

## Report of the Head of Planning, Transportation and Regeneration

**Address** FLC CAR SALES FALLING LANE YIEWSLEY

**Development:** Erection of a 2-4 storey building comprising 30 no. studio, 1, 2 and 3-bedroom apartments (Use Class C3) with associated access, car parking and refuse/recycling store, involving demolition of the used car sales garage (Outline application with appearance and landscaping reserved).

**LBH Ref Nos:** 692/APP/2017/749

**Drawing Nos:** Noise Assessment  
Ecology Report  
Sustainability Energy Statement  
Transport Assessment  
OS 1400-17-Doc1 Rvs A Tree Report  
OS 1400-17.1 Tree survey  
Block Compliance Worksheet Version: 1.0.4.13  
Correspondence dated 2/5/2018  
15/2936/2 proposed site plan  
15/2936/2 Rev. A Final Proposed site plan  
15/2936/3 Rev A 2 basement plan  
15/2936/4 ground floor plan  
15/2936/4 first floor plan  
15/2936/4 second floor plan  
15/2936/2 third floor plan  
15/2936/4 roof plan  
15/2936/1 existing site plan  
Amenity Space roof plan (002)  
location plan  
15/2936/9 elevation plans  
Sustainability Appraisal Flats 1-30 inc  
SUSTAINABILITY & ENERGY STATEMENT REV:

**Date Plans Received:** 01/03/2017      **Date(s) of Amendment(s):**  
**Date Application Valid:** 06/03/2017

### DEFERRED ON 19th June 2018 FOR FURTHER INFORMATION .

Following the last planning committee, where this case was deferred to further investigate alternative options for accessing the site as some concern was raised by Members with regard to the traffic generated by the proposal and the use of the Falling Lane access. It was cited that emerging vehicles could potentially 'stack' across Falling Lane thereby causing blockage and impacting on the nearby signalised junction with the High Street. The Councils Highways Officer has investigated two alternative options, which are summarised below.

#### HIGHWAYS COMMENTS

#### ALTERNATIVE VEHICULAR ROUTING (COMMITTEE)

A request was made to consider closing this existing access and opening up an adjacent access point (which is currently an expanse of footway linked to an improved bus stop facility

introduced in 2017) which separates the garage site from a small 'no through' service road located northeast of the proposal. This service road provides access to several 'single tenure' semi-detached residential units and a block of flats located to the rear of the site envelope and exhibits parking controls in the form of 'double yellow lines' on the southern side. It is narrow in width (5.5m) and is technically a two-way road but can only accommodate informal one-way traffic movement in either direction when vehicles are legitimately parked on one side.

Arguably the use of this service road would distance any vehicular activity generated by the proposal from the High Street/Falling Lane junction thereby placating members concerns. As a consequence all site related traffic routing would be focused on the service road with junction activities deflected onto the Gordon Road/Falling Lane junction which is far distanced from the aforementioned signalised junction.

It is accepted that this alternative (with the closure of the main access onto Falling Lane) would distance site related activities from the High Street/ Falling Lane signalised junction which can be considered as a positive in terms of reducing conflicting vehicle movements and capacity implications on this main junction. However, as highlighted earlier, it must be noted that the predicted traffic movements resulting from the proposal are insubstantial (less than 10 vehicular movements during peak periods) and therefore unlikely to have any measurable impact on this main intersection.

However if vehicular activities were to be redirected via the adjacent service road, there are several implications that require consideration. They are as follows:-

- 1) The use intensification of the service road would clearly increase (albeit marginally) on a cumulative basis in conjunction with the predominant existing residential uses and activities as no alternative vehicular access/egress would be available to cater for all vehicular movements generated from within the site envelope.
- 2) When considering the narrow width of roadway and legitimate parking on one-side of the service road, this gives rise to the road being used informally as a 'one way' system by any vehicle that is already committed to travelling in an easterly or westerly direction due to the lack of passing places. The added use intensity of the proposal would potentially increase the probability of 'head on' vehicular conflicts with undesirable safety related consequences.
- 3) The singular and narrow nature of the service road would potentially have hazardous implications which regard to inadequate access provisions for emergency services attending the proposal site.
- 4) General amenity for the existing residential 'service road' community would be impacted with additional daytime and night time traffic activity.
- 5) The Council has a commitment via the LIP to introduce new cycle paths throughout and beyond the service road which will further constrain the available roadway for traffic use rendering it unsuitable for traffic rerouting.
- 6) The public realm benefits from the recently introduced (2017) footway enhancements (i.e. expansion) and bus stop improvements, would be negated by opening the service road.

#### Synopsis

For the reasons stated and when balancing the pros and cons of utilising the existing access on Falling Lane or a potential Option B (opening the adjacent 'no through' service road) it is

considered that the latter is unsuitable as an alternative.

#### LEFT TURN ONLY OPTION EVALUATION

If we consider a 'left turn only' from the site with a raised platform to prevent right turn manoeuvres (with retention of the service road closure) here are the following consequences:-

To enforce a 'left turn only' from the site there would be a demand for a lengthy 'median strip' to be introduced in Falling Lane. Unfortunately this may encourage random and haphazard 'U' turning to occur further east in Falling Lane for some motorists wishing to turn back toward the signal junction once they have left the site. This would have potential road safety implications which clearly should be avoided. Also any 'median strip' provision could potentially cause issue by preventing right turning vehicles emerging from the Council car park on the opposite side of the road which understandably should be avoided on accessibility, safety and junction capacity grounds.

The installation of a 'median strip' would narrow the 3 lane westbound approach to the signal installation resulting in the narrowing of the 3 lanes or possible reduction to 2 which would have a severe detrimental impact on junction capacity (increased queuing) and therefore should be avoided.

In summary this option is not recommended for the reasons stated.

It is however recommended that the S278 Highway Improvements Heads of Terms is amended at Part A(i) to include the realignment of street furniture. An existing raised planter is located to the south of the vehicular access point which has the potential to obscure visibility and should therefore be revised in order to improve visibility at this junction.

In conclusion, the Highways Officers has investigated numerous options to assess if there is alternative highways layout to accommodate the redevelopment of this site. No alternative or improved layout has been found for this site and as such, it is recommended that the originally proposed access and layout is the most appropriate solution for this site, based on accessibility, safety and junction capacity.

It should also be noted that paragraph 32 of the NPPF (2012) states that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe." To this end, the proposed development would not cause severe harm and therefore a reason for refusal on highways/access grounds is not considered could be sustained if this case were to be refused and appealed against.

Officers are therefore recommending that this application be approved as per the original plans presented on the 19th June 2018.

#### 1. SUMMARY

Outline planning permission is sought for residential development involving the demolition of all the existing buildings on the site and the erection of a part 2 part, part 3, part 4 storey building, to provide 30 no. studio, 1, 2 and 3 bedroom apartments (Use Class C3) with associated access, basement car parking and landscaping. Access, layout and scale are to be determined at this stage, with appearance and landscaping reserved.

66 surrounding property owners/occupiers have been consulted. 2 individual letters and representations from the Yiewsley & West Drayton Town Centre Action Group have been

received, objecting to the proposal on the grounds of insufficient infrastructure to support an increased population.

The proposed scheme would be within the London Plan density guidelines, providing good internal and external living space. The proposed layout would not have an adverse impact on the living conditions of surrounding occupiers in terms of overdominance, loss of privacy and loss of daylight/sunlight.

It is considered that the design of the proposed building will fit in sensitively with existing streetscape on this prominent corner site and will make visual improvements to the existing site.

The scale and layout of the proposed development has regard to the specific constraints of this site, which is adjacent to the Green Belt.

The proposed sustainability measures will enable a reduction in CO2 emissions and the provision of on-site renewable energy. Given the applicant's agreement in principle to provide renewable energy measures as part of the development, it is considered that this matter could be dealt with by a suitable planning condition and S106 Agreement in the event of planning permission being granted.

There are no adverse impacts upon ecology or archaeology and highway and pedestrian impacts are considered to be acceptable. Flood and drainage issues can be addressed by suitable conditions.

An affordable housing off-site contribution for the amount of £298,770 in lieu of on-site provision has been agreed. An affordable housing review mechanism is recommended, to ensure that if the scheme is delayed, its viability is re-assessed.

The application is therefore recommended for approval, subject to conditions and a S106/278 Agreement.

## **2. RECOMMENDATION**

**Approval, subject to delegated powers being given to the Head of Planning, Regeneration and Transportation to grant planning permission, subject to any relevant amendments agreed by the Head of Planning, Regeneration and Transportation and the following:**

**A. That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:**

**(i) Transport: All on site and off site highways works as a result of this proposal, including improvements to the site access, (which shall be constructed as a Heavy Duty Crossover),**

**(ii) Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution**

**(iii) Air Quality: The applicant provides a financial contribution in the sum of £16,819.**

**(iv) Affordable Housing: A contribution of £298,770 in lieu of affordable housing on-site provision and an affordable housing review mechanism**

**(v) Carbon offset contribution of £19,404**

(vi) The residents of this development are not to be eligible for parking permits, season tickets, or car park permits within existing and future expansion of the Parking Management Scheme, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

(viix) Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement.

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

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

D) If the Legal Agreements have not been finalised by 29 June 2018 (or such other timeframe as may be agreed by the Head of Planning, Regeneration and Transportation ), delegated authority be given to the Head of Planning, Regeneration and Transportation to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of highways, affordable housing, air quality, carbon offset and construction training). The proposal therefore conflicts with 'saved' policies AM7 and R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), the Council's Planning Obligations SPD and Air Quality SPG, and the London Plan (2016).'

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

F) That if the application is approved, the following conditions be imposed:

**1 RES1 Outline Time Limit**

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

**REASON**

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

**2 RES2 Outline Reserved Matters**

Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to the local planning authority before the expiry of three years from the date of this permission and approved in writing before any development begins. The development shall be carried out in accordance with the approved details.

REASON

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

**3 RES4 Accordance with Approved Plans**

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

15/2936/2 proposed site plan

15/2936/2 Rev. A final proposed site plan

15/2936/3 Rev A 2 basement plan

15/2936/4 ground floor plan

15/2936/4 first floor plan

15/2936/4 second floor plan

15/2936/2 third floor plan

15/2936/4 roof plan

15/2936/9 elevation plans

location plan

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

REASON

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

**4 RES7 Materials (Submission)**

Notwithstanding the submitted plans, 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:

- (i) fenestration and doors
- (ii) balconies including obscure screening (where applicable)
- (iii) boundary walls, retaining walls and railings
- (iv) comprehensive colour scheme for all built details
- (v) make, product/type, colour and photographs/images.
- (vi) bricks, render, cladding, roof finishes

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).

**5 RES6 Levels**

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

REASON

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

## **6 NONSC Site Investigation**

Prior to development commencing, the applicant shall submit a site investigation/structural statement to the Local Planning Authority for its approval. The site investigation shall address the impact on drainage and flooding and the stability of buildings and assess the groundwater levels. The investigation shall include an assessment of local ground conditions, water movement and drainage of the site. Where groundwater is found, suitable mitigation must be provided.

The structural statement must set out a site specific structural design solution which explains how the excavation, demolition, and construction work (including temporary propping and other temporary works) can be carried out.

If plant is required for the basement level, full details shall be submitted including air intake and extract provisions. Where mechanical ventilation is proposed, applicants should demonstrate that the most energy efficient/ lowest carbon option has been used and that there is no disturbance from noise from mechanical plant.

### **REASON**

(i) To comply with the advice in the NPPF. Subterranean development should be supported by information which demonstrates that the ground conditions and impacts of the proposed development have been adequately considered, using appropriate professional expertise, to ascertain that the development is suitable for its site, to demonstrate that the issues have been adequately considered at an early stage and a basement level is suitable for the site and can be provided without undue risk.

(ii) To comply with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policy 5.12 Flood Risk Management of the London Plan (2016), the National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

## **7 RES11 Play Area provision of details**

No development shall commence until details of play areas for children have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the play areas shall be provided prior to the occupation of any unit within the development and maintained for this purpose.

### **REASON**

To ensure that the development makes adequate provision of children's play space in accordance with Policy R1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 3.16.

## **8 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees to be retained on adjoining land shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;

2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

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

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

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Cycle Storage (30 secure spaces for the flats)
  - 2.b Means of enclosure/boundary treatments
  - 2.c Basement level car parking layouts for 30 vehicles, including 3 disabled parking bays and demonstration that 12 of the parking spaces (6 active and 6 passive) are served by electrical charging points and parking for 2 motor cycles.
  - 2.d Hard Surfacing Materials
  - 2.e External Lighting
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Schedule for Implementation
5. Other
  - 5.a Existing and proposed functional services above and below ground

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2016).

### **10 RES15 Sustainable Water Management (changed from SUDS)**

Notwithstanding the submitted plans, no development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has



been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

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

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

#### REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 5.12.

#### **11 RES19 Ecology**

Prior to commencement of development an ecological enhancement scheme based on the recommendations contained in the submitted Biodiversity Survey and Report ref.: RAC103/R001V2 dated November 2016, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the buildings. These shall include, living screens against walls of the development, bat and bird boxes, habitat walls and a range of plants to encourage and support wildlife. The development shall proceed in accordance with the approved scheme.

#### REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy EC5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.19.

#### **12 RES20 Traffic Arrangements - submission of details**

The approved development shall not be occupied until the traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose for the lifetime of the development. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area. 6 (20%) of the parking spaces shall be served by active electric charging points and 6 (20%) of the parking spaces shall be served by passive electric charging points.

#### REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-

street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016)

**13 RES22 Parking Allocation**

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the lifetime of the development.

**REASON**

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

**14 RES23 Visibility Splays - Pedestrian**

The access for the proposed site entrance shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

**REASON**

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**15 RES25 No floodlighting**

Notwithstanding the submitted plans, no floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered other than for routine maintenance which does not change its details.

**REASON**

To safeguard the amenity of surrounding properties and to protect the ecological value of the area in accordance with policies BE13, OE1 and EC3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**16 RES26 Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance 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.

(iv) Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

**REASON:**

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

**17 NONSC Imported Soils**

Site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for landscaping purposes shall be clean and free of contamination.

**REASON**

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**18 NONSC Piling**

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

**REASON**

- (i) The proposed works will be in close proximity to underground sewerage utility infrastructure.
- (ii) Piling has the potential to impact on local underground sewerage utility infrastructure.
- (iii) To comply with Policy 5.14 (Water quality and wastewater infrastructure) of the London Plan (2016).

## **19 NONSC Demolition and construction management plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

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

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

### **REASON**

To safeguard the amenity of surrounding areas and to ensure that highway and pedestrian safety is not prejudiced, in accordance with Policies OE1 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## **20 RES5 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:

- Updated Sustainability Energy Statement dated 26/3/2018
- Biodiversity Survey and Report ref.: RAC103/R001V2 dated November 2016
- 

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

### **REASON**

To ensure the development complies with the provisions of the the Hillingdon Local Plan:Part 2 - Saved UDP Policies (November 2012) and the London Plan (2016).

## **21 NONSC Noise**

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority (LPA). The noise level in rooms at the development hereby approved shall meet the noise standard specified in Table 4. of BS8233:2014 for internal rooms and external amenity areas. All works which form part of the scheme shall be fully implemented before the residential 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 residential development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon

Local Plan: Part 2 - Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.15.

**22 NONSC Sound Insulation**

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w} + C_w$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings, namely living room and kitchen above bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

**REASON**

To safeguard the amenity of the future occupiers in accordance with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.15.

**23 N11 Control of plant/machinery noise**

No external plant and / or machinery shall be used on the premises until a scheme for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The rating level of noise emitted from the plant and/or machinery shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. 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 safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.15

**24 RES24 Secured by Design**

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

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in 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 (2015) Policies 7.1 and 7.3.

**25 NONSC Accessibility Condition 1**

The dwellings hereby approved shall be constructed to meet the standards for a Category M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

**REASON:**

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

**26 NONSC Accessibility Condition 2**

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

**REASON:**

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

**27 NONSC Access Gate**

Prior to the commencement of the development, details of the operation of any access gate to the car park 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 (2016).

**INFORMATIVES**

**1 I1 Building to Approved Drawing**

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

**2 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).

**3 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.

**4 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).

**5            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.

**6**

At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

**7            I17                            Communal Amenity Space**

Where it is possible to convey communal areas of landscaping to individual householders, the applicant is requested to conclude a clause in the contract of the sale of the properties reminding owners of their responsibilities to maintain landscaped areas in their ownership and drawing to their attention the fact that a condition has been imposed to this effect in this planning permission.

**8            I18                            Storage and Collection of Refuse**

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

**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**

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

## **11**

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

## **12 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.

## **13 I21 Street Naming and Numbering**

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

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

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

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

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

## **16 I25A The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.



This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) 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. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

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

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

### **18            I47                    Damage to Verge - For Council Roads:**

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

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

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

### **19            I49                    Secured by Design**

The Council has identified the specific security needs of the application site to be: CCTV and boundary treatments. You are advised to submit details to overcome the specified security needs in order to comply with condition 24 of this planning permission.

### **20            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).

**21**      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.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE1	Development within archaeological priority areas
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE11	Proposals for the demolition of statutory listed buildings
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE8	Planning applications for alteration or extension of listed buildings
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R11	Proposals that involve the loss of land or buildings used for education, social, community and health services
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction

LPP 5.7	(2016) Renewable energy
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 6.13	(2016) Parking
LPP 7.14	(2016) Improving air quality
LPP 7.3	(2016) Designing out crime
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.3	(2016) Community infrastructure levy
NPPF	National Planning Policy Framework

## **22**      I59                      **Councils Local Plan : Part 1 - Strategic Policies**

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

## **23**      I6                              **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.

## **24**

In accordance with the provisions of the NPPF, the Local Planning Authority has actively engaged with the applicant both at the pre application and application stage of the planning process, in order to achieve an acceptable outcome. The Local Planning Authority has worked proactively with the applicants to secure a development that improves the economic, social and environmental conditions of the area. In assessing and determining the development proposal, the Local Planning Authority has applied the presumption in favour of sustainable development Accordingly, the planning application has been recommended for approval.

## **25**

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

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

## **26**

All tree work should be carried out in accordance with the recommendations of BS3998:2010 'Tree Work -Recommendations' in order not to disturb roosting bats or nesting birds or other species. It is advisable to consult your tree surgeon/consultant to agree an acceptable time for carrying out any work.

### **3. CONSIDERATIONS**

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

The site is located on the corner of Falling Lane and High Street Yiewsley, with frontages onto these roads. The site is broadly triangular and is approximately 0.17 ha in area. It contains an existing used car sales garage (Falling Lane Cars), with a single storey car showroom and forecourt display area. The car showroom is brick built with large glazed frontages. The forecourt is a flat concrete area with cars parked for viewing and display.

The site is located to the north of Yiewsley/West Drayton (Major) town centre, in a mixed use area, surrounded by residential, commercial and retail development. A block of 3 storey residential flats and two storey houses are located to the north/north east. Yiewsley library and recreation ground are located to the south. Commercial office buildings and large retail warehouse development (including a large Tesco superstore) lie to the west.

The site is adjacent to Green Belt land to the north-west, which includes the Celandine Route along the River Pinn) and a Nature Conservation Site of Borough Grade II Importance (Manor Farm Pastures Site of Importance for Nature Conservation).

The site is not located in a Conservation Area and is not covered by any site specific designations in the Development Plan.

#### **3.2 Proposed Scheme**

Outline Planning permission is sought for the demolition of the used car sales garage and redevelopment to create a 2-4 storey building comprising 30 no. studio, 1, 2 and 3 bedroom apartments (Use Class C3) with associated access, basement car parking for 30 cars motorcycle parking, bicycle parking for up to 41 bicycles, a refuse/recycling store, amenity space and a children's play area. The Gross Internal Floor Area of the building is 2,171 sq. m.

This is an outline planning application, with "Landscaping" and "Appearance" reserved for future consideration. Access, layout and scale are to be determined at this stage.

The development comprises a broadly "J" shaped building, with the main 4 storey element fronting Falling Lane. The block drops from 4 to three storeys towards the north east boundary with adjoining residential development and from 4 to three and then 2 storeys towards the north west boundary with the Green Belt.

The use of each floor is as follows:

- Basement parking for 30 vehicles.
- Ground Floor - 1 x studio, 3 x 1 bed, 1 x 2 bed, 1 x 3 bed, amenity space, bicycle parking and refuse/recycling store;
- First Floor - 1 x studio, 5 x 1 bed, and 3 x 2 bed;
- Second Floor - 1 x studio, 3 x 1 bed, 3 x 2 bed and 1 x 3 bed;
- Third Floor 1 x studio, 4 x 1 bed, and 2 x 2 bed.

The following reports have been submitted in support of the application:

- A combined Planning and Design and Access Statement

This document sets out the urban design and access aspects of the redevelopment

proposals. It provides supporting information to the planning application and describes the proposed response to context, the quantum of development, the layout of buildings and open spaces, scale, access and refuse strategy arrangements. The Planning Statement assesses the proposed development against relevant statutory tests and policies in the statutory development plan, having regard to other relevant material planning considerations.

#### . Transport Statement (TS)

The TS assesses the impact the proposed development will have on the local highway network and considers suitability of access to the development for sustainable transport and service vehicles. The TS concludes that there are no highway or transport reasons why the proposed development should not be granted planning permission.

#### . Ecological Appraisal

The appraisal concludes that based on the evidence obtained from the ecological survey work and with the implementation of the recommendations and measures set out in this report, following mitigation, any ecological designations, habitats of nature conservation interest or protected species would not be significantly adversely affected by the proposed development. Furthermore, the recommended enhancement measures should provide benefits to biodiversity at the site in the long term.

#### . Tree Survey

The survey concludes that neither of the 2 trees on the site are of a quality that should represent any constraint to development, and could be removed as part of any development proposals.

#### . Flood Risk Assessment and Drainage Statement

This statement concludes that the proposed development is entirely within Flood Zone 1 and the proposed development is not at risk of flooding. It is proposed that surface water from the proposed development will be managed through a combination of rainwater harvesting and a crated attenuation storage solution prior to being discharged into the existing surface water sewer network.

#### .Sustainability Statement

This report details how the design has considered the site's potential environmental impacts and how those impacts can be managed and mitigated in line with the prevailing spatial planning policies.

#### . Noise Impact Assessment

The assesment concludes that traffic noise from Falling Lane and High Street has been identified as the dominant source of noise across the site. For internal noise, mitigation measures will be required in terms of specialist glazing and alternative forms of ventilation to allow noise within habitable rooms to comply with maximum internal levels. The proposed site layout along with recommendations for acoustic fences will ensure that noise levels in external amenity areas are minimised. The report concludes that an appropriate acoustic environment can be provided to the proposed residential properties.

### 3.3 Relevant Planning History

#### Comment on Relevant Planning History

Historically the site was the location of Yiewsley Fire Station, although this was demolished circa mid-1960's and a petrol filling station erected. The most recent planning history relating to the site is set out below.

692/P/93/0099 - Redevelopment of existing petrol filling station and erection of a new sales building forecourt canopy, underground storage tanks, bin storage area, associated parking and landscaping.

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.H1 (2012) Housing Growth
- PT1.H2 (2012) Affordable Housing

Part 2 Policies:

- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE1 Development within archaeological priority areas
- BE4 New development within or on the fringes of conservation areas
- BE10 Proposals detrimental to the setting of a listed building
- BE11 Proposals for the demolition of statutory listed buildings
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.

BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE8	Planning applications for alteration or extension of listed buildings
EC2	Nature conservation considerations and ecological assessments
EC5	Retention of ecological features and creation of new habitats
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R11	Proposals that involve the loss of land or buildings used for education, social, community and health services
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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LPP 5.7	(2016) Renewable energy
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LPP 6.13	(2016) Parking
LPP 7.14	(2016) Improving air quality
LPP 7.3	(2016) Designing out crime
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.3	(2016) Community infrastructure levy
NPPF	National Planning Policy Framework

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

**5.1** Advertisement Expiry Date:- **5th April 2017**

**5.2** Site Notice Expiry Date:- **5th April 2017**

## **6. Consultations**

### **External Consultees**

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015 as a Major Development.

66 surrounding property owners/occupiers have been consulted. At the time of writing the report, 2 letters have been received objecting to the proposal. The contents are summarised below:

> Please stop building flats in Yiewsley, there is insufficient infrastructure (doctors etc) to support yet more people

> Further concentration of dwellings in the Yiewsley West Drayton area should not be allowed until amenities such as schools, hospitals, doctors surgeries, road systems are upgraded to support an increase in the population.

#### YIEWSLEY & WEST DRAYTON TOWN CENTRE ACTION GROUP

We feel that this is over development especially on this very busy junction, also given the considerable amount of other already approved developments in the area, further strain on the overloaded infrastructure is a step too far as GP surgeries and schools are already stretched to the limit and we hope that this application will be refused.

#### THAMES WATER

Waste Comments Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement. We would expect the developer to demonstrate what



measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

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

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

### **Internal Consultees**

#### **ENVIRONMENTAL PROTECTION UNIT**

##### **Noise:**

With reference to the above application I have reviewed the noise impact assessment by 24 Acoustics report R6496-1 Rev 1 dated 8 December 2016. The report has identified that facades facing the High Street and Falling Lane will be exposed to high external road traffic noise levels. However as the application is only an outline no detailed mitigation measures have been proposed. Furthermore, the plans show the facades facing the High Street and Falling Lane have balconies proposed. As these are to be amenity spaces it is unlikely they will be able to meet the external amenity space criteria as recommend in BS8233:2014- Guidance on sound insulation and noise reduction for buildings and Hillingdon's noise spd. It is therefore recommended the balconies are removed or mitigation measures proposed to meet the recommended levels in the above guidelines.

With regards to the development as a whole I recommend the following conditions/informative:

Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors as agreed by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan

##### **Noise affecting residential property**

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

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

Standard informative - Control of environmental nuisance from construction work

Additional Comments: 21/3/2018

There are potential environmental concerns. The concerns are noise and vibration and potentially contaminated land. The application seems reasonable and practicable and can be dealt with by way of condition.

In light of this I suggest the following conditions should you be mindful to grant the application.

. Prior to commencement of the development hereby approved, a demolition method statement and a construction management plan

. The noise level in rooms at the development hereby approved shall meet the noise standard specified in Table 4. of BS8233:2014 for internal rooms and external amenity areas.

. Enhanced sound insulation for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings

Contamination:

. A preliminary risk assessment report comprising a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials.

Informatives:

At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

Air Quality:

The application site is in West Drayton/Yiewsley Focus Area. Therefore we will require a financial contribution for Air Quality improvements in the area of £16, 819.

FLOOD AND DRAINAGE OFFICER

The site lies in Flood Zone 1 the zone of little or no flood risk. Therefore there are no objection to the in principle development for this site as residential. However as this is a major development. A Surface water drainage strategy has been produced and submitted by TPA dated February 2017. There is a basement proposed which extends the full width of the site. Sufficeint space must be left around the basement, particularly in a location near to the River Pinn and likley to be on gravels.

A detailed site survey must be submitted to establish the level of groundwater in this area to understand the implications of this development on the surrounding area. The submission indicates that the run off rate will be controlled to 5/l/s reducing the run off from the already hard paved area. This is to be controlled through a small area of green roof and waterbutts and crate storage below ground. Although this appears to be generally acceptable, there is no detail of the scheme proposed or evidence that the most sustainable solution has been utilised.

The discharge should also be limited to the greenfield run off rate as the risk of blockage is only high where the SuDs system is not design appropriately.

#### TREE AND LANDSCAPE OFFICER

Further to my previous comments, a Tree Report by Open Spaces has been submitted. The report has assessed the condition and value of the off-site trees, all of which are 'C' grade trees. The trees are situated on Green Belt land - public open space immediately north-west of the FLC site. No AIA or AMS has been submitted. However, the development site is already built on and hard paved which is likely to have acted as a root barrier. The RPA's shown on plan are very likely to be eccentric with most of the root spread concentrated in the available soil to the north-west.

**RECOMMENDATION:** No objection subject to COM8 - to include an Arboricultural Impact Assessment and Arboricultural Method Statement with Tree Protection Proposals.

(Officer Note: There are no on-site trees and tree protection proposals therefore only relate to adjoining off-site trees).

#### WASTE MANAGER

Waste and recycling storage arrangement satisfactory based on space shown for 6 x 1,100 litre eurobins. If the level of the storage area is above the level of the vehicle carriageway a dropped kerb is needed to safely transfer bulk bins to the collection vehicle.

#### HIGHWAY ENGINEER

This application is for the demolition of an existing car sales garage and the erection of a block of 30 flats in Falling Lane Yiewsley. The site is located on the corner of Falling Lane and High Road Yiewsley which is a traffic signal junction. Falling Lane (A408) is a classified road on the Council Road Network. There are parking restrictions in place outside the Falling Lane and High Road frontages. The existing car sales operates from the site and there is a wide vehicular access to the site along with a wide footway on both the Falling Lane and High Road frontages.

The Falling Lane access means that vehicles entering the site can turn right from the right turn lane at the traffic signals which is confusing for other traffic. The site has a PTAL value of 3 (moderate) which suggests that there will be a reliance on private cars for trip making to and from the site. The application is supported by a Transport Statement by TPA dated February 2017. The proposed development consists of 4 studio + 15x1b + 9x2b + 2x3b flats. There are 28 car parking spaces provided in a basement car park which suggests there is less than 1 car parking space per flat and 11 (9+2) flats could be used by families. I would be expecting on-site car parking to be 28x1 + 2x1.5 = 31 spaces. The proposals are providing 28 spaces which means an average of 0.9 spaces per dwelling and at least 2 flats will not have an allocated car parking space. The proposals show there is 41 secure covered cycle parking spaces provided at ground level along with a refuse/recycling bin store which is supported.

It is proposed by the applicant that the existing vehicular access on Falling Lane will be used for access to the site and the secondary access on High Street will be closed and re-instated at the applicant's expense. I would suggest that there is an opportunity for the access to be gained off the local service road rather than the main road access. If the main access and egress is used it could be confusing for drivers. It also offers the opportunity for some public realm improvements to be made on the Falling Lane frontage. The TS suggested that the traffic generation of the proposed development will be less than the existing use. On the basis of the above comments I do not have significant concerns over the proposals once a re-design of the access is completed along with information on how the allocated on-site car parking would work. Ideally more on-site car parking

should be provided or a reduction in the number of flats constructed on site.

(Officer Note: The proposals provide 30 parking spaces, giving a ratio of 1 space per dwelling).

## **7. MAIN PLANNING ISSUES**

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

The application site is currently in use as a car sales garage. This use is sui generis and there are no specific Local Plan or London Plan Policies which seek to protect such a use. In addition the site itself is not covered by any site specific designations. As such no objections are raised to the loss of the car sales use.

With regard to the proposed use, the development comprises an entirely residential scheme (within Use Class C3).

The National Planning Policy Framework (NPPF) seeks to significantly boost the supply of housing and as such, the supply of housing is considered to be a public benefit. 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 Core Strategy 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 on the edge of Yiewsley Town Centre would contribute positively and actively to meeting the overall housing requirement for Hillingdon over the Local Plan period.

Policy H8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is also relevant to the current proposal. 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.

As stated elsewhere in this report, it is considered that a satisfactory residential environment can be created for all of the future occupiers, in accordance with criteria (i). Concerns relating to the outlook, lack of privacy and light shortfall for some of the proposed units have been overcome by revisions to the scheme. No objections are raised to the loss of the commercial use, in accordance with criteria (ii). Provided the proposed scheme is not considered to be contrary to Green Belt, flooding, urban design policies and highway issues can be satisfactorily resolved, the scheme would broadly accord with criteria (iii) of this policy and no objection would be raised to the redevelopment of the site for a residential scheme.

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

The site is on the edge of Yiewsley town centre and has a PTAL rating of 3. The London Plan guide for an urban area with a PTAL rating of 2-3 with an average number of habitable rooms per unit of 2.7-3 is 70-170 units per hectare. The site area is 0.17ha and the total

number of 30 flats equates to a density of 176 dwellings per hectare. This is broadly compliant with the suggested density ranges and given that the PTAL rating is 3, the higher end of the density spectrum could be applied, to ensure the optimal use of the site is this location. Furthermore, the opening of the Cross Rail station at West Drayton will enhance the accessibility of the site, which would further support higher density development in this location.

#### UNIT MIX

Saved Policy H4 seeks to ensure a mix of housing units is provided. It encourages 1 and 2 bedroom units especially in town centres. Emerging Policy DMH2 requires housing mix to reflect the Council's latest information on housing need. It identifies that changing trends in housing market show a need for larger family units, with an emphasis on 3-4 bedroom units. Pre-application advice from the Council identified the need for the scheme to be altered to include some family housing (3-4 bedroom flats).

The proposed development is on the edge of the town centre and the revised scheme provides 4 no. studio apartments, 15 no. 1 bedroom, 9 no. two bedroom and 2 no. 3 bedroom units in accordance with this policy.

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

The site does not fall within a conservation area or archaeological priority area; neither is the site located in the vicinity of statutory or locally listed buildings. As such, it is not considered that the development would affect heritage assets in the Borough.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues related to this development.

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

The site does not lie in Green Belt. However the land to the north west of the site is designated Green Belt. Policy OL5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states that proposals for development adjacent to or conspicuous from the Green Belt will normally only be permitted if it would not injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

The building steps down from four to two storeys on the north western boundary where the site is bounded by the Green Belt and the Nature Conservation site, with a gap that is now in excess of 5 metres. The main 4 storey element would be a minimum of 16 metres, increasing to 22 metres from the Green Belt boundary. It is considered that the reduction in height and distance from the site boundary helps limit the impact on Green Belt land to the north west.

It is not considered the scheme would impact significantly on the visual amenities of the Green Belt. Accordingly, the scheme is considered to comply with Policy OL5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **7.06 Environmental Impact**

A geo-environmental desk study and site investigation report has not been submitted in support of the application. Given the historic and current use of the site as a fire station, petrol filling station and used car lot, it is likely that unacceptable concentrations of lead and poly aromatic hydrocarbons (PAH) exist on the site, that would potentially pose a significant risk to human health of future site occupants, particularly where these concentrations are present within soft landscaped areas. In addition, it has not been demonstrated that there are no unacceptable concentrations of potential contaminants within the underlying soils

that would pose a potential risk to controlled waters.

Given that significant excavations are proposed for the basement, further geotechnical and geo-environmental site investigations are considered necessary. A condition is therefore recommended, requiring a desk-top study to characterise the site and provide information on the history of the site/surrounding area. The study should identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site. In addition, a site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment will be required, together with a written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified, along with details of a watching brief to address undiscovered contamination.

The site may require imported top soil for landscaping purposes and a condition is recommended to ensure the imported soils are independently tested, to ensure they are suitable for use.

Subject to compliance with these conditions, it is considered that the proposed development accords with the ground condition and contamination policies set out in the NPPF, London Plan and the Hillingdon Local Plan Parts 1 and 2.

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

Part 1 Policy BE1 of the Local Plan requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

The NPPF (paragraphs 56 and 57) and London Plan Policies 7.1 to 7.8 place a great emphasis on the importance of good design. In addition to Chapter 7, London Plan policies relating to density (3.4) and sustainable design and construction (5.3) are also relevant.

The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established town centre areas are not compromised by new development. The main constraints and opportunities of the site have been identified, in particular its proximity to the Green Belt.

There is no distinctive or dominant architectural style immediately surrounding the site, whilst the existing car sales building is not considered to be of any particular architectural merit. It is considered that the development has been designed and laid out to respond to the location of the site, which is in a prominent location on the corner of Falling Lane and High Street. The proposed building has been laid out to address the main street frontages on these roads.

Articulation has been achieved in the roof height, with the highest element of the proposed building being located on the corner of High Street and Falling Lane, which addresses the key corner elevation, with the building stepping down towards the north-eastern elevation (nearest neighbouring residential properties) and the north-western elevation, adjacent to the Green Belt.

In terms of appearance, the planning application is in outline only, with details of

appearance reserved for future determination. The illustrative elevations do however show the likely appearance of the building. The proposed building has a mansard roof which serves to reduce the perceived bulk of the building whilst addressing the gabled roofline of the building on the opposite side of High Street.

It is considered that the design of the proposed building will fit sensitively with existing neighbouring buildings and making a visual improvement to the existing built form on the site.

The proposal involves the reuse of an existing car sales garage site and has the potential to enhance the street scene and local environment with a high quality new building. Nevertheless, it will be important to ensure that appropriate materials and landscaping are agreed at reserved matters stage. Subject to satisfactory details being agreed, it is considered that the scheme is in accordance with Part 1 Policy BE1 of the Local Plan, Policies , BE13, of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), and London Plan Policies 7.1 to 7.8.

### **7.08 Impact on neighbours**

Policy BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. Saved Policy BE21 seeks to ensure the siting, bulk and proximity of new buildings do not result in a significant loss to residential amenity and Policy BE24 requires the design of new buildings to protect the privacy of occupiers and their neighbours. Policy BE22 requires that buildings of 2 or more storeys in height are set back a minimum of 1 metre from the side boundary of the property for the full height of the building. Policy BE20 states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded.

#### **OUTLOOK AND LIGHT**

There are no residential properties in close proximity to the site to the east, west or south of the site. The nearest residential properties are located to the north and north east. The building line of the proposed new building has been set at similar distance to the building line of existing properties fronting Falling Lane to the north east. The proposed building would be separated from the nearest neighbouring property fronting Falling Lane (No. 17) by a gap of over 25 metres. In addition, the proposed building would fall outside a 45 degree angle of vision from windows in the block of flats to the north east of the site (15A Falling Lane).

The proposal complies with relevant guidance and is not considered to result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Similarly, is not considered that there would be a material loss of daylight or sunlight to any neighbouring residential property, in accordance with Policy BE20 of the Local Plan Part 2 and relevant design guidance.

#### **PRIVACY**

The new building does not impinge into the 21 metre privacy separation distance, drawn at an angle of 45 degrees from the existing windows of any neighbouring property. The

windows have been orientated to avoid overlooking windows of neighbouring properties. The proposed development does not therefore lead to a detrimental impact on privacy for existing neighbouring dwellings, in accordance with Saved UDP Policy BE24 of the Local Plan Part 2 and relevant design guidance.

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

### **SPACE STANDARDS**

Policy 3.5 of the London Plan requires new development to be of the highest quality both internally and externally. Table 3.3 of the London Plan, together with the Mayor's Housing Standards and National Space Standards set out the internal size requirements for residential accommodation.

The Schedule of Accommodation demonstrates that:

- All the studio apartments meet or exceed the 39 sq.m requirement for a one bedroom, 1 person, single storey dwelling;
- All the one bedroom units meet or exceed the minimum of 50 sq. m for a one bedroom, 2 person, single storey dwelling;
- All the two bedroom units meet or exceed the minimum of 61 sq.m for a two bedroom, 3 person, single storey dwelling, and
- Both three bedroom units are in excess of the minimum 74 sq. m requirement for a three bedroom, 4 person, single storey dwelling.

The proposed development therefore accords with relevant policy requirements on internal space standards and succeeds in providing a range and mix of unit sizes, including some three bedroom units, to help meet the requirement for family housing in the borough.

It is considered that the information in the submitted plans and documentation, including the planning statement and design and access statement illustrate that standards could be achieved, in accordance with London Plan Policy 3.8 and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

### **AMENITY SPACE**

Policy R1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks the provision of accessible amenity, recreational and play space which is appropriate to the scale of development. London Plan Policy 3.6 and the Shaping Neighbourhoods: Play and Informal Recreation SPG (2012) set out requirements for children's play-space from new development.

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats. Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, suggests that the following shared amenity space for flats and maisonettes is provided:

- 1 bedroom flat - 20m<sup>2</sup> per flat x 15 = 300
- 2 bedroom flat - 25m<sup>2</sup> per flat x 9 = 225
- 3 bedroom flat - 30m<sup>2</sup> per flat x 2 = 60

The Total HDAS requirement for this development equates to 585 m<sup>2</sup>.



Shared amenity space is provided on the ground floor surrounding the building, including a dedicated children's play area. Flats 1, 5 and 6 have dedicated defensible private amenity space with access directly from their living room. Flats 8, 9, 17, 18, 25 and 26 have private balconies. Flats 16, 24 and 28 have access to a private roof terrace and a communal roof terrace is also provided.

A combination of communal amenity space at ground floor (686 m<sup>2</sup>), private defensible space at ground floor (97m<sup>2</sup>), private roof terraces (64.4m<sup>2</sup>), balconies (18.6 m<sup>2</sup>), communal roof terrace (96.5 m<sup>2</sup>) and a dedicated children's play area (68m<sup>2</sup>) equates to 1,029m<sup>2</sup> of external amenity space.

As can be seen from the above assessment, the scheme provides amenity space in excess of the HDAS minimum requirements for a development of this size. In addition, the site is not identified as being within an area deficient of either public open space or children's play areas. The site is adjacent to retained Green Belt land and the public Celandine Route (along the River Pinn). The close proximity of this open space to new residents ensures easy access to alternative amenity areas. Given the location of the site adjacent to a town centre and the proximity of the site to outdoor recreational areas, the amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Local Plan.

#### SUNLIGHT/DAYLIGHT

In order to achieve a high quality internal environment with as much natural daylight as possible the scheme has been designed to achieve as many dual aspect units as possible, whilst still making the most efficient use of land and respecting the privacy and amenity of neighbouring development. 3 units are triple aspect, 7 units double aspect, with the remaining units single aspect. The single aspect units are generally orientated to ensure they receive good levels of lighting.

It is considered that the daylight and sunlight compliance levels for the proposals are high, for an urban environment such as this one, and therefore the proposed development is acceptable on daylight/sunlight grounds, in compliance with saved UDP Policy BE20 of the Local Plan.

#### **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.

Local requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states: The LPA will not grant permission for developments whose traffic generation is likely to:

- (i) unacceptably increase demand along roads or through junctions which are already used to capacity, especially where such roads or junctions form part of the strategic London road network, or
- (ii) prejudice the free flow of traffic or conditions of general highway or pedestrian safety

Policy 6.3 of the London Plan requires development proposals to ensure that the impacts on transport capacity and the transport network are fully assessed.

To assess traffic impact of the proposed development a Transport Assessment has been submitted in support of the proposed development. In summary, the report concludes that:

- the site is in a sustainable location, within walking and cycling distance of services and facilities, including bus stops and a railway station, which is part of the future Crossrail route.
- there is no existing highway safety pattern or problem on the local highway network which may be exacerbated by the proposals.
- the proposed site access arrangement is appropriate to accommodate the levels of vehicular traffic that could be associated with the redevelopment.
- the forecast vehicular traffic associated with the proposed redevelopment will not have a material impact on the safety or operation of the existing local highway network.
- the redevelopment proposals are broadly in accordance with the transportation policies of local and national planning guidance.

Overall the report concludes that there are no valid highway or transport reasons which should prevent the proposed redevelopment of the site.

## ACCESS

Vehicular access to the development is gained from Falling Lane, with vehicles driving beneath the north-eastern block to gain access to the basement car park. An internal stair case and lift provide secure access to the upper floors. It is proposed that the secondary access on High Street will be closed and re-instated.

The Highway Engineer has suggested that there is an opportunity for the vehicular access to be gained off the local service road to the north east, rather than the main road access. However, the applicant has argued that the existing access point was considered appropriate, given the location of the site on the main junction of High Street and Falling Lane. This access is far enough away from the main cross roads to ensure that there was no detrimental impact on highway or pedestrian safety. The vehicular access point proposed is the same as that currently used to access the car sales garage and forecourt and previously used for a petrol filling station, the latter of which had a much higher level of vehicular movement into and out of the site than that anticipated for the proposed use. The proposed vehicular access is therefore considered acceptable for the scale and nature of the development proposed.

Pedestrian access to the site is gained from two dedicated entrances, one on Falling Lane and one on the High Street. Communal stair cases are provided at each entrance. A communal lift to the basement and upper floors is provided at the entrance on the High Street.

## PARKING

A basement car park is proposed for 30 cars, equating to 1 space per unit and 2 motor cycle bays. The car parking provision includes 10% (3) disabled spaces and 12 electric vehicle charging points.

Given the site's location adjacent to Yiewsley Town Centre, with all the services and facilities it offers and proximity to a range of public transport facilities (including West Drayton Train Station with future Crossrail services), the proposed development is located within a sustainable location and has a PTAL rating of 3 to reflect this. The London Plan maximum requirement is 1 space/unit, but developments are encouraged to provide less than this in areas of good public transport. The provision of 30 spaces is considered to adequately address this requirement.

It is considered that a balance of providing sufficient on-site car parking to meet demand arising from the proposal, as well as reducing the impact on the capacity of surrounding streets and meeting wider sustainability objectives has been achieved.

10% of these spaces will achieve space standards for disabled parking. In addition, the proposed car parking provides for electric vehicle charging points (20% active and 20% passive). This equates to 6 active and 6 passive charging points in compliance with London Plan standards.

#### Cycle Parking

The proposed scheme will provide a total of 41 spaces which is considered to be adequate. The bicycle spaces will be provided in a secure and covered semi-vertical bike stand at ground floor level in the northern eastern block.

In conclusion, it is considered that the network can accommodate the flows produced by the development without any severe impact. Overall, it is considered that the proposals strike the requisite balance between parking restraint, to promote alternative travel modes and the provision of adequate parking. Subject to conditions and transport and highways obligations being covered within the S106 Agreement, it is considered that safe and suitable access to the site can be achieved and the the residual cumulative impacts of development are not so severe as to prevent or refuse the proposed development on transport grounds.

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

The scheme has been designed to a high quality design standard which has been enhanced through the evolution of the scheme during the pre-application process. It is considered that the scale of the building responds to site characteristics and ensures a good relationship with neighbouring land uses in terms of protecting privacy and amenity.

The development meets and often exceeds the internal space requirements for one, two and three bedroom units. Private amenity space in the form of balconies/terraces is provided for flats on the upper levels where possible. Flats on the ground floor have access to private, defensible terrace space where possible and communal amenity space both at ground floor level and a communal roof terrace.

A dedicated children's play area is included as part of the scheme. The siting and window orientation has been carefully considered to ensure that there is a good standard or amenity for existing neighbours and future occupiers.

### **7.12 Disabled access**

The London Borough of Hillingdon is committed to achieving the highest standards of access and inclusion. All buildings that are open to the public and all housing development schemes must be constructed according to the policies and design details as outlined in the SPG Hillingdon Design and Accessibility Statement (HDAS) Accessible Hillingdon.'

Local Plan Part 1 Policy BE1, London Plan Policy 3.8 (2016) and the Mayor of London's Housing Standards require that all residential units within the development to be built in accordance with Part M4(2) of the Building Regulations 2010 (2015 Edition) and that 10% of the units be designed and constructed in accordance with Part M4(3) of the Building Regulations 2010 (2015 Edition). Appropriately worded conditions are recommended accordingly, to ensure compliance with these standards. The scheme incorporates a lift from the basement (designed to the relevant DDA standard) to all levels of development.

With regard to Blue Badge parking, the Greater London Authority's guidance on 'Wheelchair Accessible Housing' (September 2007), further states that "generally one blue badge parking space will be required for each wheelchair accessible unit, including those that would otherwise be car-free". 3 disabled parking bays have been provided for, in compliance with these standards.

Subject to conditions, it is considered that lifetime homes equivalent and wheel chair standards can be achieved, in accordance with the London Plan Policies 3.8, 7.1 and 7.2 and in general compliance with the Council's Supplementary Planning Document "Accessible Hillingdon".

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

The development would introduce a total of 30 dwellings, therefore triggering the affordable housing requirement threshold of 10 units as set out in London Plan policy 3.13. Policy H2 of the Hillingdon Local Plan: Part 1- Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council notes however, that subject to the provision of robust evidence, it will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough as well as the viability of schemes. On this basis, 10 of the 30 units proposed in the scheme would have to be provided as affordable housing to comply with the requirements of Policy H2, to be secured by way of the S106 Agreement.

A full Financial Viability Appraisal (FVA) has been carried out in support of this application, which has been reviewed by an appropriately qualified third party financial consultant. The Council's assessor has confirmed based upon the assumptions and analysis set out in the FVA report, the proposed scheme generates a Residual Value (i.e. the remaining value of the site after it has been fully depreciated) which is above the Benchmark Site Value (i.e. which is based on current / existing use value). This suggests the scheme is able to support an Affordable Housing Off-Site Contribution for the amount of £298,770 in lieu of on-site provision.

The Council's assessor recommends an affordable housing review mechanism to ensure that if the scheme is delayed, its viability is re-assessed in the light of future economic conditions. The review mechanism forms part of the S106 Agreement.

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

Landscaping is reserved for future determination and as such detailed landscape proposals do not form part of the application. As such, limited detail has been provided. The site is currently entirely hardstanding. Notwithstanding this, the scheme provides an opportunity to enhance the landscape value and visual appearance of the site when compared to the current situation. The site layout plans show that there is significant scope for landscape improvements to the site. Amenity space is proposed to the north of the building, on the boundary with the Green Belt. This space provides opportunities for future planting and landscaping which will help soften the visual impact of the development on the Green Belt, in accordance with Saved UDP Policy OL5. Further details will be provided on this and other proposed landscape measures as part of the reserved matter application.

## ECOLOGY

The site is adjacent to the River Pinn and Manor Farm Pastures Site of Importance for Nature Conservation (SINC) which is of Borough Grade II importance. London Plan Policy 7.19 and Local Plan Policies EM7 and EC1 seek to protect and enhance all Sites of Nature Conservation Importance. Local Plan Part 2 Policy EC3 requires development proposals adjacent to such sites to consider the various potential impacts of development on the site. Local Plan Part 2 Policy EC1 requires development adjacent to such sites to undertake an ecological assessment to determine any potential impacts of development.

To assess potential ecological constraints to development, a desk study, extended phase 1 habitat survey, building inspection and ground level tree assessment were carried out. This study is submitted in support of the application.

The report confirms that no evidence of bats was found on site, but there were some potential roosting habitats for bats on trees just outside of the site. It confirms that the site is located outside of the SINC and will therefore not directly affect the non-statutory designated site. It confirms that provided that trees located adjacent to the site boundary are retained and protected, will not be illuminated by external lighting and that dust will be controlled during demolition and construction, there should be no indirect effects on the SINC. The report also concludes that the proposed development is unlikely to adversely affect other non-statutory sites or areas of Habitats of principal Importance within 1 km of the site boundary.

The report sets out measures which should be adopted to mitigate any in-direct effects on the River Pinn and Manor Pastures SINC. Adoption of the measures detailed could form part of a condition of consent for development on the site. The report also makes recommendations as to possible ecological enhancements for the site, such as native species planting, provision of bat boxes and bird boxes. These recommendations could be addressed as part of the "Landscaping" Reserved Matter, which will be determined at a later date.

The proposed scheme includes a green roof on the north western part of the building which represents an ecological enhancement to the site. The proposed development also introduces amenity space into an area which is currently 100% hardstanding. This further offers potential environmental and ecological benefits to the site when compared to the current situation.

A condition requiring details of an ecological enhancement, to promote and enhance wildlife opportunities within the landscaping and the fabric of the buildings is recommended. Subject to compliance with this condition, it is considered that the ecological mitigation is satisfactory. The proposal therefore complies with Policy 7.19 of the London Plan which requires that development protects and enhances biodiversity, and Local Plan Part 1 Policy EM7 and relevant Local Plan Part 2 policies.

### **7.15 Sustainable waste management**

Local Plan Policy EM11 requires proposed development to address waste management at all stages of a development life. London Plan Policy 5.17 requires suitable waste and recycling facilities in all new developments. HDAS - New Residential Layouts provides further details on waste management to guide development proposals.

In order to address the above policies, the scheme incorporates provision for refuse and recycling in a dedicated space on the ground floor on the north eastern part of the building.

The space is away from the amenity area and is integrated with the building, providing suitable off road storage space for wheelie bins and recycling facilities. The facilities are easily and safely accessible from the highway collection point.

## **7.16 Renewable energy / Sustainability**

Policy 5.3 of the London Plan requires development proposals to demonstrate sustainable design standards are integral to the proposal. It requires major development proposals to meet minimum sustainable design standards set out in the Mayor's SPG. Policy 5.2 of the London Plan seeks to minimise carbon dioxide emissions and requires major residential developments to achieve a zero carbon standard. However if this cannot be achieved then a cash in lieu contribution will be sought.

A Sustainability and Energy Statement demonstrates how the proposed development can incorporate energy efficient design measures, how it addresses requirements for sustainable design and construction and meets the relevant policy requirements. The development will adopt sustainable design and construction techniques. This includes the incorporation of renewable energy in the form of photovoltaic panels on the roof of the development, a green roof to help infiltrate rainwater, enhanced insulation, low energy lighting and other energy saving measures. The Energy Statement demonstrates that the scheme can achieve a 40% reduction in CO<sub>2</sub> emissions using 2010 Building Regulations as a baseline.

In summary, the key sustainability features of the proposed development are:

- The proposed development will benefit from very good levels of energy efficiency, and provision of photovoltaic panels;
  - The reduction in regulated CO<sub>2</sub> emissions over the Building Regulations (2010) baseline will be 40%;
  - 100% of the proposed development is on previously developed land;
  - Water efficiency measures and devices will be installed in the homes to achieve a maximum daily water usage of 105 litres/person/day;
  - Surface water run-off will be reduced from existing levels in accordance with the London Plan Policy 5.13;
  - The use of sustainable transport modes will be encouraged, and the site benefits from good connections to a range of surrounding transport services;
  - The proposed development includes the provision of dedicated cycle storage areas for each home, reducing the need to travel;
  - Where practical, building materials will be sourced locally to reduce transportation pollution;
  - Recycling facilities will be provided for domestic, commercial and construction related waste.
- The proposed scheme incorporates a green roof which assists in reducing surface water run off for the site.

Notwithstanding the above, there is a shortfall in minimising carbon emissions. Policy 5.2 in the London Plan and the supporting SPG identifies that any shortfall may be provided off-site or through a cash in lieu contribution. Given this, the applicant would be willing to pay a carbon offset payment of £19,404.

Subject to a legal agreement securing the carbon offset contribution, it is considered that the scheme will have satisfactorily addressed the issues relating to the mitigation and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with Policies 5.2, 5.13 and 5.15 of the London Plan, Policy PT1.EM1 of Hillingdon Local Plan Part 1 and the NPPF.

## 7.17 Flooding or Drainage Issues

Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Part 1 Local Plan Policy EM6 seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. The site falls outside any flood zones as defined in the Council's own Strategic Flood Risk Assessment (SFRA) and is within flood zone 1 on the Environment Agency maps. A flood risk assessment is therefore not a requirement, although a Drainage Strategy would need to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding, in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF.

A Flood Risk Assessment has been submitted in support of this application. A Surface and Foul Water Management Strategy sets out the surface water drainage strategy for the proposed development to address policy requirements. It identifies that the run-off rate for the proposed development will be less than the run-off rate for the existing used car sales garage. The proposed development will incorporate soft landscaping across approximately 37% of the site (at present 100% of the site is impermeable). In addition the proposed development will incorporate SuDS for attenuation and water cleansing purposes. This will be in the form of initial infiltration of water through a green roof, capturing rain water in water butts, crated attenuation storage, aco drains and an emergency pump for the car park. The stored water will then be discharged to the existing surface water drainage system at a controlled rate. The Flood and Drainage Officer considers that this is acceptable, whilst noting that no detail of the scheme proposed or evidence that the most sustainable solution has been utilised. However, this is an outline application and details can be secured by condition in the event of an approval.

In order to address London Plan Policy 5.15 and minimise the use of mains water to 105 litres or less per head per day, the development will incorporate water efficient sanitary ware and rain water harvesting in the form of water butts for irrigation of the gardens and washing cars.

The proposal includes development at basement level. The Flood and Drainage Officer considers that a detailed site survey should be submitted to establish the level of groundwater in this area to understand the implications of this development on the surrounding area. When determining proposals for basement and other underground development, emerging policy requires an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. Emerging policy DMHB24 states that the Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. Developers are required to demonstrate by methodologies appropriate to the site that their proposals:

- a) Maintain the structural stability of the building and neighbouring properties;
- b) Avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) Avoid cumulative impacts upon structural stability or the water environment in the local area;

It should be noted however, that the above mentioned emerging policy has not yet formally been adopted for development control purposes. In addition, the Local Planning Authority cannot approve a specific engineering solution as part of the planning application, as this falls within the requirements of the Building Regulations. Nevertheless, a statement is required to demonstrate that the issues have been adequately considered at an early stage

and a basement level is suitable for the site and can be provided with outundue risk.

Thames Water, a statutory consultee has requested the imposition of a condition requiring a piling method statement, in the event that piling is utilised, to prevent and minimise the potential for damage to sub-surface sewerage infrastructure, and the programme for the works.

In addition, Thames Water advise that a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. This advice can be provided to the applicant by way of an informative, in the event of an approval.

It is considered that any outstanding issues, including the requirement for a groundwater site investigation and structural statement can be addressed by the imposition of a suitably worded condition in the event of an approval. 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**

The Government's National Planning Policy Framework (NPPF) gives the Government's guidance on noise issues. Policy 7.15 of the London Plan seeks to reduce noise and minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of development proposals. In terms of local policy, saved UDP Policy OE5 requires noise sensitive developments to demonstrate that the building can be sited and designed to be protected from external noise or vibrations sources to appropriate standards.

The application site is on a busy high road. It is therefore reasonable to expect that traffic is likely to be high enough to affect the residential amenities of future occupiers.

A noise assessment has been carried out in support of the application and concludes that the principle of residential accommodation is acceptable in this location, subject to mitigation measures outlined within the report. The report identified that traffic noise from Falling Lane and High Street were the dominant sources of noise across the site. It advised that mitigation measures such as specialist glazing and alternative forms of ventilation will be required for habitable rooms to comply with relevant noise requirements.

In terms of the amenity space, the report confirms that the proposed layout along with recommendations for acoustic fences ensure that noise levels are minimised and the majority of areas will meet the relevant noise requirements. Overall the Noise Assessment concluded that based on the mitigations measures suggested that an appropriate acoustic environment can be provided to the proposed residential properties.

The Council's Noise Supplementary Planning Document (SPD) notes that details of mitigation measures will be required and that the criteria should be met with windows open. Where this is not possible, it will be necessary to demonstrate that all reasonable steps have been taken to control and mitigate noise.

The Council's Environmental Protection Unit (EPU) notes that the plans show the facades facing the High Street and Falling Lane have balconies proposed, which are unlikely to meet the external amenity space criteria. It therefore recommends mitigation measures to meet the recommended levels in the appropriate guidelines.

However it should be noted that the application is only an outline and the proposed



mitigation measures can be included as part of the detailed design phase at the reserved matter stage.

It is considered that the issue of sound insulation can be addressed by the imposition of a suitable condition. Subject to compliance with this condition, it is considered that the scheme would be in compliance with Policy OE5 of the Hillingdon Local Plan Part 2.

## AIR QUALITY

In order to secure improvements to air quality, Policy 5.2 of the London Plan seeks a reduction in CO2 emissions. Policy 7.14 of the London Plan and Policy EM8 of the Local Plan require development to be at least 'air quality neutral' and where appropriate, contribute towards the promotion of sustainable transport modes such as vehicle charging points.

As evidenced in the Transport Statement submitted in support of the planning application, the proposed redevelopment of the site to a purely residential use will lead to less vehicle trips when compared with the extant use as a used car sales garage. This reduction in vehicle trips represents a net benefit in air quality for the site, helping address Policy 7.14 of the London Plan and EM8 of the Local Plan. Furthermore, the use of electric vehicles will be encouraged as part of the scheme, with the inclusion of 20% (6) active and 20% (6) passive electric vehicle charging points within the basement car park. Sustainable modes of transport will be encouraged, with safe and secure cycle parking provision and the availability of local bus services and a railway station in close proximity to the site.

Notwithstanding the above, the proposed development is within the declared Air Quality Management Area (AQMA). The development is introducing sensitive receptors into a poor air quality area. The Council's Environmental Protection Unit requested a Section 106 obligation of up to £16,500 for contributions to the air quality monitoring network in the area. It is recommended that this planning obligation be secured, in the event of an approval. Subject to the above mentioned planning obligation, it is considered that the impact of the development on the air quality of the area can be mitigated, to the extent that refusal of the application on these grounds would not be justified, in accordance with Policy EM8 of the Local Plan Part 1.

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

The issue of social infrastructure is now covered under CIL regulations. The development will be liable for the Mayoral CIL and Hillingdon's own CIL. This addresses the additional consultee comments received.

### **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 recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development, which have been agreed with the applicant:

(i) Transport: All on site and off site highways works as a result of this proposal, including improvements to the site access, (which shall be constructed as a Heavy Duty

Crossover),

(ii) Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution

(iii) Air Quality: The applicant provides a financial contribution in the sum of £16,819.

(iv) Affordable Housing: A contribution of £298,770 in lieu of affordable housing on-site provision and an affordable housing review mechanism

(v) Carbon offset contribution of £19,404

(vi) The residents of this development not to be eligible for parking permits, season tickets or car park permits, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

(vii) Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement.

The applicant has agreed to these proposed Heads of Terms, which are to be secured by way of the S106 Agreement. Overall, it is considered that the level of planning benefits sought is adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

Not applicable.

#### **7.22 Other Issues**

None.

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

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The

obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

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

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

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

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

Not applicable.

#### **10. CONCLUSION**

The redevelopment of the used car sales garage to create 30 no studio, 1, 2 and 3 bedroom apartments will effectively and efficiently re-use brownfield land to create dwellings which will help contribute to the housing requirements within the Borough .

The scale of the proposed development responds to neighbouring residential uses and the adjacent Green Belt and will positively contribute to the character of the area.

The proposed density is appropriate given the site's accessible location on the edge of Yiewsley Town Centre.

The development will not give rise to detrimental impacts in terms of the amenity of existing neighbours and future occupiers.

The detailed design of the scheme will incorporate measures to ensure it represents a sustainable development and achieves the required reduction in carbon dioxide emissions.

The level of affordable housing has been agreed. The applicant has offered an acceptable package of contributions to be secured by way of a proposed S106 Agreement.

In addition, access, parking, drainage, ecology and highway safety issues have been satisfactorily addressed.

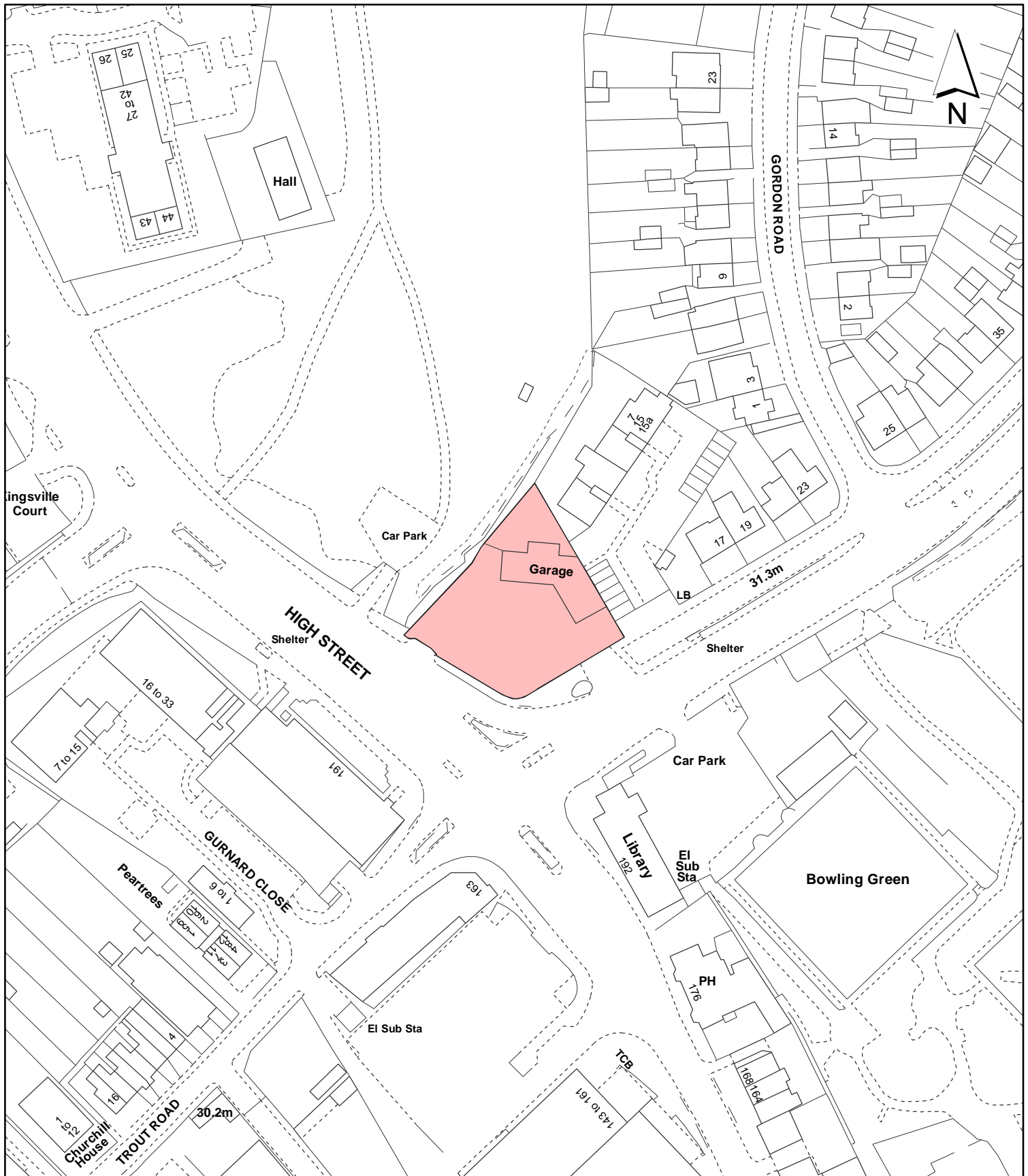
It is recommended that the application should be supported, subject to a Section 106 Legal Agreement and conditions.

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

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan 2016  
National Planning Policy Framework (NPPF)  
The Greater London Authority Sustainable Design and Construction (2006)  
Council's Supplementary Planning Guidance - Community Safety by Design  
Council's Supplementary Planning Document - Air Quality  
Hillingdon Supplementary Planning Document: Accessible Hillingdon (January 2010)

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**Notes:**

 Site boundary

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Site Address:

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

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 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**692/APP/2017/749**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**July 2018**

