

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

**Address** KITCHENER HOUSE WARWICK ROAD WEST DRAYTON

**Development:** Retrospective Application) Variation of Conditions 2 (Approved Plans) of planning permission ref: 18218/APP/2013/2183 dated 14-02-2014 (Erection of a part single, two, three and 4 storey building to provide 23 residential units, consisting of 14 x 2 bedroom, 9 x 1 together with 250sqm of retail/commercial space, with associated parking, cycle and bin storage and amenity space, involving demolition of existing buildings) to provide 24 units (13 x 2 bedroom, 10 x 1 bedroom and 1 x studio).

**LBH Ref Nos:** 18218/APP/2017/3711

**Drawing Nos:** Community Consultation document  
12034-02-04  
12034-02-01  
12034-02-02  
12034-02-03  
12034-02-35 Rev. A  
12034-02-36  
12034-02-37  
12034-02-38  
12034-02-39  
12034-02-40  
12034-02-41  
12034-02-42  
Air Quality Assessment dated 6 June 2013  
Bat Survey dated 14 June 2013  
12034-02-05  
12034-02-25 Rev. A  
12034-02-26  
12034-02-27 Rev. A  
12034-02-28 Rev. A  
12034-02-29 Rev. A  
12034-02-30 Rev. A  
12034-02-31 Rev. A  
12034-02-32 Rev. A  
12034-02-33 Rev. A  
12034-02-34 Rev. A  
12034-02-15 Rev. A  
12034-02-16. Rev. A  
12034-02-17 Rev. A  
12034-02-18. Rev. A  
12034-02-19 Rev. C  
12034-02- 20 Rev. B  
12034-02-21  
12034-02-22  
12034-02-23 Rev. B  
12034-02-24 Rev. A  
Low and Zero Carbon Technologies Options Appraisal dated July 2013  
Design & Access Statement

Phase 1 Habitat Survey dated 10 June 2015  
Noise Impact Assessment (Report No. 3158/05/13) dated 29 March 2015  
Contamination Report (Report 163/DS) dated April 2015  
12034-02-3  
12034-02-45  
17247 - SK 89  
17247 - SK 90  
Covering Letter [Bidwells dated October 2017]  
17247 - SK 91  
Transport Statement Rev. C  
12034-02-05  
12034-02-06  
12034-02-07  
12034-02-08  
12034-02-09  
12034-02-10  
12034-02-11  
12034-02-12  
12034-02-13  
12034-02-14 Rev. B

**Date Plans Received:** 12/10/2017

**Date(s) of Amendment(s):**

**Date Application Valid:** 12/10/2017

**1. SUMMARY**

The proposed alterations under this application seek the change of 1 x 2 bedroom duplex to a 1 x 1 bedroom and 1 x studio. The alterations to form the additional unit are internal and modest and considered a minor material amendment in the context of the original consent. This application does not include external alterations and therefore would not harm the amenity of nearby occupiers or the appearance of the building. It is recommended that the alterations under this proposal are approved.

**2. RECOMMENDATION**

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

**A) That the Council enters into a Deed of Variation 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:**

**B) To replace the description of development with 'Variation of Conditions 2 (Approved Plans) of planning permission ref: 18218/APP/2013/2183 dated 14-02-2014 (Erection of a part single, two, three and 4 storey building to provide 23 residential units, consisting of 14 x 2 bedroom, 9 x 1 together with 250sqm of retail/commercial space, with associated parking, cycle and bin storage and amenity space, involving demolition of existing buildings) to provide 24 units (13 x 2 bedroom, 10 x 1 bedroom and 1 x studio).'**

**C) £25,000 off site Affordable Housing contribution.**

**D) A legal agreement to prevent future occupants from applying for car parking permits.**

**E) Monitoring contribution (equivalent to 5%)**

**F) c) If the Legal Agreement have not been finalised by the 16/02/2018 or any other date that may be agreed by the Head of Planning and Enforcement, that delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:**

**'The applicant has failed to agree to provide an offsite affordable housing contribution and failed to agree a permit free development. The proposal therefore conflicts with Policy H2 of the Local Plan Part 1 and Policy AM7, AM14 of the adopted Local Plan and the Council's Planning Obligations SPD.'**

**G) The S106 Agreement remains valid and in force subject to the variations in this Deed.**

**H) 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 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 17247-SK 89, 17247-SK 91, 12034-02-01, 12034-02-02, 12034-02-09, 12034-02-10, 12034-02-12, 12034-02-13, 12034-02-16. Rev. A, 12034-02-17 ,Rev. A, 12034-02-18. Rev. A , 12034-02-19 Rev. C, 12034-02- 20 Rev. B, 12034-02-23 Rev. B, 12034-02-24 Rev. A, 12034-02-25 Rev. A, 12034-02-26,12034-02-36,12034-02-37, 12034-02-38,12034-02-39, and 12034-02-43and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

**2 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: Reduction in energy use and renewable technology installation, Energy Provision: Low and Zero Carbon Technologies Options Appraisal dated July 2013, External Appearance/Materials: Drawing 12034-02-040 (Material Schedule), Noise and Vibration Control & Attenuation: Noise Impact Assessment (Report No. 3158/05/13) dated 29 March 2013, Compliance with Lifetime Homes: Lifetime Homes Checklist (Document 12034-02-26), Secure by Design Compliance: Secure by Design Checklist (Document 12034-02-42) and Allocated Car Parking for Residential Units: (Document 12034-02-14 Rev. B).

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 objectives of Policies BE19 and OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **3 COM15 Sustainable Water Management**

Within 3 months of this permission until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

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

Thereafter the development shall proceed in accordance with the approved scheme.

- vi) a sustainable drainage plan shall be submitted that shows the soakaways should not be constructed within 20 metres of the railway boundary.

## REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

### **4 COM22 Operating Hours**

The premises at ground floor level shall not be used except between:-

[0700 and 2200], Mondays - Fridays

[0800 to 2300] Saturdays

[1000 to 1800] Sundays, Public or Bank Holidays.

## REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **5 NONSC Control of Advertisements and views into the retail unit**

1. Any future occupant to the unit at ground floor level shall retain for the life of the development that a minimum 70% of the approved glazed frontage to the retail unit with unobstructed views into the premise without any window transfers or shop shelf stands or equivalent barriers within 1.5m of the windows.

2) Notwithstanding the provisions of Town and Country Planning (Control of Advertisements) Regulations 2007 (or any order revoking and re-enacting that Order with or without modification) no advertisement or other signage shall be attached to the shop front without full details of the advertisements/signage been submitted to and approved in writing by the Local Planning Authority.

## REASON

In order to maintain an active frontage at street level, to safeguard the future visual integrity and attractiveness of the development and to retain the high degree of natural surveillance for pedestrians walking to and from West Drayton Station and in accordance with policies BE19, BE27 and BE28 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and relevant policies of the London Plan.

### **6 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)**

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the A1 retail unit within the development shall be used only for purposes within Use Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

## REASON

In accordance with policies OE1, BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan policies 3.5, 7.5 and 7.6.

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

The landscaping scheme shall be retained and maintained in accordance with the details agreed under planning ref: 18218/APP/2014/3893 (dated 17-07-17).

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality, provide adequate facilities and safeguard the safety of the railway embankment in compliance with policies BE13, BE38 and AM14 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).

### **8 NONSC Traffic Arrangements**

The traffic arrangements must be implemented and permanently retained as agreed under planning ref: 18218/APP/2014/3893 (dated 17-07-17) and used for no other purpose at any time.

## REASON

To safeguard pedestrian and vehicular safety and convenience in compliance with Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

### **9 NONSC Nose and vibration protection measures**

Noise mitigation measures shall be implemented prior to first occupation and thereafter retained/maintained as approved under planning ref: 18218/APP/2014/3893 (dated 17-07-17) and remain in accordance with these details for as long as the development remains in existence.

## REASON

To safeguard the future amenity of occupants of the development and to ensure that the development complies with the objectives of Policy OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

### **10 RES18 Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

**REASON**

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (2016) Policies 3.1, 3.8 and 7.2

**11 NONSC Details of energy provision**

Energy reduction measures shall be implemented and retained and maintained for the life of the development in accordance with details agreed under ref: 18218/APP/2014/3893 (dated 17-07-17).

**REASON:**

To safeguard the amenity of neighbouring properties in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**12 NONSC Ingress of Polluted Air**

Measures put in place to control air pollution shall be maintained for the life of the development in accordance with details agreed under ref: 18218/APP/2014/3893 (dated 17-07-17).

**REASON:**

To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: In areas where there the air pollution levels are above, or close to, the national and European limits, this is designed to safeguard the future residents/users of the site from the ingress of the poor outdoor air quality. The design must take into account climate change pollutants and ensure there are no trade-offs between local and global pollutant emissions. Suitable ventilation systems will need to: take air from a clean location or treat the air and remove pollutants; designed to minimise energy usage; be sufficient to prevent summer overheating; have robust arrangements for maintenance

**13 COM31 Secured by Design**

The 'Secured by Design' principles secured 18218/APP/2014/3893 (dated 17-07-17) shall be retained and maintained for the lifetime of the development.

**REASON**

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

**14 NONSC Level access**

Level access into the development and ground floor unit shall be, designed in accordance with technical measurements and tolerances specified by Part M to the Building Regulations 2000 (as amended), and shall be retained for the life of the development.

REASON:

To ensure adequate access for all, in accordance with London Plan policy 3.8, is achieved and maintained, and to ensure an appropriate standard of accessibility in accordance with the Building Regulations

**15 COM6 Levels**

The details approved under planning ref: 18218/APP/2014/3893 (dated 17-07-17) shall be retained for the duration of the development.

REASON

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

**16 RES17 Sound Insulation**

Details relating sound insulation as agreed under planning ref: 18218/APP/2014/3893 18218/APP/2014/3893 (dated 17-07-17) 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 (July 2011) Policy 7.15.

**17 NONSC Car Parking Management Plan**

The car parking scheme approved under planning ref: 18218/APP/2014/3893 18218/APP/2014/3893 (dated 17-07-17) 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. (July 2011).

**18 NONSC Gates**

Within 8 weeks of this decision, details of the operation of the main access way gate by disabled persons, and manual operation of any gates in the event of power failure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the secure access arrangements shall be installed in accordance with the approved details and maintained so long as the development remains on site.

REASON

In order to ensure the development achieves an appropriate level of accessibility in accordance with Policy 3.8 of the London Plan (July 2011)

**19 NONSC Privacy screens**

Within 8 weeks of this permission, an audit of the erected privacy screens shall be undertaken to establish effectiveness and compliance with the approved plans, the audit shall identify any remedial actions necessary to prevent overlooking of neighbouring properties.

Any measures identified in the audit as being necessary to prevent overlooking shall be

implemented within 3 months of occupation of the building and shall thereafter be retained for the life of the development.

**REASON**

To prevent overlooking and to accord with policy BE24 of the Hillingdon Local Plan Part 2 Saved UDP Policies (November 2012).

**20 COM20 Air extraction system noise and odour**

Within 3 months of this permission, details relating to air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**21 COM30 Contaminated Land**

Within 8 weeks of this permission, a scheme to deal with contamination shall be submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

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

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

**REASON**

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



**22 NONSC Non Standard Condition**

Piling or any other foundation designs shall not be permitted other than with the prior express written consent of the Local Planning Authority where vibro-compaction/displacement piling plant is to be used including the prior submission of a method statement in regarding their use.

**REASON**

To safeguard the integrity of the railway embankment and other railway structures.

**23 NONSC Non Standard Condition**

No excavations should be carried out near railway embankments, retaining walls or bridges without prior written consent of the Local Planning Authority.

**REASON**

In the interests of public safety and to safeguard the integrity of the railway embankment and other railway structures.

**24 NONSC Non Standard Condition**

Within 8 weeks of this permission details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies. Where a scheme to mitigate emissions is required, this shall be submitted to the LPA for approval. The said scheme should be implemented, and maintained for the life of the development.

**REASON:**

To safeguard the amenity of neighbouring properties in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**Note:**

This condition relates to the operational phase of residential or commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at [www.defra.gov.uk](http://www.defra.gov.uk). The Council would recommend using ultra low NOx gas CHP, to limit emissions.

**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 (July 2011) and national guidance.

NPPF

National Planning Policy Framework

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
AM14	New development and car parking standards.
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.
H4	Mix of housing units
R1	Development proposals in or near areas deficient in recreational open space
R6	Ancillary recreational facilities
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.15	(2016) Town Centres
LPP 2.7	(2016) Outer London: Economy
LPP 2.8	(2016) Outer London: Transport
LPP 3.11	(2016) Affordable housing targets
LPP 3.13	(2016) Affordable housing thresholds
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.6	(2016) Children and young people's play and informal recreation facilities
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 4.12	(2016) Improving opportunities for all
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 6.10	(2016) Walking
LPP 6.13	(2016) Parking
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2016) An inclusive environment

LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review

### **3            I2                    Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

### **4            I5                    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 Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

### **5            I11                    The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

### **6            I12                    Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

### **7            I13                    Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

**8**            I15                    **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.

**9**            I19                    **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.  
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

**10**          I23A                  **Re-instatement of a Vehicle Access.**

You are advised by London Borough of Hillingdon, Highways Management, that any works on the Highway, in relation to the reinstatement of any existing vehicle access, must be carried out with approval from the Highway Authority. Failure to reinstate an existing vehicle access will result in the Highway Authority completing the works, and the developer may be responsible for the costs incurred. Enquiries should be addressed to: Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**11**          I23B                  **Heavy Duty Vehicle Crossover**

Prior to work commencing, you are advised to submit an application for a Heavy Duty Vehicle Crossover to Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW to prevent damage to the highway from construction vehicles entering and leaving the site.

**12**          I60                    **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))

### 13

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk) so that the risk of their works can be assessed and enter into a Basic Asset Protection Agreement (BAPA).before works begin.

### 14

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to railway line boundary and make provision for its future maintenance and renewal without encroachment upon the railway operator's land. The railway operators existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way.

### 15

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

### 16

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary.

Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent the rail infrastructure operator from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus*

*Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Cretaegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicatata "Zebra"

Not Permitted:

Alder (*Alnus Glutinosa*), Aspen - Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus*

Hispanica).

**17**

Any scaffold which is to be constructed adjacent to the railway should be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding should be positioned, that in the event of failure, it will not fall on to Network Rail land.

**18**

The set of drawings contained within the Transport Statement including 1 untitled drawing, and Drawings 2013/1754 -002 Rev. B, /007 Rev. D, /008 Rev. C, 009 Rev. D, 010 Rev. D should not be treated as approved drawings in respect to the internal arrangements on the ground floor (e.g. layout and location of refuse stores, car parking bays). They are material only in regard to the highway/vehicle movements aspect of the scheme).

**19**

All future parties to the approved scheme should take attention to condition 3 (general compliance with supporting documentation) and the individual allocated car parking plan for the residential units: (Document 12034-02-14 Rev. B)

**20**

This Air Quality relates to the operational phase of residential or commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at [www.defra.gov.uk](http://www.defra.gov.uk). The Council would recommend using ultra low NOx gas CHP, to limit emissions.

**21**

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

**22**

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

**3. CONSIDERATIONS**

**3.1 Site and Locality**

The site is loosely rectangular in shape with 2 'long' boundaries facing west and east. Warwick Road is located to the south of the site and runs due east/west before linking through to Station Road to the south west. The site comprises a 4 storey residential building with 250 sqm of commercial/community use built following the grant of planning permission ref: 18218/APP/2013/2183 (14/02/2014). The site is located in the designated West Drayton Town Centre and has a Public Transport Accessibility Level (PTAL) of 3.

A separate cul-de-sac spur road (also known as Warwick Road) runs along the eastern site boundary and serves at the south entrance to West Drayton over-ground Railway Station for pedestrians and vehicles to drop off/collect. The West Drayton Station is locally listed as one of Brunel's built Great Western Railway station.

### 3.2 Proposed Scheme

This application seeks a variation to Conditions 2 of planning ref: 18218/APP/2013/2183 (14/02/2014) which granted consent for the 'erection of a part single, two, three and 4 storey building to provide 23 residential units, consisting of 14 x 2 bedroom, 9 x 1 together with 250sqm of retail/commercial space, with associated parking, cycle and bin storage and amenity space, involving demolition of existing buildings.'

The variation seeks to alter the approved scheme to provide 24 units which has already been constructed. This application is for retrospective planning permission. When the site was built in 2016, a studio unit and a 1 bedroom unit was constructed instead of a 2 bedroom duplex. This is a retrospective Section 73 (Minor Material Amendment) application which seeks to formalise the change in the mix and number of units. No external changes are proposed as part of this current application.

### 3.3 Relevant Planning History

18218/APP/2013/2183      Kitchener House Warwick Road West Drayton

Erection of a part single, two, three and 4 storey building to provide 23 residential units, consisting of 14 x 2 bedroom, 9 x 1 together with 250sqm of retail/commercial space, with associated parking, cycle and bin storage and amenity space, involving demolition of existing buildings.

**Decision:** 10-12-2013      Approved

18218/APP/2014/3893      Kitchener House Warwick Road West Drayton

Details pursuant to the Conditions 8 (Landscape Scheme), 9 (Traffic Management), 11 (Acoustic Measures), 16 (Energy Reduction), 17 (Air Pollution Mitigation), 21 (Levels), 22 (Noise Protection) and 24 (Access Way) of planning permission 18218/APP/2013/2183 dated 6th August 2013

**Decision:** 17-07-2017      Approved

18218/APP/2015/1116      Kitchener House Warwick Road West Drayton

Details pursuant to condition 10 (Code for sustainable homes) of planning permission 18218/APP/2013/2183 dated 6th August 2013.

**Decision:** 13-04-2015      Approved

18218/APP/2015/821      Kitchener House Warwick Road West Drayton

Non material amendment of planning permission 18218/APP/2013/2183 dated 06/08/2013 (for the Erection of a part single, two, three and four storey building to provide residential units together with retail/commercial space) for minor design changes and amendment to wording of condition 15 to allow demolition of building.

**Decision:** 16-03-2015 Approved

18218/APP/2017/513 Kitchener House Warwick Road West Drayton

Planning Approved scheme contains 23 units ( 9 - 1 Bed Units, 14 - 2 Bed Units )  
Planning Application Scheme replaces one number 2 Bed duplex residential unit within approved scheme with 1 no 1 Bed unit and additional 1 no 1 Bed studio unit.

**Decision:**

18218/APP/2017/591 Kitchener House Warwick Road West Drayton

Details pursuant to conditions 9 (Traffic Arrangements), 10 (Code for Sustainable Homes), 18 (secured by design) and 23 (car parking management) relating to planning permission ref: 18218/APP/2013/2183 dated 14/02/2014 for 'the erection of a part two, three and 4 storey building to provide 23 residential units, consisting of 14 x 2 bedroom, 9 x 1 together with 250sqm of retail/commercial space, with associated parking, cycle and bin storage and amenity space, involving demolition of existing buildings.

**Decision:** 07-08-2017 Approved

18218/APP/2017/678 Kitchener House Warwick Road West Drayton

Change of use of the commercial unit to a flexible use including Classes A1, A2, B1, D1 and D2.

**Decision:** 21-04-2017 Approved

18218/E/84/0558 Kitchener House Warwick Road West Drayton

Reconstruction of part of fire damaged building.

**Decision:** 30-05-1984 Approved

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

Where conditions have already been discharged by virtue of the above consents, the conditions have been altered to compliance conditions for completeness. This is reflected in the conditions proposed at the beginning of this report.

#### **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.EM6 (2012) Flood Risk Management

PT1.BE1 (2012) Built Environment



- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.H1 (2012) Housing Growth
- PT1.H2 (2012) Affordable Housing
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- NPPF National Planning Policy Framework
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- AM14 New development and car parking standards.
- 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.
- H4 Mix of housing units
- R1 Development proposals in or near areas deficient in recreational open space
- R6 Ancillary recreational facilities
- LPP 2.13 (2016) Opportunity Areas and Intensification Areas
- LPP 2.15 (2016) Town Centres
- LPP 2.7 (2016) Outer London: Economy
- LPP 2.8 (2016) Outer London: Transport
- LPP 3.11 (2016) Affordable housing targets
- LPP 3.13 (2016) Affordable housing thresholds
- LPP 3.3 (2016) Increasing housing supply
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- LPP 3.6 (2016) Children and young people's play and informal recreation facilities
- LPP 3.8 (2016) Housing Choice
- LPP 3.9 (2016) Mixed and Balanced Communities
- LPP 4.12 (2016) Improving opportunities for all
- LPP 4.4 (2016) Managing Industrial Land and Premises

- LPP 5.10 (2016) Urban Greening
- LPP 5.11 (2016) Green roofs and development site environs
- LPP 5.12 (2016) Flood risk management
- LPP 5.14 (2016) Water quality and wastewater infrastructure
- LPP 5.15 (2016) Water use and supplies
- LPP 5.2 (2016) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2016) Sustainable design and construction
- LPP 6.10 (2016) Walking
- LPP 6.13 (2016) Parking
- LPP 6.5 (2016) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.9 (2016) Cycling
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.14 (2016) Improving air quality
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- LPP 7.2 (2016) An inclusive environment
- LPP 7.4 (2016) Local character
- LPP 7.5 (2016) Public realm
- LPP 7.6 (2016) Architecture
- LPP 8.3 (2016) Community infrastructure levy
- LPP 8.4 (2016) Monitoring and review

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **20th November 2017**

**5.2** Site Notice Expiry Date:- **20th November 2017**

## **6. Consultations**

### **External Consultees**

This application was advertised between 26-10-17 and 26-11-17. A site notice was displayed between 30-10-17 and 20-11-17 No comments or objections were received.

### **Internal Consultees**

Trees and Landscaping

This application seeks to change the detail within the approved plans. According to the submission it appears that the existing / proposed footprint remains unchanged and, therefore, there should be no impact on the landscape / external environment.

Metropolitan Police

The condition relating secured by design can be discharged.

Highways

Additional car parking has not been provided. Further information from the applicant is required.

EPU

No comments received

SUSTAINABILITY

No comments received

DESIGN

No comments received.

## **7. MAIN PLANNING ISSUES**

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

The principle of development has been established under planning ref: 18218/APP/2013/2183. The retrospective addition of a unit through the reconfiguration of internal layout is considered acceptable given the site's location next to West Drayton Station and the Town Centre.

UNIT MIX

London Plan Policy 3.8 and the Mayor's Housing SPG expect new developments offer a range of housing choices, in terms of the mix of housing sizes and types. Policy H4 of the Local Plan of the Hillingdon Local Plan: Part 2 - Policies (November 2012) provides that one and two bedroom development will be preferable in town centre locations. The proposed unit mix would be:

- 13 x 2 bedrooms;
- 10 x 1 bedrooms; and
- 1 x studio.

This unit mix is considered acceptable in this Town Centre location.

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

London Plan (2016) Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan (2016) Chapter 7 and public transport capacity. Table 3.2 provides the density matrix in support of this policy. The site has a 'urban' setting with a PTAL rating of 3. The density matrix therefore suggests a residential density in the region of 200-450 habitable rooms per hectare for this location. The proposal provides 209 habitable rooms per hectare which accords with the recommendation of the London Plan (2016).

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

Not applicable to the determination of this application.

### **7.04 Airport safeguarding**

Not applicable to the determination of this application.

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

Not applicable to the determination of this application.

### **7.06 Environmental Impact**

Not applicable to the determination of this application.

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

This application involves the reconfiguration of internal layouts only. The proposal would not result in any impact to the street scene or the character of the local area as there are no external alterations proposed through this application.

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

This application involves the reconfiguration of internal layouts as such the proposal is not considered to result in harm to neighbouring occupiers. As there are no additional windows proposed, the proposal will not increase opportunities of overlooking nor will the proposal result in the loss of privacy.

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

The proposed unit provides at least 39 sqm and the 1 bedroom unit is 50 sqm. The additional unit formed under this application complies with the minimum floorspace standards stipulated within the London Plan (2016).

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

The National Planning Policy Framework (NPPF) at Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 35 of NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

The proposal would not result in harm to pedestrian safety and the additional unit will not result in increased traffic impact. The proposal provides an additional studio unit. The applicant has failed to provide additional car parking, however given the site's location next to West Drayton Station and the Town Centre, 23 car parking spaces in this instance on balance considered acceptable subject to a Clause within the Deed of Variation which secures the studio unit as car free.

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

Issues of design and access have been discussed elsewhere in the relevant sections of this report. In respect of security, it is not considered that the proposal would have any significant adverse impacts in terms of security.

#### **7.12 Disabled access**

The facilities are considered to be satisfactory from an accessibility standpoint. Notably, the Council's Access Officer has raised no objection to the original proposals. The scheme is therefore considered to comply with Policy R16 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan policies 7.1 and 7.2 and the Council's Supplementary Planning Document 'Accessible Hillingdon'.

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

Policy 3.3 of the London Plan (2016) and Policy H2 of the Local Plan: Part One (November 2012) requires a minimum of 35% of units within developments of 10 or more units to be delivered as affordable housing.

Affordable Housing and Viability SPG states the preferred tenure split is for schemes to deliver:

- At least 30% low cost rent (social rent or affordable rent) with rent set at levels that the LPA considers 'genuinely affordable';
- At least 30% as intermediate products; and
- The remaining 40% to be determined by the relevant LPA.

The viability assessment of the original planning application found the application was not

capable of providing affordable housing. A viability assessment was submitted with this application which has been independently reviewed. The independent assessment has found that the site is capable of providing £25,000 off site affordable housing contribution. This is to be secured through the Deed of Variation if permission is granted.

#### **7.14 Trees, Landscaping and Ecology**

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. Saved policy OL26 seeks the protection and enhancement of trees, woodland and landscape features. Policy EM2 seeks to maintain the current extent, hierarchy and strategic functions of the Green Belt, Metropolitan Open Land and Green Chains.

No objections are raised in landscape terms, subject to relevant landscape conditions being reimposed, to ensure that the proposals approved are implemented and maintained onsite to preserve and enhance the character and appearance of the area, in compliance with Saved Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

The proposal would not alter the development in terms of waste management or storage from the scheme previously agreed within the original grant of planning permission. The approved waste storage is sufficient to serve the additional unit.

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

All onsite energy reduction measures including a community heat pump have been implemented.

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

Policy EM6 (Flood Risk Management) of the Local Plan Part 1 Strategic Policies (Adopted Nov 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated. Saved Policies OE7 and OE8 of the Local Plan Part 2 seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

Although not submitted with this application, the variations to the approved scheme do not affect the proposed drainage scheme of managing the drainage, and the FRA submitted with the original application, which demonstrates the site is not at risk from flooding. The Flood and Drainage Officer therefore raises no objections to the variation, subject to a condition for sustainable water management being reimposed. Subject to compliance with this condition, it is considered that the scheme will have satisfactorily addressed drainage and flood related issues, in compliance with The Hillingdon Local Plan: Part 2 Policies OE7 and OE8, Policies 5.13 and 5.15 of the London Plan and the aspirations of the NPPF.

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

Saved Policies OE1 and OE3 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable.

A noise assessment, including the results of a noise survey was submitted in support of the original application. It is not considered that adverse noise or impacts are likely from the site, in accordance with Policy OE3 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

AIR QUALITY

The proposal would not alter the development in terms of air quality from the scheme previously agreed within the original grant of planning permission.

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

None.

#### **7.20 Planning Obligations**

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision of recreation open space, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

A number of planning obligations to mitigate the impacts of the development, were secured under the original grant of planning permission.

Notwithstanding the amendments to the approved scheme, a £25,000 off site Affordable Housing contribution and a permit free clause would be required as a variation to the current application. It is therefore recommended that these planning obligations be secured as part of any forthcoming approval by way of a Deed of Variation to the existing S106 Agreement.

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

None identified.

### **8. Observations of the Borough Solicitor**

#### **General**

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

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

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

#### **Planning Conditions**

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

#### **Planning Obligations**

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

#### Equalities and Human Rights

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

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

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

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

Not applicable.

#### **10. CONCLUSION**

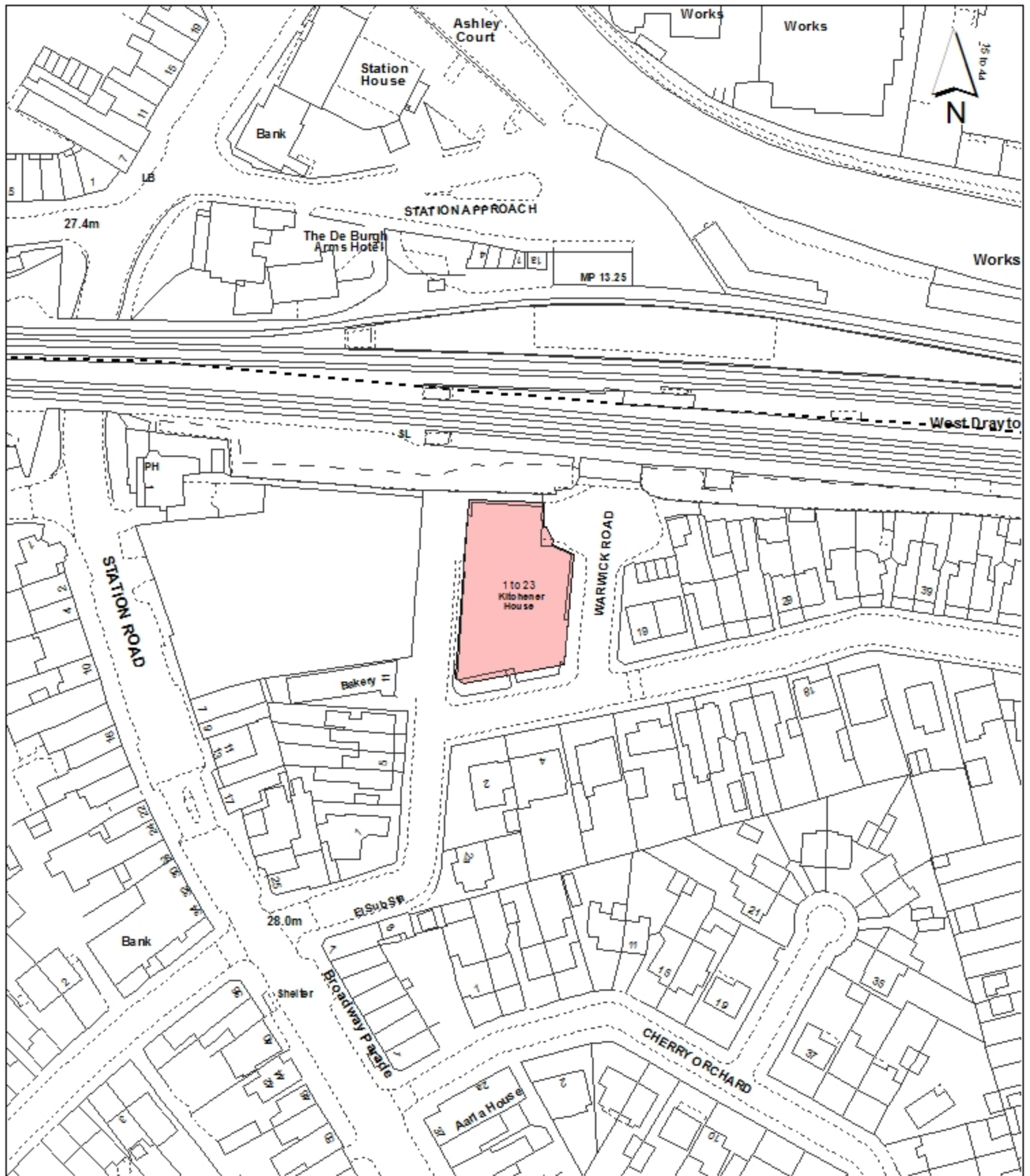
The alterations under this application are internal and modest and considered a minor material amendment in the context of the original consent. The change of a unit from 1 duplex to provide a 1 x1 bedroom and 1 x studio is appropriate in this location. This application does not include external alterations and therefore would not harm the amenity of nearby occupiers or the appearance of the building. It is recommended that the alterations under this proposal are approved.

#### **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)  
National Planning Policy Framework (2012)

**Contact Officer:** Zenab Haji-Ismael

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

**Kichener House**

Planning Application Ref:

**18218/APP/2017/3711**

Planning Committee:

**Major**

Scale:

**1:1,250**

Date:

**January 2018**

**LONDON BOROUGH OF HILLINGDON**

**Residents Services  
Planning Section**

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



**HILLINGDON**  
LONDON