

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

**Address** 36-40 RICKMANSWORTH ROAD NORTHWOOD

**Development:** Section 73 application seeking Minor Material Amendments to Condition 2 of planning permission ref: 69978/APP/2016/2564 dated 07-09-2017 (Demolition of 3 detached dwellings and redevelopment to provide 24 residential flats (13 x 1 bedroom units; 8 x 2 bedroom units; and 3 x 3 bedroom units), amenity space and associated car parking); namely to make internal and external alterations to the layout, changes to the unit mix to provide 8 x 1 bedroom, 13 x 2 bedroom and 3 x 3 bedroom units, dormers, windows, materials, removal of stair core and amendments to external landscaping, including the reorientation of bin stores and increase in the number of car parking spaces. (reconsultation)

**LBH Ref Nos:** 69978/APP/2018/417

**Drawing Nos:** CGI Ref: MG-467-KBA (Illustrative)  
CGI 2 Ref: MG-467-KBA (Illustrative)  
180620 - M4-3 Accessible compliant plan  
- TPP - Rev F - June 2018  
Arboricultural and Planning Integration Report Ref: GHA/DS/1660:1  
170-PL-01 Issue Sheet  
170-PL-200-05 Proposed Ground Floor Plan  
170-PL-201-04 Proposed First Floor Plan  
170-PL-202-05 Proposed Second Floor Plan  
170-PL-203-05 Proposed Third Floor Plan  
170-PL-300-05 Proposed South West Elevation  
170-PL-301-05 Proposed North West Elevation  
170-PL-302-05 Proposed North East Elevation  
170-PL-303-05 Proposed South East Elevation  
170-PL-304-05 Proposed Street Scene  
S73 Cover Letter

**Date Plans Received:** 05/02/2018

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

**Date Application Valid:** 09/04/2018

### 1. SUMMARY

This application seeks minor material amendments to planning permission ref: 69978/APP/2016/2564 dated 07/09/2017 for demolition of 3 detached dwellings and redevelopment to provide 24 residential flats (13 x 1 bedroom units; 8 x 2 bedroom units; and 3 x 3 bedroom units), amenity space and associated car parking.

The principle of a two/three storey height of the building with accommodation within the roof has already been established by virtue of the extant permission, which is currently being implemented. The proposal seeks to make the following changes:

- Modifications to the glazed intersections;
- Internal and external alterations to the building including removal of a stair core, reorientation of the bin store, and reconfiguration of undercroft parking area and cycle store to provide 33 car parking spaces (increase of 4 from original approval);
- Reconfiguration of hard landscaping including provision of a footpath along the western side of the building;

- Installation of additional window at ground level to western side wall of building; and
- Replacement of dormer window on eastern roofslope with 2 dormer windows;
- There a number of proposed internal layout changes that will result in a unit mix change, resulting in a reduction of 5 one bedroom units and an increase of 5 two bedroom units, although the overall number of units will remain the same, as per the approved applicator

It is considered that the proposed changes to the design of the building will fit sensitively with existing streetscape. The proposed modifications to the approved scheme would be within the London Plan density guidelines, providing good internal and external living space. The proposed amendments 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.

The revised housing mix proposed at this location is considered acceptable and meets a local housing need for the delivery of one, two, and family sized 3 bedroom homes.

Approval is recommended accordingly, subject to a S106 Agreement securing an affordable housing contribution and of site highway improvements.

## **2. RECOMMENDATION**

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

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

**(i) Transport: All on site and off site highways works as a result of this proposal, including provision of a 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) Affordable Housing: £25,000 in lieu of affordable housing on-site provision and an affordable housing review mechanism**

**(vi) 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 20 December 2018 (or such other timeframe as may be agreed by the Head of Planning, Transportation and Regeneration, delegated authority be given to the Head of Planning, Transportation and Regeneration 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 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 the London Plan (2016).'

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

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

**1 COM3 Time Limit**

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

**REASON**

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

**2 COM4 Accordance with Approved Plans**

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

170-PL-010-00: Site Location Plan (1:1250)  
170-PL-011-00: Existing Site Plan (1:200)  
170-PL-040-01: Existing Site Sections (1:200)  
170-PL-050-00: Demolition Plan (1:200)  
170-PL-100-02: Proposed Site Plan (1:200)  
170-PL-200-02: Proposed Ground Floor Plan (1:200)  
170-PL-201-01: Proposed First Floor Plan (1:200)  
170-PL-202-02: Proposed Second Floor Plan (1:200)  
170-PL-203-02: Proposed Third Floor Plan (1:200)  
170-PL-204-02: Proposed Roof Plan (1:200)  
170-PL-300-03: Proposed South West Elevation (1:200)  
170-PL-301-03: Proposed North West Elevation (1:200)  
170-PL-302-03: Proposed North East Elevation (1:200)  
170-PL-303-03: Proposed South East Elevation (1:200)  
170-PL-304-03: Proposed Street Scene (1:200)  
170-PL-400-02: Proposed Site Section (1:200)  
180620 - M4-3: Compliance plans

**REASON**

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

**3 COM5 General compliance with supporting documentation**

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

- Arboricultural & Planning Integration Report (GHA Trees) dated 7th June 2018
- Tree Protection Plan (GHA Trees) - TPP - Rev F - June 2018
- Noise Impact Assessment (NSL)
- Transport Statement & Appendices (Dermot McCaffery)
- Supplemental Letter to Transport Statement [06.06.16] (Dermot McCaffery)
- Surface Water & SuDs Drainage Statement (EAS)
- Energy Statement (Bluesky Unlimited)

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

#### REASON

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

#### **4 OM19 Demolition and Construction Management Plan**

The development shall be completed in accordance with the demolition and construction management plan approved under 69978/APP/2017/3742 dated 14/12/17.

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

#### REASON

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

#### **5 COM6 Levels**

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

#### REASON

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

NB: The development shall be completed in accordance with the details approved under 69978/APP/2017/3695 dated 24/4/18.

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

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

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures, particularly in reference to the protected pine (T9 (T1, TPO No. 648).
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall

be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

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

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

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

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

#### REASON

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

NB: The development shall be completed in accordance with the details approved under 69978/APP/2017/3695 dated 24/4/18.

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

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

##### 1. Details of Soft Landscaping

1.a All ornamental and ecological planting (at not less than a scale of 1:100),

1.b Replacement tree planting to compensate for the loss of existing trees,

1.c Written specification of planting and cultivation works to be undertaken,

1.d Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

##### 2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments, including details of the screening required for the defensive space at the front, side and rear of flats to ensure the privacy of these residents.

2.b Hard Surfacing Materials

2.c Other structures (such as gates, steps, ramps, retaining walls and chains/treatment to provide defensible space to ground floor units)

##### 3. Details of Landscape Maintenance

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

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

#### 4. Schedule for Implementation

#### 5. Other

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

5.b Proposed finishing levels or contours

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

#### REASON

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

#### **8 RES10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **9 COM15 Sustainable Water Management**

Prior to commencement of development, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall follow the strategy set out in 'Surface Water Drainage Strategy', produced by EAS dated June 2016 Revision Final 2.

a) by maintaining existing ground levels through the undercroft entrance to parking, so that the overland flow route is maintained in perpetuity.

b) reduce run off from the site to the greenfield run off rates specified.

c) provide storage through a green roof and permeable paving. In addition the scheme shall provide details on the following how it, Manages Water and demonstrate ways of controlling

the water on site by providing information on:

- i. Where a basement is proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).
- ii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased.
- iii incorporate water saving measures and equipment.
- iv provide details of how rain and grey water will be recycled and reused in the development.
- v Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
- vi From commencement on site how temporary measures will be implemented to ensure no increase in flood risk from commencement on site including any clearance or demolition works.
- vii The Management and maintenance plan should be updated to incorporate any ground water mitigation that may need to be provided. Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

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

NB: The development shall be completed in accordance with the details approved under 69978/APP/2017/3803 dated 27/3/18.

#### **10 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.

#### 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: 2 Saved UDP Policies (November 2012); policy 7.21 of the London Plan (2016); and National Planning Policy Framework (2012).

NB: The development shall be completed in accordance with the details approved under 69978/APP/2017/3943 dated 08/02/18.

#### **11 NONSC Cycle Storage**

The development shall not be occupied until 39 cycle parking spaces are provided in accordance with the approved plans for use by future occupiers. Thereafter, these cycle parking spaces shall be permanently retained, unless otherwise agreed in writing by the Local Planning Authority.

#### REASON

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

#### **12 RES16 Car Parking**

The development shall not be occupied until 33 car parking spaces, including 4 disabled bays, 2 motorcycle bays, 6 electric charging bays with a further 6 bays with passive provision have been provided. Thereafter the parking bays/areas shall be permanently retained and used for no other purpose than the parking of motor vehicles associated with the consented residential units at the site.

#### REASON

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

#### **13 RES18 Accessible Homes/Wheelchair Units**

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

#### REASON

To ensure an appropriate standard of housing stock is achieved and maintained which meet the needs of disabled and elderly people in accordance with policies 3.1, 3.8, and 7.2



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

**14 NONSC Outdoor Amenity Areas**

Prior to occupation of the development, the outdoor amenity areas as hereby approved shall be provided for future use by residents. Thereafter, the amenity areas shall be retained in for their use for so long as the development remains in existence..

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.1 of the London Plan (2016).

**15 NONSC Details of Finish**

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

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

The approved details shall be implemented and maintained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

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

**16 NONSC Noise mitigation for future occupiers**

Prior to occupation of the development hereby approved, a scheme for protecting the proposed development from road and air 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. The scheme shall include such combination of sound insulation, ventilation and other measures to the satisfaction of the Local Planning Authority. 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 and air traffic noise in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012), and policy 7.15 of the London Plan (2016)

**17 RES13 Obscure Glazing**

The east facing dormer windows in units 22 and 23 shall be glazed with permanently

obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012).

**18 RES22 Parking Allocation**

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

**REASON**

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

**19 COM31 Secured by Design**

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

**REASON**

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

**20 NONSC Details of the PV**

Prior to occupation of the development hereby approved, details of the PV panels shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

To secure carbon reduction and to safeguard the visual amenity of the area in accordance with policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (2012), policy BE1 of the Local Plan: Part 1 Strategic Policies (2012), and policies 5.2, 7.4, and 7.6 of the London Plan (2016).

**INFORMATIVES**

**1**

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission where those details would remain the same.

## **2** 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).

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

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

AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
EC3	Potential effects of development on sites of nature conservation importance
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
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 6.13	(2016) Parking
LPP 7.14	(2016) Improving air quality
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.5	(2016) Public realm
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
NPPF	National Planning Policy Framework

#### **4            159            Councils Local Plan : Part 1 - Strategic Policies**

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

#### **5            11            Building to Approved Drawing**

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

#### **6            115            Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

**7            12            Encroachment**

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

**8            121            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).

**9            13            Building Regulations - Demolition and Building Works**

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

**10            148            Refuse/Storage Areas**

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

**11**

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

**12**

The applicant is advised that the detailed design of the underground car park must be undertaken with the input of fully qualified Structural and Highways Engineers.

### **13**

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

### **14**

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).

### **15**

The Council's Environmental Protection Unit (EPU) must be consulted for their advice when importing soil to the site. (Condition No. 10)

### **16**

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

### **17**        I62                    **Potential Bird Hazards from Buildings**

The applicant is advised that any flat/shallow pitched or green roof on buildings have the potential to attract gulls for nesting, roosting and loafing and loafing purposes. The owners/occupiers of the building must ensure that all flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar.

The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The contact would be Gary Hudson, The Development Assurance Deliverer for Heathrow Airport on 020 8745 6459.

The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs. For further information please see the attached Advice Note 8 - 'Potential Bird Hazards From Building Design'.

### **18**        IT05                    **Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb

roosting bats, nesting birds or any other protected species. Therefore, it is advisable to consult your tree surgeon / consultant to agree an acceptable time for carrying out the approved works.

## **19**

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.

### **3. CONSIDERATIONS**

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

The site is located on land previously occupied by three detached, two-storey dwellings Nos. 36, 38 and 40 Rickmansworth Road and has a total area of 3,466 sqm. These properties have now been demolished by virtue of planning permission ref: 69978/APP/2016/2564.

The site has a southern boundary of approximately 66m to Rickmansworth Road and a frontage of approximately 64m to Greenheys Close to the north. It has a depth of 38m and 75m along the eastern and western boundaries respectively.

The site generally falls from north to south and west to east, with a fall of approximately 5.5m from the north-west corner to the south-east corner of the site. Vehicular access to Nos.36, 38 and 40 is from a single crossover off Rickmansworth Road. No.38 has a secondary access off Greenheys Close to the northern end of the site.

There are a number of trees on the site, with substantial planting along the Rickmansworth Road frontage. The trees include a Pine (T1) in the garden of No. 36, and a Beech (T3) in the garden of No. 38, both of which are protected by Tree Preservation Order No.648. The site is also situated within an Area of Special Local Character.

The setting of the site comprises a mixture of flats, maisonettes and detached houses. Immediately to the west (neighbouring land) is a 5 storey block of flats located on the north side of Rickmansworth Road off Murray Road. Detached dwellings adjoin the site to the east at No. 34 Rickmansworth Road. To the north of the site is a cul-de-sac known as Greenheys Close, which serves two storey detached and semi-detached dwellings. Flatted blocks stand west of the site on the corner of Murray Road and Rickmansworth Road, known as Southill

Further east of the site, at No. 32 Rickmansworth Road there is a block of 7 flats known as Queens Silver Court. On the southern side of Rickmansworth Road, opposite the site, there are a group of four, terraced dwellings known as Ivy Walk, a block of 3 flats known as Sandpit Hill and otherwise largely detached dwellings.

Rickmansworth Road (A404) is a classified road and is shown as a London Distributor Road in the Hillingdon Local Plan (2012). It is one of the main routes through the northern part of

the Borough and is used by buses and heavy goods vehicles. In the vicinity of the site it is largely fronted by residential properties and is subject to a 30 mph speed limit. There are bends in the road in the vicinity of the site which restrict visibility. The site has a PTAL score of 1 and is situated within a developed area as identified in the policies of the Hillingdon Local Plan (November 2012).

### **3.2 Proposed Scheme**

This application seeks minor material amendments to planning permission ref: 69978/APP/2016/2564 dated 07/09/2017 for demolition of 3 detached dwellings and redevelopment to provide 24 residential flats (13 x 1 bedroom units; 9 x 2 bedroom units; and 2 x 3 bedroom units), amenity space and associated car parking.

The proposal seeks to make the following changes:

- Modifications to the glazed intersections
- Internal and external alterations to the building including removal of a stair core, re-orientation of bin store, and reconfiguration of undercroft parking area and cycle store to provide 33 car parking spaces (increase of 4 from original approval);
- Reconfiguration of hard landscaping including provision of a footpath along the western side of the building;
- Installation of additional window at ground level to western side wall of building; and
- Replacement of dormer window on eastern roofslope with 2 dormer windows
- There a number of proposed internal layout changes that will result in a unit mix change, resulting in a reduction of 5 one bedroom units and an increase of 5 two bedroom units although the overall number of units will remain the same, as per the approved application.

The development as amended would provide 24 units with a housing mix of 8 x 1 bedroom, 2 person units; 13 x 2 bedroom 4, person units; and 3 x 3 bedroom, 6 person units

### **3.3 Relevant Planning History**

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

Planning permission ref: 69978/APP/2016/2564 was granted on 07/09/2017 for demolition of 3 detached dwellings and redevelopment to provide 24 residential flats (13 x 1 bedroom units; 9 x 2 bedroom units; and 2 x 3 bedroom units), amenity space and associated car parking. This permission has been partially implemented.

## **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.EM11 (2012) Sustainable Waste Management



PT1.EM6 (2012) Flood Risk Management

PT1.H1 (2012) Housing Growth

PT1.H2 (2012) Affordable Housing

Part 2 Policies:

AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations

AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

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

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE20 Daylight and sunlight considerations.

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

BE23 Requires the provision of adequate amenity space.

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

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

BE4 New development within or on the fringes of conservation areas

BE8 Planning applications for alteration or extension of listed buildings

EC3 Potential effects of development on sites of nature conservation importance

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

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 6.13	(2016) Parking
LPP 7.14	(2016) Improving air quality
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.5	(2016) Public realm
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
NPPF	National Planning Policy Framework

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **12th March 2018**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015 as a Major Development. 20 adjoining owner/occupiers have been consulted and site notices were also posted. An additional reconsultation was carried out on 5 September 2018 clarifying the revised mix of units. 3 responses have been received to the neighbour consultations, the contents of which are summarised below.

- > Works have already commenced
- > Object to the request for more parking as it means more vehicles and more traffic in the Rickmansworth Road
- > Installation of dormers would affect privacy
- > Removal of soft landscaping would affect drainage
- > The internal changes confirms the lack of design and space of the building at initial planning stage
- > No explanation why the changes are deemed necessary
- > The proposed changes will increase the total population of the block (and hence the impact on local infrastructure)
- > Concern over the stair core removal
- > Further deterioration to the local environment.

- > increased traffic and safety implications
- > Concern over protected trees

NORTHWOOD RESIDENTS ASSOCIATION - No response.

### **Internal Consultees**

#### **URBAN DESIGN OFFICER**

There are a number of proposed material changes to the facade and roof that will simplify the elevations, which could potentially reduce the overall quality of the development/ street scene. The proposed footprint of the building has changed slightly, with an increase in the recessed gaps between the triple fronted building bays, which are proposed to be brought forward. This reflects the proposed internal layout changes.

There a number of proposed internal layout changes that will result in a unit mix change, though the overall number of units will remain the same, as per the approved application. In summary, there will be a reduction in one bed units, with the duplex and w/c units removed. The result of these changes will see an increase in two and three-bed units.

#### **TREE AND LANDSCAPE OFFICER**

The amended landscape layout indicates a change to the parking arrangements immediately to the west of the site entrance. Re-located car park space No. 33 will be significantly closer to an existing / retained tree - and well within the root protection area (RPA). No Arboricultural Impact Assessment, with Method Statement and Tree Protection Measures has been submitted. This is required to check that the layout is compatible with tree retention.

RECOMMENDATION In discussion with the site manager it was agreed that :

1. The sales office and tarmac driveway will be removed and soft landscaped in accordance with the landscape plans
2. There is a dead cherry tree among the existing trees (central group) which needs to be removed
3. It was confirmed that all areas of hard surfacing close to trees have been constructed using cellular / no dig construction techniques.
4. It was confirmed that a low brick retaining wall in front of the central tree group was existing prior to the development. Its future will be decided with the landscape proposals.
5. The TPO'd Corsican pine and beech appear to be healthy and protected, together with the other trees to be retained except for the cherry.

(Officer note: An Arboricultural and Planning Integration Report and Tree Protection Plan has been submitted which shows the area of hardstanding for the additional surface level parking bay constructed using no dig method, to protect the roots of the nearby tree.

#### **HIGHWAY ENGINEER**

There are no objections to the minor material amendments to condition 2. The uplift in parking space quantum is welcomed.

#### **ACCESS OFFICER**

This Section 73 application represents a fundamental change to the previous consented scheme. In assessing this application, reference has been made to the London Plan 2015, Policy 3.8 (Housing

Choice), and Approved Document M to the Building Regulations 2015 (ADM 2015).

In line with the above policy requirement, percent of the residential units should meet the prescribed standards for an M4(3) Category 3 - wheelchair user dwelling, with all remaining units designed to the standards for Category 2 M4(2) - accessible and adaptable, as set out in ADM 2015.

The following access observations are provided:

1. The previous consented scheme included three Wheelchair Accessible/Wheelchair Adaptable units, with a step-free approach to the principal private entrances, via two lifts.
2. It is noted that this latest proposal appears not to have any wheelchair user dwellings, and the scheme has been further downgraded to incorporate only one passenger lift.
3. It is further noted that units 10, 22 and 23 would not achieve a step-free approach to the principal private entrance, and would therefore be contrary to the above policy requirement for all units to meet the minimum standards for an M4(2) dwelling.

Officer Note: Revised plans have been submitted demonstrating that 3 of the units would be compliant with Part M4(3) of the Building Regulations. Specific requirements for 'Communal Lifts and Stairs' is set out in M4(3) units within the Building Regulations do not require a second lift to be provided).

## **7. MAIN PLANNING ISSUES**

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

The principle of the development has been established under the original grant of planning permission ref: 69978/APP/2016/2564 dated 07/09/2017.

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

The density of the development has been established under the original grant of planning permission (Ref: 69978/APP/2016/2564). There are no changes proposed with respect to the number of units. However, the number of habitable rooms has been increased by 5.

Policy 3.4 of the London Plan (2016) seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

Site densities are of only limited value when considering the suitability of housing schemes of this scale. The London Plan (2016) advises that an appropriate residential density for the site would range from 150-250 habitable rooms per hectare (hr/ha) and 50-95 units per hectare (u/ha) for units with a typical size of 2.7 - 3.0 habitable rooms per unit (hr/u). The development would remain at a density of 69 units per hectare with an uplift of 5 habitable rooms, which would remain within the range of acceptability for a site at this location. Therefore, in terms of density, the proposal would be considered acceptable and would secure the optimum potential of the site, in accordance with policy 3.4 of the London Plan (2016).

### **MIX OF UNITS**

Policy 3.8 'Housing Choice' of the London Plan (2016) encourages a full range of housing choice and policies H4 and H5 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) seek to ensure a practicable mix of housing units are provided within residential schemes. These policies are supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented

sector, and sets strategic guidance for Councils in assessing their local needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing.

The development would provide 24 units with a housing mix of 8 x 1 bedroom, 2 person units; 13 x 2 bedroom, 4 person units; and 3 x 3 bedroom, 6 person units. In terms of comparison with the approved scheme, this represents a reduction of 5 one bedroom units and an increase of 5, two bedroom units. The housing mix proposed at this location is considered acceptable and meets a local housing need for the delivery of one, two, and family sized (3 bedroom plus) homes.

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

The site is not located within an area of archaeology interest, a conservation area, or an area of special character. Nor are the subject buildings or neighbouring properties listed. Therefore, these matters are not relevant to the determination of this application.

#### **7.04 Airport safeguarding**

There are no airport safeguarding considerations relevant to this application.

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

The site is not located within or adjacent to any green belt. Therefore, this is not a relevant consideration for the determination of the proposal.

#### **7.06 Environmental Impact**

The proposal would not have any environmental impacts over those considered within the original grant of planning permission ref: 69978/APP/2016/2564 dated 07/09/2017.

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

Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that the Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area. Policy BE1 of the Local Plan: Part 1 Strategic Policies (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents.

Policies 7.4 and 7.6 of the London Plan (2016) and chapter 7 of the National Planning Policy Framework (2018) stipulate that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future. In addition, Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

The principle of a two/three storey height of the building with accommodation within the roof has already been established by virtue of the extant permission, which is currently being implemented. It is proposed to alter the proposed scheme in a number of ways. Whereas the changes to the windows and choice of materials for the central gable are unfortunate and deviate from the overall vernacular appearance of the building, these changes are not considered to justify refusal on design grounds.

The main external changes to the approved scheme relates to the glazed intersections

between the main parts of the original approved building, which would be partially infilled to provide additional habitable rooms. The proposed footprint of the building would be changed slightly, with an increase in the recessed gaps between the triple fronted building bays, which are proposed to be brought forward. This reflects the proposed internal layout changes. However, these glazed intersections would remain set back from the main front walls of the building. In addition, these elements would retain their flat roofs which would keep them appearing subordinate to the main facade. Furthermore, the glazing, contrasting with the bricked main front elevation, would ensure that these intersections continued to break up the frontage of the building. It is not considered that the modest infilling would be appreciable when viewed from the street and as such, this change is therefore considered to be acceptable.

It is also noted that the potential for seeing through these glazed sections on the original scheme was extremely limited, given that at ground floor level, the rear of the development would be subterranean. In addition, the gaps at first and second floor level between the main segments of the building are narrow, thereby giving little opportunity for views through the building, particularly given that there are large trees located directly in front of the building that would obstruct a significant proportion of the frontage. As such, their infill and use as internal areas for the flats would not result in appreciable change to the appearance of the approved scheme.

Other changes sought include the replacement of a dormer window on the southeastern roof slope with 2 dormer windows. As this is a side elevation, the dormers would not be particularly visible in the streetscene. Their character and appearance are similar to the previously approved dormers and they would be modestly sized. Therefore, it is not considered that they would detract from the character and appearance of the streetscene to a detrimental degree. The additional head height provided by them would enhance the quality of the internal accommodation to the benefit of future occupiers.

The scale, siting and appearance of the building would remain fundamentally the same as the approved scheme and the resultant building is considered to be appropriate in relation to the surrounding context of the site.

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

The proposal would not have any amenity impacts over those considered within the original grant of planning permission ref: 69978/APP/2016/2564 dated 07/09/2017.

The installation of an additional window at ground level to western side wall of the building is proposed to improve access to daylight, sunlight, and outlook for unit 1. This change would improve the internal accommodation proposed. The window would be at ground floor level and partially screened by the adjacent lightwell and fully screened by the boundary treatment beyond. As such, it would not raise any residential amenity concerns in terms of overlooking or loss of privacy to adjoining occupiers.

All the dormer windows on the side elevation would be obscure glazed and non opening. As such, they would not harm the residential amenity of neighbouring properties.

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

There are a number of proposed internal layout changes that will result in a unit mix change, though the overall number of units will remain the same, as per the approved application. In summary, there will be a reduction in one-bed units, with the duplex and w/c units removed. The result of these changes will see an increase in two-bed units. The proposed internal

changes will also reduce the circulation and access options, with one stair core and one lift removed.

With regard to the removal of a staircore, the applicant submits that this makes the building more efficient internally and in particular, makes the scheme more energy efficient, therefore, more sustainable.

The remaining core serves less than 8 units per floor in accordance with the Mayor's Housing SPD. In addition, the reconfigured layout satisfies Building Regulations in terms of fire safety and general circulation requirements. This change would not affect the external appearance of the building and is considered to be acceptable in policy terms.

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

Some external modifications are proposed, including the re-orientation of the bin store and reconfiguration of undercroft parking area and cycle store to provide 33 car parking spaces, an increase of 4 from the original approval. This equates to a parking ratio of 1:1.4, which is supported by the Highway Engineer.

The ground floor parking and associated areas have been reconfigured to become more efficient, enabling the provision of the 4 additional parking spaces. This area is below surrounding ground level and the proposed changes would not be visible externally.

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

Issues of design and access have been discussed elsewhere in the relevant sections of this report. With respect of security, it is not considered that the proposal would have any significant adverse impacts. A condition would ensure that the scheme needed to comply with Secured by Design Standards.

#### **7.12 Disabled access**

In assessing this application, reference has been made to the London Plan 2016, Policy 3.8 (Housing Choice), and Approved Document M to the Building Regulations 2015 (ADM 2015). In line with the above policy requirement, 10 percent of the residential units should meet the prescribed standards for an M4(3) Category 3 - wheelchair user dwelling, with all remaining units designed to the standards for Category 2 M4(2) - accessible and adaptable, as set out in ADM 2015.

The previous consented scheme included three Wheelchair Accessible/Wheelchair Adaptable units, with a step-free approach to the principal private entrances, via two lifts.

Revised plans have been submitted demonstrating that 3 of the units (units 4, 12 and 19) would be compliant with M4(3) of the Building Regulations. In terms of the approach route to these flats, the development would provide safe, convenient and step free access from points of access such as from the communal parking areas.

Specific requirements for 'Communal Lifts and Stairs' is set out in M4(3) units within the Building Regulations. It does not require a second lift to be provided as this is unnecessary in well maintained modern blocks like this. The development proposals are therefore acceptable and accord with planning policy.

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

The original grant of planning permission (ref: 69978/APP/2016/2564 dated 07/09/2017) did not secure any affordable housing, as it was demonstrated that this was not viable. However, given the the proposed increase in net-saleable area, the larger unit sizes, the

reduction in lift and stair (core), and the simplifying of materials, these will make the scheme more viable. Therefore, officers considered that there is the potential to claw-back some S106 for affordable housing. In light of the uplift in the consented scheme, the applicant has agreed to an affordable housing off-site contribution of £25,000, in lieu of on-site provision

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

The proposal would not significantly alter the development in terms of landscaping, trees and ecology from the scheme previously agreed within the original grant of planning permission (ref: 69978/APP/2016/2564). There is however some reconfiguration of landscaping, including provision of a footpath along the western side of the building and improved accesses to the entrances of the flats.

An Arboricultural and Planning Integration Report has been submitted in support of the application, which concludes that the principal arboricultural features within the site can be retained and adequately protected and that there will be no appreciable post development pressure. The Tree Protection Plan shows an area of hardstanding for an additional surface level parking bay that will be made with no digging during construction, to protect the roots of the nearby tree. In addition, access to / from the wider communal amenity areas would not change significantly. Therefore, the proposed changes are considered acceptable in planning terms. It is noted that that detailed landscaping and tree protection conditions are attached to the recommendation, which would enable the final details to be approved.

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

The proposal would not significantly alter the development in terms of waste management or storage from the scheme previously agreed within the original grant of planning permission (Ref: 69978/APP/2016/2564).

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

The proposal would not alter the development in terms of renewable energy/sustainability from the scheme previously agreed within the original grant of planning permission (Ref: 69978/APP/2016/2564).

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

There are no specific flooding or drainage issues associated with this application, and the proposal would not alter the development in terms of drainage or flood risk.

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

The proposal would result in no additional impacts on noise or air quality over those considered within the original grant of planning permission (Ref: 69978/APP/2016/2564)

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

All matters are addressed elsewhere within this committee report.

#### **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 openspace, 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 original Grant of planning permission secured the following planning obligations by way of a legal agreement:

- S278/S38 highway works to secure the proposed highway works.
- Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided)



or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered.

- Project Management & Monitoring Fee

Given the proposed increase in net-saleable area and larger unit sizes, the potential to accommodate more overall units, the reduction in lift and stair (core), and the simplifying of materials will make the scheme more viable. Therefore officers consider that there is justification in seeking an affordable housing contribution as a result of this uplift scheme. Following negotiations, the applicant has submitted a Unilateral Undertaking (UU) to provide an affordable housing off-site contribution of £25,000. The UU also commits the applicant to comply with all the other planning obligations contained in the S106 Agreement attached to the original planning permission ref: 69978/APP/2016/2564.

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**

Subject to approval of this S73 application, there are no enforcement issues associated with this site.

#### **7.22 Other Issues**

There are no other issues relating to this application.

### **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 principle of a two/three storey height of the building with accommodation within the roof has already been established by virtue of the extant permission. This S73 application seeks minor material amendments comprising internal and external alterations that will result in a unit mix change, although the overall number of units will remain the same, as per the approved application.

The scale, siting and appearance of the resultant building is considered to be appropriate to the surrounding context of the site.

The proposed housing mix is considered acceptable and meets a local housing need for the delivery of one, two, and family sized 3 bedroom homes. All units will comply with relevant standards.

The proposal would not have any amenity impacts over those considered within the original grant of planning permission

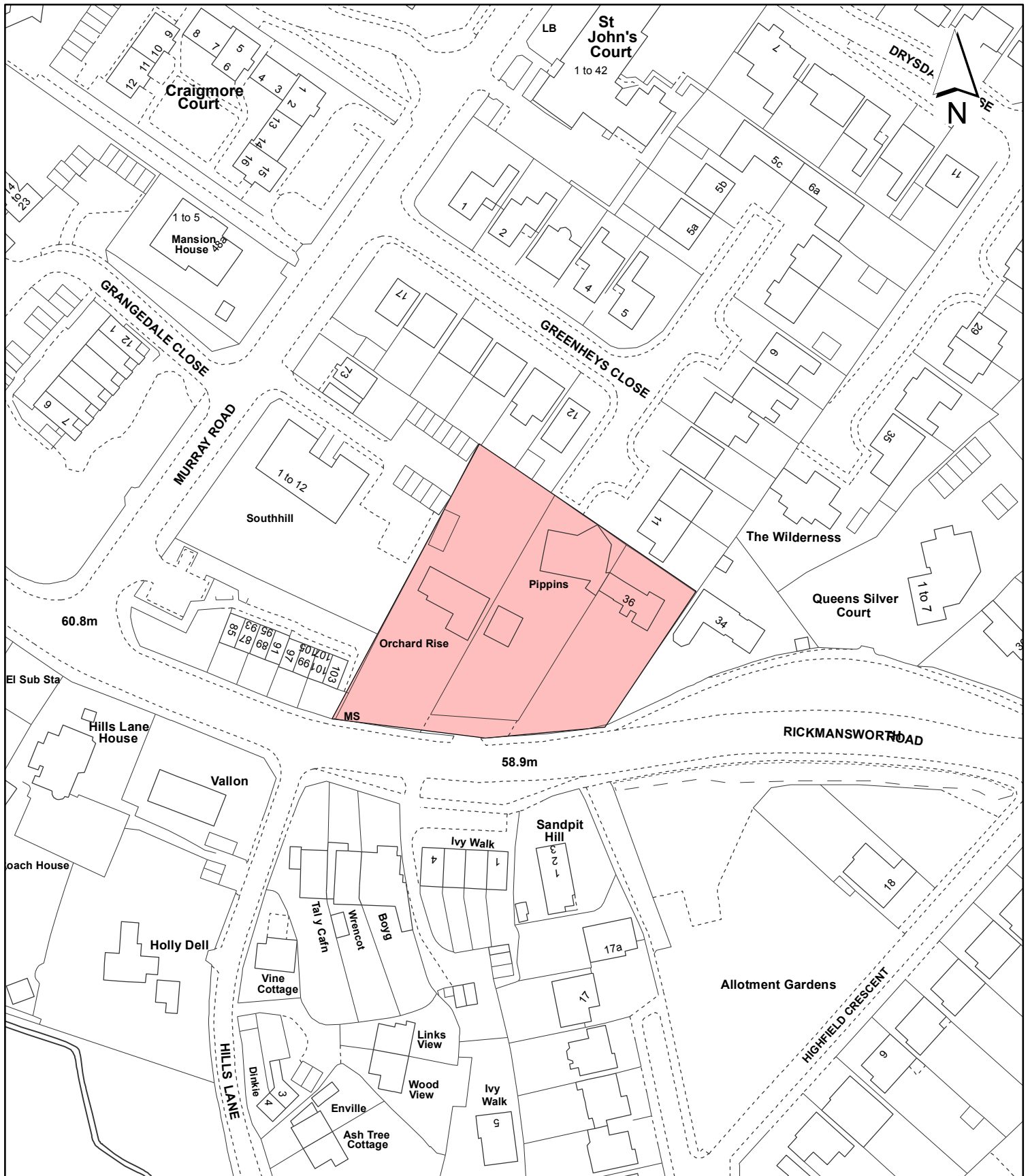
An off- site affordable housing contribution has been agreed. The applicant has offered an acceptable package of contributions, to be secured by way of a proposed S106 Agreement. In addition, access, parking, drainage, highway safety issues have been satisfactorily addressed, subject to conditions. It 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)  
Council's Supplementary Planning Guidance - Community Safety by Design  
Council's Supplementary Planning Document - Air Quality  
Hillingdon Supplementary Planning Document: Accessible Hillingdon (January 2010)

**Contact Officer:** Karl Dafe

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**Notes:**

 Site boundary

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**LONDON BOROUGH  
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Residents Services  
Planning Section

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Telephone No.: Uxbridge 250111

Planning Application Ref:

**69978/APP/2018/417**

Scale:

**1:1,250**

Planning Committee:

**Major**

Date:

**October 2018**



**HILLINGDON**  
LONDON