

Report of the Head of Planning, Transportation and Regeneration

Address FORMER BRITISH LEGION STATION ROAD WEST DRAYTON

Development: Variation of Condition 2 (Accordance with Approved Plans) of planning permission ref: 11332/APP/2016/1595 dated 19-06-2017 (Erection of 13 terrace dwelling houses with associated parking, landscaping and external works, following demolition of existing building) to allow for the replacement of dormer windows to doors with the addition of glazed juliet balconies on the front (east elevation) on Block 1; retention of glass balustrade railings fixed to parapet walls on Block 1; and re-positioning of the two disabled car parking spaces to the front.

LBH Ref Nos: 11332/APP/2018/2614

Drawing Nos: 02 Site Plan Proposed Parking Arrangement - 2018/D254/P02
03 Typical 3 Bed House Plans - 2018/D254/P03
04 Elevation Amendments - 2018/D254/P04
2018/D254/05

Date Plans Received: 13/07/2018 **Date(s) of Amendment(s):**

Date Application Valid: 27/07/2018

1. SUMMARY

This application seeks permission for the variation of condition 2 (Approved Plans) of planning permission reference: 11332/APP/2016/1595 dated 19-06-2017 (Erection of 13 terrace dwelling houses with associated parking, landscaping and external works, following demolition of existing building) to allow for the replacement of dormer windows to doors with the addition of glazed juliet balconies on the front (east elevation) on Block 1; retention of glass balustrade railings fixed to parapet walls on Block 1; and re-positioning of the two disabled car parking spaces to the front.

This is a part retrospective application involving the doors and the glass balustrade rails, and the new addition of glazed juliet balconies. The retrospective changes and proposed external alterations to the fenestration and appearance are minimal and do not adversely alter the overall character of the built form and would not cause any unacceptable harm to the visual appearance of the building or wider area. In addition the minor alterations do not impact on the amenity of either the occupants or neighbouring properties. Indeed the addition of the glazed juliet balconies ensures there would be no external access to the front terrace area at the second floor.

The re-positioning of the two disabled parking spaces is still within an appropriate location and are now side by side which results in an improvement in terms of layout and access.

Therefore it is considered the proposal is acceptable and is recommended for approval subject to the conditions and legal agreement as originally imposed.

2. RECOMMENDATION

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

A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:

Deed of Variation to Section 106 Agreement relating to planning permission 11332/APP/2016/1595.

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/or 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 20th December 2018 (or such other time frame as may be agreed by the Head of Planning and Enforcement), delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to 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 policies AM7 and R17 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and 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 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 changes negotiated by the Head of Planning Regeneration and Transportation prior to issuing the decision.

1 COM3 Time Limit

The alterations hereby permitted shall be completed within 8 months of 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 be carried out within 8 months of the date of this planning permission 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:

2018/D254/02

2018/D254/03 (Proposed 3 Bed House House Type 1 Floor Plans and Roof Plan)
2018/D254/04 (Proposed 3 Bed House Block 1 Elevations for Plots 1-10)
2018/D254/05 (Section plan and details for Juliet Balcony)
15-043-LP (Location plan)
13-P-B2-E Rev A (Proposed 3 Bed House Block 2 Elevations)
13-P-T3-F Rev A (Proposed 3 Bed Houses House Type 3 Floor Plans)
13-P-01 Rev A (Proposed Roof Plan)
13-P-T3-E Rev A (Proposed 3 Bed House House Type 3 Elevations)
13-P-T2-F Rev A (Proposed 3 House House Type 2 Floor Plans)
13-P-T2-E Rev A (Proposed 3 Bed House Type 2 Elevations)
13-P-B1-F (Proposed 3 Bed House Block 1 Plans)
13-P-02 Rev A (Proposed Block Plan)
13-P-B2-E Rev A (Proposed 3 Bed House Block 2 Plans)
13-P-SE-E Rev A (Proposed House Type 1 and 2 Sections)
13-P-SS Rev A (Proposed Site Section)
13-P-T1-E (Proposed 3 Bed House House Type 1 Elevations)
15-043-P-AC Rev B (Accommodation Schedule)
P-SV Rev A (Street Boundary Wall View Proposed Boundary Wall Detail)
P-BW Rev A (Street Boundary Wall View Proposed Boundary Wall Detail)
13-P-80-3 Rev A (Proposed Hard Surfaces)
13-P-80-2 Rev A (Proposed Refuse Layout)

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:

15-043-13-P-AQS Air Quality Statement
15-043-13-P-NS Noise Assessment Statement
950-001 Sweep path layouts - Parking Rev A
950-002 Sweep path layouts - Refuse turning Rev A
Transport statement
Flood Risk Assessment and SUDS report
Geo Report - Soil Investigation P9458J866

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

Prior to commencement of development, 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 (please refer to informative I15).
- (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).
 - (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 in accordance with policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012).

5 RPD4 Prevention of Balconies/Roof Gardens

The informal roof area to the front (west elevation) and to the rear (east elevation) of Block 1 comprising of Plots 1 -10 shall not be used as a balcony, roof garden or similar amenity area.

REASON

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

6 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).

7 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.
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).

8 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 railings/walls located to the front of the site along Station Road.

2.b Hard Surfacing Materials

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

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).

9 COM15 Sustainable Water Management

Prior to commencement, 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 'Flood Risk Assessment', produced by Curtains dated 19th July Rev 3.

The scheme shall clearly demonstrate how it, Manages Water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Capacity of Receptors

- i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.

c) Minimise water use.

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

d) Long Term Management and Maintenance of the drainage system.

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

f) From commencement on site

- i. How temporary measures will be implemented to ensure no increase in flood risk from commencement on site including any clearance or demolition works.

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

REASON

To ensure that surface water run off is controlled, to ensure 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.

10 NONSC Contamination

(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 Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

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

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

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) and policy 7.21 of the London Plan (2016).

11 NONSC Cycle Parking

Prior to occupation of the development, details of sheltered and secure storage spaces that can accommodate 2 bicycles for each dwelling shall be submitted to and approved in

writing by the Local Planning Authority. Thereafter, these cycle parking spaces shall be provided prior to occupation of the development and 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 20 car parking spaces, including 2 disabled bays, 4 electric charging bays with a further 4 bays with passive provision have been provided. Thereafter the parking bays/areas shall be permanently retained and used for no other purpose than for 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 RES22 Parking Allocation

Prior to occupation of the development, a parking allocation and management scheme shall have 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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

14 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 in perpetuity.

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).

15 NONSC Details of Finish

Prior to commencement of the development, 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.
- 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) The location, type, size and finish of plant, vents, flues, grills and downpipes/hoppers

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 commencement of development, a scheme for protecting the proposed development from road traffic and air traffic shall have 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 and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected, 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 COM31 Secured by Design

The building(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 building shall be occupied until accreditation has been achieved.

REASON

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

18 NONSC CO2 Reductions

Prior to commencement of development an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

1 - set out the annualised baseline energy demand (kWhr) and CO2 levels (KgCO2) of the development built to 2013 Building Regulations.

2 - set out the design measures and features that reduce the baseline emissions relative to the London Plan Hierarchy (be lean, be clean, be green)

3 - provide the impacts of the measures and features from [2] on the baseline energy demand and emissions [1]

4 - provide full details, including (but not limited to), of types of lighting, boiler specifications, Combined Heat and Power networks and plant technology, zero carbon technology including roof plans and PV specifications.

5 - methods to monitor and maintain the development to ensure the targets are achieved

and met consistently

Thereafter, the development shall be carried out and completed in accordance with the approved assessment.

REASON

To ensure the development contributes to a reduction in CO₂, in accordance with policy 5.2 of the London Plan (2016).

19 NONSC Ecology

Prior to the commencement of development, a scheme for the creation of biodiversity features and enhancement of opportunities for wildlife shall be submitted to and approved in writing by the Local Planning Authority. The plans shall detail measures to promote, encourage and support wildlife through the use of, but not limited to, bat and bird boxes, specific wildlife areas within the landscape schemes and the inclusion of living walls/screens and living roofs. The development must be carried out and completed in accordance with these approved details.

REASON

To ensure the development makes a positive contribution to the protection and enhancement of flora and fauna in an urban setting, in accordance with policy BE1 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012).

20 RES12 No additional windows or doors

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

REASON

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

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

- R5 Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
- R8 Loss of facilities which support arts, cultural and entertainment activities
- H4 Mix of housing units

H5	Dwellings suitable for large families
H6	Considerations influencing appropriate density in residential development.
H8	Change of use from non-residential to residential
H9	Provision for people with disabilities in new residential developments
H11	Provision of affordable housing
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
BE13	New development must harmonise with the existing street scene.
BE16	New development on the northern frontage of the A4 (Bath Road)
BE17	Design and layout of new development at Heathrow Airport
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE22	Residential extensions/buildings of two or more storeys.
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.
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
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
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
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.6	(2016) Children and young people's play and informal recreation

	facilities
LPP 3.7	(2016) Large residential developments
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 3.16	(2016) Protection and enhancement of social infrastructure
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 5.10	(2016) Urban Greening
LPP 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.11	(2016) Smoothing Traffic Flow and Tackling Congestion
LPP 6.13	(2016) Parking
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 8.1	(2016) Implementation
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport

3 159 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.

4 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.

5 115 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 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 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.

7 121 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).

8 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).

9 145 **Discharge of Conditions**

Your attention is drawn to the pre-commencement conditions which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

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

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.

13

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).

14

The Council's Environmental Protection Unit (EPU) must be consulted for their advice when importing soil to the site.

15

You are advised that Thames Water has the following advice:

Waste

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. '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:

"A 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's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

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. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

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. Yours faithfully
Development Planning Department

16

The applicant is advised that where details pursuant to the conditions have been previously submitted to and approved by the Local Planning Authority, there would be no requirement for these details to be re-submitted where the details would remain the same.

3. CONSIDERATIONS

3.1 Site and Locality

The 0.255 hectare triangular site is located on the eastern side of Station Road,

approximately 50m north of its junction with Sipson Road, Thornton Avenue and Harmondsworth Road. The site originally comprised a single storey building that was previously used by the Royal British Legion. The building was demolished and replaced with the existing two blocks totalling 13 terrace dwelling houses with associated parking, landscaping and external works. The units comprise of two storey dwellinghouses with accommodation within a mansard roof at third floor level. Each dwelling also has their own outdoor private amenity area to the rear. 10 terrace dwellings form Block 1 which are located to the rear (east) of the site running vertically, north to south with the the last two on either end set back. The remaining 3 dwellings are located closer to the front of the site and form Block 2.

The West Drayton Green Conservation Area is situated immediately to the west. In addition, Drayton Hall, a Grade II Listed Building is located opposite the site.

The area is characterised by predominately residential homes, flats and houses whose gardens back directly onto the site boundaries. Station Road is wider than many of the surrounding roads yet it is more verdant in nature with many trees on each side of the road. There is a blanket TPO immediately to the north of the site.

3.2 Proposed Scheme

This application seeks permission for the variation of condition 2 (Approved Plans) of planning permission reference:

11332/APP/2016/1595 dated 19-06-2017 (Erection of 13 terrace dwelling houses with associated parking, landscaping and external works, following demolition of existing building) to allow for the replacement of dormer windows to doors with the addition of glazed juliet balconies on the front (east elevation) on Block 1; retention of glass balustrade railings fixed to parapet walls on Block 1; and re-positioning of the two disabled car parking spaces to the front.

3.3 Relevant Planning History

11332/APP/2016/1595 Former British Legion Station Road West Drayton

Erection of 13 terrace dwellinghouses with associated parking, landscaping and external works, following demolition of existing building.

Decision: 14-03-2017 Approved

Comment on Relevant Planning History

11332/APP/2016/1595 - Erection of 13 terrace dwellinghouses with associated parking, landscaping and external works, following demolition of existing building. Planning permission was granted on 19th June 2017 subject to conditions and legal agreement.

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.H1 (2012) Housing Growth

PT1.H2	(2012) Affordable Housing
PT1.HE1	(2012) Heritage
PT1.BE1	(2012) Built Environment
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM4	(2012) Open Space and Informal Recreation
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.EM11	(2012) Sustainable Waste Management
PT1.C11	(2012) Community Infrastructure Provision

Part 2 Policies:

R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R8	Loss of facilities which support arts, cultural and entertainment activities
H4	Mix of housing units
H5	Dwellings suitable for large families
H6	Considerations influencing appropriate density in residential development.
H8	Change of use from non-residential to residential
H9	Provision for people with disabilities in new residential developments
H11	Provision of affordable housing
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
BE13	New development must harmonise with the existing street scene.
BE16	New development on the northern frontage of the A4 (Bath Road)
BE17	Design and layout of new development at Heathrow Airport
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE22	Residential extensions/buildings of two or more storeys.

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.
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
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
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
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.6	(2016) Children and young people's play and informal recreation facilities
LPP 3.7	(2016) Large residential developments
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 3.16	(2016) Protection and enhancement of social infrastructure
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 5.10	(2016) Urban Greening
LPP 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.11	(2016) Smoothing Traffic Flow and Tackling Congestion

- LPP 6.13 (2016) Parking
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.2 (2016) An inclusive environment
- LPP 7.3 (2016) Designing out crime
- LPP 7.4 (2016) Local character
- LPP 7.5 (2016) Public realm
- LPP 7.6 (2016) Architecture
- LPP 7.13 (2016) Safety, security and resilience to emergency
- LPP 7.14 (2016) Improving air quality
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- LPP 7.18 (2016) Protecting open space and addressing deficiency
- LPP 7.19 (2016) Biodiversity and access to nature
- LPP 7.21 (2016) Trees and woodlands
- LPP 8.1 (2016) Implementation
- LPP 8.2 (2016) Planning obligations
- LPP 8.3 (2016) Community infrastructure levy
- LPP 8.4 (2016) Monitoring and review
- NPPF- 12 NPPF-12 2018 - Achieving well-designed places
- NPPF- 2 NPPF-2 2018 - Achieving sustainable development
- NPPF- 9 NPPF-9 2018 - Promoting sustainable transport

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 13th September 2018

5.2 Site Notice Expiry Date:- Not applicable

7th September 2018

6. Consultations

External Consultees

44 neighbouring properties were consulted on 14.08.2018 and a site notice was displayed to the front of the site on 15.08.2018.

One comment has been received seeking clarification on what the application involved as it appears they thought it involved additional development and they are aware the site is already built and state there is no more space. A telephone enquiry was also made raising concerns regarding overlooking and privacy from a small number of properties opposite on Thornton Avenue.

OFFICER COMMENT: Clarification has been sent in writing via email to the responder which confirms the nature of the proposal and the minor changes involved. In addition the caller was spoken to and advised that the proposal would restrict the occupants of the development gaining access onto the roof and thus being visible from the properties on Thornton Avenue. Furthermore the caller was also advised that the development was around 30 metres away from these residential properties.

METROPOLITAN POLICE

Please advise the applicant that condition 15 is to achieve SBD accreditation. If the above variations have an impact on security and the advice they may have received in relation to SBD then to contact myself and to ensure that they are still on track to achieve their planning condition.

HISTORIC ENGLAND

No need to comment.

WEST DRAYTON CONSERVATION AREA

I am writing on behalf of West Drayton Conservation Area Advisory Panel. We have no objection to the proposed changes to some of the windows (including those which will become Juliet balconies) and to the addition of glazed railings.

Internal Consultees

HIGHWAYS

Upon assessing the submitted information, I note that a further 2 parking bays (O and P) have been separated to provide additional disabled parking. I can confirm that the Highway Authority has no objections to the proposals.

FLOOD AND WATER MANAGEMENT

The proposal does not affect the drainage proposals, therefore there are no objections subject to the application of the same conditions as previously applied to the application. These should clearly reference the Nimbus Flood Risk Assessment dated 1st December 2016. Following the submission of this document which carefully considers a number of different options and provides a sustainable solutions including rain gardens and water butts as well as permeable paving. It also reduce the run off from the site to greenfield rates from 50.5 l/s for a 1 in 1 year storm event and 159.9 l/s for a 1 in 100 year storm to 5 l/s. It also includes a management and maintenance plan.

TREES/LANDSCAPE

No objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of development was established under planning ref: 11332/APP/2016/1595, for the erection of 13 terrace dwellinghouses with associated parking, landscaping and external works, following demolition of existing building. The committee therefore only needs to consider the impacts of the changes to the scheme.

The proposals under this application are modest and do not impact on the nature, scale of the development or use and are therefore acceptable in planning policy terms.

7.02 Density of the proposed development

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable and remains unchanged.

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

The site is not located within an Archaeological Priority Area, a Conservation Area, or an Area of Special Local Character. The site is not within however does front onto the West Drayton Green Conservation Area.

The proposal to vary minor details to the external appearance of the building are considered acceptable and would not adversely affect the nearby conservation area.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable and remains unchanged.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy 3.5 of the London Plan states that the design of all new housing developments should enhance the quality of local places, taking into account physical context and local character and Policy 7.4 states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.

Under the original application, the two storey dwellinghouses with accommodation within a mansard roof at third floor level was considered appropriate in scale and appearance to the surrounding context of the site given their positioning, layout and design approach. In terms of impact on heritage assets and the character and appearance of the area, the Council's Conservation and Urban Design Officer was satisfied that the proposal would not adversely impact the adjacent West Drayton Green Conservation Area, the nearby Grade II Listed Building (Drayton Hall), or wider visual amenity of the area.

This application involves the replacement of the dormer windows to doors with the addition of glazed juliet balconies on the front (east elevation) and the retention of glass balustrade railings fixed to the parapet walls on Block 1. The retrospective changes and proposed external alterations to the fenestration and appearance are minimal and do not adversely alter the overall character of the built form and would not cause any unacceptable harm to the visual appearance of the building or wider area.

As such, the proposal is considered to comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policies BE20, BE21, and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) seek to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and its impact on daylight/sunlight, privacy, and residential amenity of adjoining occupiers.

Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) states that permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally.

The addition of glazed juliet balconies on the front (east elevation) ensure the amenity of neighbouring properties remain unharmed as there would be no external access to the front terrace area at the second floor. An additional section plan has been submitted which confirms that the overall height of the glazed juliet balcony would be 1.5 metres from the finished floor level. Furthermore the minor alterations do not impact on the amenity of the existing occupants as there is adequate private outdoor amenity space at ground level with the rear gardens.

In addition the nearest residential property to the site is No. 4 Hanson Close. However, this neighbour presents its flank wall to the site which contains no openings. Given it is located in excess of 10m from the development at its nearest point and there are no windows facing it, the proposal is considered acceptable.

To the south, Nos. 1 - 11 (odd numbers) back onto the site. These neighbours benefit from long rear gardens. As such, the nearest part of the development would be in excess of 30m from the rear walls of these properties. As such, the proposal is unlikely to raise residential amenity concerns with regards to its impact on these neighbours.

Accordingly it is considered that there would be no adverse issues raised in regard to overlooking or privacy. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in accordance with Policies BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable and remains unchanged. Whilst access to the informal roof terrace has been restricted there is adequate outdoor private amenity space for each property via the rear gardens.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan

Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The proposal involves the re-positioning of two disabled parking spaces only and the Highways Officer has confirmed he has no objections to the proposal. As such it is considered that the proposal is acceptable in accordance with Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

This has been discussed elsewhere within the report.

7.12 Disabled access

The proposal has an appropriate level of disabled parking spaces.

7.13 Provision of affordable & special needs housing

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable.

7.14 Trees, Landscaping and Ecology

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable.

7.15 Sustainable waste management

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable.

7.16 Renewable energy / Sustainability

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable.

7.17 Flooding or Drainage Issues

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable.

7.18 Noise or Air Quality Issues

This was assessed under the original planning application, reference 11332/APP/2016/1595 and it was considered acceptable.

7.19 Comments on Public Consultations

Please see 'External Consultees' section of this report for consideration of comments from the public.

7.20 Planning Obligations

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court

challenge.

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) is concerned with securing planning obligations to supplement the provision of recreational 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.

At a regional level, policy 8.2 'Planning Obligations' of the London Plan (2016) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

Under the original planning permission the following contributions were secured:

Non-monetary contributions:

- Affordable Housing: 2 housing units.
- Affordable Housing Review Mechanism: The legal agreement shall provide for the Council to review the finances of the scheme at a set time in order to ensure that the maximum amount of affordable housing is being sought.
- Highway works to the access - Section 278

Monetary contributions:

- 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: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement, is sought.

Whilst the obligations have in the most been delivered, a Deed of Variation is proposed to ensure the affordable housing is secured in perpetuity.

7.21 Expediency of enforcement action

The application is part retrospective and, if refused, it will be necessary to consider the expediency of enforcement action.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

7.22 Other Issues

There are no other issues for consideration with 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

None.

10. CONCLUSION

The retrospective changes and proposed external alterations to the fenestration and appearance are minimal and do not adversely alter the overall character of the built form and would not cause any unacceptable harm to the visual appearance of the building or wider area. In addition the minor alterations do not impact on the amenity of either the occupants or neighbouring properties. Indeed the addition of the glazed juliet balconies ensures there would be no external access to the front terrace area at the second floor.

The re-positioning of the two disabled parking spaces is still within an appropriate location and are now side by side which results in an improvement in terms of layout and access.

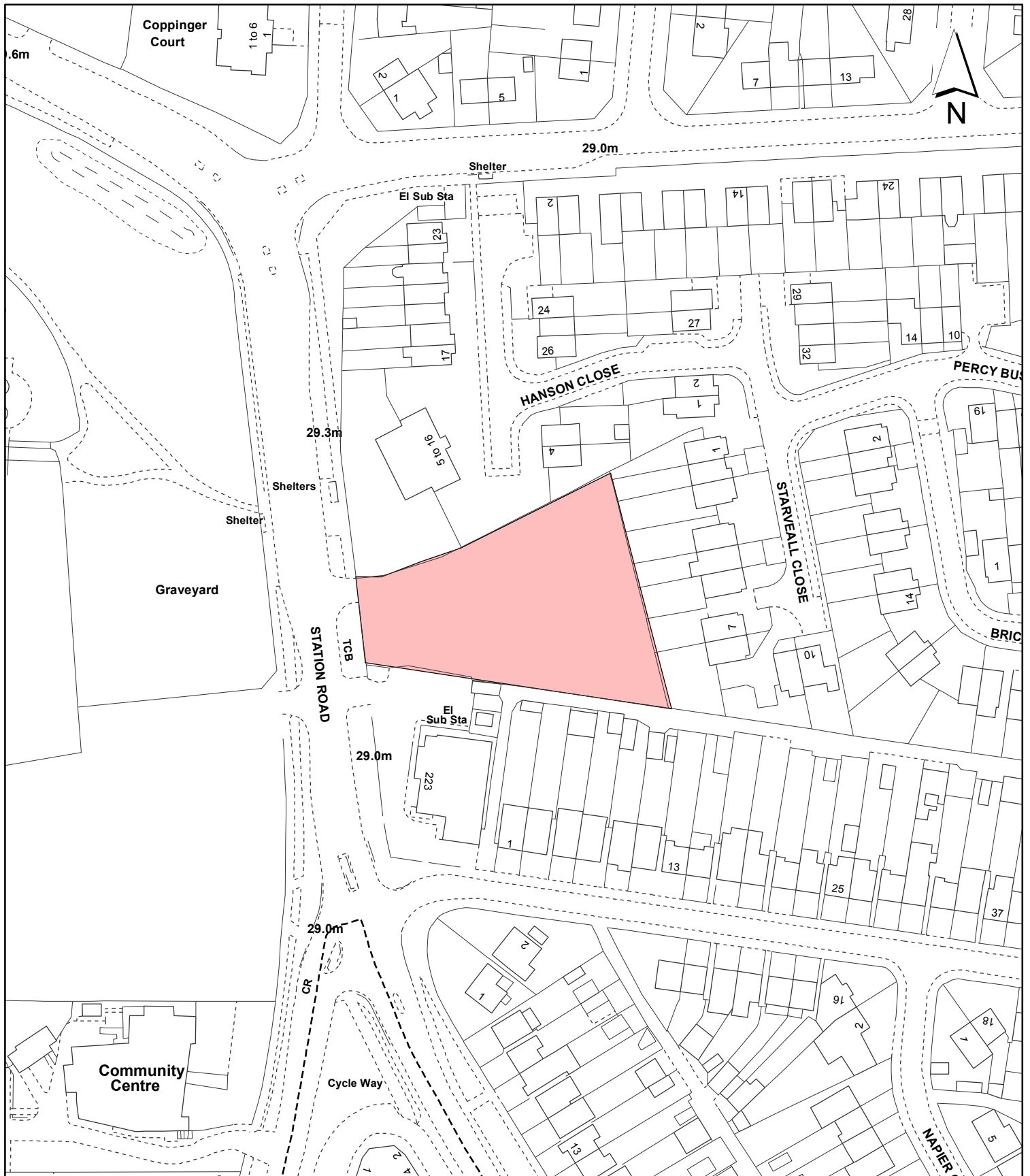
Therefore it is considered the proposal is acceptable and is recommended for approval subject to the conditions and legal agreement as originally imposed.

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 (2012)
Technical Housing Standards - Nationally described space standards (2015)
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Guidance - Community Safety
Council's Supplementary Planning Guidance - Land Contamination
Council's Supplementary Planning Document - Accessible Hillingdon
Council's Supplementary Planning Document - Affordable Housing
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Document - Planning Obligations
The Mayor's Housing Supplementary Planning Guidance

Contact Officer: Hardeep Ryatt

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Former British Legion
 Station Road**

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

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

Planning Application Ref:

11332/APP/2018/2614

Scale:

1:1,250

Planning Committee:

Major

Date:

October 2018



HILLINGDON
 LONDON