

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

**Address** SECURITAS HOUSE (FORMERLY LOVELL HOUSE) HIGH STREET  
UXBRIDGE

**Development:** Conversion of existing undercroft parking and basement to provide 7 (2 x studios, 4 x 1-bedroom and 1 x 2-bedroom) residential units with associated works.

**LBH Ref Nos:** 32215/APP/2018/501

**Drawing Nos:** Lovell House - Planning heritage transport design  
Existing First Floor Plan.  
Existing Front Elevation Rev A  
Existing Ground Floor Plan  
Existing LG Floor Plan Rev A  
Existing Rear Elevation Rev A  
Existing Second Floor Plan  
Existing Side Elevation 2 Rev A  
Existing Side Elevation Rev A  
Existing Third Floor Plan Rev A  
Location Plan.  
AAL-17-275-SK11 Elevations amendec  
NOISE ASSESSMENT Ref:12277-NEA-01  
HH.PP.681.02 Site Plan  
AAL-17-275-SK10A Floor Plans amendec

<b>Date Plans Received:</b>	08/02/2018	<b>Date(s) of Amendment(s):</b>	08/02/2018
<b>Date Application Valid:</b>	09/02/2018		12/09/2018
			06/03/2019
			01/03/2019
			13/02/2018

### 1. SUMMARY

Planning permission is sought for a two storey infill extension of the existing undercroft parking and basement area to provide 7 residential units, comprising 2 x studio 4 x 1 bedroom and 1 x 2 bedroom units.

Prior approval was granted for change of use of this former office building from (B1(a) Use Class to flats, under Schedule 2 Part 1 Class O of the Town and Country Planning) General Permitted Development) Order 2015 (as amended), on 07 November 2016. In addition, a single storey extension with external alterations to the existing office building to provide an extra upper floor, accommodating 7 residential units was approved in 2018. Both these consents have been substantially completed. The principle of residential use on the site has therefore been established and no objections are raised to the principle of additional residential floorspace on the site.

It is not considered that the development would result in a negative impact on the character and appearance of the Old Uxbridge/Windsor Street Conservation Area, or the setting of a number of important historic buildings within the immediate locality, sufficient to warrant refusal in this case.

The proposed scheme would be within the London Plan density guidelines in terms of habitable rooms, providing good internal living space. The proposal will provide adequate environmental conditions for future occupiers and is not considered to result in a form of development which would detract from the amenities of neighbouring occupiers.

A car free development in this location, with a PTAL of 5, is acceptable in principle, as also permitted under the consented prior approval and upper floor application. Approval is recommended subject to planning application ref: 32215/APP/2018/844 which was approved at planning committee on 10/1/19 (subject to completion of a S106 Agreement) being formally approved. (S106 completion required).

In order to ensure that the development remains car free, it is recommended that the residents of this development are not eligible for parking permits. It is considered that this matter could be dealt with by a S106 Agreement in the event of planning permission being granted.

An affordable housing off-site contribution for the amount of £100,000 in lieu of on-site provision has been agreed.

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

## **2. RECOMMENDATION**

**A) That a decision notice not be issued until the S73 application ref: 32215/APP/2018/844 to vary condition 1 (parking) of prior approval ref: 32215/APP/2016/4037 dated 28/12/2016, has been approved.**

**B) 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:**

**(i) Affordable Housing: An off-site contribution of £100,000 towards affordable housing.**

**(ii) The residents of this development not to be eligible for parking permits and a charge made against the site to ensure the future buyers are aware of the parking restrictions.**

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

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

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

**E) If the Legal Agreements have not been finalised by 31 March 2019 (or such other timeframe as may be agreed by the Head of Planning, Transportation and Regeneration), delegated authority be given to the Head of Planning, Transportation and Regeneration to refuse planning permission for the following reason:**

**'The applicant has failed to provide measures to mitigate the impacts of the**

development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of affordable housing and parking restrictions). The proposal therefore conflicts with 'saved' policies AM7, AM14 and R17 of the Unitary Development Plan (2012) and the Council's Planning Obligations SPD and the London Plan (2016).'

**F) 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.**

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

**1 RES3 Time Limit**

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

**REASON**

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

**2 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to:

- (i) make, product/type, colour and photographs/images.
- (ii) fascias, windows
- (iii) bricks, including mortar colour, pointing and bond
- (iv) canted bricks to window heads and cills
- (v) gutters and downpipes. Downpipes to be set within recesses in the brickwork to match existing.
- (vi) materials and design of windows and doors, including any infill panels
- (vii) details of the junction of internal partitions and windows

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policies BE4 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**3 RES4 Accordance with Approved Plans**

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

AAL-17-275-SK10 Rev. A Floor plans amended

AAL-17-275-SK11 Elevations amended

HH.PP.681.02 Site Plan

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

existence.

**REASON**

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

**4 NONSC Refuse Management Plan**

Prior to occupation of the development hereby approved, the applicant shall submit a refuse management plan to the Local Planning Authority for its approval. The plan shall include details of refuse and recycling storage enclosure/s and shall detail how the refuse and recycling bins shall be moved to a predefined collection point, together with details of a management company responsible for it. The approved measures shall be implemented and maintained for so long as the development remains in existence.

**REASON**

To ensure appropriate refuse storage is provided on site, to safeguard highway safety and to safeguard the free flow of traffic, in accordance with policies OE1, AM2 and AM7 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policy 5.17 of the London Plan (2016).

**5 NONSC Cycle Storage**

Prior to occupation of the development hereby approved, secure and covered parking spaces for 7 bicycles as a minimum shall be provided on site. Thereafter, they shall be permanently retained for so long as the development remains in existence and used for no other purpose.

**REASON**

To ensure adequate facilities are provided and to promote sustainable modes of transport, in accordance with policy AM9 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012) and policies 6.3, 6.9 and 6.13 of the London Plan (2016).

**6 NONSC Accessibility**

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

**REASON:**

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

**7 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the '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). The approved measures shall be implemented before the development is occupied and thereafter retained.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to

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

## **8 NONSC Non Standard Condition**

Prior to the first occupation of the development hereby approved, a sound insulation and ventilation scheme for protecting the proposed development from road traffic, rail traffic and noise from adjoining retail units shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

### **REASON**

To ensure that the amenity of the occupiers of the proposed development are not adversely affected by road traffic, rail traffic and noise from retail units adjoining the development in accordance with policy OE5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012).

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

Prior to the first occupation of the development hereby approved 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

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

- 2.a Refuse Storage
- 2.b Cycle Storage for 7 bicycles
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts for 3 disabled parking spaces (including demonstration that all parking spaces are served by electrical charging points)
- 2.e Hard Surfacing Materials
- 2.f External Lighting

### **3. Details of Landscape Maintenance**

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

### **4. Schedule for Implementation**

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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and 5.17 (refuse storage) of the London Plan (2016).

## **10 NONSC Non Standard Condition**

Prior to occupation of the development, a Flood and Water Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Water Management Scheme shall include the following:

### 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.
- 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 minimise the impact of flooding on the proposed development and future occupants

and to ensure the development does not increase the risk of flooding, in accordance with policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), policy 5.13 of the London Plan (March 2016), and National Planning Policy Framework (March 2012).

## **INFORMATIVES**

**1**            I11                    **The Construction (Design and Management) Regulations 1994**

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

**2**            I12                    **Notification to Building Contractors**

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

**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 Councils 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**            I2                      **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the

applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

**5**            I21                    **Street Naming and Numbering**

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

**6**            I25A                    **The Party Wall etc. Act 1996**

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

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

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

**7**            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).

**8**            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.

- |      |                                                                                                                                                                                                                                                                   |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AM1  | Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations                                                                                                              |
| AM13 | AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -<br>(i) Dial-a-ride and mobility bus services<br>(ii) Shopmobility schemes<br>(iii) Convenient parking spaces |

	(iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE1	Development within archaeological priority areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
EC3	Potential effects of development on sites of nature conservation importance
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 6.13	(2016) Parking
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 7.14	(2016) Improving air quality
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.5	(2016) Public realm
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework,

SPD-NO	Supplementary Planning Document, adopted January 2010
SPD-PO	Noise Supplementary Planning Document, adopted April 2006
	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
NPPF	National Planning Policy Framework

## 9 159 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 (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). 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.

### 10

The Local Planning Authority has actively engaged with the applicant at the application stage of the planning process, in order to achieve an acceptable outcome. 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 2012, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance.

### 11

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

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

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The site comprises a four and a half storey vacant former office building which is located south of High Street, Uxbridge. The site is set back from the High Street, behind a mixed-use building (No. 268-270 High Street), with vehicular and pedestrian access provided on both sides of the frontage building. The site is situated within the Uxbridge Metropolitan Town Centre and is located on the edge of the Old Uxbridge/Windsor Street Conservation Area.

To the North, Intu Shopping Centre occupies a significant proportion of the Conservation Area. The High Street retains a number of buildings of heritage value, including a row of

18th and 19th Century Buildings at Nos. 273, 278, 279, 280, and 280a High Street, which are Locally Listed and No.274 High Street, which is Grade 2 Listed. Also, opposite the Civic Centre, the 'NormanReeves Motors' building is Grade II Listed.

To the west, there is the former Randall's department store on Vine Street, which is Grade II Listed. To the south, there is a relatively modern 5 storey office building with multi-storey car park abutting the application site. To the east, Hillingdon Council's Civic Centre comprises a 4 storey office building exclusive of lower ground and basement levels. This building falls outside the Old Uxbridge/Windsor Street Conservation Area. However, it is statutory grade II Listed.

The existing basement and undercroft area was formally used for parking and cycle storage, associated with the former office use.

The application site has a PTAL rating of 5, which indicates that there is good public transport provision locally.

### 3.2 Proposed Scheme

Planning permission is sought for a two storey infill extension of the existing undercroft parking and basement to provide 7 residential units, comprising 2 x studio 4 x 1 bedroom and 1 x 2 bedroom units.

The development comprises the following mix of units:

Upper Ground

Unit 1 - 1 bedroom 2 person

Unit 2 - studio

Unit 3 - 1 bedroom 2 person

Unit 4 (duplex) - 2 bedroom 4 person

Lower ground

Unit 5 - 1 bedroom 2 person

Unit 6 - studio

Unit 7 - 1 bedroom 2 person

The proposal essentially seeks a car-free development. The existing basement and undercroft parking would be removed and three disabled bays provided within the site. Private garden areas are proposed for the lower ground units.

### 3.3 Relevant Planning History

32215/APP/2016/4037      Securitas House (Formerly Lovell House) High Street Uxbridge

Change of use of existing office building (B1(a) Use Class) to 31 self-contained apartments (Class C3).

**Decision:** 28-12-2016      Approved

32215/APP/2017/2677      Securitas House (Formerly Lovell House) High Street Uxbridge

Single storey extension with external alterations to the existing office building to provide an extra floor accommodating 7 residential units, comprising 4 x studios and 3 x 1-bedroom units, involving demolition of existing roof.

**Decision:** 14-11-2017      Approved

32215/APP/2018/844      Securitas House (Formerly Lovell House) High Street Uxbridge

Variation of condition 1 (parking) of prior approval Ref: 32215/APP/2016/4037 dated 28/12/2016 (change of use of existing office building to 31 self-contained apartments), in order to amend the on-site parking requirement

**Decision:**

**Comment on Relevant Planning History**

Prior Approval Ref:32215/APP/2016/4037 was given on 28/12/2016 for conversion of the existing office to 31 residential units. Details pursuant to the discharge of the pre commencement condition relating to sound insulation have been approved.

32215/APP/2017/2677 - Single storey extension with external alterations to the existing office building to provide an extra floor accommodating 7 residential units, comprising 4 x studios and 3 x 1 bedroom units, involving demolition of existing roof Approved on 14/11/17

A separate Section 73 application ref: 32215/APP/2018/844 was submitted on 05/03/2018 to vary condition 1 (parking) of the above mentioned prior approval ref: 32215/APP/2016/4037, in order to amend the on-site parking requirement to an essentially car free development. This application was approved by Committee in January 2019, subject to a Unilateral Undertaking to restrict future residents from being able to apply for parking permits. This legal agreement has not yet been completed and a formal decision notice has not yet been released.

**4. Planning Policies and Standards**

**UDP / LDF Designation and London Plan**

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

Part 1 Policies:

- PT1.BE1      (2012) Built Environment
- PT1.CI1      (2012) Community Infrastructure Provision
- PT1.E4      (2012) Uxbridge
- PT1.E5      (2012) Town and Local Centres
- PT1.EM1      (2012) Climate Change Adaptation and Mitigation
- PT1.EM11      (2012) Sustainable Waste Management
- PT1.EM6      (2012) Flood Risk Management
- PT1.H1      (2012) Housing Growth
- PT1.H2      (2012) Affordable Housing
- PT1.HE1      (2012) Heritage

Part 2 Policies:

AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
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BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
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OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy

LPP 6.13	(2016) Parking
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 7.14	(2016) Improving air quality
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.5	(2016) Public realm
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
NPPF	National Planning Policy Framework

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **28th March 2018**

5.2 Site Notice Expiry Date:- **5th December 2018**

## 6. Consultations

### External Consultees

The application has been advertised as a development which in the opinion of the Council, would affect the setting of the Listed Buildings in the vicinity of the development.

13 adjoining owner/occupiers have been consulted and site notices were also posted. No responses have been received to the neighbour consultation.

### Internal Consultees

ACCESS OFFICER

Any grant of planning permission should include the following condition: The dwelling(s) would be required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015

REASON: To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

URBAN DESIGN AND CONSERVATION OFFICER

The application seeks permission to convert the existing double height undercroft parking and basement to provide residential accommodation. The existing undercroft is largely hidden from view

as the existing building is set back from the Uxbridge High Street behind 268-270 and surrounded by other backland development. The area affected by the proposals is not, therefore, highly visible within the Old Uxbridge / Windsor Street Conservation Area.

Where limited views of the undercroft can be seen it does detract from the parent building creating an incongruous stilted open configuration at the base of the building and does not make a positive contribution to the character and appearance of the conservation area.

The proposal would infill the existing undercroft and basement parking area with windows and brickwork to complement the main body of the building. The proposals would help to bring the building down to ground level and remove the incongruous double height stilted configuration to the benefit of both the parent building and conservation area.

The proposals will not harm the character and appearance of the conservation area and will not harm the setting of nearby listed and locally listed buildings.

RECOMMENDATION: Approve subject to conditions requesting materials and window and door details.

#### HIGHWAY ENGINEER

This application is for the further intensification of the previous Lovell House in High Street Uxbridge for 7 further flats. The site does have a vehicular access directly off High Street Uxbridge but there has been previous agreement to the site being 'car-free' given the PTAL score of 5 (very good) for the site and the proximity to transport services and commercial car parking.

The proposal is to convert existing parking areas to 7 flats and yet still provide 3 disabled parking spaces at the front of the property which is supported. The applicant will have to provide at least 7 additional secure covered cycle parking spaces (condition) when compared with the existing permissions.

The proposals will have very little impact on the existing traffic levels in the area.

The applicant will have to sign a S106 agreement that restricts all future residents from applying for a resident's parking permit.

(Officer comment: 3 disabled parking bays are shown to be provided on-site. Car parking and cycle storage can be conditioned. A S106 agreement that restricts all future residents from applying for a resident's parking permit is recommended).

#### TREE AND LANDSCAPE OFFICER

This site is occupied by a former office block (known as Lovell house) which is currently being converted to flats. The site is adjacent to the Civic Centre and is set back from the High Street opposite the Intu shopping mall. The site is urban in character and at ground level features only under-storey parking and an entrance courtyard with one specimen tree. The tree is protected by virtue of its location within the Old Uxbridge and Windsor Street Conservation Area.

COMMENT: This application follows a previous approval (planning ref.2016/4033) to convert the office block into flats. This application seeks to amend the details of the undercroft parking area and basement.

RECOMMENDATION: No objection.

(Officer comment: An amended site plan has been submitted showing hard and soft landscaping around the building to provide private amenity space. Details can be conditioned in the event of an approval).

## **7. MAIN PLANNING ISSUES**

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

The current application seeks approval for 7 residential units within the undercroft and basement areas, which were originally used for car parking in connection with the former office use. The loss of the car parking for the approved residential units conditioned as part of the prior approval has been approved by Committee, subject to future residents not being able to apply for residents parking permits on the surrounding roads (ref: 32215/APP/2018/844). The loss of parking is therefore acceptable in principle.

In terms of the proposed use, prior approval was granted for change of use of the former office building (B1(a) Use Class to flats, under Schedule 2 Part 1 Class O of the Town and Country Planning) General Permitted Development) Order 2015 (as amended), on 07 November 2016 (Application Ref: 32215/APP/2016/4037). Work has been substantially completed on the conversion and as such, the prior approval can be considered as implemented.

In addition, planning permission was granted for a single storey extension with external alterations to the existing office building to provide an extra top floor, accommodating 7 residential units, comprising 4 x studios and 3 x 1 bedroom units, involving demolition of existing roof (Ref:32215/APP/2017/2677). Work has also been substantially completed. These consents are material considerations to which considerable weight should be attached. The principle of residential use on the site has therefore been established and no objections are raised to the principle of additional residential floorspace on the site, subject to relevant policies and standards.

In terms of policy compliance, the National Planning Policy Framework (NPPF) seeks to significantly boost the supply of housing and as such, the supply of housing is considered to be a public benefit. The NPPF supports the delivery of a wide choice of high quality homes, widening opportunities for home ownership and the creation of sustainable, inclusive and mixed communities.

London Plan Policy 3.3 recognises the need for more homes in London in order to promote opportunity and provide a real choice for all Londoners. For Hillingdon, the London Plan sets a housing delivery target of a minimum of 5,593 new homes between 2015 and 2025 (559 per annum). Local Plan Part 1 Policy H1 seeks to maximise the supply of additional housing in the borough and states the Council will meet and exceed its minimum strategic dwelling requirement, where this can be achieved, in accordance with other Local Plan policies.

Policy at local, regional and national levels therefore acknowledges the need to provide new homes. It is considered that the nature and deliverability of the proposed development within Uxbridge Town Centre would contribute positively and actively to meeting the overall housing requirement for Hillingdon over the Local Plan period.

Policy H4 of the Hillingdon Local Plan:Part 2 - Saved UDP Policies (November 2012) is also relevant. This policy seeks to encourage additional housing in town centres. The supporting text states:

"The Council recognises the importance of residential accommodation in town centres as

a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly one or two-bedroom units."

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

The local area is considered to represent an urban context and has a Public Transport Accessibility Level (PTAL) of 5. Policy 3.4 of the London Plan seeks for new developments to achieve the maximum possible density which is compatible with the local context. Table 3.2 of the London Plan recommends that for a PTAL of 5, a density between 70-260 u/ha, assuming 2.7-3.0 hr/unit, or 200-700 hr/ha can be achieved for the application site.

The site has an area of 0.146 ha and the proposal seeks to provide 7 additional residential units. The current prior approval and additional upper floor units allows for 38 units on the site in total. The additional 7 units in the undercroft and basement would result in 45 units or 81 habitable rooms in total for the site. This equates to a density of 308 u/ha or 555 hr/ha. This level of development is within the range limit in terms of habitable rooms per hectare for PTAL 5-6, as set out within Table 3.2 density matrix of the London Plan, assuming a PTAL of 5.

Given that all but one of the units are either 1 bedroom or studio apartments, the urban character and high PTAL of the site, and due to small scale of the proposal, it is not considered to raise any concern with regard to density. Therefore, the proposal would comply with policy 3.4 of the London Plan (2016).

- Unit Mix

Policy 3.8 'Housing Choice' of the London Plan (2016) encourages a full range of housing choice and policies H4 and H5 of the Hillingdon Local Plan: Part Two-Saved UDP Policies (Nov 2012) seek to ensure a practicable mix of housing units are provided within residential schemes. Policy H4 of the Hillingdon Local Plan: Part Two-Saved UDP Policies (Nov 2012) states that within town centres predominately one and two bedroom development will be preferable.

Given its Metropolitan Town Centre location, the provision of 2 x studios, 4 x one bed and one x 2 bedroom apartments would comply with local, regional and national planning policy

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

##### **ARCHAEOLOGY**

The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation. Policy BE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will only allow development, which would disturb remains of importance in archaeological priority areas where exceptional circumstances can be demonstrated. Part 2 Saved Policy BE3 states that the applicant will be expected to have properly assessed and planned for the archaeological implications of their proposal. Proposals which destroy important remains will not be permitted.

The site is located within an Archaeological Priority Area (APA). However, the proposal, being an infill development, would not extend beyond the existing building envelope and would not involve significant groundwork. Therefore, the proposal is not likely to affect any

potential archaeology within the site.

## CONSERVATION / LISTED BUILDINGS

Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that new development within or on the fringes of conservation areas will be expected to preserve or enhance the features, which contribute to the Conservation Area's special architectural or visual qualities.

Policy BE10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that development proposals should not be detrimental to the setting of a listed building. Any development would therefore be expected to address these matters.

The main constraints and opportunities of the site have been identified, in particular its location within Old Uxbridge / Windsor Street Conservation Area and proximity to statutory and locally listed buildings.

The building also forms a part of a group of a number of listed buildings (the Civic Centre, nos 220-221, 222 and 274 High Street) and locally listed buildings ( 223 and 273 High Street) within the locality. In addition, the building can be seen from the rear yard of Randalls (grade II listed) and in gap views along Cricketfield Road. As such, it is considered to form an important and integral part of the setting of these buildings and that of the wider conservation area.

The building is most visible from the frontage of the Civic Centre, and can be seen in views across the public forecourt area. The building particularly encloses the space that runs along the western boundary of the Civic Centre site and is visible from the western entrance forecourt area. It is also partially visible in the gap view between nos 268-70 and nos. 273-274 High Street.

However, the scheme involves the infilling of an existing 2 storey void at the rear of the building and does not extend beyond the existing building envelope. The changes to elevations would therefore be limited to the rear of the building at lower and upper ground levels. As a result, the proposed infill works would not be particularly visible from the surrounding area.

In addition, the proposed facade would replicate the existing elevational treatment and replace an unsightly void at the rear of the building. It is considered that the resultant building would be sympathetic to the setting of adjacent locally and statutory listed buildings and would not detract from the character of the Old Uxbridge /Windsor Street Conservation Area, or cause any harm to its significance.

The Urban Design and Conservation Officer considers that the proposals would help to bring the building down to ground level and remove the incongruous double height stilted configuration, to the benefit of both the parent building and conservation area.

Overall, it is considered that the scheme will introduce a built form that is appropriate to its Conservation Area context and will not have an adverse impact on the townscape character of the area, in accordance with Part 1 Policy BE1 of the Local Plan, Policies BE4, BE10, BE15, and BE26 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), and London Plan Policies 7.1 to 7.8.

### **7.04 Airport safeguarding**

There are no airport safeguarding considerations relevant to this application.

**7.05 Impact on the green belt**

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

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

NPPF and London Plan Policies 7.1 to 7.8 place a great emphasis on the importance of good design. In addition to Chapter 7, London Plan policies relating to density (3.4) and sustainable design and construction (5.3) are also relevant. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of established town centre areas are not compromised by new development.

Part 1 Policy BE1 of the Local Plan requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. Saved UDP Policy BE26 states 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 centre as a focus of shopping and employment activity. Saved UDP Policy BE15 states proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

The main constraints and opportunities of the site have been identified, in particular its location within Old Uxbridge / Windsor Street Conservation Area.

The current office building is 4 and a half storeys tall, it is brick clad with a pitched, plain tiled roof. Its main entrance is discretely located via a narrow access road off the High Street. Together with the frontage office building (nos 268-270), which is slightly lower (2 and a half storeys), it forms one of a pair of buildings, carefully developed in a style that reflects and complements the architecture, materials and general character of the Civic Centre.

The building is most visible from the frontage of the Civic Centre, and can be seen in views across the public forecourt area. The building particularly encloses the space that runs along the western boundary of the Civic Centre site and is visible from the western entrance forecourt area. It is also partially visible in the gap view between nos 268-70 and nos. 273-274 High Street.

However, the scheme involves the infilling an existing 2 storey void at the rear of the building and does not extend beyond the existing building envelope. The changes to elevations would therefore be limited to the rear of the building at lower and upper ground levels. As a result, the proposed infill works would not be particularly visible from the surrounding area.

The current undercroft parking area is not a particularly attractive feature to the building and it is considered that the proposed development would improve the building's appearance. The proposal would infill the existing undercroft and basement parking area with windows and brickwork to complement the main body of the building.

The Urban Design and Conservation officer considers that the area affected by the proposals is not, highly visible within the Old Uxbridge / Windsor Street Conservation Area

and raises no objections, subject to a condition requesting materials and window and door details.

Overall, it is considered that the scheme will introduce a built form that is appropriate to its Conservation Area context and will not have an adverse impact on the townscape character of the area. The proposed design and appearance of the development is therefore in accordance with Part 1 Policy BE1 of the Local Plan, Policies, BE15, and BE26 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), and London Plan Policies 7.1 to 7.8.

## **7.08 Impact on neighbours**

### Outlook and Light

Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded.

Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas.

The supporting text to Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states 'that while some proposals of substantial width, height and depth, may not cause loss of amenity by reason of daylight or sunlight, these may nonetheless still be over-dominant in relation to the adjoining property and/or its private amenity space. This in turn can result in a depressing outlook detracting from residential amenity'. The Council's Supplementary Planning Document 'Hillingdon Design and Access Statement' (HDAS) 'Residential Layouts' states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally 15m would be the minimum acceptable separation distance. Conversely, all new developments should be designed to achieve the same standard of residential amenity for future occupants

There are no residential properties in close proximity to the site. The proposal complies with relevant guidance and is not considered to result in an over dominant form of development which would detract from the amenities of neighbouring occupants, in compliance with Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

### Privacy

Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the design of new buildings should protect the privacy of occupants and their neighbours. (HDAS) Supplementary Planning Document: Residential Layouts, also sets out a minimum distance of 21m between facing habitable room windows, as measured at a 45 degree line from the centre of the nearest first floor window.

There are no residential properties in close proximity to the site. It is therefore considered that there would be no loss of privacy to adjoining occupiers. The development is therefore in accordance with Policy BE24 of the Local Plan Part 2 and relevant design guidance.

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

Local Plan Part 1 Policy BE1: Built Environment states that the Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.

#### **EXTERNAL AMENITY**

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

- 1 bedroom flat - 20m<sup>2</sup> per flat
- 2 bedroom flat - 25m<sup>2</sup> per flat

However, Hillingdon's Residential Layouts HDAS makes clear that an exception to providing external amenity is where small non-family sized housing, predominately made up of 1 bedroom units, are located within town centres.

The whole of the external area is currently hard surfaced for parking and vehicular access associated with the previous office use. This is no longer required. It is proposed to provide individual external amenity areas for the lower ground floor flats, where none exists at present.

The following private amenity space is provided:

- Unit 4: 30 m<sup>2</sup>
- Unit 5: 75 m<sup>2</sup>
- Unit 6: 59 m<sup>2</sup>
- Unit 7: 25 m<sup>2</sup>

Given the location of the site within a town centre and the proximity of the site to out door recreational areas, the level of amenity space is considered acceptable, and would not conflict with the Hillingdon Design and Accessibility Statement (HDAS).

#### **INTERNAL SPACE STANDARDS**

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

The Schedule of Accommodation demonstrates that:

- All the studio apartments meet or exceed the 39 sq.m requirement for a one bedroom,1 person, single storey dwelling;
- All the one bedroom units meet or exceed the minimum of 50 sq. m for a one bedroom,2 person, single storey dwelling;
- Unit 4, a two bedroom unit, at 78 m2, is just under the minimum of 79 m2 for a two bedroom, 4 person, two storey dwelling.

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

## OUTLOOK / LIGHT

Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. HDAS: Residential Layouts at section 4.9 (Sunlight & Daylight) states that all residential developments and amenity space should receive adequate daylight and sunlight, including habitable rooms and kitchens.

Standard 29 of the London Housing Supplementary Planning Guidance (SPG) states that developments should minimise the number of single aspect dwellings, and that single aspect dwellings that are north facing should be avoided. Standard 32 of the SPG says that all homes should provide for direct sunlight to enter at least one habitable room for part of the day. As set out below, this would happen in all of the proposed flats during at least part of the year.

The proposal comprises the following  
Upper Ground

- Unit 1 - 1 bedroom 2 person - dual aspect with south west facing windows
- Unit 2 - studio - dual aspect with south west facing windows
- Unit 3 - 1 bedroom 2 person - dual aspect with south west facing windows
- Unit 4 (duplex) - Upper ground kitchen living single aspect, with north west facing windows. On the lower ground, north west facing single aspect bedroom windows.

Lower ground .

- Unit 5 - 1 bedroom 2 person - dual aspect with south west facing windows
- Unit 6 - studio - dual aspect with south west facing windows
- Unit 7 - 1 bedroom 2 person - dual aspect with south west facing windows

As noted above all the units except unit 4 are dual aspect and apart from unit 4, have a south facing orientation. In addition the fenestration proposed is very generous, with virtually wall to wall glazing, providing very large openings, which will allow adequate levels of daylight and sunlight to penetrate these habitable rooms. All rooms that might fall short of the BRE Guide aspirations are bedrooms. The BRE Guide states that daylight to bedrooms is less important (than other rooms). However, the high levels of daylight distribution to the bedrooms that fall short of the BRE Guide ADF aspiration show that good levels of daylight are received despite this being a relatively dense urban environment. The level of daylight amenity to these rooms is therefore considered acceptable.

With respect to unit 4, this unit is single aspect and faces north west, but not due north. In

addition, a limited number of rooms per unit are required and the plan is shallow, which are all factors suggested in the explanatory text to Standard 29 as allowing good small single aspect units to be provided.

In the circumstances, the proposal would provide acceptable living conditions for its future occupiers. It is therefore considered that all of the proposed units would benefit from reasonable levels of light, in compliance with Policies BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), HDAS: Residential Layouts and the provisions of the London Plan.

It should be noted that because of the topography of the site, none of the units would be below the surrounding ground level. The proposed units are therefore in effect ground floor and first floor units, with respect to ground levels at the rear of the site. The applicant consider that the proposed units would have much more outlook than period basement or lower ground floor flats found elsewhere in London and in Hillingdon.

The 7 flats (2 x studios, 4 x 1 bedroom and 1 x 2 bedroom flats) have external walls that would allow clear views from the proposed windows, over new external garden areas. There would be nothing nearby that would significantly obstruct outlook through the large wall to wall windows. It is considered that this would provide acceptable living conditions for the occupiers of the proposed flats.

In conclusion, it is considered that that the proposal would not have an unacceptable effect on the living conditions of future occupiers of the proposed flats, and would comply with Local Plan Part 1 Policy BE1, saved Policies BE19, BE20 and BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), HDAS: Residential Layouts and the provisions of the London Plan.

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

The National Planning Policy Framework (NPPF) states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

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

The proposals are for a car free development. The principle of a car free development in this location, with a PTAL of 5, has already been established on this site and is considered acceptable.

Given that this is in essence a car free development, there is unlikely to be a significant increase in additional trips in the peak hours and in total throughout the day, over and above the existing situation. Therefore, it is considered that there would be no unacceptable highway or transport impacts in terms of trip generation, as a result of the proposed development, in accordance with relevant policies.

A suitable pedestrian route from the High Street to the front door of the residential block has

been shown with a different surface treatment to the existing road surface, in accordance with the recommendations of the Highway Engineer.

The proposals are for a car free development, apart from 3 disabled parking spaces provided on-site. The principle of a car free development in this location, with a PTAL of 5, has already been established on this site and is considered acceptable.

However, a condition is recommended to ensure that, as is the case for the 31 units allowed under prior approval and the 7 units on the upper floor, the future occupiers of the 7 residential units subject to its application shall not obtain a residents' parking permit within any controlled parking zone which may be in force in the area at any time. This is in order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the high level of on-street car parking stress in the area, in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). This can be secured by a S106 Agreement in the event of an approval.

The Design and Access Statement indicates that 50 cycle parking spaces will be provided across the whole development, in the remaining basement area, in compliance with Policy AM9 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). This is considered acceptable and can be secured by condition.

As noted elsewhere in this report, this infill scheme cannot be implemented unless condition 1 of prior approval is amended to loose the car parking spaces. This has been approved by Committee, subject to future occupiers not being able to apply for residents parking permits. Once the Unilateral Undertaking has been completed to secure this obligation, a decision notice can be issued for the Section 73 application ref: 32215/APP/2018/844.

Overall, it is considered that the proposals strike the requisite balance between parking restraint, to promote alternative travel modes and the provision of adequate parking. It is considered that safe and suitable access to the site can be achieved and the the residual cumulative impacts of development are not so severe as to prevent or refuse the proposed development on transport grounds.

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

Issues relating to urban design and access have been dealt with in the relevant sections of this report. With regard to security, a condition is recommended requiring the development to achieve the 'Secured by Design' accreditation.

#### **7.12 Disabled access**

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

The London Plan (2016) and the Mayor of London's Housing Standards Policy transition Statement May 2015 (Implementation: October 2015) require that all residential units to be built in accordance with Part M4(2) of the Building Regulations 2010 (2015 Edition).

The Access officer raises no objection, subject to the The dwelling(s) being constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015. Appropriately worded conditions are recommended accordingly, to ensure compliance with these standards.

With regard to Blue Badge parking, the Greater London Authority's guidance on 'Wheelchair Accessible Housing' (September 2007), further states that "generally one blue badge parking space will be required for each wheelchair accessible unit, including those that would otherwise be car-free". Although no disabled units are proposed as part of these proposals, 3 disabled parking bays have been provided for, in compliance with these standards.

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

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

Policy H2 of the Hillingdon Local Plan: Part 1- Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council notes however, that subject to the provision of robust evidence, it will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough as well as the viability of schemes.

The development would introduce a total of 7 dwellings, and would therefore on its own would not trigger the affordable housing requirement threshold of 10 units as set out in London Plan policy 3.13. However, the site already has planning permission for 7 units through the provision of an additional floor. This application, together with the previous approval for 7 units on an extra top floor triggers the requirement for affordable housing.

A full Financial Viability Appraisal (FVA) has been carried out in support of this application, which has been reviewed by an appropriately qualified, third party, financial consultant, who considers that the scheme can viably provide up to 14.29% Affordable Housing, whilst still achieving the minimum required developer's profit. In practice this would equate to a single unit. Alternately, an equivalent off-site contribution of circa £100K was suggested. The applicant has agreed to £100,000 towards off-site affordable housing, which is considered acceptable in this case. This can be secured by a S106 Agreement, in the event of an approval.

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

Landscaping

Local Plan Part 2 Policy BE38 stresses the need to retain and enhance landscape features and provide for appropriate (hard and soft) landscaping in new developments.

This site is occupied by a four storey office building which is set back on the south side of Uxbridge High Street, to the west of the Civic Centre. There are no trees or other soft landscape within the site. The site layout and access to it will remain as existing, albeit with added the creation of a refuse enclosure. The Tree and Landscape officer notes that there is little space or opportunity for landscape enhancement in accordance with Saved UDP policy BE38. However, as part of this scheme, it is proposed to provide private garden areas for the lower ground floor flats which would be an improvement over the current situation, given that the building is currently surrounded by hard surfacing, formally used for car parking for the previous office use.

A condition is recommended, to ensure that the detailed landscape proposals preserve and enhance the character and appearance of the area. Subject to this condition, it is considered that the scheme is on the whole acceptable and in compliance with Saved Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

## Ecology

Local Plan Part 1 Policy EM7 and Saved Policy EC2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek the promotion of nature conservation interests. Saved Policy EC5 seeks the retention of features, enhancements and creation of new habitats. London Plan Policy 7.19[c] seeks ecological enhancement.

No ecological designations are located within or adjacent to the site. No ecological designations, habitats of nature conservation interest or protected species would be significantly adversely affected by the proposed development.

### **7.15 Sustainable waste management**

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

Refuse bins are located more than 10 m from the highway. Due to restricted access and lack of adequate turning facilities, a refuse vehicle cannot be expected to enter the site. A condition requiring details of a suitable location for refuse to be transported to on collection days and details of a management company responsible for it is recommended.

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

3 electric vehicle charging points will be provided. The proposal would not alter the development in terms of renewable energy/sustainability from the scheme previously allowed within the original prior approval.

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

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

The site has the potential to suffer from surface water flooding. The Council's Flood and Water Management Officer did not raise an objection to the proposed change of use under the original prior approval, subject to a condition to agree and implement a Flood and Water Management Scheme that safeguards future residents and neighbouring properties from the risk of flooding.

A similar condition is therefore recommended for this 7 unit scheme. On this basis, the proposal is considered acceptable with regard to flooding and water management, in accordance with strategic policy EM6 of the Local Plan: Part 1 (2012); policy EM6 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); and policy 5.12 of the London Plan (2016).

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

#### **NOISE**

The Government's National Planning Policy Framework (NPPF) gives the Government's guidance on noise issues. Policy 7.15 of the London Plan seeks to reduce noise and

minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of development proposals. In terms of local policy, saved UDP Policy OE5 requires noise sensitive developments to demonstrate that the building can be sited and designed to be protected from external noise or vibrations sources to appropriate standards.

The application site is situated close to surrounding commercial uses. It is therefore reasonable to expect that noise is likely to be high enough to affect the residential amenities of future occupiers. However, it should be noted that the proposed use would be no more noise sensitive than the approved residential use. Under the original prior approval, the Council's Environmental Protection Officer considered the proposal from a noise perspective in terms of the quality of the accommodation. No objection was raised, subject to condition to safeguard the amenity of future occupiers.

Nevertheless, a Noise Assessment has been submitted to support this application, to assess the likelihood of complaints from future occupiers of the development on noise, from surrounding established commercial premises occurring in the future. Noise mitigation measures, including specified glazing and use of appropriate ventilation have been proposed and the assessment concludes that this would be sufficient to achieve recommended internal noise levels for the proposed development according to BS8233:2014.

It is considered that the issue of sound insulation can be addressed by the imposition of a suitable condition. Subject to compliance with this condition, it is considered that the scheme would be in compliance with strategic policy EM8 of the Local Plan: Part 1 (2012), Policy OE5 of the Hillingdon Local Plan: Part Two-Saved UDP Policies(2012) and policy 7.15 of the London Plan.

## AIR QUALITY

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

The proposed development is within the declared Air Quality Management Area (AQMA). The development is introducing sensitive receptors into a poor air quality area. However, the proposed reduction of parking spaces from 18 to 3 spaces supports the philosophy of encouraging the use of sustainable site-borne travel modes, which is looked upon favourably within the context of reduced traffic movements/congestion and the resultant positive impact on air quality. As such it is considered that refusal of the application on air quality grounds would not be justified, in accordance with Policy EM8 of the Local Plan Part 1.

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

No comments have been received.

### **7.20 Planning obligations**

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

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

- (i) Affordable Housing: An off-site contribution of £100,000 towards affordable housing.
- (ii) The residents of this development not to be eligible for parking permits and a charge made against the site to ensure the future buyers are aware of the parking restrictions.
- (iii) Project Management and Monitoring Fee: a contribution equal to 5% of the total cash contribution to enable the management and monitoring of the resulting agreement.

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

CIL

The development represents chargeable development under the Mayor's Community Infrastructure Levy, which is due on commencement of this development. In addition, the development represents chargeable development under the Hillingdon Community Infrastructure Levy.

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

There are no enforcement issues associated with this site.

#### **7.22 Other Issues**

There are no other issues relating to this application.

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

General

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

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

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

Planning Conditions

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

Planning Obligations

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

#### Equalities and Human Rights

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

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

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

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

Not applicable.

#### **10. CONCLUSION**

The principle of residential use on the site has been established and no objections are raised to the principle of additional residential floorspace on the site, subject to relevant policies and standards.

The scheme will introduce a built form that is appropriate to its Conservation Area context and the townscape character of the area. The resultant building would be sympathetic to the setting of adjacent locally and statutory listed buildings and would not detract from the character of the Old Uxbridge /Windsor Street Conservation Area, or cause any harm to its significance.

Furthermore, the development would not result in unacceptable impacts on the amenities of neighbouring properties and would provide acceptable environmental conditions for future occupiers. In addition, access, parking, drainage, ecology and highway safety issues have been satisfactorily addressed.

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

The proposals do not raise any material planning concerns and therefore the development

is considered to accord with the saved Unitary Development Plan policies, the Local Plan Part 1 policies, the London Plan and the NPPF.

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

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

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan 2016

National Planning Policy Framework (NPPF)

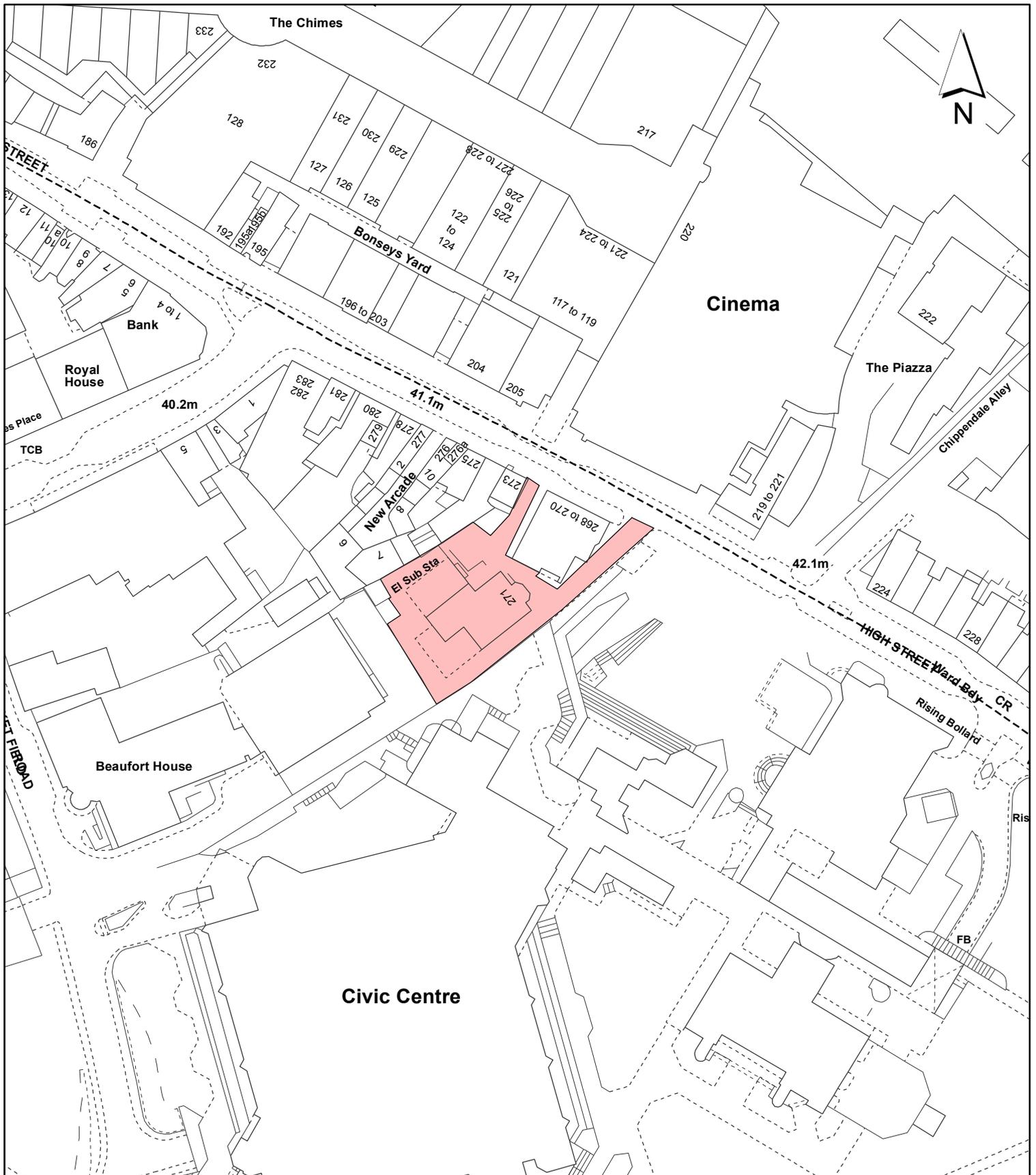
Council's Supplementary Planning Guidance - Community Safety by Design

Council's Supplementary Planning Document - Air Quality

Hillingdon Supplementary Planning Document: Accessible Hillingdon (January 2010)

**Contact Officer:** Karl Dafe

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Securitas House  
 (Formerly Lovell House)**

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

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

Planning Application Ref:  
**32215/APP/2018/501**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**March 2019**



**HILLINGDON**  
 LONDON