

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

**Address** 6 AND 6A HIGH STREET UXBRIDGE

**Development:** Conversion of first and second floors from financial and professional service offices (Use Class A2) to 3 x 2-bed flats, involving raising of roof level to provide new floor

**LBH Ref Nos:** 1538/APP/2017/722

**Drawing Nos:** 2299L(2-) 122 Rev. P3  
2299L(2-) 115 Rev. P5  
2299L(2-) 116 Rev. P5  
2299L(2-) 120 Rev. P5  
2299L(2-) 121 Rev. P4  
2299L(2-) 111 Rev. P5  
2299L(2-) 105 Rev. P4  
2299L(2-) 002 Rev. P1  
2299L(2-) 100 Rev. P1  
2299L(2-) 101 Rev. P1  
2299L(2-) 102 Rev. P1  
2299L(2-) 103 Rev. P1  
2299L(2-) 104 Rev. P1  
2299L(2-) 110 Rev. P3

**Date Plans Received:** 28/02/2017

**Date(s) of Amendment(s):** 28/02/2017

**Date Application Valid:** 13/03/2017

### 1. SUMMARY

The application seeks planning permission for the conversion of first and second floors from Class A2 (Financial and Professional Services) offices to 3 x 2-bed flats, involving raising of roof level to provide new floor. Following a number of revisions to its design, the proposal is considered to be in character with the Conservation Area. Furthermore the proposal would not result in a loss of residential amenity to neighbouring occupiers and would provide a good standard of residential amenity to the future occupants of the 3 flats. Given its town centre location, the applicant has agreed to enter into a S106 agreement to ensure that the future occupants of the 3 flats would not be eligible to apply for a parking permit, and as such the proposed development would constitute a car free scheme, in a position where there are a number of alternative modes of transport available to the occupants.

The application is recommended for approval subject to the completion of the S106 agreement to secure the car free scheme.

### 2. RECOMMENDATION

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

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

**A) That the Council enter into a Section 106 Agreement or other appropriate**

**legislation to ensure:**

**i) that restricts the use of the land by prohibiting occupation of any of the flats within the property and No.92a by anyone holding a parking permit (including Council car park season tickets).**

**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 and any abortive work as a result of the agreement not being completed**

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

**D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months, or any other period deemed appropriate that delegated authority be given to the Head of Planning and Enforcement to refuse the application for the following reason:**

**'The proposed development fails to provide sufficient off street parking provision which meets the council's approved parking standards to service the proposed dwellings. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.'**

**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 attached:**

**1 RES3 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 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2299L(2-) 105 Rev. P4, 2299L(2-) 110 Rev. P3, 2299L(2-) 111 Rev. P5, 2299L(2-) 115 Rev. P5, 2299L(2-) 116 Rev. P5, 2299L(2-) 120 Rev. P5 2299L(2-) 121 Rev. P4 and 2299L(2-) 122 Rev. P3 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 RES7 Materials (Submission)**

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

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

**REASON**

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

**4 RES17 Sound Insulation**

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

**REASON**

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.15.

**5 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 NONSC Non Standard Condition**

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. The scope of recording is to be agreed with the Local Planning Authority prior to the commencement of demolition. Copies of the final documents are to be made available to the Local Planning Authority, Local History Library and Historic England.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with policy BE4 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012), policy 7.8 of the London Plan (2016) and the National Planning Policy Framework (2012).

**7 H14 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use

until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

#### REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE4	New development within or on the fringes of conservation areas
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
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 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF12	NPPF - Conserving & enhancing the historic environment

**3**            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 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**            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.

**5**            16            **Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

**6**            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.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site comprises a three storey terraced property located on the south west side of the High Street. The property currently comprises a retail unit at ground floor level and vacant rooms on the upper floors, which currently appear to serve no particular function but are indicated to have historically provided offices for financial and recruitment services within use class A2. A separate entrance from the retail unit provides access to the upper floors. To the rear of the site is a parking area/service yard with access gained off Vine Street via a service road.

This part of the High Street is characterised by three/four storey properties with retail, office and cafe type uses, typical of a town centre location, at ground floor level and various forms of accommodation above. The upper floors of some units are clearly used as offices, however, the use of others is unclear.

The application site falls within Uxbridge Town Centre and Primary Shopping Area and also falls within the Old Uxbridge/Windsor Street Conservation Area and an Archaeological Priority Area as indicated within the the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 3.2 Proposed Scheme

The application seeks planning permission for Conversion of first and second floors from financial and professional service offices (Use Class A2) to 3 x 2-bed flats, involving raising of roof level to provide new floor.

#### 3.3 Relevant Planning History

1538/APP/2011/2003      6 & 6a High Street Uxbridge

Conversion of first and second floors from Class A2 (Financial and Professional Services) office to 3 x 2 - bed flats, involving raising of roof level to provide new floor, alterations to rear to include Juliette style balcony to second floor and gable end window, installation of 2 dormers to third floor front and 2 rooflights new flat roof (Resubmission)

**Decision:** 13-10-2011      Approved

1538/APP/2014/3417      6 & 6a High Street Uxbridge

Details pursuant to conditions 3 (Materials), 4 (Educational Facilities), 5 (Cycle Storage) and 6 (Roof Garden Fencing) of planning permission Ref: 1538/APP/2011/2003 dated 13/10/2011 (Conversion of first and second floors from Class A2 (Financial and Professional Services) office to 3 x 2-bed flats, involving raising of roof level to provide new floor, alterations to rear to include Juliette style balcony to second floor and gable end window, installation of 2 dormers to third floor front and 2 rooflights new flat roof (Resubmission) )

**Decision:** 15-01-2015      Approved

#### Comment on Relevant Planning History

The following planning history is considered to be of relevance to this application:

1538/APP/2011/2003 - Conversion of first and second floors from Class A2 (Financial and Professional Services) offices to 3 x 2 - bed flats, involving raising of roof level to provide new floor, alterations to rear to include Juliette style balcony to second floor and gable end window, installation of 2 dormers to third floor front and 2 rooflights new flat roof. Approved October 2011.

The details were subsequently approved under reference 1538/APP/2014/3417 (Details pursuant to conditions 3 (Materials), 4 (Educational Facilities), 5 (Cycle Storage) and 6 (Roof Garden Fencing) of planning permission Ref: 1538/APP/2011/2003 dated 13/10/2011 (Conversion of first and second floors from Class A2 (Financial and Professional Services) offices to 3 x 2-bed flats, involving raising of roof level to provide new floor, alterations to rear to include Juliette style balcony to second floor and gable end window, installation of 2 dormers to third floor front and 2 rooflights new flat roof.

#### **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.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE4 New development within or on the fringes of conservation areas

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

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 7.4	(2016) Local character
NPPF1	NPPF - Delivering sustainable development
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:- **12th April 2017**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

11 neighbouring properties were consulted by letter dated 14.3.17 and a site notice was displayed to the front of the site which expired on 13.4.17. No response received.

### **Internal Consultees**

Highways Officer:

This is a car free development and subject to a S106 prohibiting them from obtaining residents parking permits, no objections on highway grounds.

Landscape Officer:

This site is occupied by a charity shop at ground floor level and is situated on the south side of the High Street, to the west of Vine Lane. This area is urban in character area, situated within Uxbridge Town Centre. There is no external amenity space associated with this address, although there is a small service yard to the rear. The site lies within the Old Uxbridge Conservation Area.

COMMENT: This application is for a renewal of a lapsed planning approval. The proposal to convert the upper floors into flats will all take place within the existing footprint of the building. There is no space or opportunity for landscape enhancement on this site.

RECOMMENDATION: No objection and no need for landscape conditions.

EPU:

No objection subject to a condition to require that development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road, rail and air traffic, and other external noise sources has been submitted to and approved in writing by the Local Planning Authority.

Conservation Officer:

The proposal comprises of the conversion of the existing first and second floor to residential dwellings and the addition of an extra storey, involving raising the roof height and design of the original building. Whilst the principle of the proposal has been established due to previously approved application, there are a few concerns regarding the design of the rear elevation and



proposed dormers. Ideally the dormers would need to sit lower behind the existing front parapet. Taking into account the existing property does not feature sash windows, timber casement windows (2-lights maximum) would be considered more in keeping with the character of the original building. Whilst the principle of a mansard roof would be considered admissible in this instance, there are concerns regarding the design of the proposed roof form. The design of the roof includes half a mansard detail (to the front) however the rear elevation features a stark brick wall/ parapet. In order to improve the design of the additional storey particularly to the rear it is recommended a full mansard roof detail is included to the rear with the proposed projecting gable integrated into the mansard roof form, avoiding the need of a stark brick wall/tall parapet. It would be useful to have a proposed (western facing) section of the scheme to understand how the roof sits adjacent to the neighbouring building (No.7). The proposed apartment on the first floor includes double doors opening out onto the flat roof of No.6a. There are concerns regarding the use of this area as amenity space particularly taking into account the existing skylights, furthermore no details of means of enclosure for this area has been stated. This would need to be confirmed. The proposed roof lights would need to ideally be Conservation type roof lights set flush within the roofline. Please note paragraph 64 of the NPPF (2012), which states that 'Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area...' Furthermore paragraph 131 also refers to 'the desirability of new development making a positive contribution to local character and distinctiveness.' It is important the design of this addition sets a good design precedent for the future within the Conservation Area. The following conditions would need to be included as part of any approval:

Prior to relevant works details and samples of all materials, colours and finishes to be used on all external surfaces would need to be submitted to and approved in writing by the Local Planning Authority. This includes: Window details and sections of all new windows, roofing material, brickwork, Juliette balcony and railings around first floor amenity space.

Taking into account the existing historic building's positive contribution to the street scene and Conservation Area, it is recommended a photographic record of the existing building (internal & external) is conducted prior to the commencement of works, in accordance to guidance set by Historic England.

Conservation Officer Revised Comments: Following negotiation and consideration of revised plans - No Objection subject to a condition requiring submission of details regarding roof slates.

## **7. MAIN PLANNING ISSUES**

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

The re-use of previously developed land in town centres for new housing in mixed use schemes is consistent with both national and local planning guidance.

The National Planning Policy Framework (NPPF) seeks to significantly boost the supply of housing. Paragraph 50 supports the delivery of a wide choice of high quality homes, widening opportunities for home ownership and the creation of sustainable, inclusive and mixed communities. London Plan Policy 3.3 recognises the need for more homes in London in order to promote opportunity and provide a real choice for all Londoners. For Hillingdon, the London Plan sets a housing delivery target of a minimum of 5,593 new homes between 2015 and 2025 (559 per annum). Local Plan Policy H1 seeks to maximise the supply of additional housing in the borough and states the Council will meet and exceed its minimum strategic dwelling requirement, where this can be achieved, in accordance with other Local Plan policies. Policy at local, regional and national levels therefore acknowledges the need to provide new homes. It is considered that the nature and deliverability of the proposed development within Uxbridge town centre would contribute positively and actively to meeting the overall housing requirement for Hillingdon over the Local Plan

period.

Policy H4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is relevant. This policy seeks to encourage additional housing in town centres. The supporting text states:

"The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport.

Policy H8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is also relevant to the current proposal in that it states that a change of use from non residential to residential will only be permitted if:

- (i) a satisfactory residential environment can be achieved;
- (ii) the existing use is unlikely to meet demand for such
- (iii) the proposal is consistent with the other objectives of the plan.

The re-use of previously developed land in town centres for new housing in mixed use schemes is consistent with both National, London Plan and local planning guidance. Subject to satisfactorily addressing heritage, transportation and amenity issues, no objections are raised to the principle of the proposed development.

Furthermore, the principle of the development has been previously accepted in this town centre location under the grant of planning permission reference 1538/APP/2011/2003.

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

Policy 3.4 of the London Plan seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

The application building is an attractive building and is considered to form a heritage asset within the Old Uxbridge Windsor Street Conservation Area. No. 6 is an attractive three storey building with a shallow pitched slate roof concealed behind a gauged brick parapet with balustrades. This part of the Conservation Area displays a considerable variation of scale, form, materials and style of design. Nevertheless, the buildings, many of which are listed, contribute very positively to the character and aesthetic quality of the area.

Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that new development within or on the fringes of conservation areas will be expected to preserve or enhance the features, which contribute to the Conservation Area's special architectural or visual qualities. Paragraph 64 of the NPPF (2012), states that 'Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area...' Furthermore paragraph 131 also refers to 'the desirability of new development making a positive contribution to local character and

distinctiveness.' It is important the design of this addition sets a good design precedent for the future within the Conservation Area.

Whilst it is acknowledged that planning permission was previously granted for the development which was originally submitted under this application, concerns were raised by the Council's Conservation Officer in terms of the design of the proposed extensions to this property including the raising of the roof. In light of the advice contained within the NPPF, the applicant has discussed revisions to the application to include a re-design of the dormer windows and fenestration and removal of the roof terrace. Amended plans have been submitted and the Conservation Officer is satisfied that the revised plans would make a positive contribution to the Conservation Area in line with National and Local planning policies.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

#### **7.06 Environmental Impact**

Not applicable to this application.

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

The issues are addressed in the section above.

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

Policies BE20, BE21 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) give advice that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them, and the amenities of existing houses are safeguarded.

Policies BE23 and BE24 of the Hillingdon Local Plan (Part Two) stress the importance of new buildings and extensions providing adequate amount of external amenity space, that not only protects the amenity of the occupants of the proposed development, but also of those of the surrounding buildings, as well as protecting both parties privacy.

The application property is bounded by commercial uses and it is not considered that it would give rise to any issues which would be detrimental to the amenity of users of adjoining buildings.

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

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. A two bedroom (3 person) flat is required to provide an internal floor area of 61m<sup>2</sup> which all 3 flats comply with. Furthermore the habitable rooms would enjoy a satisfactory outlook in accordance with the requirements of Policy 3.5 of the London Plan (2015).

The HDAS Residential Layouts notes that amenity space requirements can be relaxed for

residential above commercial uses within a town centre, involving one or 2 bed units (such as are proposed in this application). Given the nature of the proposal no objection is raised in terms of external amenity space.

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

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Given that the application site is located within Uxbridge Town Centre which has excellent public transport it is considered appropriate to accept a car free scheme. The Highways Officer has raised no objection to the proposal subject to the completion of a S106 agreement to remove the right of the future occupants of the flats to apply for a parking permit. The applicant has agreed to these proposed Heads of Terms, which are to be secured by way of the S106 Agreement.

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

The issues are addressed in the sections above.

#### **7.12 Disabled access**

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

The application site is located within Uxbridge Town Centre. The Council's EPU officer has confirmed that no objection is raised subject to the imposition of a condition requiring that development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road, rail and air traffic, and other external noise sources has been submitted to and approved in writing by the Local Planning Authority.

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

None received.

#### **7.20 Planning obligations**

The applicant has agreed to the proposed Heads of Terms, which are to be secured by way of the S106 Agreement.

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £35 per sq metre.

Presently calculated the CIL liability would be as follows;

LBH CIL £34,286.58

London Mayoral CIL £ 13,424.93

Total CIL £ 47,711.51

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

CIL

None.

**8. Observations of the Borough Solicitor**

**General**

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

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

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

**Planning Conditions**

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

**Planning Obligations**

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

**Equalities and Human Rights**

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

The requirement to have due regard to the above goals means that members should

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

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

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

Not applicable to this application.

#### **10. CONCLUSION**

The application seeks planning permission for the conversion of first and second floors from Class A2 (Financial and Professional Services) offices to 3 x 2-bed flats, involving raising of roof level to provide new floor. Following a number of revisions to its design, the proposal is considered to be in character with the Conservation Area. Furthermore the proposal would not result in a loss of residential amenity to neighbouring occupiers and would provide a good standard of residential amenity to the future occupants of the 3 flats. Given its town centre location, the applicant has agreed to enter into a S106 agreement to ensure that the future occupants of the 3 flats would not be eligible to apply for a parking permit, and as such the proposed development would constitute a car free scheme, in a position where there are a number of alternative modes of transport available to the occupants.

The application is recommended for approval subject to the completion of the S106 agreement to secure the car free scheme.

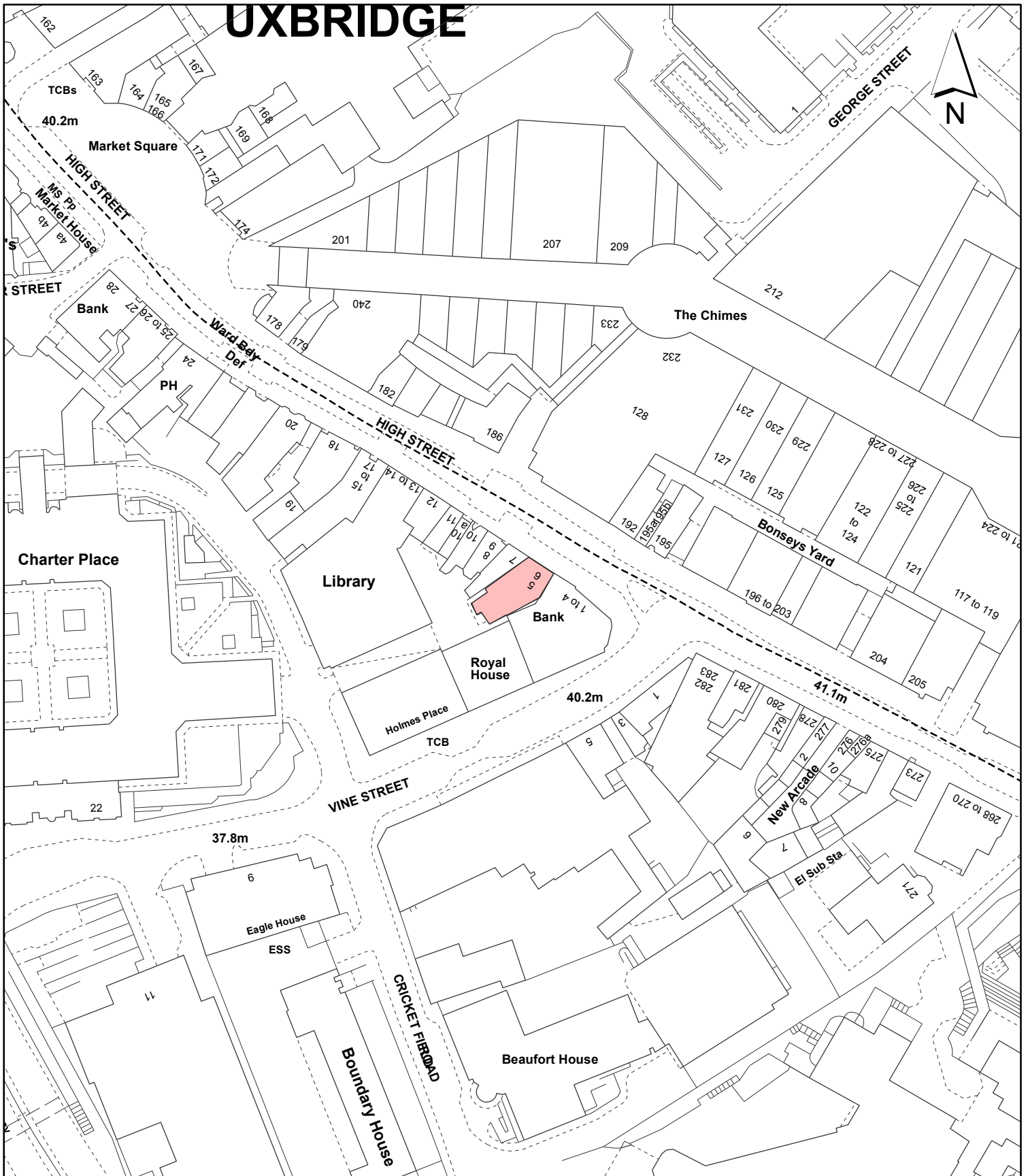
#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
The Housing Standards Minor Alterations to The London Plan (March 2016)  
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Residential Extensions  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

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# UXBRIDGE



**Notes:**

 Site boundary

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Site Address:

**6 & 6a High Street**

Planning Application Ref:  
**1538/APP/2017/722**

Planning Committee:  
**Central & South**

Scale:  
**1:1,250**

Date:  
**July 2017**

**LONDON BOROUGH OF HILLINGDON**  
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