

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

**Address** FASSNIDGE MEMORIAL HALL 63-64 HIGH STREET UXBRIDGE

**Development:** Variation of clauses 1.1, 3.2 and 3.4 of schedule 1 of the S106 Agreement dated 24.10.17 relating to planning application reference 12156/APP/2016/4647 at Fassnidge Memorial Hall, High Street, Uxbridge, UB8 1JP.

**LBH Ref Nos:** 6066/APP/2019/1674

**Drawing Nos:** Letter from Paradigm  
Application form

**Date Plans Received:** 17/05/2019 **Date(s) of Amendment(s):**

**Date Application Valid:** 17/05/2019

### **1. SUMMARY**

Planning permission reference 12156/APP/2016/4647 was granted on 17/11/2017 for 'Erection of part 4, part 7 and part 8 storey building to provide a replacement community dining facility and 80 (42 x studio and 38 x 1-bedroom) self-contained residential units with associated undercroft car and cycle parking, new vehicle access point, communal and private amenity areas and landscaping, following demolition of existing Fassnidge community dining hall and garage'.

Planning permission reference 12156/APP/2016/4647 was granted subject to a S106 Legal Agreement which secured on site affordable housing. The current application seeks a Deed of Variation (DoV) to that legal agreement to include amendments to clauses 1.1, 3.2 and 3.4 of Schedule 1.

It is proposed that the reference to "that are wheelchair accessible" and "that are adaptable for wheelchair access" be deleted and replaced with 'one affordable unit to be built out to M4(3) Wheelchair Adaptable Standard and the remaining nine affordable units to be built to M4(2) as set out in Approved Document M to the Building Regulations 2010 (2015 edition)'.

Paradigm have requested this amendment. A condition attached to the original permission will ensure the overall provision is still policy compliant.

The Council's Access officer has been consulted on the application and has raised no objection to the proposed amendments.

No change is proposed to the overall quantum or delivery of on-site affordable housing.

In relation to clause 3.2 and 3.4 of Schedule 1, the text relating to a 'mortgagee' of the affordable units shall be amended to include additional lending entities within the exclusion clauses. The units will still be used as affordable housing, but including the proposed amendments will allow Paradigm to be able to secure the best possible funding.

No objections have been raised by the Council's S106/CIL Officer. The development would continue to appropriately comply with relevant Local Plan, London Plan and national

planning policies and, accordingly, approval is recommended.

## **2. RECOMMENDATION**

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

### **1 NONSC Completion of Deed of Variation**

Completion of a Deed of Variation to secure amendments to clauses 1.1, 3.2 and 3.4 of Schedule 1 of planning permission 12156/APP/2016/4647.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site is situated at the south eastern end of Harefield Road and occupies an area of 0.18ha to the rear of The Cedars and the Old Bank sites. The site itself is located approximately 350 metres from Uxbridge Underground station and falls within the Uxbridge Town Centre. The site maintains frontages to both the Harefield Road and the Oxford Road roundabout, whilst the rear of the site adjoins the pedestrian path alongside the Cedars car park.

The development approved under permission ref. 12156/APP/2016/4647 has now been built.

### **3.2 Proposed Scheme**

Planning permission reference 12156/APP/2016/4647 was granted subject to a S106 Legal Agreement which secured on site affordable housing. The current application seeks a Deed of Variation (DoV) to that legal agreement to include amendments to clauses 1.1, 3.2 and 3.4 of Schedule 1.

### **3.3 Relevant Planning History**

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

Planning permission was approved on 17/11/2017 under application reference 12156/APP/2016/4647 for the following:

'Erection of part 4, part 7 and part 8 storey building to provide a replacement community dining facility and 80 (42 x studio and 38 x 1-bedroom) self-contained residential units with associated undercroft car and cycle parking, new vehicle access point, communal and private amenity areas and landscaping, following demolition of existing Fassnidge community dining hall and garage'

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

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

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

Draft Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019)

London Plan (2016)

National Planning Policy Framework (2019)

Hillingdon Supplementary Planning Document - Planning Obligations

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

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

Part 1 Policies:

PT1.H2 (2012) Affordable Housing

Part 2 Policies:

LPP 3.10 (2016) Definition of affordable housing

LPP 3.11 (2016) Affordable housing targets

LPP 3.12 (2016) Negotiating affordable housing on individual private residential and mixed-use schemes

LPP 3.13 (2016) Affordable housing thresholds

DMH 7

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

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

**5.2** Site Notice Expiry Date:- Not applicable

### **6. Consultations**

#### **External Consultees**

Not applicable.

#### **Internal Consultees**

S106/CIL OFFICER

No objections to the DOV and proposed amendments.

ACCESS OFFICER

Raised no objection to the proposed amendments

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

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

Not applicable. The principle of development has been accepted through the granting of planning permission for the scheme.

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

Not applicable. No changes are proposed which would impact on the density of the approved development.

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

Not applicable. No changes are proposed which would impact on heritage assets.

#### **7.04 Airport safeguarding**

Not applicable. No alterations are proposed which would impact on safeguarding criteria.

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

Not applicable. No changes are proposed which would impact on the green belt.

#### **7.06 Environmental Impact**

Not applicable. There are no direct significant environmental impacts as a result of the changes proposed.

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

Not applicable. No changes are proposed which would impact on the character or appearance of the area.

**7.08 Impact on neighbours**

Not applicable. No changes are proposed which would impact on residential amenity.

**7.09 Living conditions for future occupiers**

Not applicable. No changes are proposed which would impact on residential amenity.

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

Not applicable. No changes are proposed which would impact on traffic, parking or pedestrian safety.

**7.11 Urban design, access and security**

Not applicable. No changes are proposed which would impact on urban design, access and security.

**7.12 Disabled access**

No changes are proposed which would impact on accessibility.

It is proposed that in relation to clause 1.1 of Schedule 1, the reference to 'that are wheelchair accessible' and 'that are adaptable for wheelchair access' be deleted from the clause and replaced with 'one affordable unit to be built out to M4(3) Wheelchair Adaptable Standard and the remaining nine affordable units to be built to M4(2) as set out in Approved Document M to the Building Regulations 2010 (2015 edition)'.

Paradigm have requested this amendment. A condition attached to the original permission will ensure the overall provision is still policy compliant.

The Council's Access officer has been consulted on the application and has raised no objection to the proposed amendments.

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

Planning Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states 'Housing provision is expected to include a range of housing to meet the needs of all types of households and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Hillingdon Local Plan: Part 1- Strategic Policies. For sites with a capacity of 10 or more units the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units.'

The supporting text to Policy H2 states 'Subject to viability and if appropriate in all the circumstances, the Economic Viability Assessment indicates that 35% of all new units in the borough should be delivered as affordable housing, with an indicative tenure mix of 70% housing for social rent and 30% intermediate housing. Housing market conditions in Hillingdon are complex and a one size fits all approach to tenure provision will not be suitable for all areas in the borough. Subject to the provision of robust evidence, the Council will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough'.

This is reiterated in Draft Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019) Policy DMH 7 (Provision of Affordable Housing).

London Plan (March 2016) policies 3.10, 3.11, 3.12 and 3.13 relate to affordable housing provision. In particular Policy 3.12 states that the maximum reasonable amount of affordable housing should be sought, having regard to (amongst others) current and future

requirements for affordable housing at local and regional levels, the size and type of affordable housing needed in particular locations and the specific circumstances of individual sites.

Planning permission reference 12156/APP/2016/4647 was granted subject to a S106 Legal Agreement which secured on site affordable housing. The current application seeks a Deed of Variation (DoV) to that legal agreement to include amendments to the mortgage clauses and wheelchair accessible units. Therefore, no change is proposed to the overall quantum or delivery of on-site affordable housing. In essence the alterations sought are primarily administrative changes which have arisen as a result of Paradigm Homes (the provider) requirements.

In relation to clause 3.2 and 3.4 of Schedule 1, the text relating to a 'mortgagee' of the affordable units shall be amended to include additional lending entities within the exclusion clauses. The units will still be used as affordable housing, but including the proposed amendments will allow Paradigm to be able to secure the best possible funding.

No objections have been raised to the requested variations by the Council's S106/CIL Officer. The development would continue to appropriately comply with relevant Local Plan, London Plan and national planning policies in relation to the approved affordable housing offer.

The Council's Access officer has been consulted on the application and has raised no objection to the proposed amendments.

**7.14 Trees, landscaping and Ecology**

Not applicable. No changes are proposed which would impact on trees, landscaping and ecology.

**7.15 Sustainable waste management**

Not applicable. No changes are proposed which would impact on refuse provision.

**7.16 Renewable energy / Sustainability**

Not applicable. No changes are proposed which would impact on renewable energy / sustainability.

**7.17 Flooding or Drainage Issues**

Not applicable. No changes are proposed which would impact on flooding or drainage issues.

**7.18 Noise or Air Quality Issues**

Not applicable. No changes are proposed which would impact on noise or air quality.

**7.19 Comments on Public Consultations**

Not applicable

**7.20 Planning obligations**

The alterations proposed to the agreed planning obligations have been discussed throughout this report and are considered to be acceptable for the reasons set out above.

**7.21 Expediency of enforcement action**

Not applicable

**7.22 Other Issues**

None

**8. Observations of the Borough Solicitor**

None

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

None

**10. CONCLUSION**

It is considered that the requested Deed of Variation to the S106 agreement would not have any significant detrimental impact on the approved scheme. Notably, no objections have been raised by the Council's S106/CIL Officer or the Council's Access officer.

The development would continue to appropriately comply with relevant Local Plan, London Plan and national planning policies and, accordingly, approval is recommended.

**11. Reference Documents**

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

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

London Plan (2016)

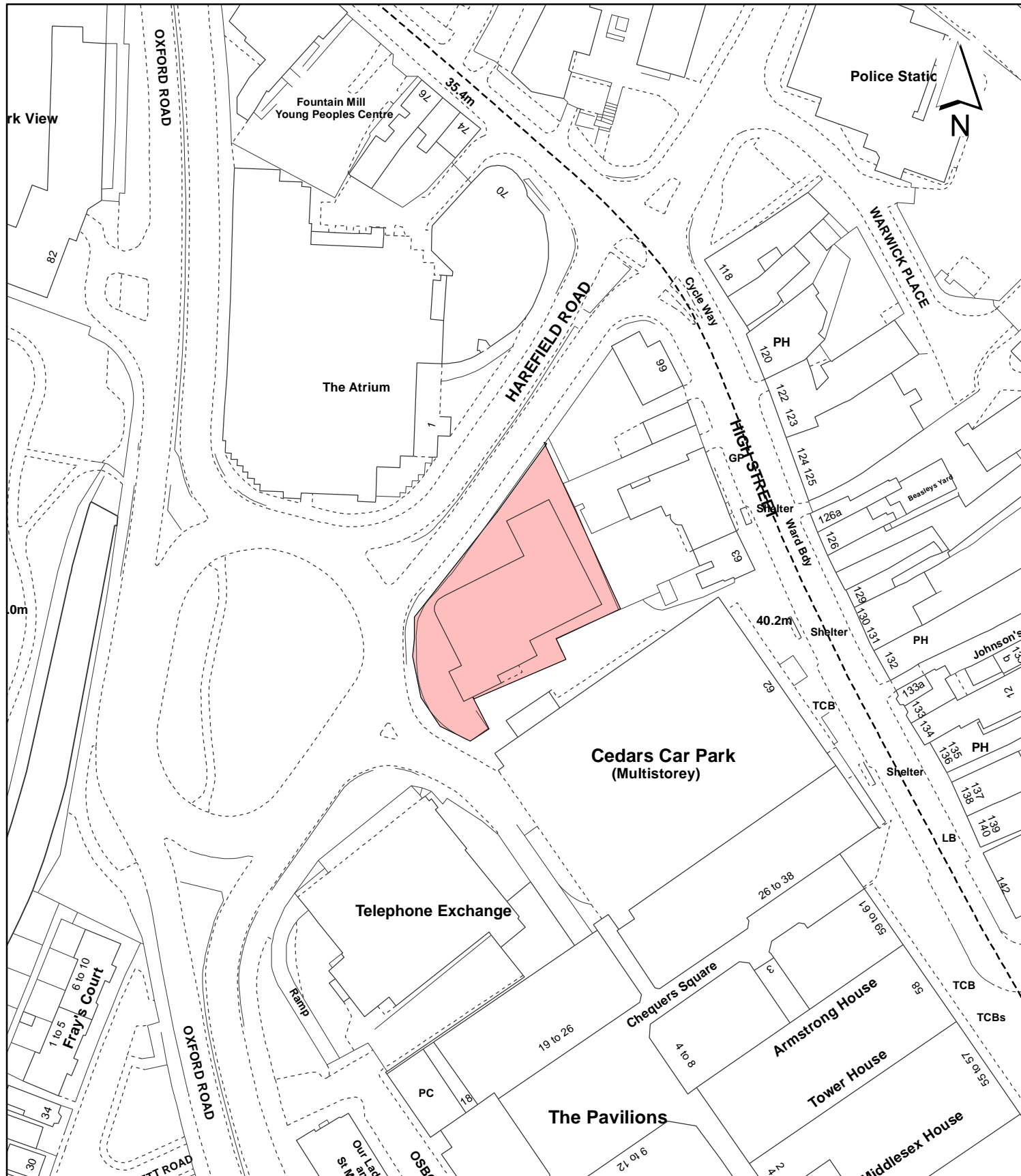
National Planning Policy Framework

Hillingdon Supplementary Planning Document - Planning Obligations

Draft Hillingdon Local Plan: Part 2 - Development Management Policies with Modifications (March 2019)

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# Notes:

 Site boundary

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Site Address:

**Fasnidge Memorial Hall  
63-64 High Street  
Uxbridge**

Planning Application Ref:

**6066/APP/2019/1674**

Planning Committee:

**Major**

Scale:

**1:1,250**

Date:

**August 2019**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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



**HILLINGDON**  
LONDON