

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

**Address** 22 NEW ROAD HILLINGDON

**Development:** Erection of 8 dwellings with associated parking, amenity space and access involving demolition of existing industrial units.

**LBH Ref Nos:** 4519/APP/2016/3619

**Drawing Nos:** Tree Report  
16106-TOPO  
Heights Layout - P1327/03 Rev F  
Parking Layout - P1327/04 Rev F  
Refuse Layout - P1327/05 Rev F  
Plots 3 & 4 Floor & Roof Plans - P1327.P3&4.01 Rev E  
Plots 3 & 4 Front & Side Elevations - P1327.P3&4.02 Rev D  
Plots 3 & 4 Rear & Side Elevations - P1327.P3&4.03 Rev D  
Plots 1 & 2 Floor & Roof Plans - P.1327.P1&2.01 Rev A  
Plots 1 & 2 Elevations - P.1327.P1&2.02 Rev B  
Plots 5 & 6 Floor & Roof Plans - P1327.P5&6.01 Rev B  
Plots 5 & 6 Elevations - P1327.P5&6.02 Rev B  
Plots 7 & 8 Floor & Roof Plans - P1327.P7-9.01 Rev J  
Street Scenes - P1327.SS.01 Rev D  
Plots 7 & 8 Front & Side Elevations - P1327.P7-9.02 Rev G  
Plots 7 & 8 Rear & Side Elevations - P1327.P7-9.03 Rev G  
Planning Layout & Location Plan - P1327/01 Rev F  
Materials Layout - P1327/02 Rev F

<b>Date Plans Received:</b> 03/10/2016	<b>Date(s) of Amendment(s):</b> 31/05/2017
<b>Date Application Valid:</b> 07/10/2016	30/05/2017
	03/10/2016

### 1. SUMMARY

The proposal involves the redevelopment of the existing light industrial use site to provide 8 new residential units consisting of a mix of dwellinghouses and flats.

It is considered that the proposed development represents a more sympathetic use of the site than the current industrial use due to the residential nature of the surrounding area.

The scheme has been revised since it was originally submitted by removing one unit and significantly reducing the impact on the Council owned highway amenity land.

The proposed development makes efficient use of the site whilst meeting relevant requirements relating to impact upon the character and appearance of the surrounding area, amenities and living conditions of future occupiers and ensuring sufficient parking spaces are provided.

### 2. RECOMMENDATION

**That delegated powers be given to the Director of Planning and Community Services to grant planning permission, subject to the following:**

**A) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the**

**Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:**

**Non-monetary contributions:**

**Enter into a S278/S38 for all highways works on the verge on the northern side of Connaught Close as detailed below:**

- a) Access works to the site;**
- b) Adjustment to kerb lines;**
- c) Provision of bollards to prevent encroachment of cars on to verge;**
- d) Tree planting and landscaping of verge.**

**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 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 Agreement/s have not been finalised within 3 months, or such other date as agreed by the Head of Planning and Enforcement, delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:**

**'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of delivery of necessary offsite highway and landscaping works). The proposal therefore conflicts with the National planning Policy Framework, Policy 7.4 of the London Plan (March 2015), Policies AM7 and BE 38 of the adopted Local Plan and the Council's Planning Obligations SPG.'**

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

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

**1            COM3            Time Limit**

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

**REASON**

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

**2            COM4            Accordance with Approved Plans**

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

Tree Report;  
16106-TOPO;  
Heights Layout - P1327/03 Rev F;  
Parking Layout - P1327/04 Rev F;  
Refuse Layout - P1327/05 Rev F;  
Plots 3 & 4 Floor & Roof Plans - P1327.P3&4.01 Rev E;  
Plots 3 & 4 Front & Side Elevations - P1327.P3&4.02 Rev D;  
Plots 3 & 4 Rear & Side Elevations - P1327.P3&4.03 Rev D;  
Plots 1 & 2 Floor & Roof Plans - P.1327.P1&2.01 Rev A;  
Plots 1 & 2 Elevations - P.1327.P1&2.02 Rev B;  
Plots 5 & 6 Floor & Roof Plans - P1327.P5&6.01 Rev B;  
Plots 5 & 6 Elevations - P1327.P5&6.02 Rev B;  
Plots 7 & 8 Floor & Roof Plans - P1327.P7-9.01 Rev J;  
Street Scenes - P1327.SS.01 Rev D;  
Plots 7 & 8 Front & Side Elevations - P1327.P7-9.02 Rev G;  
Plots 7 & 8 Rear & Side Elevations - P1327.P7-9.03 Rev G;  
Planning Layout & Location Plan - P1327/01 Rev F;  
Materials Layout - P1327/02 Rev F;

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

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

### **3 COM5 General compliance with supporting documentation**

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

Design & Access Statement;  
Tree Report;

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

#### REASON

To ensure that the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

### **4 COM7 Materials (Submission)**

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

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE 13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## **5 COM8 Tree Protection**

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

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

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

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

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

### **REASON**

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE 38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage (for a minimum of 9 bicycles)
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that two parking spaces are served by electrical charging points and a further two are passively wired)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
3. Living Walls and Roofs
  - 3.a Details of the inclusion of living walls and roofs
  - 3.b Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

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

**REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE 13, BE 38 and AM 14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2016).

**7 COM31 Secured by Design**

The buildings 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.

**8 COM15 Sustainable Water Management**

Prior to commencement of development, a scheme shall be provided which clearly demonstrates the following;

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;
- ii. Where infiltration techniques (soakaway) or a basement 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);
- iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased;
- iv. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

**c) MINIMISE WATER USE:**

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

**d) LONG TERM MANAGEMENT AND MAINTENANCE OF THE DRAINAGE SYSTEM:**

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

**f) FROM COMMENCEMENT ON SITE:**

- i. How temporary measures will be implemented to ensure no increase in flood risk from commencement on site including any clearance or demolition works. Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON**

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM 6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy OE 8 of the Hillingdon

Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.12 Flood Risk Management of the London Plan (2016).

**9 DIS2 Access to Buildings for People with Disabilities**

All ground floor units shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015 .

**REASON**

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policies 3.1, 3.8 and 7.2

**10 COM30 Contaminated Land**

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.

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

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.

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 OE 11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**11 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouses nor any garages, sheds or other outbuildings shall be erected without the grant of further specific permission from the Local Planning Authority.

**REASON**

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE 21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**12 RPD2 Obscured Glazing and Non-Opening Windows (a)**

The following windows shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

All north facing windows and the south facing first floor stairwell window serving units 7 and 8;

The east facing bathroom windows serving units 3 and 4;

The first floor south facing window serving unit 1;

The first floor west facing window serving unit 5;

The first floor east facing window serving unit 6;

**REASON**

To prevent overlooking towards adjoining properties and the privacy of future occupants in accordance with policy BE 24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**13 H8 Surfacing and marking out of access/parking/servicing areas**

The development shall not be occupied until the access roads, parking and servicing areas shown on the approved plans have been drained, surfaced and marked out in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently retained and used for no other purpose.

**REASON**

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

**14 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

#### INFORMATIVES

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

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

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime

LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
NPPF	National Planning Policy Framework
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

### **3            I2                    Encroachment**

You are advised that if any part of the development hereby permitted encroaches neighbouring property by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

### **4            I24                    Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

### **5            I3                        Building Regulations - Demolition and Building Works**

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

### **6            I43                    Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

### **7            I45                    Discharge of Conditions**

Your attention is drawn to conditions 4, 5, 6, 8, 10, 13 and 14 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 - Residents Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

**8            147            Damage to Verge - For Council Roads:**

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

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

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

**9            148            Refuse/Storage Areas**

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

**10           15            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

**11           160            Cranes**

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

**12**

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

Any light installed shall operate in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination, so as not to cause nuisance to nearby businesses/offices/dwellings. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The site is currently occupied by a group of single-storey flat roof buildings housing a car repairs garage which are pushed back along the western site boundary where the site opens up into a broadly triangular area. The site then tapers to the east where there is a hard surfaced car parking area to the front of the garage buildings and an access road that branches off from New Road. The site itself does not possess any significant landscaped areas, being entirely covered by buildings and hard surfacing, although there are a number of trees on neighbouring land which partially overhang the site.

The site is located within an established residential area. Properties on New Road extend to the north whilst Connaught Close adjoins the site to the south. Localised development generally consists of a mix of detached, semi-detached and terraced two-storey dwellings. Connaught Heights, which is a large three-storey block of flats, is located at the junction between New Road and Uxbridge Road to the north east of the site. Sibley Court, which is

also a large block of flats, is located to the rear of properties on Connaught Close to the south of the site.

The site backs on to a public recreation ground, which includes a playground, and is accessible from Uxbridge Road to the north.

### **3.2 Proposed Scheme**

The proposal involves the demolition of all existing garage buildings on site which have a combined footprint of approximately 388 m<sup>2</sup>. The site will be redeveloped to provide a total of 8 new units of residential accommodation comprising the following mix:-

4 x 3 bedroom dwellings (Plots 1 & 2 and 5 & 6), two of which (Plots 5 & 6) will be semi-detached and the other two of which (Plots 1 & 2) will be attached to an apartment building. The buildings are two-storey structures including a bedroom within the roof space, with front facing dormers provided. The buildings measure approximately 8.6 metres in width by 9.15 metres in depth with an additional porch area projecting approximately 1.46 metres to the front on Plots 1 & 2, and a single-storey element projecting approximately 0.6 metres to the rear on all plots. Height to roof ridge will be approximately 9.65 metres with eaves height at 5.9 metres.

2 x 1 bedroom apartments (Plots 3 & 4) contained within a three-storey building which adjoins the semi-detached two-storey dwellings at Plots 1 & 2. The ground floor of this structure will be used to provide undercroft parking. This building measures approximately 10.9 metres in width by 7.3 metres in depth and 12.05 metres in height to roof ridge (7.95 metres to eaves). Private balconies will be provided to the rear.

2 x 2 bedroom apartments contained within a detached two-storey building which will flank Connaught Close. The overall building will measure approximately 12.9 metres in width by 7.2 metres in depth. Height will be approximately 10.75 metres to roof ridge and 6.8 metres to the eaves. This building will also incorporate bin and cycle storage facilities at ground floor level.

All buildings have pitched, gabled ended roofing. External finishes will be red brick to elevation walls and red tiles to the roofing. Decorative brick courses will be included for window reveals.

The combined footprint of the proposed buildings will amount to approximately 355 m<sup>2</sup> (not including bin and cycle storage facilities).

Each unit will be served by a designated car parking space and 5 additional parking spaces will be allocated for visitors. In order for 5 of the proposed parking bays to be accessed, the existing grass verge to the north side of Connaught Close which is under Highways control, will need to be crossed. A dropped kerb and hard surfaced crossover will be installed to facilitate this, with new bollards being installed in order to prevent vehicles encroaching on to the retained grass verge.

Access to units 1 - 5 will be via the existing entrance to the garage site taken from Connaught Close. The access will be widened in order to allow for the safe movement of vehicles. The existing access to the site from New Road, which borders the side boundary of No. 22 New Road, will be permanently closed off.

### **3.3 Relevant Planning History**

4519/APP/2000/52 Punters Garage, 22 New Road Hillingdon  
ERECTION OF SINGLE STOREY EXTENSIONS TO WORKSHOP AND MOT BAY TO PROVIDE  
TYRE BAY, OFFICES AND WAITING ROOM

**Decision:** 07-06-2000 Approved

4519/C/80/1973 Punters Garage, 22 New Road Hillingdon  
Garage extension for storage of car parts.

**Decision:** 19-06-1981 Refused

4519/E/81/1830 Punters Garage, 22 New Road Hillingdon  
Erection of store.

**Decision:** 12-03-1982 Approved

4519/H/84/0275 Punters Garage, 22 New Road Hillingdon  
Alterations and removal of part of workshop to facilitate access to parking.

**Decision:** 04-06-1984 Withdrawn

4519/K/87/2273 Punters Garage, 22 New Road Hillingdon  
Extension to existing MOT bay to increase office

**Decision:** 25-03-1988 Approved **Appeal:** 24-03-1988 Allowed

4519/S/93/2000 22 New Road Hillingdon  
Erection of a single-storey rear extension

**Decision:** 01-06-1994 Approved

4519/X/95/0422 22 New Road Hillingdon  
Installation of a roller shutter door (retrospective application)

**Decision:** 26-07-1995 Approved

4519/Y/95/0708 22 New Road Hillingdon  
Erection of two single storey side extensions to workshop for storage purposes

**Decision:** 18-04-1996 Approved

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

Planning history shows the continued use of the site as a vehicle repairs garage.

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

The application will be assessed against relevant local, regional and national policies and legislation, as set out in section 4 of this report.

#### **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.EM4 (2012) Open Space and Informal Recreation
- PT1.H1 (2012) Housing Growth

Part 2 Policies:

- AM14 New development and car parking standards.
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H4 Mix of housing units
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- LE4 Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- LPP 3.8 (2016) Housing Choice
- LPP 5.12 (2016) Flood risk management
- LPP 5.13 (2016) Sustainable drainage
- LPP 5.21 (2016) Contaminated land
- LPP 5.3 (2016) Sustainable design and construction
- LPP 6.13 (2016) Parking
- LPP 7.2 (2016) An inclusive environment
- LPP 7.3 (2016) Designing out crime
- LPP 7.4 (2016) Local character
- LPP 7.6 (2016) Architecture

NPPF	National Planning Policy Framework
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **10th November 2016**

## 6. Consultations

### External Consultees

Site notices were displayed adjacent to the site. Immediate neighbours of the site also received a letter notifying them of the proposed development and inviting comments to be submitted. A summary of comments received is provided below:-

2 Letters of Objection Received.

There is already a parking problem and this will be exacerbated;  
 Current parking guidance is 10 years old and not fit for purpose;  
 Access for refuse crews will be difficult;  
 The development will not integrate with its surroundings as there are no three-storey properties nearby;  
 Views towards the park will be blocked by the new buildings;  
 There will be overshadowing;  
 Building works will be disruptive;  
 No objection to principle of redevelopment but the proposed development has been designed to accommodate as many people as possible in a small space.

Petition of Objection from 24 Signatories Received:

Loss of a major part of the grassy area on Connaught Close;  
 Loss of privacy to neighbouring properties;  
 Extra traffic on Connaught Close will cause disturbance and loss of privacy;  
 It is too big a project for a limited area;  
 Parking problems would be exacerbated;

### Internal Consultees

DRAINAGE & FLOODING (Summarised Comments):

The site lies in Flood Zone 1 and is not identified at risk of other sources of flooding. However it is important that all development reduces the amount of surface water runoff from the site in order to reduce the pressure on the sewage systems. I have recommended a suitably worded condition.



## HIGHWAYS:

This revised application is for the development of an industrial site in New Road Hillingdon to construct 8 dwellings. There have been a number of previous schemes on this site where Highway Comments have been provided and this response is similar to previous ones.

The existing use is currently small industrial units. The site is accessed via Connaught Close and off New Road both local roads. On Connaught Close parking is restricted along the northern kerb and is allowed along the southern kerb. On New Road, on-street parking is allowed where possible. There is parking stress in the area as not all properties have off-street car parking. The northern footway along Connaught Close is not paved and includes a grassed area. Bollards are located along the kerb to prevent traffic from mounting the kerb and park on the grassed area. The site has a PTAL of 2 (poor) and it is anticipated that future residents would rely on private car trips.

The proposals involve the demolition of the existing industrial units and the construction of 8 new dwellings: 4x 2-bedroom houses with private garden 4x 2-bedroom flats with shared amenity space. There are a total of 12 parking spaces of which 8 are allocated to flats and houses and 4 marked for visitors. Eight spaces would be accessed from the courtyard and four from Connaught Close. The proposed crossover along the northern footway of Connaught Close would not reduce the amount of on street parking, as a double yellow line is in force along its proposed width. The applicant will be responsible for the design and costs associated with the new highway arrangements along the northern footway including the design of the modifications, signs, road markings and traffic orders. At both vehicular access points, there should be unobstructed visibility above the height of 1.05m and this can be conditioned. Any fencing / hedging above 1.05m would have to allow drivers to be able to see through it.

It is considered that the applicant should pave the northern footway with surface treatment matching the surrounding footways and re-instate the existing New Road access. This should be secured through a S106 agreement. Parking 12 parking spaces are proposed which is in line with current parking standards. The following conditions should apply: 2 parking spaces should be equipped with active Electric Vehicle Charging (EVC) points and a further 2 passively wired; A total of 9 secure covered cycle storage spaces plus secure covered cycle storage for the houses.

It would appear that service vehicles cannot enter the access and exit the site in forward gear which is not ideal.

It is likely that traffic generation associated to the proposed use would not be significantly different to the existing use so the impact would not be significant.

The proposed location of refuse bins and collection points would appear satisfactory. On the basis of the above comments I do not have significant concerns over the application providing a range of conditions are applied if the application is to be approved.

## LANDSCAPES:

Although I have concerns over the impact on the Council highway verge (which is an attractive amenity feature), these could be mitigated by tree planting on the verge if this formed part of a legal agreement.

## ACCESS:

The dwellings would be required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

## ENVIRONMENTAL PROTECTION UNIT:

The application concerns land that has been used for a garage workshop (Punters Garage). It is a contaminative use and with a sensitive end use such as 9 houses with green space including private gardens I would recommend attaching our standard contaminated land condition.

Officer Note: The application is now for 8 units only following revision.

### **7. MAIN PLANNING ISSUES**

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

The site is located within an established urban setting and qualifies as previously developed land as per the definition contained within Annex 2 of the National Planning Policy Framework (NPPF). The overarching objective of the NPPF is to maintain a presumption in favour of sustainable development. Para. 17 of the NPPF sets out a raft of core planning principles, one of which is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

It is therefore considered that the principle of the redevelopment of the site is acceptable, subject to it satisfying relevant local, regional and national planning policies. The proposal will be assessed against these policies in the main body of this report.

The site is considered to represent a suitable example of a windfall site as defined within para. 48 of the NPPF, the development of which would represent a more efficient use of land as encouraged with Policy 3.4 of the London Plan (2016) and para. 1.2.25 of the London Plan Housing SPG (2016) which recognises the crucial role small sites play in securing housing delivery within London.

The proposed development would result in the loss of an employment site which is outside of any designated Industrial and Business Area (IBA). Policy LE 4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the loss of such sites is only acceptable if:-

- (i) the existing use seriously affects amenity, through disturbance to neighbours, visual intrusion or an adverse impact in the character of an area; or
- (ii) the site is unsuitable for industrial redevelopment because of the size, shape, location or lack of vehicular access; or
- (iii) there is no realistic prospect of the land being used for industrial and warehousing purposes in the future; or
- (iv) they are in accordance with the council's regeneration policies for an area.

It is considered that points (i) and (ii) of the policy are applicable to the development site and that, as such, the loss of the employment site is acceptable and accords with Policy LE 4.

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

Policy 3.4 of the London Plan (2016) seeks to optimise housing potential and includes a sustainable residential quality (SRQ) matrix for calculating the optimal density of residential development of a particular site. Optimal density levels vary based on the Public Transport Access Level (PTAL) score for the area in which the site is located, the character of the area (central, urban or suburban) and the type of accommodation being provided (based

on the amount of habitable rooms per unit). In this instance, the site is located within an urban setting, within close proximity of the A4020 (Uxbridge Road) which is a main distributor road and also Hillingdon Heath Local Centre and Core Shopping Area. The PTAL score for the site is 2 which is at the lower middle of the spectrum. Having consulted the matrix, the optimal residential density for the development of this site would be between 55 and 145 units per hectare or 200 - 450 habitable rooms per hectare.

The proposal involves the provision of 8 residential units on a site which has an overall area of 1130 m<sup>2</sup> (0.113 hectares). The density of the proposed development therefore equates to approximately 80 dwellings per hectare or 246 habitable rooms per hectare. The development can therefore be regarded as representing an optimal use of the site, towards the lower end of recommended density. Although this density exceeds that of development within the immediate surrounds on Connaught Close, it does correspond with nearby development such as the terrace of dwellings that comprise No. 26 - 38 New Road. Notwithstanding this, the development would be at the lower end of the appropriate range and this is in accordance with para. 1.3.48 of the London Plan Housing SPG (2016) which states that where the density of buildings surrounding small sites is below the appropriate range in the density matrix the site may if necessary be developed towards the lower end of the appropriate range.

The proposal incorporates a suitable mix of residential accommodation and includes provision of a number of three bedroom family units for which there is an identified need within the Borough.

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

The site is not located within, or adjacent to an area subject to any statutory or local designations in regard to archaeology or heritage value.

#### **7.04 Airport safeguarding**

Not applicable to the proposed development.

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

Not applicable due to the location of the proposed development.

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

The site involves the redevelopment of a broadly triangular shaped yard area that is currently occupied by an assortment of single-storey buildings which house a commercial garage and MOT testing station. The existing buildings, advertisements and other structures are somewhat cluttered in appearance owing to the expansion of the garage over time and it is considered that they are out of keeping with the residential nature of the surrounding area. It is considered that the proposed residential use of the site would be more sympathetic to the character and appearance of the surroundings.

The site is secluded in nature due to being positioned to the side or rear of neighbouring residential dwellings and also partially screened by an approximately 2 metre high brick wall which borders the northern side of Connaught Close.

The proposal will introduce a cluster of buildings (some of which incorporate rooms within the roof space) to the site. The design and scale of these structures, which include semi-detached dwellings and apartment buildings with red brick elevations and gable roofing, is considered to be broadly consistent with the design and scale of the dwellings on Connaught Close with any increase in height being marginal and not to a degree that the proposed buildings would appear overly prominent within the street or overly dominant towards neighbouring buildings. The spatial arrangement and distribution of the proposed buildings will also reflect the existing arrangement of buildings on Connaught Close, which

are clustered around the widened turning area at the end of the road.

All buildings will be set back from the highway as is the case with existing dwellings on Connaught Close. The formation of parking bays adjacent to the apartment building at the eastern end of the development will necessitate the removal of a section of the existing green buffer that flanks the northern side of Connaught Close in order for a vehicular crossover to be instated. A number of small street trees will also be removed for the same reasons. The bulk of the green buffer will, however, be retained and new tree planting and other landscaping will provide adequate mitigation and prevent the verdant nature of the Close from being compromised. The existing brick wall that flanks the green sward will also be retained on either side of the crossover, ensuring that the grass area continues to appear as part of the Connaught Close street scene rather than be associated with the proposed development. Bollards, matching the existing examples in place on the buffer, will also be installed so as to prevent vehicles encroaching onto the buffer and damaging the grass and other landscaping. It is therefore considered that the proposal will not compromise the existing verdant character and appearance of Connaught Close.

Provision of garden space as well as soft landscaping will be included as part of the development and this will reflect the verdant nature of Connaught Close and represent an enhancement of this characteristic, given the current appearance of the site which is exclusively hard surfaced.

It is therefore considered that the proposed development would be in accordance with Policies BE 13 and BE 19 of the Local Plan and Policies 7.4 and 7.6 of the London Plan (2016),

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

Units 1 - 4 will be positioned broadly in alignment with the frontages of No. 7 and No. 8 Connaught Close and will not project any further to the rear than those properties. There is a kitchen / diner window at ground floor level on the side (northern) elevation of No. 8 Connaught Close that will face towards the edge of the flank wall of unit 1 of the development. However, the wall will not project a significant distance beyond the window to the rear of the site and the kitchen / diner is also served by a window on the rear elevation which will not be obstructed by the proposed development. There is also a first floor window on the northern elevation of No. 8 Connaught Close. However, this serves a bathroom and, as such, does not provide natural light to a habitable room.

Units 5 & 6 will be sited within close proximity of the side elevation of No. 20 New Road which is a chalet style dwelling. There are no primary windows within the side elevation that would be adversely impacted upon by the proposal by way of overbearing or overshadowing. No. 20 New Road also angles away from the site and, although the proposed building housing units 5 & 6 will project forward of the frontage of the neighbouring property, a sufficient distance will be retained between the ground floor and eyebrow dormer windows on the frontage to prevent undue levels of overshadowing or an overbearing impact from materialising.

The rear elevation of units 7 & 8 will be directly to the front of No. 20 New Road, with a distance of approximately 17 metres retained between the two buildings. This is in excess of the 15 metres minimum separation distance as stipulated within the Council's Residential Layouts SPD and it is therefore considered that units 7 & 8 will not appear overbearing towards No. 20 New Road or be the cause of undue levels of overshadowing. It is noted that the area to the front of No. 20 New Road has been hard surfaced and is used for car parking. The main private amenity space at No. 20 New Road is to the rear of

the dwelling and the proposed building will not impose any material increase in overshadowing towards the rear amenity space than that already generated by the building occupying the site and neighbouring structures.

It is therefore considered that the proposed development would not result in undue levels of overshadowing or overbearing impact towards neighbouring properties and, as such, complies with Policies BE 20 and BE 21 of the Local Plan and Policy 7.6 of the London Plan.

Two rear facing windows serving units 6 - 8 will be positioned less than 21 metres from windows serving habitable rooms at No. 20 New Road, in conflict with the required standards set out in the Residential Layouts SPD. However, concerns relating towards overlooking are ameliorated due to the fact that these windows serve bathrooms and will be obscure glazed and fixed shut other than parts over 1.7 metres above finished floor level.

Units 1 - 6 back on to the public recreation ground and, as such, views from rear facing windows will be directed towards this public space. Side windows serving the proposed 3 bedroom dwellings all serve bathrooms and will be obscure glazed. Front facing windows on units 5 & 6 will face towards properties on Connaught Close that are sufficient distance away to prevent against overlooking. There is adequate separation between windows above ground floor level serving habitable rooms on the side (eastern) elevation and upper floor windows serving habitable rooms at 18, 18A and 22 New Road.

Windows on the front of units 1 - 4 and on the side (western) elevation of units 7 & 8 will face towards each other. This relationship will be discussed further in section 7.09 of this report.

Other than the building housing units 3 & 4, all buildings are two-storey structures and are of comparable height to surrounding buildings, with any differences being modest and not to an extent that would result in them appearing overbearing, overly dominant or oppressive. The three-storey building housing units 3 & 4 is set towards the centre of the site so as to not appear unbalancing and, whilst taller than neighbouring buildings, it is similar in other dimensions and the height increase is not considered to be substantial. It is therefore considered that this structure will also not have any unacceptable overbearing impact.

It is therefore considered that no neighbouring residents will be subject to intrusive levels of overlooking and that the proposed development therefore satisfies Policy BE 24 of the Local Plan and Policy 7.6 of the London Plan.

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

The internal space standards enshrined within the London Plan stipulate minimum Gross Internal Area (GIA) for dwellings based on the amount of bedrooms provided, occupancy rate and the amount of storeys over which the space is distributed. These standards are informed by the Department for Communities and Local Government (DCLG) Technical housing standards - nationally described space standard (2015).

The minimum GIA for a 3 bedroom house of three storeys height (given rooms are provided in the roof) is 90 m<sup>2</sup>, assuming occupation by 4 people. The GIA provided within each of the proposed 3 bedroom dwellings 93m<sup>2</sup> and, as such, meets requirements.

The minimum GIA for a 2 bedroom apartment, assuming occupation by 3 people, is 61 m<sup>2</sup>. The GIA of each apartment is as follows:-

Plot 7 = 65 m<sup>2</sup>

Plot 8 = 79.18 m<sup>2</sup>

The minimum GIA for a 1 bedroom apartment, assuming occupation by 2 people is 50 m<sup>2</sup>. The GIA of each apartment is as follows:-

Plot 3 = 50.7 m<sup>2</sup>

Plot 4 = 56 m<sup>2</sup>

All new units will therefore provide adequate GIA for their proposed occupation and are therefore in accordance with Policy 3.5 of the London Plan.

Policy BE 23 of the Local Plan requires that all new development both preserves private amenity space serving existing properties and provides sufficient private amenity space for future occupants. The Council's SPD for Residential Layouts provides standards for the amount of private amenity space that should be provided for the occupants of a residential unit. This takes the form of a sliding scale based on the amount of bedrooms that the unit provides.

The minimum space recommended for a three bedroom dwelling is 60 m<sup>2</sup>. Apartments can be served by communal space of 25 m<sup>2</sup> per 2 bedroom apartment and 20 m<sup>2</sup> per 1 bedroom apartment. Private amenity space of 5 m<sup>2</sup> per apartment should also be provided as per Standard 26 of the London Plan Housing SPG.

Plots 5 & 6 both provide sufficient adequate amenity space in line with the standards set by the SPD. However, plots 1 & 2 have an under-provision of usable space. The shared amenity space for plots 3 & 4 is also insufficient based on the SPD standards and plots 7 & 8 do not have any designated private or communal amenity space.

However, it is considered a shortfall of external amenity space can be allowable in exceptional circumstances. In this instance, the constraints of the site, particularly its triangular shape, and the need for buildings to be positioned so that they relate sympathetically towards neighbouring dwellings dictates the site and dwelling layout. Furthermore, the site is located within close proximity of a large recreation space and the easy access available to this facility offsets the shortfall in external amenity space available to occupants of the proposed residential units.

There are a number of windows serving habitable rooms at units occupying plots 1 - 4 which face in the general direction of habitable room windows on the western elevation of units 7 & 8. The minimum distance of 21 metres of separation as stipulated within the Residential Layouts SPD is not maintained on all occasions. None of the windows within 21 metres belong to existing properties and it is considered that, given the intimate mews style of the proposed development, this arrangement is acceptable and an acceptable level of privacy will be preserved as required by Policy BE 24 of the Local Plan.

All buildings have windows installed within more than one aspect, allowing a good level of unobstructed natural light permeation into habitable rooms throughout the course of the day, in accordance with Local Plan Policy BE 21 and Standard 29 and para.2.3.37 of the London Plan Housing SPG.

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

It is not considered that the amount of traffic generated by the proposed development would be significantly above that which is currently associated with the commercial use of the site.

Access to the development will be taken from Connaught Close and will utilise, and widen, the existing dropped kerb access serving the garage. An additional access point will be provided for the parking area to the side of units 7 & 8 and this will be in the form of a dropped kerb and crossover cutting through the existing green sward.

The existing access to the side of 22 New Road will continue to provide access to that property but will be blocked off to the rear so as to not allow access to the proposed development.

The Council's Highway Engineers have reviewed parking and access arrangements and confirmed that a sufficient amount of parking spaces have been provided. They are also satisfied with the suitability of both access points on highway safety and practicality grounds as well as the layout of parking area which will allow for the turning and circulation of vehicles entering and leaving the site.

It is therefore considered that the proposed development is in accordance with Policies AM 7 and AM 14 and London Plan Policy 6.13.

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

The design merits of the proposed development have been discussed within section 7.07 of this report.

All public areas of the proposed development will be overlooked by multiple properties and, as such, will not be secluded or isolated and therefore vulnerable to anti-social behaviour. The existing access to the side of 22 New Road will be incorporated with that property and will be secured. The alley between the southern elevation of units 7 & 8 and the wall flanking the green sward will be accessible by gates. These will need to be secure as will the development as a whole and, therefore, a condition requiring the development to be built in accordance with secure by design standards and for details of how these standards will be met to be submitted to, and approved, by the Council prior to commencement.

The measures secured by this condition will ensure the development complies with Policy BE 18 of the Local Plan and Policy 7.3 of the London Plan.

### **7.12 Disabled access**

The proposed development has been assessed by the Council's Access Officer who has raised no objection provided a condition is attached to any approval given requiring the dwellings to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015. This will ensure that all homes are wheelchair accessible and adaptable.

The upper floor apartments do not have step free access and would therefore not accord with Policy 3.8c of the London Plan (2016) or M4(2) of the Building Regulations. However, para. 2.3.10 of the London Plan Housing SPG (2016) also states that the application of Policy 3.8 can also be flexible in the case of small-scale infill developments, where the depth and width of a plot and height restrictions may inhibit the overall floorplate and massing of a building and the number of units which can be provided on a particular site/grouped around the same core (eg. gap sites adjacent to existing residential dwellings

or in a conservation area);

In this case, whilst not all units are compliant, the majority of the development does meet the requirements and, on balance, is considered to be acceptable.

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

The proposed development involves the provision of fewer than ten new residential units and is therefore not subject to affordable housing requirements.

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

The site, other than buildings, is currently entirely hard surfaced. The proposed development will introduce landscaping and amenity areas that will complement the verdant nature of Connaught Close. The green sward to the side of Connaught Close will remain largely intact as will the approximately 2 metre high brick wall that flanks it. All parked cars within the proposed parking bay to the side of Connaught Close will be screened by this wall.

The parking bays adjacent to units 7 & 8 are overhung by the canopy of a large tree sited within the curtilage of No. 20 New Road. The car parking area is already hard surfaced and, as such, there should be no additional disturbance to the root protection area. The crown of the tree may have to be raised from time to time so that it does not obstruct parking cars. The tree is not the subject of a TPO nor is it considered to be worthy of such status. The tree is also not located within a Conservation Area so there would be no need to apply to the Council prior to carrying out works on the tree.

The integrity of the green sward will be protected by the installation of bollards to prevent cars encroaching onto the grass. This can be secured by way of a planning obligation.

Further details will be required in relation to a comprehensive landscaping scheme for the site and a condition will be attached to any approval given requiring these to be submitted to the Council and approved prior to commencement of development.

It is therefore considered that the development would comply with Local Plan Policy BE 38.

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

The development will be serviced by the municipal waste collection service.

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

The Design & Access Statement accompanying the application states that all dwellings will be built to Code for Sustainable Homes Level 3. The Code for Sustainable Homes document is no longer valid but the measures set out in the Design & Access Statement demonstrates that sustainable design standards are integral to the proposal, as required by Policy 5.3 of the London Plan (2016).

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

The site is located within Flood Zone 1 and is therefore not subjected to a significant level of flood risk from fluvial or tidal sources. The site is also not identified as being at risk from surface water flooding nor is it within a critical drainage area.

Nevertheless, sustainable drainage measures should be provided in order to ensure that surface water run off is controlled in order that the development does not increase the risk of flooding within the surrounding area.

A condition requiring a detailed sustainable drainage scheme to be submitted to, and approved, by the Local Planning Authority prior to commencement of development will be



attached to any approval given.

The adoption and maintenance of a suitable sustainable drainage system would ensure compliance with Local Plan Policy OE 8 and London Plan Policy 5.13.

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

It is not considered that the proposal gives rise to any concerns relating to these matters. The existing garage use of the site is to be entirely discontinued and, as such, future occupants of the development will not be subjected to any noise disturbance associated with that use.

In principle, the potential noise disturbances which can arise from a garage use will no longer occur leading to a long term improvement in the environmental quality enjoyed by local residents.

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

Officer Response to letters of objection: The application has been revised since these letters were received. The amount of units provided has been reduced from 9 to 8 and the layout has been revised so that the impact on the Council owned grass area on Connaught Close is significantly reduced. Planning legislation does not protect rights to a view. Building works are a temporary occurrence and will be controlled by relevant Environmental Health regulations in relation to hours worked and pollution control. Hillingdon's adopted car parking standards exceed the requirements of the standards defined within the London Plan (2016). All other matters raised are discussed within the main body of this report.

Officer Response to petition: The scheme has been amended since the receipt of the petition and a significantly smaller area of the green sward flanking Connaught Close will now be affected. The arrangement of windows on the southern elevation of the building housing units 7 & 8 has been reconfigured in order to address what were valid concerns relating to privacy. Parking provision meets the Council's adopted standards.

#### **7.20 Planning obligations**

Hillingdon's Planning Obligations SPD sets out parameters as a guide to whether development would generate the need for additional facilities or mitigation works, in which circumstance financial contributions will be sought.

The SPD states that, where that contributions will be sought in cases where development fails to meet the on-site amenity space requirements as set out in HDAS, as is the case with the proposed scheme.

The development would also involve works to highway land that would need subject to a Section 278 agreement. This would also secure the provision of bollards and tree planting on the green sward.

All planning approvals for schemes with a net additional internal floor area of 100m<sup>2</sup> or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £35 per square metre.

The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy, which came into effect on 1st August 2014. The liability payable will be £95 per square metre.

A CIL Liability Notice containing a full schedule of CIL amounts payable will be issued to the applicant.

**7.21 Expediency of enforcement action**

Not applicable.

**7.22 Other Issues**

The existing use of the site as a motor repair garage gives rise to concerns over potential contamination of the land. As such, a condition will be attached to any approval given requiring the submission of a suitable scheme for identifying any contamination on site and the carry out any necessary remediation works. This is in order to comply with Local Plan Policy OE 11 and London Plan Policy 5.21.

**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.

## **10. CONCLUSION**

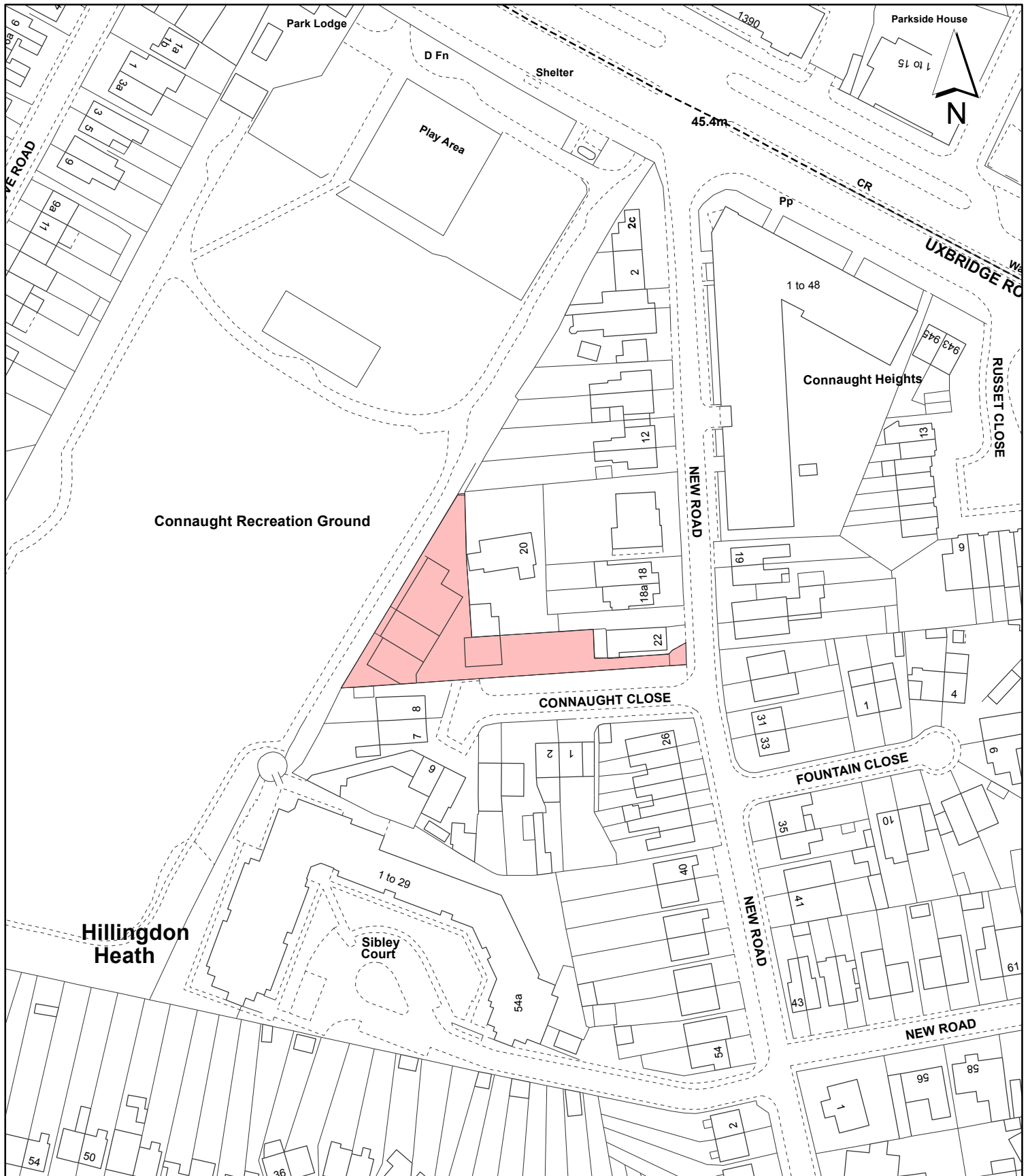
It has been demonstrated that the proposed development satisfies relevant local, regional and national planning policies and legislation and should therefore be recommended for approval.

## **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Planning Obligations SPD  
National Planning Policy Framework (NPPF)  
DCLG Technical housing standards - nationally described space standard (2015)

**Contact Officer:** James McLean Smith

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**Notes:**

 Site boundary

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Planning Application Ref:  
**4519/APP/2016/3619**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**June 2017**

