

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

**Address** LAND REAR OF 2-24 HORTON ROAD YIEWSLEY

**Development:** Variation of Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017 (Demolition of existing buildings and redevelopment to provide 86 residential units in three buildings of 4-6 storeys with private balconies together with one three-bed dwelling, Class A1/A2 or A3 unit, associated car parking at basement and surface level, cycle parking, communal amenity areas, landscaping, improved access and relocated sub-station) for improved fire safety, circulation and ventilation, alterations to sub-station and cycle store, revised feature brick work and increase in building height.

**LBH Ref Nos:** 71582/APP/2018/2871

**Drawing Nos:** 15344-112 Rev B Block C - Elevations  
15344-107 Rev B Block A - Elevations  
15344-109 Rev A Block B - Elevations  
15344-101 Proposed Site Layout  
15344-104 External Cycle Store  
15344-105 Basement Car Park  
15344-106 Block A Ground Floor Plan  
15344-108 Block B Ground Floor Plan  
15344-110 Block B Roof Plan  
15344-111 Block C Ground Floor Plan  
15344-100 Location Plan  
Covering Letter dated 31/07/18

<b>Date Plans Received:</b>	03/08/2018	<b>Date(s) of Amendment(s):</b>	08/08/2018
<b>Date Application Valid:</b>	03/08/2018		29/10/2018
			03/08/2018

### 1. SUMMARY

Planning permission is sought for the variation of Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, for the demolition of existing buildings and redevelopment to provide 86 residential units in three buildings of 4-6 storeys with private balconies together with one three-bed dwelling, Class A1/A2 or A3 unit, associated car parking at basement and surface level, cycle parking, communal amenity areas, landscaping, improved access and relocated sub-station).

This application seeks permission to vary Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, to allow for improved fire safety, circulation and ventilation, alterations to sub-station and cycle store, a revised feature brick work and an increase in building height.

The proposed alterations to the approved scheme are considered to be acceptable and would not have a detrimental impact on the character and appearance of the buildings, the street scene and the surrounding area. The proposal would not have a detrimental impact on residential amenity for neighbouring properties. Acceptable cycle parking provision will be retained.

The proposed alterations would comply with Policies AM14, BE13, BE19, BE20, BE21, BE24, BE26 and BE32 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

The application is therefore recommended for approval.

## **2. RECOMMENDATION**

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

**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 other appropriate legislation to secure:**

**1. A Deed of Variation to the previously secured legal agreement under planning ref: 71582/APP/2016/4582, dated 31/08/2017. This legal agreement previously secured:**

**(i) Highways Works: S278/S38 for required Highways Works subject to surrounding network adoption status (works to include: Installation of a Legible London 'finger sign'; Resurfacing of the canal path adjacent to the site boundary in a suitable material)**

**(ii) 14% of hab rooms to be affordable housing including the 3-bed house.**

**(iii) Air Quality Monitoring: A financial contribution to the sum of £32,062**

**(iv) Construction Training: A financial contribution or scheme in kind.**

**(v) Affordable Housing review mechanism.**

**(vi) Canal Improvements (to cover landscaping of land outside the ownership of the applicant): A financial contribution to the sum of £25,000**

**(vii) A project management and monitoring fee of 5% of the total cash contributions for the management and monitoring of the resulting agreement (in the event that a S106 Agreement is completed).**

**2. That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of any S106 Agreement and any abortive work as a result of the agreement not being completed.**

**3. That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.**

**4. That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by the 1st February 2019, or any other period deemed appropriate by the Head of Planning, Transportation and Regeneration then delegated authority be granted to the Head of Planning, Transportation and Regeneration to refuse the application for the following reason:**

**"The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of highways improvement works, construction and employment training facilities, residential travel plan and affordable housing). The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)".**

**5. 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.**

**B. That if the application is approved, the following conditions be attached:**

**1 RES3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission (ref: 71582/APP/2016/4582).

**REASON**

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

**2 RES4 Accordance with Approved Plans**

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

15344-100 Location Plan  
15.214/D02 Rev A Topographical Survey  
15.214/D10 Rev A Existing Block Plan  
15.214/D11 Rev B Proposed Block Plan  
15344-105 Basement Car Park  
15344-101 Proposed Site Layout  
15.214/D51 Rev B Proposed Site Plan - 1st Floor  
15.214/D52 Rev B Proposed Site Roof Plan  
15344-106 Block A Ground Floor Plan  
15344-107 Rev B Block A - Elevations  
15344-108 Block B Ground Floor Plan  
15344-109 Rev A Block B - Elevations  
15344-110 Block B Roof Plan  
15344-111 Block C Ground Floor Plan  
15344-112 Rev B Block C - Elevations  
15.214/D100 Rev A Block A - Proposed Plans  
15.214/D110 Rev B Block B - Proposed Plans  
15.214/D120 Rev A Block C - Proposed Plans  
15.214/D130 Rev A Block D - Proposed Plans  
15.214/D200 Rev A Block A - Proposed Elevations  
15.214/D210 Rev B Block B - Proposed Elevations  
15.214/D220 Rev A Block C - Proposed Elevations  
15.214/D230 Rev A Block D - Proposed Elevations  
15.214/D300 Rev B Proposed Sectional Elevations 01, 02  
15.214/D301 Rev B Proposed Sectional Elevations 03, 04  
15.214/D302 Proposed Section 05  
15-214/D500 Rev A Block A Bay Study

15-214/D501 Rev A Block B Bay Study  
15-214/D502 Rev A Block C Bay Study  
1452-01 Rev F Layout showing Proposed Hard and Soft Landscape General Arrangements  
1453-02 Rev F Layout showing Proposed Landscaping Details  
15344-104 External Cycle Store

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

#### REASON

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

### **3 RES7 Materials (Submission)**

The development approved by this permission shall be carried out in accordance with those details of:

(a) materials for the buildings, approved via planning permission ref: 71582/APP/2018/2872, dated 28-09-2018, unless otherwise agreed in writing.

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

- (b) brick detailing
- (c) detail of balconies and balustrades
- (d) PVs, windows and doors
- (e) materials for the roofs
- (f) roof lights
- (g) lift over runs
- (h) roof top plant

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

#### REASON

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

### **4 RES8 Tree Protection**

The development approved by this permission shall be carried out in accordance with those details of tree protection measures approved via planning permission ref: 71582/APP/2018/1682, dated 15-08-2018, unless otherwise agreed in writing.

#### 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 Two - Saved UDP Policies (November 2012)

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

Prior to the completion of the superstructure works, 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 Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate (to include the full list of species to be planted along the site's boundary with the Grand Union Canal corridor and details of any measures necessary to protect the structural integrity of the waterway, as a result of such planting).

### **2. Details of Hard Landscaping**

- 2.a Refuse Storage (including for the commercial unit)
- 2.b Cycle Storage for 134 cycles
- 2.c Means of enclosure/boundary treatments (including the treatment of the site's boundary with the Grand Union Canal corridor (the canal, towpath and adjacent vegetation).
- 2.d Car Parking Layouts for 76 spaces (including four motorcycle parking spaces and demonstration of 20% active and 20% passive electrical vehicle charging points)
- 2.e Hard Surfacing Materials (details to include the design, appearance and materials to be used on the hard landscaped area at the west of the site, to be used for access to the towpath of the Grand Union Canal and an outdoor seating area)
- 2.f External Lighting
- 2.g Details of the children's play area equipment and furniture.

### **3. Schedule for Implementation**

### **4. Other**

- 4.a Existing and proposed functional services above and below ground
- 4.b Proposed finishing levels or contours

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

## **REASON**

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

In the interests of visual amenity of, access to, and structural integrity of the Blue Ribbon Network in accordance with Policy EM3 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

## **6 RES14 Outbuildings, extensions and roof alterations**

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 garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to the dwellinghouse shall be erected without the grant of further specific permission from the Local Planning Authority.

## REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with Policies BE13, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

### **7 RES15 Sustainable Water Management**

Prior to the commencement of the superstructure (excluding demolition and site clearance), 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' and 'Surface Water Drainage Strategy', produced by Tomasons dated December 2016 Ref G22018.

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 identified in an area at risk of surface water flooding, include additional provision within calculations for surface water from off site
- iv. 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.
- ii. Where infiltration techniques (soakaway) or a basement are 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).
- iii. 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.
- iv. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

#### 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 the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1 - Strategic Policies (Nov 2012), Policy 5.12 Flood Risk Management of the London Plan (March 2016); and

To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016), and Conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016); National Planning Policy Framework (March 2012), and the Planning Practice Guidance (March 2014).

### **8 RES19 Ecology**

Prior to the completion of the superstructure works, a scheme for the protection, 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 proceed in accordance with the approved plans.

#### 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 - Strategic Policies (November 2012), Policy EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.19.

### **9 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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

### **10 RES26 Contaminated Land**

(i) Prior to the commencement of the superstructure (excluding demolition and site

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

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

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

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

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

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

iv) 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 Two - Saved UDP Policies (November 2012)

**11 NONSC Energy**

Prior to completion of the superstructure, full specification of the PVs shall be submitted in writing to the Local Planning Authority. The specification shall include the type of PV and full details of their position and fitting to the roofs of the development. The specifications shall be accompanied by a roof plan and elevations showing the panels on the roof. Details including specifications and location of the air source heat pumps shall also be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved designs.

**REASON**

To ensure the development delivers the CO2 savings as set out in the energy strategy and in accordance with the London Plan Policy 5.2.



**12 COM17 Control of site noise rating level**

The rating level of noise emitted from the plant and/or machinery for the commercial unit and the undercroft parking extraction hereby approved shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance to the 2014 British Standard 4142, 'Methods for rating and assessing industrial and commercial sound'

**REASON**

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

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

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the commercial unit and the undercroft parking extraction has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

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

**14 COM21 Sound insulation /mitigation**

The development approved by this permission shall be carried out in accordance with those details of noise control approved via planning permission ref: 71582/APP/2018/1684, dated 28-06-2018, unless otherwise agreed in writing.

**REASON**

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

**15 COM25 Loading/unloading/deliveries**

The commercial premises shall not be used for delivery and the loading or unloading of goods outside the hours of 22:00 and 07:00, Monday to Friday, and between the hours of 22:00 and 08:00 on Saturdays. The premises shall not be used for delivery and the loading or unloading of goods on Sundays or Bank Holidays.

**REASON**

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

**16 LB6 Inspection of the building prior to demolition**

Copies of the Level 1 Building Record, approved via planning permission ref: 71582/APP/2018/1135, dated 24-05-2018, shall be sent to the Uxbridge Local History Library archive and English Heritage for inclusion in the London Heritage Environment Record.

**REASON**

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November

2012)

**17 NONSC Construction Environmental Management Plan**

The development approved by this permission shall be carried out in accordance with the Construction Environmental Management Plan approved via planning permission ref: 71582/APP/2018/1682, dated 15-08-2018, unless otherwise agreed in writing.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to protect the water quality, ecology and users of the canal during construction of the development in accordance with Policy EM3 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

**18 NONSC External Lighting**

Prior to the installation of any external lighting, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. Only external lighting agreed in that plan shall be installed, unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

In the interests of the ecology of the Blue Ribbon Network in accordance with Policy EM3 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

**19 RES24 Secured by Design**

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

**REASON**

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

**20 NONSC Residential Travel Plan**

The development approved by this permission shall be carried out in accordance with the Residential Travel Plan approved via planning permission ref: 71582/APP/2018/1684, dated 28-06-2018, unless otherwise agreed in writing.

**REASON**

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan (2016) Policies 6.1 and 6.3.

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8

(right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.

## **3 I15 Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

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

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

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will

require to be made good to the satisfaction of the Council and at the applicant's expense.

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

## 5

The applicant/developer is advised to review the Canal & River Trust's "Code of Practice for Works affecting the Canal & River Trust and contact the Trust's Works Engineer (toby.pearce@canalrivertrust.org.uk) in order to ensure that any necessary consents are obtained and that the works are compliant (<https://canalrivertrust.org.uk/business-andtrade/undertaking-works-on-our-propertyandour-code-of-practice>)".

## 6

The applicant/developer is advised that any oversail, encroachment or access to the waterway requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust (Jonathan.Young@canalrivertrust.org.uk) regarding the required access agreement.

## 7

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.

## 8            170            **LBH worked applicant in a positive & proactive (Granting)**

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

### 3. **CONSIDERATIONS**

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

The application site currently contains industrial buildings and associated hard standing and car parking and is surrounded by a combination of residential and industrial buildings.

45-50 Otter Way is located north-east of the site with 15-44 Otter Way to the east. To the south, the site fronts the Grand Union Canal, a site of Metropolitan Importance for Nature Conservation, with the mainline railway on the other side.

Vehicular and pedestrian access to the site is provided via the Bignell House/Horton Parade access which is mainly commercial. The site has a PTAL rating of 3. West Drayton Station is planned as a stop on the Crossrail route development. It is anticipated that this will improve the site's current PTAL rating from a 3 to a 4.

The site is located within the Yiewsley/West Drayton Major Town Centre, as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), but outside both

the primary and secondary shopping areas. The site does not fall within an Archaeological Priority Area and there are no Conservation Areas or Listed Buildings within the vicinity.

### 3.2 Proposed Scheme

Planning permission is sought for the variation of Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, for the demolition of existing buildings and redevelopment to provide 86 residential units in three buildings of 4-6 storeys with private balconies together with one three-bed dwelling, Class A1/A2 or A3 unit, associated car parking at basement and surface level, cycle parking, communal amenity areas, landscaping, improved access and relocated sub-station).

This application seeks permission to vary Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, to allow for improved fire safety, circulation and ventilation, alterations to sub-station and cycle store, a revised feature brick work and an increase in building height.

### 3.3 Relevant Planning History

71582/APP/2016/4582 Land Rear Of 2-24 Horton Road Yiewsley

Demolition of existing buildings and redevelopment to provide 86 residential units in three buildings of 4-6 storeys with private balconies together with one three-bed dwelling, Class A1/A2 or A3 unit, associated car parking at basement and surface level, cycle parking, communal amenity areas, landscaping, improved access and relocated sub-station.

**Decision:** 10-05-2017 Approved

#### Comment on Relevant Planning History

Planning permission has already been approved for the demolition of existing buildings and the redevelopment of the site to provide 86 residential units in three buildings of 4-6 storeys with private balconies together with one three-bed dwelling, Class A1/A2 or A3 unit, associated car parking at basement and surface level, cycle parking, communal amenity areas, landscaping, improved access and relocated sub-station (ref: 71582/APP/2016/4582, dated 31/08/2017).

The current application seeks permission for various alterations to the previously approved development. It is noted that there would not be a change in the number/type of residential and commercial units within the site.

## 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

Part 2 Policies:

AM14 New development and car parking standards.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **26th September 2018**

5.2 Site Notice Expiry Date:- **22nd September 2018**

## 6. Consultations

### External Consultees

Consultation letters were sent to 87 local owners/occupiers and a site notice was displayed. No responses were received.

Heathrow Airport Limited:  
No response received

National Air Traffic Service (NATS):

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

### Internal Consultees

Access Officer:

Having reviewed these revised plans, I have no accessibility observations to make in respect of this S73 application.

Building Control:

We at Building Control Hillingdon are not involved with this site.

Highways:

This application seeks the variation of condition 2 contained under planning ref, 71582/APP/2016/4582 which the Local Planning Authority raised no objections to on a letter dated 31st August 2017.

Upon assessing the submitted information, whilst cycle provision in Block C is to be reduced as a result of the newly proposed fire escape arrangement, I am aware that the external cycle storage facility fronting Block A is to be increased to accommodate this loss in cycle parking. On this basis, I do not have any objections with regard to highway matters.

Trees/Landscape Officer:

The submitted layout plan, dwg. No. 13544-101 appears to be similar to the previously approved plan, No. 15.214/D50 Rev B, with no change to, or loss of, external amenity space. If this is the case, there is no objection.

## RECOMMENDATION

No objection subject to the previous (post-commencement) conditions.

### **7. MAIN PLANNING ISSUES**

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

There is no objection in principle to the proposed alterations to the buildings subject to compliance with the relevant Policies of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed alterations to the buildings would not impact on the density of the development which was considered to be acceptable at the time of the original application (ref: 71582/APP/2016/4582, dated 31/08/2017).

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

Not applicable to this application.

#### **7.04 Airport safeguarding**

The building height of Block A would be increased by 660mm and the building height of Block C would be increased by 571mm. Due to the overall heights of the buildings, Heathrow Airport Limited and National Air Traffic Service (NATS) have been consulted on the application.

NATS has raised no objection to the proposed increase in height of the buildings, and so the alterations to Blocks A and C would not have an impact on airport safeguarding.

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

Not applicable to this application.

#### **7.06 Environmental Impact**

Not applicable to this application.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene and other features of the area that are considered desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

Policy BE26 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

Policy BE32 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that proposals adjacent to the Grand Union Canal enhance the environmental and visual qualities of the canal.

The proposed works seek to improve fire safety, circulation and ventilation within the buildings, along with alterations to the sub-station and cycle store. The proposal also seeks to change the previously approved honeycomb feature brick work on Block A and Block B to plain brickwork to match the main building fascades, following concerns over safety and pest control.

The sub-station has been reduced in size which allows for the external cycle store behind

Block B to be increased in size to accommodate more cycle spaces. It is considered that the proposed changes to the size of the cycle store and the sub-station would not have a detrimental impact on the appearance of the development.

The proposed change in brickwork to Block A and Block B is considered to be acceptable as it would match the remainder of the buildings and present a uniform appearance.

The proposed internal and external works would not significantly impact on the character and appearance of the proposed buildings.

The proposal seeks to increase the building height of Block A by 660mm and to increase the building height of Block C by 571mm. The proposed increase in the height of Blocks A and C would be minor in scale and would not have a detrimental impact on the character and appearance of the immediate street scene and surrounding area.

The proposed scheme would therefore comply with Policies BE13, BE19, BE26 and BE32 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

At the time of the original application (ref: 71582/APP/2016/4582, dated 31/08/2017), it was considered that the development would not cause harm to residential amenity, in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

The proposed alterations to the approved residential blocks would not alter the location of windows or result in any change to the approved scale and massing. Therefore the current application would not have a detrimental impact on residential amenity for neighbouring properties, thereby according with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

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

The proposed alterations would not result in the loss of internal floor areas or external amenity space for future occupiers of the approved residential units. Therefore the proposal would comply with Policy 3.5 of the London Plan (2016) and Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed alterations to the buildings would not impact on access arrangements to and from the site and would not impact on parking provision.

In regards to cycle parking, the original application (ref: 71582/APP/2016/4582, dated 31/08/2017), required cycle storage for a total of 134 cycles, which would be provided by a mixture of internal and external cycle storage areas.

The current proposal seeks to reduce the size of the internal cycle store within Block C in order to allow for alterations to the lobby so that a new means of escape path from the basement can be provided. To enable adequate cycle provision, the external cycle store opposite Blocks A and D has been increased in size to allow for storage of 40 cycle spaces (an increase in 10 spaces).

The Council's Highways Engineer has assessed the application and has no objection to the proposed alterations to the cycle parking.



The proposed alterations to the approved scheme would not result in a loss of cycle spaces as 134 cycle spaces would be retained across the application site, and so would continue to comply with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Urban Design:  
See Section 7.07 of this report.

Access and Security:

The proposal would not impact on access arrangements into the site or security arrangements.

#### **7.12 Disabled access**

The proposal seeks alterations to the buildings to allow for improved fire safety, circulation and ventilation. The Council's Access Officer has assessed the application and has no objection to the proposed alterations. The proposed alterations to the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017) are therefore acceptable in regards to disabled access.

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

The proposed alterations to the residential blocks would not impact on affordable housing provision which was secured under the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017).

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

At the time of the original application (ref: 71582/APP/2016/4582, dated 31/08/2017), the development was considered to be acceptable in regards to trees, landscaping and ecology.

The Council's Trees/Landscape Officer has assessed the application and has no objection to the proposed alterations as there would not be a loss of external amenity space to the residential units. Any changes to the landscaping around the altered cycle store and sub-station behind Block D would be minor and would be dealt with through a landscaping condition on any consent granted.

The proposed alterations to the scheme would not impact on trees, landscaping and ecology within the site, and so is considered acceptable, thereby complying Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The proposed alterations to the residential blocks would not impact on sustainable waste management which was considered acceptable at the time of the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017).

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

The proposed alterations to the approved scheme would not impact on renewable energy provision which was considered acceptable at the time of the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017).

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

The proposed alterations to the residential blocks would not impact on drainage which was considered acceptable at the time of the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017).

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

Noise:

The proposed alterations to the approved scheme would not impact on noise which was considered acceptable at the time of the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017).

**Air Quality:**

The impact of the proposed development on air quality was considered acceptable at the time of the original planning permission (ref: 71582/APP/2016/4582, dated 31/08/2017), subject to a Section 106 obligation for contributions to the air quality monitoring network; this was agreed as part of a legal agreement. The proposed alterations to the approved scheme would not impact on air quality.

**7.19 Comments on Public Consultations**

No responses were received during the public consultation.

**7.20 Planning Obligations**

The proposal seeks to vary condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, which was subject to a Section 106 Legal Agreement. A Deed of Variation to the previously secured legal agreement is therefore required, details of which are set out above.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

None

**8. Observations of the Borough Solicitor**

**General**

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

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

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

**Planning Conditions**

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

**Planning Obligations**

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

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

#### Equalities and Human Rights

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

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

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

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

Not applicable to this application.

#### **10. CONCLUSION**

Planning permission is sought for the variation of Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, for the demolition of existing buildings and redevelopment to provide 86 residential units in three buildings of 4-6 storeys with private balconies together with one three-bed dwelling, Class A1/A2 or A3 unit, associated car parking at basement and surface level, cycle parking, communal amenity areas, landscaping, improved access and relocated sub-station).

This application seeks permission to vary Condition 2 (approved plans) of planning permission ref: 71582/APP/2016/4582, dated 31/08/2017, to allow for improved fire safety, circulation and ventilation, alterations to sub-station and cycle store, a revised feature brick work and an increase in building height.

The proposed alterations to the approved scheme are considered to be acceptable and would not have a detrimental impact on the character and appearance of the buildings, the street scene and the surrounding area. The proposal would not have a detrimental impact on residential amenity for neighbouring properties. Acceptable cycle parking provision will be retained.

The proposed alterations would comply with Policies AM14, BE13, BE19, BE20, BE21, BE24, BE26 and BE32 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's HDAS: Residential Extensions SPD.

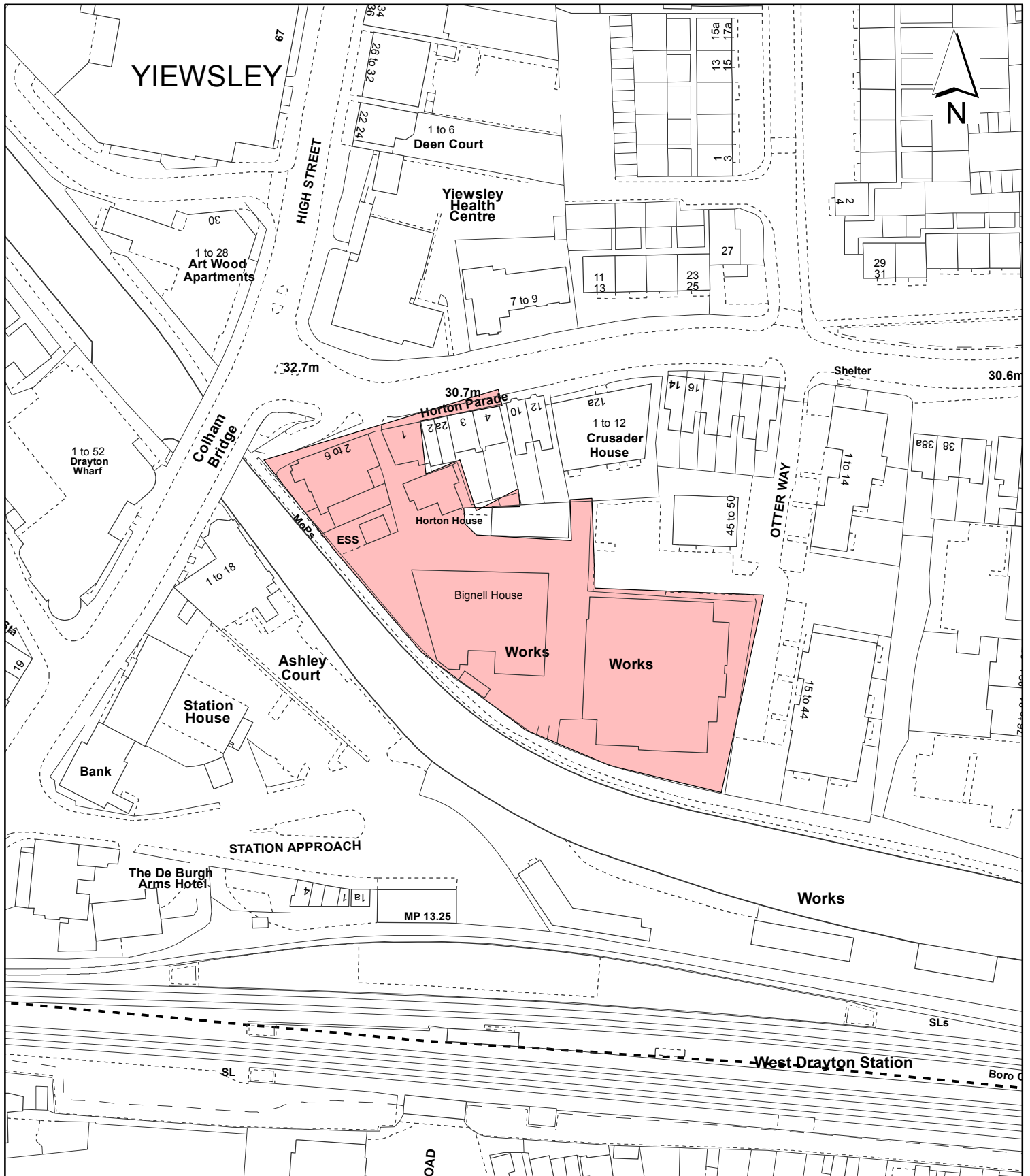
The application is therefore recommended for approval.

**11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
National Planning Policy Framework (July 2018)  
London Plan (2016)  
HDAS: Residential Layouts

**Contact Officer:** Katherine Mills

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Land Rear of 2-24 Horton Road  
 Yiewsley**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**71582/APP/2018/2871**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**November 2018**



**HILLINGDON**  
 LONDON