building and historic area matters only. If there are any archaeological implications to the proposals it is recommended that you contact the Greater London Archaeological Advisory Service for further advice (Tel: 020 7973 3712).

## **External Consultees (Additional)**

### **METROPOLITAN POLICE**

I have reviewed the development plans / CAD drawings and I have the following concerns:  
The rear of the ground floor properties backing on the canal have no natural or formal surveillance, this makes them very vulnerable to attack even with a tested door.

The sides of the blocks show no pedestrian gates. In the absence of a pedestrian gate anybody can access the canal amenity area. Due to ecology reasons, there will be limited lighting at the rear of the properties, this makes it more of a crime risk.

Where relevant, I would expect this development to incorporate all of the Secured by Design requirements detailed in the New Homes 2014 / 2016 Guide.

(Officer Note: Informative added).

## **Internal Consultees**

### **URBAN DESIGN AND CONSERVATION OFFICER**

The scale and massing of the proposed buildings are much improved, although the larger building now appears significantly deeper than that previously proposed. However, it is not considered that this would have a negative impact on the overall setting of the Conservation Area or that of the listed building opposite. I note the associated archaeological and heritage reports.

Block B: this still looks bulky along the canal, this frontage needs to have a "break", ideally by splitting it visually into 2, this could be done by introducing a glazed central section to allow views to the canal, although I note that this isn't a point that we have raised to date. If this is not possible, then the frontage should be stepped to break up its massing or articulated in some other way. As noted previously, I would like to see the top floor set back from the elevations so that there is a definite break between second and third floors.

Block A: the corner feature would be rather dominant and the block needs to step down more towards the two storey houses and to reflect the scale of the more modest buildings opposite. This could be achieved by omitting flat S2 and by reducing the height of the parapet on the corner. The top floor across this block also needs to be set back as noted above, which would reduce its apparent bulk in the street scene.

The hard landscaping scheme for the car park and adjacent areas looks busy in terms of the materials proposed, and the car park still needs more soft landscaping. I suggest that the path along the canal is in bound resin rather than asphalt and a more natural landscaping be considered for this frontage. The roof level gardens also look to incorporate a lot of hard surfacing and could do with more planting and a variety of usable areas, including some more private spaces, for the residents. The existing railings on the approach to the bridge should be retained and the Waterloo Wharf plaque salvaged and installed on the new building.

The WWII Pill Box should be shown as retained on the drawings.

Officer comments:

Revised plans have been submitted addressing the Conservation Officer's concerns addressing the following:

- A 'break' has been introduced to the canal frontage via a glazed central section to visually split the building

- The top floor has been set back to provide a definite break between second and third floors
- The corner building at the junction of Rockingham Road and Waterloo Road has been stepped down to reflect the scale of the buildings opposite and the height of the parapet has been reduced
- The setting back of the top floor at the corner of the building at the junction of Rockingham Road and Waterloo Road
- The labelling of the World War II pillbox for retention and also the annotation re the plaque;
- The labelling of plans show that the existing railing to Dolphin Bridge will be retained and refurbished
- Change in materials for the landscaping path on the canal frontage to bound resin
- A more natural landscaping scheme to the canal frontage

#### Comments on revised plans

The proposals have been subject to extensive discussion with the Conservation Team. No objections are raised to the scheme in principle, however, the projecting rear wings need to be partially clad in a different material, possibly metal as per the other elements of the building, to break up their bulk and reduce their visual impact. This should be covered by condition. Samples of all external materials should be required to be submitted for agreement via condition and details provided of the roof top balustrade and handrail- ideally the former should be in obscured glass, so that rooftop clutter can be screened from longer views. Details of the design and detailing of the balconies and means of enclosure; external doors, windows and window reveals/openings should all be required by condition

No demolition should take place until a contract for the development has been let, to avoid premature demolition (standard condition) Details of the work to the Pill Box, relocation of the plaque and works to restore the railings to the bridge to be required and ideally these works completed prior to the occupation of the development.

A more detailed landscaping scheme should be required by condition, particularly with regards to the proposed areas of soft landscaping below the projecting wings, the spaces adjacent to flats G1 and G2 and also along the boundary of the site and the canal side. Please ensure that GLAAS are content with the results of the archaeological bore hole analysis and that a condition is attached to any approval which requires the recording of the buildings to be demolished up to HE level 3.

#### FLOOD AND DRAINAGE OFFICER

Revised Flood Risk Assessment dated 25th July 2016 from Curtins Rev 03.

The Flood Risk Assessment (FRA) now acknowledges the Canal Capping adjacent to the canal within the development in Section 5.1. The FRA states that this provides protection from flooding to the site and is therefore a defence. It confirms the condition of this 'defence' as insufficient and proposes 4 options to deal with this risk. The preferred solution is to provide a barrier within the site to protect the development. There is no provision of a management or maintenance plan as a Flood Defence.

If this is to be maintained as a defence then the applicant should acknowledge the need to 'designate' the structure under the Flood and Water Management Act and that this letter is notice of this intention to designate the structure.

A Flood Evacuation plan should also be submitted in addition to the Flood Risk Assessment. The following condition should therefore be applied:

Prior to occupation, details of the the proposed works to ensure an appropriate flood defence to be submitted to and agreed with the Local Planning Authority.

## REASON

To demonstrate that the site is safe as required by:

- Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1-Strategic Policies (Nov 2012).
- Policy DME1 9 Management of Flood Risk in emerging Hillingdon Local Plan Part 2 - Development Management Policies.
- Policy 5.12 Flood Risk Management of the London Plan (March 2016)
- National Planning Policy Framework (March 2012) and
- Planning Practice Guidance (March 2014).

The information submitted in the Surface Water Drainage Assessment also produced by Curtins regarding surface water reducing the surface water run off from the site is considered acceptable. However there is no information about the level of the outfall and its condition and if the outfall is submerged and therefore the implications of this to the drainage plans. There is no information about the rain water harvesting and reuse which is a key element that Hillingdon are looking for, which is an important consideration to include at this stage, so that it can be incorporated. Therefore the following condition is also requested:

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall follow the strategy set out in 'Flood Risk Assessment', produced by Curtins dated 19th July Rev 3. The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

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

b) Capacity of Receptors

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

c) Minimise water use.

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

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

i. Provide a management and maintenance plan

ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).

lii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required

iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

f) From commencement on site

- i. How temporary measures will be implemented to ensure no increase in flood risk from

commencement on site including any clearance or demolition works.

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

#### REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding in accordance with:

- Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1-Strategic Policies (Nov. 2012)
- Policy 5.12 Flood Risk Management of the London Plan (March 2016)
- To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016);
- Conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016).
- National Planning Policy Framework (March 2012), and
- Planning Practice Guidance (March 2014).

#### TREE AND LANDSCAPE OFFICER

##### LANDSCAPE CHARACTER / CONTEXT:

Site description:

The 0.82 acre (0.33ha) plot is occupied by a canalside industrial site comprising a large warehouse, ancillary buildings and concrete hard standing currently operating as a saw mill and timber merchant

It is bounded to the north (west) by the abutment of the Rockingham Road over bridge and to the north (east) by Waterloo Road, from which the site is accessed.

The east boundary backs onto the rear gardens of house numbers 11-22 which front onto Waterloo Road and the southern boundary is shared with a smaller warehouse and boat yard fronting on to Uxbridge Wharf.

The Grand Union Canal defines the west boundary of the site and this location is situated just outside Uxbridge Town centre in an area of mixed residential and business uses.

This site has a distinctive sense of place, due to its association with canal and its location within a designated Conservation Area.

Landscape Planning designations:

There are no trees on, or Tree Preservation Orders affecting, the site.

However, there are a few off-site trees close to the site boundaries and the site lies within the Uxbridge Moor Conservation Area.

Landscape constraints / opportunities:

Adopted Local Plan, Policy BE1, seeks high quality design of the built and external environment.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

##### PROPOSAL:

The proposal is to erect 48 flats in two blocks, with associated parking, new access, amenity space and landscaping, involving the demolition of existing warehouses, offices and 80 Rockingham Road. This application is an amended proposal, following the refusal of application ref. 2014/4486.

##### LANDSCAPE CONSIDERATIONS:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

A Tree Survey by Ruskins, dated November 2014, has been re-submitted with the current application. Although not updated, for planning purposes the contents remain valid. The report confirms that there are 4No. specimen trees and 1No. group. All are off-site and all are poor quality (graded C1), according to the assessment. The report confirms that none of these trees should be adversely influenced by the development.

Detailed landscape objectives are set out in document ref. 1482/14/RP01 Rev E, Landscape Design Statement by the landscape consultant, Barry Chinn Associates. The landscape statement describes the design strategy, enhancement of the Rockingham Road / Waterloo Road boundaries, the landscape treatment of the eastern boundary, the canal interface, the provision of the external spaces for the benefit of the residents including communal roof terraces and the selection of hard landscape materials.

The application is supported by BCA drawing No. 01 Rev L: External Works Masterplan, which includes the retained off-site trees, the provision of 14No. new trees, multi-stem trees / specimen shrubs, pleached trees (on the Rockingham Road frontage), hedges and ornamental groundcover planting.

BCA drawing No. 02 Rev H: External Works Masterplan Sections, provides a range of sections through the site and the proposed landscape. BCA drawing Nos. 03 Rev F, 04 Rev G, 05 Rev B, 06 RevB and 07 show the roof terraces with paved / artificial grass surfaces, seating and occasional free standing plant pots. Three roof zones have been designated for biodiversity with sedum / brown roof treatments.

It is noted that this proposal does not propose a play area.

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 - in accordance with the Masterplan.

#### RECOMMENDATIONS:

In terms of site layout and landscape provision this scheme is similar to the previous proposal. The quality of the external works / landscape is compromised by the extent of hard surfacing required to accommodate the quantum of parking. If the application is approved conditions should include: RES6, RES7, RES8 (to protect the above ground spread of the tree to the rear of Waterloo Road), COM9 (parts 1,2,3,4,5, and 6) and RES10.

#### HOUSING SERVICES

I note no Affordable Housing is proposed on this site, Hillingdon Planning Policy requirement is for 35% Affordable Housing.

This should be a mix of rented and shared ownership units split in ratio 70:30 in favour of rented unit. On this scheme that would equate to 16 units or 39 habitable rooms.

#### S106 OFFICER

1. Highways: in line with the SPD and depending upon the views of the highways engineer any and all

highways works will be required to be met by the applicant.

2. Affordable Housing: In line with the SPD and current planning policy 35% of the scheme is required to be delivered as affordable housing with the tenure and mix to be agreed by the Council.

3. Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution.

4. Canal Contributions: The Canals and Rivers Trust will likely seek a contribution towards maintenance of the canal environment.

#### SUSTAINABILITY OFFICER

The development represents possible bat habitats- consequently, the applicant should as engage a specialist to undertake a preliminary investigation as to the likely presence or absence of bats. Full surveys will only be required if the bat specialist confirms that bats are 'likely to be present'.

No objections to the energy assessment or other information subject to conditions.

#### ENVIRONMENTAL PROTECTION UNIT

##### NOISE

The Environmental Protection Unit (EPU) have reviewed the Ian Sharland Limited supplementary assessment of canal side noise in an interim report Ref: M3130-S1, dated 5th October 2016. This follows, but does not replace, the Environmental Noise Assessment Ref: M3130, dated 18th May 2016, in which EPU raised concerns regarding noise which were not adequately addressed in this report. Therefore, with reference to the interim report Ref: M3130-S1, we have no objections to this proposal subject to the following conditions/informatives respectively:

Conditions:

1. The construction of the West elevation should be increased to at least the following specifications, in order to ensure acceptable conditions internally when windows are closed:

External walls A brick or masonry external leaf, with either masonry or timber frame inner leaf (as before)

Glazing to Living Rooms 32 dB Rw + Ctr, e.g. 8/12/6 configuration

Glazing to Bedrooms 38 dB Rw + Ctr, e.g. 8.4/16/10.4A configuration Min.

Ventilation Provision Ventilation to these flats should be provided in the form of a MVHR system, capable of achieving 2 air changes per hour in habitable rooms, and thereby minimising the call for residents to open windows. The air should be drawn from the east elevation, which should be the quietest side of the building.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic, noise from the General Elliot and noise from the boatyard, and (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

2. Post completion of the development, another Environmental Noise Assessment shall be carried out to confirm that the sound insulation scheme and ventilation scheme as detailed in interim report Ref: M3130-S1 and the Environmental Noise Assessment Ref: M3130 shall protect the proposed development from road traffic, noise from the General Elliot, noise from the boatyard and (other) noise. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic, noise from the General Elliot and noise from the boatyard, and (other) noise in



accordance with policy OE5 of the Hillingdon Unitary Development Plan.

3. Once completed, another Environmental Noise Assessment shall be carried out to confirm that the upgrades to the Boat yard and dry dock area as detailed in Environmental Noise Assessment Ref: M3130-S1 (e.g. new acoustic shutters, upgraded external walls and suitable enhanced roof), agreed with and approved by the owners/occupiers of the boatyard shall protect the proposed development. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from the boatyard and dry dock in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

4. The undersides of the balconies on the west elevation should have a sound-absorbing finish. Noise levels immediately behind these screens should be at least 5 dB above the WHO requirements. Acoustic absorbent soffit to the balcony area (e.g. perforated board with a mineral fibre slab in the void above should also be fitted. Details of which should be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic, noise from the General Elliot and noise from the boatyard, and (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

5. An Acoustic wall (2 meters high and travelling the full length between the Southern Elevation of Block B and boatyard shed) should be erected. Details of which should be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from the boatyard, and (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

6. Full length acoustic glazing barriers e.g. Winter garden barriers, should be installed in the balconies in the four flats (first floor and second floor) facing the western elevation, and nearest the Southern elevation, details of which should be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from the boatyard, and (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

7. Roof gardens, terraces and outdoor living areas should feature solid glazed balustrades to the perimeter, 1.2 M high with no gaps to the sides or base.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic, noise from the General Elliot and noise from the boatyard, and (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

8. The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Informatives:

Standard Control of environmental nuisance from construction work

#### AIR QUALITY

This application is outside the Uxbridge Air Quality Focus Area. Whereas there is a small decrease in the number of HGVs in relation to the previous use it increases the number of traffic on the network which may have an impact on the Focus area itself.

Therefore will need the following:

Energy provision - Boiler and CHP Plant

The energy plant flue is required to conform with the specifications to minimise air quality impacts set out in the GLA. Sustainable Design and Construction Supplementary Planning Guidance , which includes the following requirements:

- a) the CHP will have a single flue terminating at least 2 m above the roof level and must be designed such that it will operate with a minimum efflux velocity of 10 m/s to allow for good initial dispersion of emissions; and
- b) all stacks should discharge vertically upwards and be unimpeded by any fixture on top of the stack

The boiler and CHP required specification is set out in the appended document to this email. If the installed plant does not conform to these parameters, additional assessment and/or mitigation may be required.

c) The EPUK/IAQM guidance advises that good design and best practice measures should be considered, whether or not more specific mitigation is required. The proposed development is required to incorporate the following good design and best practice measures:

- c1 provision of electric vehicle charging points;
- c2 provision of pedestrian and cycle access to the new development;
- c3 provision of a green Travel Plan, encouraging the use and uptake of public transport and or usage of ultra low emission vehicles.

#### HIGHWAY ENGINEER

I have reviewed the relevant material in the above application and have the following comments:  
This is a similar application for the development of a timber yard at Waterloo Wharf Waterloo Road Uxbridge that was previously approved by Committee with 52 flats, 54 car parking spaces 56 cycle parking spaces and 3 motorcycle parking spaces.

The proposals relate to the redevelopment of a parcel of land on the corner of Waterloo Road and Rockingham Road (A4007 - a classified road) to provide 47 flats along with parking for 39 cars. This site was subject to a previous application for a similar residential development that was refused by Committee in February 2016. It was refused on the basis of scale and mass and not highway issues.

There was another scheme on the site that had 53 flats and 36 car parking spaces that was refused by Council and insufficient car parking was a reason for refusal.

A Transport Assessment by Entran dated March 2016 was provided in support of this application. The traffic counts from the existing site use showed that approximately 50 vehicles per day visited the

site. The site is currently a timber yard with the main access located close to the aforementioned junction. The adjacent footway to the site on Rockingham Road is sub-standard in width. The timber yard employs 26 people and has on-site parking for 18 cars. There are CPZ parking restrictions in place in Waterloo Road which controls parking stress in the area but there is on-street parking stress close to the site. The site has a PTAL value of 3 (moderate) which indicates that future residents will rely on the private car for trip making.

This application is a refinement of the previous application for the erection of new 47 residential dwellings in two blocks along with 39 car parking spaces (0.8 spaces per dwelling) which is the figure that was previously advised in a pre-app. The TS suggests that local car ownership levels are 0.59 spaces per dwelling so in their opinion there should be no additional parking stress as a result of the proposed development.

The proposed 48 cycle parking spaces should be conditioned. Two motorcycle spaces are provided on site and that is supported and should be conditioned. The vehicular access to the site will be moved 15m away further from the junction than the existing access which is an improvement in terms of road safety but the sight distances at the junction could be encroached by cars parked on the highway. In the worst case 12m (2 spaces) of on-street parking would be lost as parked cars would occupy the visibility splay. In this case the applicant would be responsible for the cost of implementing these parking controls through a S106 agreement.

The latest plans show that 8 EVCPs are provided on site which meets the 20% active requirements and the 20% passive requirement that should be conditioned. The daily traffic generation of the proposed dwellings will be similar to the existing use so there will be little traffic impact.

The development includes a new widened section of footpath along Rockingham Road which will see land under the applicants ownership dedicated to the Council under S38 of the Highways Act which is supported.

If the development proceeds a Construction Management Plan should be conditioned. In the light of the above comments I have no significant concerns over this application in relation to the amount of on-site car parking but there are a number of S106 and S278 issues that I would like addressed should the development proceed.

#### ACCESS OFFICER

The proposal involves demolition of the existing development comprising warehouse and offices. It would be replaced with a residential development of 47 flats with a mix of one, two and three bedroom apartments, including car parking facilities.

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).

The Design & Access Statement references 39 car parking spaces of which 5 would be designated accessible. Lifts would be provided in accordance with Approved Document M to the Building Regulations.

There is no evidence on plan to demonstrate that the development would provide wheelchair accessible and wheelchair adaptable accommodation in accordance with the above policy requirements.

(Officer Note: five wheelchair-accessible flats have been incorporated into the scheme, with five accessible bathrooms and five accessible parking spaces. This has been secured by conditions).

## **7. MAIN PLANNING ISSUES**

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

The applicant has submitted a Loss of Employment Land briefing paper to demonstrate that the principle of loss of employment land to accommodate the application proposal for residential use is acceptable. It demonstrates that the proposal is in accordance with the relevant planning policies that allow loss of employment land subject to specific criteria. It also explains that the surplus of employment land in the Borough has continued to grow since the previous application (43016/APP/2014/4486) for 53 flats was submitted in December 2014 and that this overcomes the Council's reason for refusing the previous application on the grounds of loss of industrial and warehousing land.

Paragraph 22 of the NPPF states that "planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."

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

The application site falls outside of the proposed Strategic Industrial Locations in the emerging Local Plan Part 2 and it is not identified as a Locally Significant Industrial Site. Paragraph 5.10 of the Hillingdon Local Plan Part 1 sets out that there is more employment land in the Borough than is currently needed. Policy E1: Managing the Supply of Employment Land, identifies areas of managed release of employment land for development. The applicant submits that there is policy support for the site's redevelopment for non-employment generating uses in the London Plan and the UDP Saved Policies.

Since the previous application was submitted, the Council has published its emerging Hillingdon Local Plan Part 2: Site Allocations and Designations Revised Proposed Submission Version. This document identifies at paragraph 1.9 that the Council has completed an update to its 2009 Employment Land Study (ELS), which formed the basis of the Local Plan Part 1 and the employment sites and policies in the Local Plan Part 2. The 2014 update to the ELS identifies that there is now a surplus of employment land in the Borough of between 16.3 and 20.6 hectares. This demonstrates that the surplus designated employment land has increased significantly since the 17.58 hectares reported in the 2009 ELS and since the previous application was submitted.

Saved Local Plan Part 2 Policy LE4 sets out that proposals involving the loss of existing industrial floorspace or land outside of designated industrial and business areas will normally only be permitted subject to certain criteria. This policy is substantially the same as emerging Policy DME2. Addressing each of the Saved Policy LE4 criteria in turn, the

applicant contends that there is a strong case to support the loss of employment use at the application site.

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

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

(ii) The site is unsuitable for industrial redevelopment because of the size, shape, location or lack of vehicular access;

The Transport Statement that accompanies this application demonstrates that the current use and operation of the site has a detrimental impact on the local highway network, particularly through the level and frequency of HGV traffic which causes local congestion and road safety issues adjacent to the St Mary's Catholic Primary School. Any proposals for redevelopment of the site for employment generating uses in the future would be assessed against impact on amenity.

It is considered that residential use of the site would be compatible with the residential properties directly adjacent to the site fronting Waterloo Road.

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

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

The applicants state that the site has been marketed since May 2014. The marketing report that accompanies this application explains that despite several enquiries, the marketing campaign has failed to attract an occupier.

The report concludes that the fact that the property is 45 years old means that there are two inescapable consequences that have put off occupiers. The first is that when the property was built, it may well have been adequate in terms of access and circulation but occupiers are now seeking detached properties with secure yards with adequate circulation, which leads to a more efficient site. The second fact is the condition of the building, leading to worries over high maintenance costs and even having to replace the roof at some stage. Even though the site could be redeveloped to be replaced with a modern building with a

better site configuration, it would not mitigate the access issue which would always be prevalent, as the property is located on a predominantly residential street.

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

It is clear from the aforementioned report and submitted documentation that the current occupiers operate a viable commercial employment generating business, which would need to relocate, in order for the current residential development to go ahead. The applicant wishes to re-site the occupier of the site Y Goldberg and Sons to another location in Uxbridge, but this is entirely dependent on this application proposal, which if permitted will enable the relocation. It is therefore considered that the applicant has demonstrated that there is no realistic prospect of the land being redeveloped for industrial or warehousing purposes in the future, in accordance with Saved UDP policy LE4 (iii) of the Local Plan Part 2

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

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

In terms of the principle of residential development on this site, the NPPF, The London Plan (2016), the adopted Hillingdon Local Plan: Part 1- Strategic policies and the saved Hillingdon Unitary Development Plan Policies (2007) all support the provision of residential accommodation in appropriate locations. London Plan Policy 3.3 (increasing housing supply) seeks to increase London's housing supply, enhance the environment, improve housing choice and affordability and to provide better accommodation for Londoners. Local Plan Policy PT1.H1 affirms the London Plan targets to deliver 4,250 new homes in the Borough from 2011 to 2021 or 6,375 dwellings up to 2026. The proposal includes 48 residential units, which will contribute towards the Council's housing supply as prescribed in the London Plan and emerging local policy.

Local Plan Part 2 Policy H8 sets out that change of use from non-residential to residential will be permitted provided that a satisfactory residential environment can be achieved, and provided that the existing use is unlikely to meet a demand for such accommodation in the foreseeable future.

The submitted plans, landscaping plans, Design and Access Statement and accompanying technical reports relating to matters such as air quality, noise, flood risk, and daylight and sunlight analysis clearly demonstrate that a satisfactory residential environment can be achieved. As stated above, the applicant has submitted that there is no realistic prospect of the land being redeveloped for industrial or warehousing purposes in the foreseeable future.

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

that the scheme does not proposed any mooring facilities, as the location is suitable for visitor moorings, which can enhance and enliven the water space. However, the applicants have indicated that they do not intend to provide moorings along that stretch of the canal. Failure to do so is not considered to be a sustainable reason to refuse the application. However, as stated elsewhere in this report, the issue regarding the impact of the development on the continued use of the adjoining boat yard and dry dock needs to be satisfactorily addressed.

## Conclusion

There is local and London Plan support the release of surplus industrial land to provide more housing where appropriate. Evidence demonstrates that Hillingdon Borough has a surplus of employment land at present. It is considered that the applicant has justified the loss of employment land and demonstrated that the proposed scheme satisfies the criteria of Policy LE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). No objections are therefore raised to the principle of residential development on the site.

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

The application site has an area of 0.33 ha. The local area is considered to represent an suburban 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 150-250 hr/ha or between 50-95 u/ha, (assuming 2.7-3.0 hr/u) can be achieved for the application site. For an urban setting a density of 200-450 hr/ha or between 70-170 u/ha, (assuming 2.7-3.0 hr/u) can be achieved for the application site.

The proposal seeks to provide 47 residential units, totalling 112 habitable rooms. This equates to a density of 142 u/ha or 339 hr/ha. This level of development is above the guidelines set out within Table 3.2 density matrix of the London Plan, assuming a PTAL of 3 for a suburban setting and would be more appropriate to an urban setting.

It will therefore be important to demonstrate that the units will have good internal and external living space, and that the scale and layout of the proposed development is compatible with sustainable residential quality, having regard to the specific constraints of this site, including its conservation area designation and proximity to statutory and locally listed buildings.

## UNIT MIX

Saved Local Plan Part 2 Policies H4 and H5 seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres, while larger family units are promoted elsewhere. The Council's Emerging Development Management (Local Plan Part 2) Policy DMH2 'Housing Mix' requires a more balanced housing mix reflecting its latest information on housing mix, which shows a high need for more family sized accommodation, particularly 3 and 4 bed units. Whilst this document is subject to an Examination In Public, it has limited weight at present.

The unit mix is now 31 x 1-bed, 14 x 2-bed and 2 x 3-bed units. This mix of units is considered to be more appropriate to a town centre location and the lack of larger family units is considered to be a lost opportunity, particularly if some larger units may be required

as part of any affordable housing offer. However, this is not considered to be a sustainable reason to refuse the application on this basis.

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

#### **ARCHAEOLOGY**

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

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

Although Historic England has not commented specifically on this resubmission with regard to archaeology, GLAAS advised on the previous similar scheme, that the development would not cause sufficient harm to justify refusal of planning permission, provided that robust arrangements are made to safeguard the archaeological interest and/or require an investigation to be undertaken to advance understanding. These safeguards would be secured by a conditions attached to a planning consent.

#### **LISTED BUILDINGS**

The existing timber yard warehouse forms part of a group of buildings which are an important heritage asset and typical of an historic urban canal setting.

The site is located at a key location in the Uxbridge Moor Conservation Area and close to the Grade 2 Listed General Elliot Public House. The relationship with the locally listed Uxbridge Boat Yard immediately to the south of the site is considered to be particularly important. Accordingly, Policies BE4 and BE10 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) are relevant. Any development would therefore be expected to address these matters.

In terms of the impact of the development on heritage assets, the relationship with the Locally Listed Boat Yard as proposed, is considered to be acceptable. Although the three/four storeys of Block B would dwarf the historic sheds of the former Fellows Morton and Clayton dock, the southern end of the block has been reduced to three storeys and designed with a curved feature, to complement the round roof form of the adjoining dry dock.

Furthermore, it is considered that the impact upon the setting of the Grade II listed General Elliot PH opposite, would not harm that building's historic significance. The proposal therefore does generally meet the NPPF's core principles; particularly that planning should be seeking to ensure high quality design and seeking to conserve heritage assets in a



manner appropriate to their significance. It is not considered that the proposal will harm the significance of these heritage assets.

It was noted by Historic England that the pillbox and a 19th century wall will be retained as part of the scheme and this was supported.

## CONSERVATION AREA

There is no objection in principle to the demolition of the Waterloo Wharf building and the post-War housing block (3-5 Waterloo Road). These are not considered to have any particular architectural or historic merit and do not contribute to the conservation area. However, the detached property, 80 Rockingham Road has some merit and should ideally have been incorporated into a new development scheme. Whilst slightly isolated within the context of the existing site, it forms part of the history of the area and has a relationship between the remaining properties on Rockingham Road. However, the applicant has indicated that this is not a viable option. On balance, the Urban Design and Conservation Officer considers that there are no objections in principle to the demolition, subject to replacement with an appropriate and good quality scheme.

## Layout

This development would result in 2 blocks (A and B), up to 4 storeys high. In terms of siting, the Urban Design and Conservation Officer considers that the location and footprints of both buildings are acceptable in principle.

## Scale and Massing

In terms of the scale and massing, the overall height of the blocks are generally a storey higher than the existing wharf buildings. However, it is considered that the proposed development in terms of its height and scale would respect the character or appearance of the conservation area.

With regard to Block A, the Urban Design and Conservation Officer recommended that the upper floor be set back and should drop gradually in scale down to 2 storeys on Waterloo Road, where the buildings are much smaller in scale. The stair tower on the corner would also be a very large and heavy looking element that would be a dominant element in the street scene and would therefore need to be reduced in height. The applicant has submitted amended plans incorporating the requested changes.

With regard to Block B, the Urban Design and Conservation Officer recommended that the top floor should be set back and the scale of the block to drop down to the existing warehouse structures. In response to these concerns the applicant has revised the scheme to reflect earlier feedback from officers. Block B would now be 3 to 4 storeys high, following revisions to reduce its height. This block is now considered compatible with the surrounding development, which predominantly comprises 2 storey residential properties and single storey commercial premises fronting the canal. Given the revisions to reduce its height, this block is considered to be appropriate within the existing townscape context.

A Heritage Statement has been submitted in support of the application which has been reviewed by the Urban Design and Conservation Officer. This document is considered to be a good report, which clearly describes the history, development and significance of the

Conservation Area and the buildings proposed for demolition.

Historic England recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

In conclusion, the proposed scale and mass of the new residential blocks would be in keeping with the established scale of buildings in the conservation area, in accordance with Saved Policies BE4, BE19 and BE32 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) and relevant policies of the London Plan.

It is also considered that the impact of the development upon the setting of the Grade 2 listed General Elliott public house opposite and the adjacent locally listed boat yard would not harm those building's historic interest, in accordance with Saved policy BE10 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) and the provisions of the NPPF.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues related to this development.

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

There are no Green Belt issues associated with this site.

#### **7.06 Environmental Impact**

The Phase 1 Detailed Study submitted in support of this application concludes that there is an overall negligible to moderate level of risk from potential contaminants. The Council's Environmental Protection Unit raises no objections to specific contamination issues at this site. A condition could be imposed to minimise risk of contamination from garden and landscaped areas.

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

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

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

Part 1 policy BE1 requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping indevelopment proposals.

In terms of design, development adjacent to canals should respect the particular character of the canal. Policy BE32 requires development to complement the visual qualities of the canal in terms of scale, bulk, layout and materials. Development should also enhance or create views through and from the development, from and towards the watercourse.

London Plan Policy 7.1 sets out a series of overarching design principles for development in

London and policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to density (3.4) and sustainable design and construction (5.3) are also relevant.

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 canal side. As such, the proposals need to be considered with regard to the impact on Waterloo Road and the Grand Union Canal.

The proposal is lower than the previously refused planning application. The scheme has generally undergone reduction in massing and density in order to address officer and Member comments on the previous design and the reasons given for refusal on the previous application, in order to achieve an appropriate design solution.

In relation to Block A, the upper floor has been revised specifically in response to the Conservation Officer comments, dropping in height in ascending steps to two storeys on the Waterloo Road frontage and incorporating a shorter stair tower, which now includes a greater degree of glazing.

In relation to Block B, the scale of the proposals has been reduced to allow the building to 'drop down' closer to the height of the existing warehouse structures at Uxbridge Boat Centre to the south. In compensation, and in order to maintain a financially viable scheme, two wings have been added over the two entrances to Block B, creating sheltered entrance canopies. Above ground floor level, the building overhangs to the east.

In addition, the proposed development is located a greater distance north from the existing buildings at Uxbridge Boat Centre than the existing warehouses on site, thereby removing the imposing presence of the existing warehouse's southern elevation from the immediate vicinity of Uxbridge Boat Centre.

With regard to layout, the relationship with the canal and site environs would be improved, by the provision of a landscaped garden with trees, hedges, and plants that would also improve ecology.

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

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

London Plan (2016); and chapter 12 of the National Planning Policy Framework (2012).

## **7.08 Impact on neighbours**

The nearest residential properties to the site are located on Waterloo Road to the rear (Nos. 11 & 12 Waterloo Road being the closest). These residential dwellings are situated 6m back from the shared boundary of the site. No. 79 Rockingham Road is located approximately 14m from the development. However, it is separated by Waterloo Road and its orientation with its flank wall facing the development, would ensure there would be no harm to the residential amenity of its occupiers.

### DAYLIGHT/OVERSHADOWING

Saved Policy BE20 of the Saved Policies of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the HDAS - Residential Layout seek to ensure that new development does not result in harm to neighbouring occupiers through loss of daylight or sunlight. The application has been supported by a Daylight and Sunlight Assessment, which assesses the impact of the development on the level of sunlight and daylight reaching neighbouring properties and for future occupiers of the development.

It is considered unlikely that the proposal will result in substantial shading/overshadowing of the rear gardens of the nearest residential properties fronting Waterloo Road.

### OUTLOOK

Policy BE21 of the Saved Policies of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to resist developments which would result in significant loss of residential amenity by reason of their siting, bulk and proximity. The HDAS -Residential Layout provides further guidance on the interpretation of this policy. a setback of 15m should be maintained between habitable room windows and side boundaries to avoid loss of outlook to adjoining occupiers and to provide adequate outlook for future residents of the development.

Block B would measure a maximum height of 9 metres for the 3 storey element and 12 metres for the northern 4 storey element, which is greater in height than the existing buildings on site. However, the position of this replacement building would be further back than the current commercial building which would compensate for the additional height.

The main eastern facade of Block B would maintain an average distance of 23 metres to the boundaries of the rear gardens of properties fronting Waterloo Road and 30 metres to the rear windows of those properties. The 2 eastern projecting elements at first and second floor level would be closer to the adjoining Waterloo Road properties, at an average distance of 15 metres to the boundaries of the rear gardens and 22 metres to the rear windows of those properties. This is in contrast to the current situation where the existing steel clad 2 storey equivalent warehouse building is sited only 5 metres away from the site's eastern boundary. Notwithstanding the bulk and massing of block B, given the separation distance provided, it is not considered that the development would produce an oppressive impact, or have an adverse effect on the outlook of adjoining residents from their rear gardens, in accordance with Policy BE21 of the Local Plan Part 2 Saved policies.

### PRIVACY

In relation to privacy, Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires new residential developments to be designed so as to ensure adequate outlook and privacy for occupants of the site.

A distance of approximately 30 metres is maintained between the main rear eastern elevation of the proposed block B and the rear windows of properties fronting Waterloo Road, with a corresponding distance of between approximately 23 metres to the private amenity areas of those properties. The eastern facing bedroom windows at first and second floor level in the 2 eastern projections would be closer to the rear windows of properties fronting Waterloo Road at 22 metres, in compliance with policy and design guidance. However, these windows would be only 15 metres from the site's eastern boundary with the rear gardens. These windows have therefore been designed to be angled so as to avoid direct overlooking to neighbouring gardens.

The plans show a bank of windows on all the floors on the rear elevation of the proposed block B. The perception of residents of these adjacent properties would therefore be of a lack of privacy in their rear gardens, compared with the current situation, where they look onto a blank facade to the existing warehouse building. However, given that the separation distances between the proposed block B and adjoining dwellings meets the relevant design guidance, it is not considered that refusal of the scheme on the grounds of unacceptable loss of privacy to the adjacent properties is sustainable in this case. Screening of the roof terraces can be secured by condition in the event of an approval.

No. 79 Rockingham Road is located approximately 14m from the development. However, it is separated by Waterloo Road and its orientation with its flank wall facing the development, would ensure there would be no harm to the residential amenity of its occupiers. No other residential properties are likely to be impacted by the proposal given they are situated farther from the site. Therefore, the proposal would not be considered to harm the residential amenity of neighbouring properties, in accordance with policies BE20, BE21, BE24, and OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

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

Saved Policy H8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states amongst other things, that the conversion or change of use of premises to residential use will only be acceptable if a satisfactory residential environment can be achieved.

External Amenity Space:

Policy BE23 of the Saved Policies UDP sets out that new developments should ensure adequate external amenity space. The HDAS -Residential Layouts sets out the following minimum requirements:

- Studio/1bed flats - 20sq.m
- 2 bed flats - 25 sq.m
- 3 bed flats- 30 sq. m

For the proposed development, a total of 1,030 sq.m of communal and/or private external amenity space would therefore be required. The current development proposal provides 1,514 m<sup>2</sup> of useable external amenity space in the form of ground floor private gardens,

shared communal terraces and private balconies. The overall amenity space provision would exceed the relevant standards contained in the HDAS.

### Children's Play Space

Policy 3.6 'Children and young people's play and informal recreation facilities' of the London Plan (2016) recommends that development that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

The Mayor's Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation sets out guidance to assist in this process. It is anticipated that there would be less than five children within the development (based on the housing mix). The London Plan and the SPG do not require children's play space for a child population of less than ten. Therefore, provision of children's play space would not be necessary on this site.

On balance, the amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

### Outlook and Light

The units have been designed with no north facing single aspect units. The single aspect units are generally orientated to ensure they receive good levels of lighting. All of the flats also either have a private garden or balcony as well as access to the two communal amenity areas within the scheme.

Each of the units benefits from a reasonable level of privacy, outlook and light and overall, it is considered that in relation to these issues, good environmental conditions can be provided for future occupiers, in compliance with relevant UDP saved policies and supplementary design guidance.

### Unit size

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

A schedule has been provided by the applicant confirming residential floor space provision would be provided which exceeds the minimum standards of policy 3.5 of the London Plan (2016) and Technical Housing Standards.

### Privacy

Saved Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours. A minimum separation distance of 21 metres is required to avoid overlooking and loss of privacy. It is considered that the design of the development would provide an adequate level of privacy for future occupiers, in accordance with Policy BE24 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) and relevant design guidance.

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

Of particular relevance to this application are Saved Policies AM7, AM14 and AM15. Policy AM7 requires developments not to prejudice the free flow of traffic or conditions of highway/ pedestrian safety whilst AM14 and AM15 set out the Council standards for car parking.

A Transport Assessment has been submitted as part of the application dealing with access, parking, traffic generation and public transport issues. The site has a Public Transport Accessibility Level (PTAL) score of 3 (on a scale of 1 to 6 where 6 is excellent).

### Traffic Generation

The proposal will introduce 18 new trips at this junction over 24 hours and less trips in the peak hours. Importantly, HGV trips are reduced from the existing sub-standard junction. The Highway Engineer has assessed the submitted Transport Assessment and is satisfied that traffic generated by the proposed development could be safely accommodated on the surrounding road network.

### Access

A new access is to be provided, to be located further away from the junction of Rockingham Road and Waterloo Road than the current access. The substantive unresolved issue relates to sightlines from the proposed new access. In this regard, the Highway Engineer recommended removing 2 parking bays from the right of the new access along Waterloo Road, in order to ensure that sightlines to both sides are maintained. This would have the potential to improve visibility without any significant reduction in on-street parking. However, these changes would be subject to approval by the Local Highway Authority.

Details of provision for delivery vehicles have been provided. Vehicle swept paths demonstrate that these vehicles can enter and leave the site in forward gear.

The proposed access is considered to be of significant highway safety benefit over the existing site access, in that it removes an existing access that is too close to the junction, reduces HGV traffic, removes HGV's waiting in the public highway (either on double yellow lines or within controlled parking bays) and removes existing hazardous turning manoeuvres from the site on to the public highway.

In addition, the applicant has agreed to the widening of the footway along Rockingham Road. The land will need to be dedicated as highway for this purpose and will require a s106 / s38 agreement. The extent/area of land required will need to be agreed as part of developing the traffic calming scheme for Waterloo Road that is currently in progress.

### Parking

39 car parking spaces and two motorcycle spaces have been provided, of which five car spaces are designated for disabled persons (13%). The parking bays will also include 20% active charging points and 20% passive charging points for future requirements. This equates to 0.83 spaces per unit. The Council's standards allow for a maximum provision of 1.5 spaces per residential unit, a total of 70 spaces in this case. The site has a PTAL rating of 3 and is in close proximity to Uxbridge Town Centre, local facilities and local transport

opportunities. As such, it is considered that residents of the proposed development would have relatively good access to all day to day facilities and to the wider London area, via good public transport connections. In addition, the development proposals are for a predominance of 1-bed units. The proposed 0.83 parking spaces per dwelling therefore meets the NPPF policy guidance by being in line with expected existing and future need, taking into account the type, mix and use of the development.

It is also noted that the surrounding highway network is subject to a CPZ and the applicants agree that the occupants of the proposed units would not be eligible to apply for a parking permit. This will discourage car ownership. In addition the provision of electric charging points can be secured by condition. As such, the Council's Highways Engineer has raised no objection to the level of car parking and has confirmed that the parking spaces would be of sufficient dimensions and usable. The proposals are therefore considered to accord with the aims of Policy AM14 and AM15 of the Local Plan Part 2.

The submitted plans indicate that secure cycle storage can be provided for 48 cycles and the form of cycle stores within the demise of Blocks A and B, together with 2 motorcycle parking spaces. The scheme would therefore be in accordance with the Council's standards and Local Plan Part 2 Saved Policies AM9.

Subject to conditions and S106/Highway Agreements, in light of the above considerations, it is considered that the development would not give rise to conditions prejudicial to free flow of traffic and highway and pedestrian safety.

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

Issues of design and access are addressed elsewhere within this report.

In respect of security, the Metropolitan Police Crime Prevention Design advisor has commented on the proposals and there is no reason that the proposed development could not achieve appropriate standards of secure design.

#### **7.12 Disabled access**

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers likely to have a defined model that meets best practice design guidance. The submitted documentation has explained how the principles of access and inclusion have been applied to this scheme.

The Access Officer has made a number of observations which are summarised in the Internal Consultee section of this report.

Although the wheelchair units have not been identified on plan, it is considered 5 of the units could be adapted to full wheelchair standards and the remaining units to appropriate standards. Subject to appropriately worded conditions, these standards could be achieved, in accordance with the London Plan Policies 3.8, 7.1 and 7.2 and in general compliance with the Council's Supplementary Planning Document "Accessible Hillingdon".

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

The development would introduce a total of 47 dwellings, therefore triggering the affordable



housing requirement threshold of 10 units as set out in London Plan policy 3.13. Policy H2 of the Hillingdon Local Plan: Part 1- Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council notes however, subject to the provision of robust evidence, it 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.

A Financial viability Appraisal (FVA) has been carried out in support of this application. The FVA concluded that no affordable housing could be afforded. The FVA has been independently assessed by the Council's third party FVA consultant who considers that a profit can be achieved, potentially enabling the delivery of on site affordable housing provision. The applicant has agreed to provide 4 units of affordable housing, comprising 2 x one bedroom, 1 x 2 bedroom and 1 x 3 bedroom ground floor wheelchair accessible units, or the equivalent in habitable rooms, on a shared ownership tenure.

A review mechanism would also be required, so that should value increases and/or cost savings arise, then financial contributions towards the shortfall in affordable housing should be required. In order to respond to the possibility of the business closing rather than relocating, a schedule of allowable costs would need to be attached to any planning agreement. If those costs do not arise, then the saving should be transferred to an affordable housing contribution.

The development would therefore meet policy requirements in terms of affordable housing, so long as an appropriate legal agreement were in place to secure this provision.

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

Local Plan Part 2 Policy BE38 stresses the need to retain and enhance landscape features and provide for appropriate (hard and soft) landscaping in new developments. An arboricultural survey has been carried out making an assessment of existing trees on and within the vicinity of the site. Within the site there are few trees.

The development of the site would give rise to new landscaping opportunities that would potentially benefit the visual amenity of this part of the conservation area. One of the key design objectives is to provide an attractive visual setting to the canal side. This has partly been achieved by the introduction of a canal side landscaped area, providing accessible communal amenity space alongside the canal. The landscape design features also include improvements to the Rockingham Road / Waterloo Road boundaries, soft landscape screening between the car park and the Waterloo Road residents, private (defensible) space around ground-floor flats, and accessible roof terraces. The soft landscaping comprises features, such as hedging, which will provide 'instant' impact, while the planting of trees will provide a robust and attractive landscape that matures over time.

On balance, it is considered that the hard and soft proposals, including ground level details and roof gardens could provide a robust landscape which is both functional and attractive for residents of the site and adjacent properties which overlook it.

The Tree and Landscape Officer raises no objections subject to conditions to ensure that the detailed landscape proposals preserve and enhance the character and appearance of the area. Subject to these conditions, it is considered that the scheme is on the whole acceptable and in compliance with Saved Policy BE38 of the Hillingdon Local Plan: Part 2 -

Saved UDP Policies (November 2012).

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

Policy 5.17 of the London Plan sets out the Mayor's Spatial Policy for Waste Management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling. Bin stores have been located to each of the blocks and refuse vehicles would be able to access the site and exit in forward gear. The bin stores would have external access, would be convenient for use by residents and appropriate for servicing.

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

Sustainability policy is now set out in the London Plan (2016), at Policy 5.2. Parts C & D of the policy require proposals to include a detailed energy assessment. The 2016 London Plan requires major developments to demonstrate a 35% reduction from a 2013 Building Regulations compliant development.

A Sustainability Statement has been submitted in support of the application. This report demonstrates how a variety of technologies could be incorporated into the design to reduce the CO<sub>2</sub> emissions for an approximate average of 35% reduction in CO<sub>2</sub> over building regulations 2013. A number of sustainable features have been incorporated into the proposed development, including a range of passive design features and demand reduction measures to reduce carbon dioxide emissions.

The Sustainability Statement concludes that the 'Be Lean' and 'Be Clean' measures the proposed development achieves a 39% reduction from a compliant Part L 2013 baseline building. The scheme will not use any 'green' technologies as through thermal fabric, energy efficient mechanical & electric technologies and a centralised heat system led by a CHP engine the dwellings achieve the GLA London Plan targets.

It is considered that conditions securing the implementation of the sustainable design and construction and renewable measures set out in the Energy Statement, could satisfactorily address the issues relating to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions, in compliance with Policies 5.2, 5.13 and 5.15 of the London Plan (2016), Policy PT1.EM1 of Hillingdon Local Plan Part 1 and the NPPF.

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

Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

Given the proximity of the canal, a Flood & Drainage Assessment has been submitted with the application to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF.

A strip of the site next to the canal is within Flood Zone 2/3. However, the proposed buildings would be situated outside of these Flood Zones as defined in the Council's own Strategic Flood Risk Assessment (SFRA) and is with flood zone 1 on the Environment Agency maps. Hence, the Environment Agency has raised no objection. Nevertheless, the Council's Flood and Water Management Officer has requested that flood defences be provided for the development to mitigate from a 1 in 100 year flood event.

The Canal & River Trust maintains the water level of the adjoining Grand Union Canal using

reservoirs, feeders and boreholes, and thereafter manages the water by transferring it within the canal system. The level of the water in canals is normally determined predominantly by the use of weirs and is therefore controlled. It is acknowledged by the Canal and River trust of the existing outfall in to the Canal and therefore the continuance of the use of this outfall is acceptable.

Whilst it should be noted that the site is protected by the informal flood defence provided by the canal wall capping stone (set above the highest flood level predicted for the 1 in 100 year (+climate change) flood event of 31.80), officers raised concerns due to the condition of this wall. It is noted that the state of the canal wall is such that it may collapse, removing the flood defences and effectively increasing the sites flood risk.

To mitigate this risk, It is proposed to erect a new flood defence wall within the site that provides flood defence. A flood defence wall was preferred to a bund due to the lack of available space to construct a bund of sufficient width. This flood defence will be set back approximately 1250mm from the existing canal wall and will connect with the existing pill box to the north of the site and the upstand wall which runs along the southern boundary. The finished top level of the wall will be 32.10m which will provide 300mm freeboard above flood levels protecting the site from flooding in the same manor the existing capping does.

## DRAINAGE

All new development should incorporate sustainable drainage systems. The proposals need to include a clear drainage strategy that is reflected within the designs of the development. Policy 5.13 of the London Plan sets out a hierarchy to work towards, it also requires a greenfield run-off rate to be met.

New local surface drainage networks will be designed to not flood for a 1 in 100 year storm event inclusive of a 30% allowance for climate change in line with Environment Agency standing advice. As the site currently discharges into the Grand Union Canal, and the proposed discharge into the Grand Union Canal will be reduced to a greenfield runoff rate of 5 l/s, a reduction in flow will be imposed into the watercourse. Therefore, proposed discharge from the site will produce a positive impact and reduce the risk of flooding of the watercourse.

The Flood and Drainage officer raises no objections to the proposed drainage strategy, subject to a condition requiring a long term management and maintenance plan for the drainage system. It is considered that subject to appropriate conditions, the proposal would comply with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policies OE7 and OE8 of the Local Plan Part 2 Saved UDP Policies (Nov 2012), Policies 5.12 and 5.13 of the London Plan (2016) and the NPPF.

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

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

standards.

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

The proposed use would be more noise sensitive than the existing use. A noise impact assessment has therefore been submitted in support of the application to assess the likelihood of complaints from future occupiers of the development of noise, from surrounding established commercial premises occurring in the future. Following an initial appraisal which considered general ambient noise levels, and the specific noise associated with the adjacent dry dock of the Uxbridge Boat Yard, further works were requested by the Local Planning Authority. A Supplementary Assessment of Environmental Noise has been submitted which considered noise on the canal arising from boat manoeuvring in connection with the boat yard operations, and noise related to the General Elliot public house, which faces the site from the far bank of the canal. In addition, the applicants have submitted a list of examples of allowed appeals for residential schemes adjacent to uses which provide a noise constraint.

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

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

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

In order to address the above mentioned issues, a range of noise attenuation measures are set out in the submitted Environmental Noise Assessment, including works to the boat yard to prevent the escape of noise (a suspended ceiling wall insulation and provision of a new roller shutter door to the canal), and measures to the fabric of the proposed buildings to mitigate from excessive noise. Windows in the south wall of Block B, overlooking the dry dock and boat yard have been deleted, whilst walls and windows will be insulated to achieve appropriate internal noise levels. Ventilation will also be provided for the proposed flats nearest to the dry dock, which will give future residents an option on the rare occasions when residents might prefer to close their windows. In addition, an acoustic boundary fence along the southern boundary and screening to the balconies and terraced areas are proposed. These mitigation measures are to be secured by way of conditions.

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

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

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

## AIR QUALITY

The NPPF at para. 123 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

The site is located within an Air Quality Management Area and as such, an air quality assessment has been provided as part of the application. The assessment concludes that the location is considered suitable for residential use and air quality impacts will be negligible. Based on the assessment results and subject to the proposed CHP plant adopting a low emissions strategy, it is not considered that air quality would be a constraint

to planning consent for the proposed development.

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

The main issues raised have been dealt with in the main body of the report.

#### **7.20 Planning obligations**

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees, including the Canal and River Trust. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development. If the application is considered for approval, these heads of terms would be pursued:

1. Highways: S278/S38 highway works to secure access and pavement modifications, traffic orders, signage and road markings. Any and all off site highways works will be required to be met by the applicant.

2. Affordable Housing: In line with the SPD and current planning policy 4 units of affordable housing, comprising 2 x one bedroom, 1 x 2 bedroom and 1 x 3 bedroom ground floor wheelchair accessible units, or the equivalent in habitable rooms with the tenure and mix to be agreed by the Council.

3. Affordable Housing Review Mechanism: The legal agreement shall provide for the Council to review the finances of the scheme at set times, in order to ensure that the maximum amount of affordable housing is being sought (seeking an uplift if viable).

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

4. Canal Contributions: The Canals and Rivers Trust seeks a contribution of £30,000 towards maintenance of the canal environment. The Canals and Rivers Trust submit that residents and visitors to the development will likely make use of the canal environment and its towpath, which will put additional pressure on this valuable open space. The trust also experiences increased complaints regarding wind blown litter in the water from new developments where occupants have raised expectations of the water space management. The request for a contribution towards canal environment from the development is considered justified, reasonable and consistent with other planning obligations secured for similar canal side developments within the Borough.

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

development. This assessment must be submitted and approved in writing by the Local Planning Authority prior to residential occupation of the proposed development.

6. project management and monitoring fee.

**7.21 Expediency of enforcement action**

There are no enforcement issues relating to this site.

**7.22 Other Issues**

There are no other issues related to this site.

**8. Observations of the Borough Solicitor**

**General**

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

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

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

**Planning Conditions**

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

**Planning Obligations**

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

**Equalities and Human Rights**

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where

equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

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

Not applicable.

#### **10. CONCLUSION**

No objection is raised to the principle of residential development or the loss of employment land on this site. The scheme provides acceptable environmental conditions for prospective occupiers of the development without prejudicing the long-term future of the adjacent boat yard and dry dock.

It is considered that the proposal is acceptable in terms of its built form and scale, particularly in relation to its location within Uxbridge Moor Conservation Area and its proximity to the listed Public House opposite and adjacent locally listed boat yard. It is considered that the proposed development, would respect the character or appearance of the conservation area and the significance of the adjacent heritage assets.

Subject to S106/278 legal agreements the scheme could satisfactorily address the issue of planning benefits in relation to affordable housing, noise mitigation, canal enhancements, construction training and off site highway improvements.

In relation to its design, built form, and scale, the new buildings have been thoughtfully designed and will make a positive contribution to the location and surrounding area. The scheme would be sympathetic to the character and appearance of the Uxbridge Moor Conservation Area and settings of the Statutory Listed Public House opposite and the Locally Listed boat yard adjacent to the site.

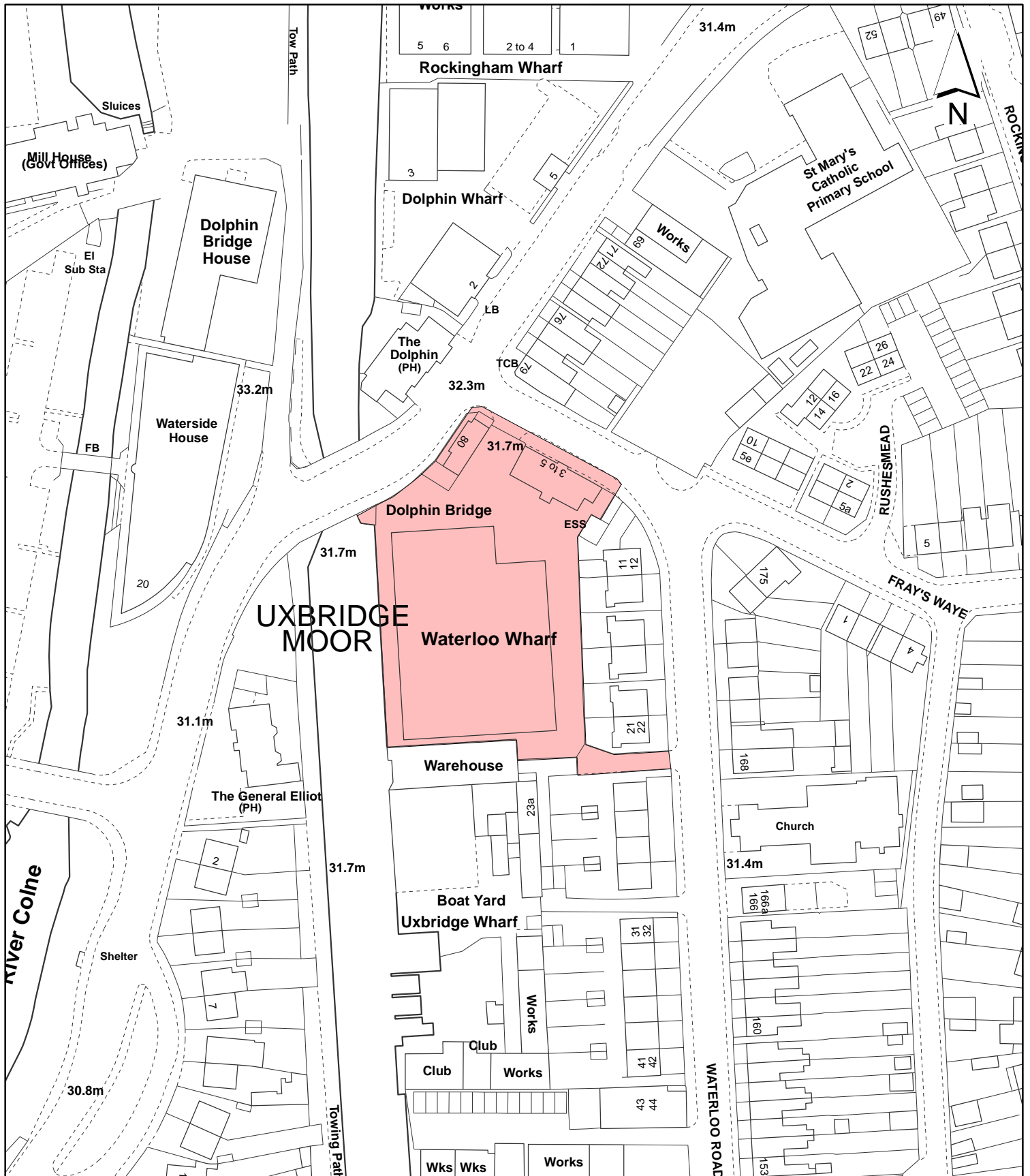
#### **11. Reference Documents**

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan 2016  
National Planning Policy Framework (NPPF)  
Council's Supplementary Planning Guidance - Community Safety by Design  
Council's Supplementary Planning Document - Air Quality  
Hillingdon Supplementary Planning Document: Accessible Hillingdon (January 2010)

**Contact Officer:** Karl Dafe

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**Notes:**

 Site boundary

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Site Address:

**Waterloo Wharf  
 Waterloo Road  
 Uxbridge**

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

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

Planning Application Ref:

**43016/APP/2016/1975**

Scale:

**1:1,250**

Planning Committee:

**Major**

Date:

**November 2016**



**HILLINGDON**  
 LONDON