

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

**Address** BRIDGE HOUSE, RIVERVIEW HOUSE AND WATERSIDE HOUSE  
OXFORD ROAD UXBRIDGE

**Development:** Section 73 application seeking a Minor Material Amendment to revise Approved Plans relating to planning application reference 40050/APP/2017/2438 dated 01-09-17 for Prior Approval Application for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage namely to allow the change in the mix of units at Bridge House from 3 x Studio and 120 x 1 bedroom to 10 x studios, 56 x 1 bedroom and 57 x 2 bedroom and a change to the description of development to note: Prior Approval Application for the change of use from office (Use Class B1a) to 237 residential units (16 x studio, 162 x 1 bedroom and 59 x 2 bedroom) (Use Class C3) together with ancillary car parking, cycle storage and waste and recycling storage

**LBH Ref Nos:** 40050/APP/2019/1865

**Drawing Nos:** 568-PTA-ZZ-ZZ-DR-A-1001 Rev. P04  
568-PTA-ZZ-06-DR-A-1006 Rev P02  
568-PTA-ZZ-00-DR-A-1000 Rev P02  
68-PTA-ZZ-XX-DR-A-0001 Rev P03  
Covering Letter

**Date Plans Received:** 04/06/2019

**Date(s) of Amendment(s):** 03/06/2019

**Date Application Valid:** 04/06/2019

### 1. SUMMARY

This application seeks alterations to the internal layout of a consented Prior Approval under planning ref: 40050/APP/2017/2438 (01-09-17) to provide 50 additional habitable rooms. The proposal also seeks to alter the description of development so it reflects the correct unit mix from 15 x Studio and 224 x 1-Bed to 3 x studios and 120 x 1 bedroom units to 6 x studio, 162 x 1 bedroom and 59 x 2 bedroom. As previously approved, a total of 359 off street car parking spaces, including 37 disabled bays, would be provided to serve future occupants. The spaces will be located within the existing multi-storey car park and hard surfaced parking areas which serve the existing office use. 17 Motorcycle parking spaces are proposed and facilities for the secure storage of 239 cycles will be provided within the buildings.

As noted previously, the proposal is considered under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended which allows for such development subject to a determination by the Local Planning Authority as to whether Prior Approval will be required. The application is not seeking a variation to a full planning permission and Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 only permits the Local Planning Authority to take the following factors into consideration in the determination of such an application:

- (a) transport and highways impacts of the development;
- (b) contamination risks on site;
- (c) flooding risks on site; and
- (d) impacts of noise from commercial premises on the intended occupiers of the development.

In considering an application for prior approval under Class O, Paragraph 10b of Section W states that the local planning authority shall "have regard to the National Planning Policy Framework... so far as relevant to the subject matter of the prior approval, as if the application were a planning application". As such, the alterations under this application can only be assessed against transport and highways impact, contamination, noise and flood risk. The local planning authority is not directed, as a matter of law, to determine applications for prior approval under Class O with reference to the Development Plan.

The local planning authority may also grant prior approval unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.

The application has been assessed against the above criteria and subject to relevant conditions and the securing of highway obligations through a Section 106 Legal Agreement, prior approval is not required.

## **2. RECOMMENDATION**

**1. That delegated powers be given to the Head of Planning, Regeneration and Transportation, subject to no substantive issues being raised as part of the consultation, to approve Minor Material Amendments subject to:**

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

- 1. Contribution towards improvements to the local highway network with an upper limit of £553,533.19, in addition to a transport appraisal to include modelling of the local network prior to commencement of the development.**
- 2. Public Realm Contribution of £387,473.22**
- 3. Parking Permit free development for all future residents**

**B) That the applicant meets the Council's reasonable costs in preparation of the variation to the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.**

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

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

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to the environment necessary as a consequence of demands created by the proposed development (relating to highway works (including Transport Assessment) and public realm improvement contribution). The proposal therefore conflicts with the Town and Country Planning (General Permitted Development) (England) Order 2015, policies R17, AM2, AM7 and AM9 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), the Council's Planning Obligations SPD and the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), the London Plan (March 2016) and the NPPF.'

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

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

**1 PAA Prior Approval - Approval**

The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the Council has assessed the impacts of the proposal and considers that there would be no unacceptable implications with regard to transportation, highway safety, contamination, noise or flooding.

**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, numbers:

568-PTA-ZZ-06-DR-A-1006 Rev P02  
568-PTA-ZZ-00-DR-A-1000 Rev P02  
568-PTA-ZZ-XX-DR-A-0001 Rev P03  
568-PTA-ZZ-ZZ-DR-A-1001 Rev. P04

6444/UX P04 E  
6444/UX P05 C  
6444/UX P06 B  
6444/UX P07 D  
6444/UX P08 B

6444/UX P09 B and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

For the avoidance of doubt and in the interest of proper planning.

**3 NONSC Non Standard Condition**

The noise level in rooms at the development hereby approved shall meet the following standards: Bedrooms: to meet NR25 between 23:00 - 07:00hrs. All habitable rooms shall meet NR35 between 07:00 - 23:00hrs.

**REASON**

To ensure that the amenity of the occupiers of the existing and proposed dwellings/flats is not adversely affected by noise, in accordance with Policy OE5 of the Hillingdon Local Plan - Part Two Saved UDP Policies (November 2012).

#### **4 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

#### **REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

#### **5 RES22 Parking Allocation**

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the life-time 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 the London Plan (2016).

#### **6 SUS8 Electric Charging Points**

Prior to the residential occupation of the building, details of electric vehicle charging points to include 20% of the spaces having active provision and 20% of spaces being capable of easy conversion in the future (passive provision) shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented on site and thereafter permanently retained on site.

#### **REASON**

To encourage sustainable travel, in compliance with Policy 6.13 of the London Plan (March 2016).

## **7 RES26 Contaminated Land**

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

(b) A written method statement, providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

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

### **INFORMATIVES**

#### **1 147 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).

### **3. CONSIDERATIONS**

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

The site fronts onto Oxford Road (A4020) and is an island site between the River Colne and the Grand Union Canal. The River Colne is the border between Hillingdon and South Buckinghamshire, which also denotes the administrative boundary of the Greater London Area.

The island site is currently occupied by 3 buildings: Bridge House, Waterside and Riverview all of which have direct access from Oxford Road. The existing Bridge House building to the north of the site is in a prominent position on Oxford Road, considered to be a 'gateway' site into Uxbridge. The building is 6 storeys in height plus an additional storey of plant and provides office use plus a small existing ancillary cafe on the ground floor. To the south of Bridge House is a multi storey car park providing 246 car parking spaces, plus 30 surface car parking spaces (including 5 disabled spaces), which also sits within the boundary of the current application. Bridge House was constructed in 1967 and was re cladded in 1998. Waterside House and Riverview House are both 3 storey office buildings and are located to the south of the site adjacent to the River Colne.

The surrounding area is mixed use and contains a number of existing multi storey office buildings. The closest residential properties are located within Denham Lodge, to the north west of the site on the opposite side of Oxford Road. To the north of the site is the Swan and Bottle Public House, which is locally listed.

The site is within, but on the north western boundary of, Uxbridge Town centre and is within an Archaeological Priority Area. The majority of the site has a PTAL rating of 2, however the north eastern corner has a PTAL rating of 3. The site is within a developed area, as designated by the Hillingdon Local Plan (November 2012).

The land on the western bank of the River Colne is within South Buckinghamshire and is designated as Green Belt and a Biodiversity Opportunity Area. There is also Uxbridge Lock Conservation Area to the north of the site.

#### **3.2 Proposed Scheme**

Under planning ref: 40050/APP/2017/2438 (01-09-17), a Prior Approval was given for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage.

Under planning ref: 40050/APP/2019/1575 (29-05-19) a non material amendment to the application was approved to include the list of plans.

The proposal under this application seeks to change the number of habitable rooms at Bridge House from 243 to 293 which is an uplift of 50 habitable rooms. This would be achieved through the internal reconfiguration of the existing layout to create 2 bedroom units.

The proposed unit mix at Bridge House would change from 3 x studios and 120 x 1 bedroom units to 10 x studios, 56 x 1 bedroom, 57 x 2 bedroom.

Also proposed, is an amendment to the description of development to reflect the correct unit mix proposed to be provided across Bridge House, Riverview House and Waterside House. The proposed unit mix across the site would be: 16 x studio, 162 x 1 bedroom and 59 x 2 bedroom.

There is proposed to be no increase in car parking at Bridge House and 359 car parking spaces are proposed to be provided. 17 Motorcycle parking spaces are proposed and facilities for the secure storage of 239 cycles will be provided within the buildings.

### **3.3 Relevant Planning History**

40050/APP/2016/852      Bridge House, Denbridge Ind. Estate Oxford Road Uxbridge

Demolition of existing office building (Use Class B1(a) and multi-storey car park and redevelopment of the site to provide a new office (Use Class B1(a) building, associated multi-storey car park and ancillary cafe unit (Use Class A1/A3).

**Decision:** 05-01-2017    Approved

40050/APP/2017/2438      Bridge House, Riverview House & Waterside House Oxford Road Uxt

Prior Approval Application for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage.

**Decision:** 23-08-2017    Approved

40050/APP/2017/3356      Waterside Oxford Road Uxbridge

Prior Approval application for the change of use of Waterside from office accommodation (Class B1) to 35 residential units (Class C3) together with ancillary car parking, cycle storage and recycling storage.

**Decision:** 27-10-2017    Approved

40050/APP/2017/3357      Riverview Oxford Road Uxbridge

Prior Approval application for the change of use of Riverview from office accommodation (Class B1) to 37 residential units (Class C3) together with ancillary car parking, cycle storage and recycling storage.

**Decision:** 25-10-2017    Approved

40050/APP/2017/3358      Bridge House Oxford Road Uxbridge

Prior Approval application for the change of use of Bridge House from office accommodation (Class B1) to 76 residential units (Class C3) together with ancillary car parking, cycle storage and recycling storage.

**Decision:** 27-10-2017    Approved

40050/APP/2018/1736      Bridge House Oxford Road Uxbridge  
Installation of new windows, doors and alterations to balconies

**Decision:** 20-07-2018      Approved

40050/APP/2018/1737      Bridge House Oxford Road Uxbridge  
Demolition of existing rooftop plant room and replacement with two storey extension to provide 2 new residential units (Use Class C3), ancillary gymnasium (Use Class D2) plus associated landscaping and parking (AMENDED APRIL 2019).

**Decision:**

40050/APP/2018/1968      Bridge House Oxford Road Uxbridge  
Details pursuant to Condition 1 (Contamination) and 2 (Noise) of planning permission Ref: 40050/APP/2017/2438, dated 1.09.17 (Prior Approval Application for the change of use of Bridge House, Riverview House and Waterside House from office accommodation (Class B1) to 237 residential units (15 x Studio and 224 x 1-Bed) together with ancillary car parking, cycle storage and waste and recycling storage.)

**Decision:** 07-09-2018      Approved

40050/APP/2018/3192      Bridge House Oxford Road Uxbridge  
Change of use from Class B1 to Class A1/A2 usage and external changes to ground floor accommodation.

**Decision:**

40050/PRC/2018/68      Bridge House Oxford Road Uxbridge  
Large scale residential development

**Decision:** 25-06-2018      OBJ

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

#### **4. Planning Policies and Standards**

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

AM7      Consideration of traffic generated by proposed developments.



AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
NPPF	National Planning Policy Framework
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

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

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- **11th July 2019**

## **6. Consultations**

### **External Consultees**

This application was consulted on between 20-06-19 and 11-07-19, no external consultee responses were received at the time of writing this report. Any comments or objections received by 11-07-19 will be reported to the Major Applications Planning Committee through an addendum.

### **Internal Consultees**

EPU Officer

The room layout has been amended plan. The amended layout has been reviewed and I have no objections to the proposed development subject the the following conditions:

Condition: The noise level in rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014 for internal rooms and external amenity areas. To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

Officer comment: The recommended condition has been included within the decision.

Highways Officer

This 'island' site is situated within a business catchment area and is directly accessed off Oxford Road in Uxbridge which is designated as 'Classified' in the borough's hierarchy of roads. It is in the far western end of the borough in proximity to the borough boundary with South Buckinghamshire District Authority.

The site is uniquely situated as it flanked by the Grand Union Canal and the River Colne resulting in a waterfront vista onto the former. The site exhibits a PTAL average rating of 2/3 which is considered as average which heightens dependency on the use of private motor transport. Vehicular access is taken from Oxford Road and is to remain unaltered.

There had been an application and subsequent approval for a Prior Approval (PA) - 40050/APP/2017/2438 for the island site which consisted of Bridge House, Waterside House and Riverview House and was related to a change of use from class B1 to 237 residential units in total with 359 car parking spaces. This represents a car parking to residential unit ratio of 1.5 123 units would be located within Bridge House which would have 185 car parking spaces; again this represents a ratio of car parking spaces to residential units of 1.5. This is being progressed and this current application consists of converting a number of one-bed flats to studio, one bedroom and two bedroom flats, creating 50 additional habitable rooms. The overall number of flats would however

remain 237.

#### Parking/Cycle Provision

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy and emerging Development Management Policy DMT 6 state that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

For the proposed minor amendment to create a revised total of 50 habitable rooms there would not be a requirement to provide additional car parking spaces. This should remain at 185 spaces (which should include 20% 'Passive and 20% 'Active' electric vehicle charge points provisions (EVCP's). Similarly there is no requirement to provide additional secure and accessible cycle parking spaces as the number proposed in the PA accords with the Council's parking standards. This has been indicated with the exception of the EVCP provisions which should be secured via planning condition.

#### Vehicular Trip Generation/ Access Arrangements

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policy requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Arising from this Minor Amendment would be an increase in person trips. Such uplift is considered relatively absorbable in generation terms and therefore can be accommodated within the local transport network without notable detriment to traffic congestion and road safety. As a consequence the existing vehicular access on Oxford Road is considered 'fit for purpose' and does not require alteration.

#### Public Realm Impacts/Highway Interventions

It is noted that significant public realm betterment has already been achieved at the PA consent stage which incorporated the findings within the submitted Pedestrian and Cycling environment audits (PERS and CERS). Given that this planning application creates an additional 50 habitable rooms a revised contribution of £387,473.22 is sought for investment in public realm enhancements works and a further £553,533.19 for investment in highway works.

#### Operational Servicing /Refuse Requirements

Servicing and refuse collection would be undertaken as per the consented 2017 PA for the whole site operation. There are no further observations.

#### Construction Logistics Plan (CLP)

A full and detailed CLP will be a requirement given the constraints and sensitivities of the local road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under planning condition.

#### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3, 6.9, and 6.13 of the London Plan (2016). There are no highway, traffic or transportation objections to this planning application

Officer response:

The contributions would be secured through a Deed of Variation to the original consent.

Contaminated Land Officer

Various records and information refer to potential contaminants which indicate an unacceptable risk may be present. Therefore a phased process of investigation is recommended to assess land conditions in more detail at site.

Officer comment: An appropriately worded condition has been included within the decision.

Flood Water Management Officer

No comment.

## **7. MAIN PLANNING ISSUES**

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

Prior Approval was given under planning ref: 40050/APP/2017/2438 to create 237 residential units. It is possible to vary prior approval permissions through Section 73 application. The Council nonetheless would still be obliged to consider such an application in the context of prior approval criteria.

The number of units is proposed to remain the same however the proposal seeks alterations to the internal layout of the building. Given the alterations are internal and it does not result in an increase to the number of units, there are no objections to the principle of the proposals so long as the highway impacts of more 2 bedroom units are acceptable.

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

Not applicable as this is not an application for planning permission.

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

Not applicable as this is not an application for planning permission.

### **7.04 Airport safeguarding**

Not applicable as this is not an application for planning permission.

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

Not applicable as this is not an application for planning permission.

### **7.06 Environmental Impact**

Not applicable as this is not an application for planning permission.

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

Not applicable as this is not an application for planning permission.

### **7.08 Impact on neighbours**

Not applicable as this is not an application for planning permission.

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

Not applicable as this is not an application for planning permission.

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

The Council's Highways Engineer has carefully reviewed the proposals and provided detailed comments on the measures required to mitigate against the impact of the development. A Transport Assessment is required and a highways contribution of upto £553,533.19 These can be summarised as a Transport Assessment and Highways contribution of £500,000, plus a Public Realm contribution of £387,473.22. The Applicant has agreed to these obligations which would be secured through a deed of variation to the

S106 Legal Agreement.

Subject to the completion of the Legal Agreement the Highway's impact of the development is acceptable.

**7.11 Urban design, access and security**

Not applicable as this is not an application for planning permission.

**7.12 Disabled access**

Not applicable as this is not an application for planning permission.

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

Not applicable as this is not an application for planning permission.

**7.14 Trees, Landscaping and Ecology**

Not applicable as this is not an application for planning permission.

**7.15 Sustainable waste management**

Not applicable as this is not an application for planning permission.

**7.16 Renewable energy / Sustainability**

Not applicable as this is not an application for planning permission.

**7.17 Flooding or Drainage Issues**

The flood water management officer commented on the previous application and subject to a condition has raised no objections to the proposal. The changes under this application are internal and therefore do not alter these comments

**7.18 Noise or Air Quality Issues**

Contaminated Land

The Council's Environmental Protection Unit have carefully reviewed the submitted documents in terms of the risk of contamination and have have raised no objections to the proposal subject to the attachment of an appropriate condition.

The proposal is therefore acceptable in terms of contamination.

Noise from Commercial Premises

The Council's Environmental Protection Unit have carefully reviewed the proposal in terms of the potential detrimental impact from noise generated externally from the site. As set out in Section 6 of this report, subject to a condition requiring details of how future occupiers will be protected from noise generated by adjacent commercial premises no objections have been raised.

The proposal is therefore acceptable in terms of noise.

Air Quality

Not applicable as this is not an application for planning permission.

**7.19 Comments on Public Consultations**

None received.

**7.20 Planning Obligations**

In order to mitigate against the impact of the proposals, the following obligations will be sought:

1. Contribution towards improvements to the local highway network with an upper limit of £553,533.19, plus a transport appraisal to include modelling of the local network prior to commencement of the development.
2. Public Realm Contribution of £387,473.22
3. Parking Permit free development for all future residents

**7.21 Expediency of enforcement action**

Not applicable.

**7.22 Other Issues**

None.

**8. Observations of the Borough Solicitor**

**General**

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

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

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

**Planning Conditions**

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

**Planning Obligations**

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

**Equalities and Human Rights**

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a

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

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

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

Not applicable.

#### **10. CONCLUSION**

This application seeks alterations to the internal layout of a consented Prior Approval under planning ref: 40050/APP/2017/2438 (01-09-17) to provide 50 additional habitable rooms. The proposal also seeks to alter the description of development so it reflects the correct unit mix from 15 x Studio and 224 x 1-Bed to 16 x studio, 162 x 1 bedroom and 59 x 2 bedroom. As previously approved, a total of 359 off street car parking spaces, including 37 disabled bays, would be provided to serve future occupants. The spaces will be located within the existing multi-storey car park and hard surfaced parking areas which serve the existing office use. 17 Motorcycle parking spaces are proposed and facilities for the secure storage of 239 cycles will be provided within the buildings.

The proposal falls to be considered within Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2016 which allows for such development subject to a determination by the Local Planning Authority as to whether Prior Approval will be required.

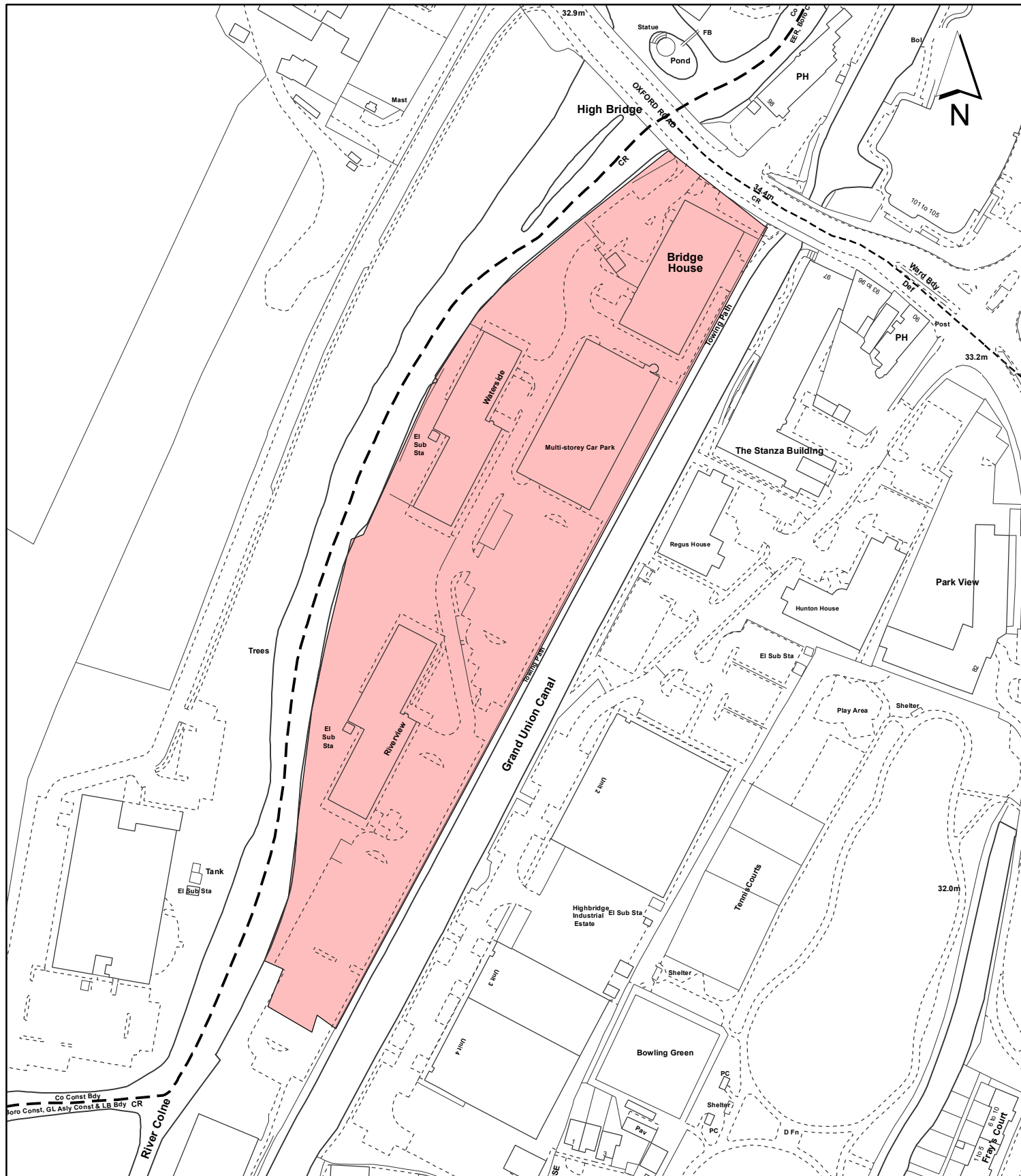
The application has been assessed against the relevant criteria and subject to conditions and the securing of highway and public realm obligations through a variation to the original Section 106 Legal Agreement, prior approval is required.

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

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

**Contact Officer:** Ed Laughton

**Telephone No:** 01895 250230



## Notes:

Site boundary

For identification purposes only.

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Site Address:

**Bridge House  
Riverview House and Waterside House  
Oxford Road**

Planning Application Ref:

**40050/APP/2019/1865**

Planning Committee:

**Major**

Scale:

**1:2,000**

Date:

**July 2019**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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**HILLINGDON**  
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