

Report of the Head of Planning, Transportation and Regeneration

Address WATERLOO WHARF WATERLOO ROAD UXBRIDGE

Development: Deed of Variation to amend Paragraphs 3.3 and 4 of Schedule 1 of the S106 Agreement dated 26.04.17 relating to planning application reference 43016/APP/2016/2840 At Waterloo Wharf Waterloo Road.

LBH Ref Nos: 43016/APP/2019/2054

Drawing Nos: Application form
Letter from Paradigm

Date Plans Received: 13/06/2019 **Date(s) of Amendment(s):**

Date Application Valid: 13/06/2019

1. SUMMARY

Planning permission reference 43016/APP/2016/2840 was granted on 04/05/17 for 'Demolition of existing buildings. Erection of 4 storey building containing 52 apartments and commercial unit together with associated car parking, access and landscaping'.

Planning permission reference 43016/APP/2016/2840 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 3.3 and 4 of Schedule 1.

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.

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 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 3.3 and 4 of Schedule 1 of planning permission 143016/APP/2019/2054.

3. CONSIDERATIONS

3.1 Site and Locality

The 0.32 hectare site is within Uxbridge Moor Conservation Area. It is opposite the Grade II Listed General Elliot Public House as well as the dry dock and boat yard which are on Hillingdon's Local List of Buildings of Architectural or Historic Importance. The immediate area is characterised by the waterside industrial/commercial nature of the canal and wharf

buildings, together with suburban inter-War housing.

The proposed development approved under reference 43016/APP/2016/2840 has now been built.

3.2 Proposed Scheme

Planning permission reference 43016/APP/2016/2840 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 3.3 and 4 of Schedule 1.

In relation to clause 3.3 and 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.

3.3 Relevant Planning History

Comment on Relevant Planning History

Planning permission was approved on 04/05/17 under application reference 43016/APP/2016/2840 for the following:

'Demolition of existing buildings. Erection of 4 storey building containing 52 apartments and commercial unit together with associated car parking, access and landscaping'.

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:

DMH 7

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

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

The proposals include interpretation of various definition changes, mortgagee provision changes, this is due to the update of regulations. Accordingly there are no objections to the DOV and 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

Not applicable. No changes are proposed which would impact on accessibility.

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 that '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 43016/APP/2016/2840 was granted subject to a S106 Legal Agreement which secured on site affordable housing. This application seeks a Deed of Variation (DoV) to that legal agreement to include amendments to clauses 3.3 and 4 of Schedule 1.

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.

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.

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.

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)

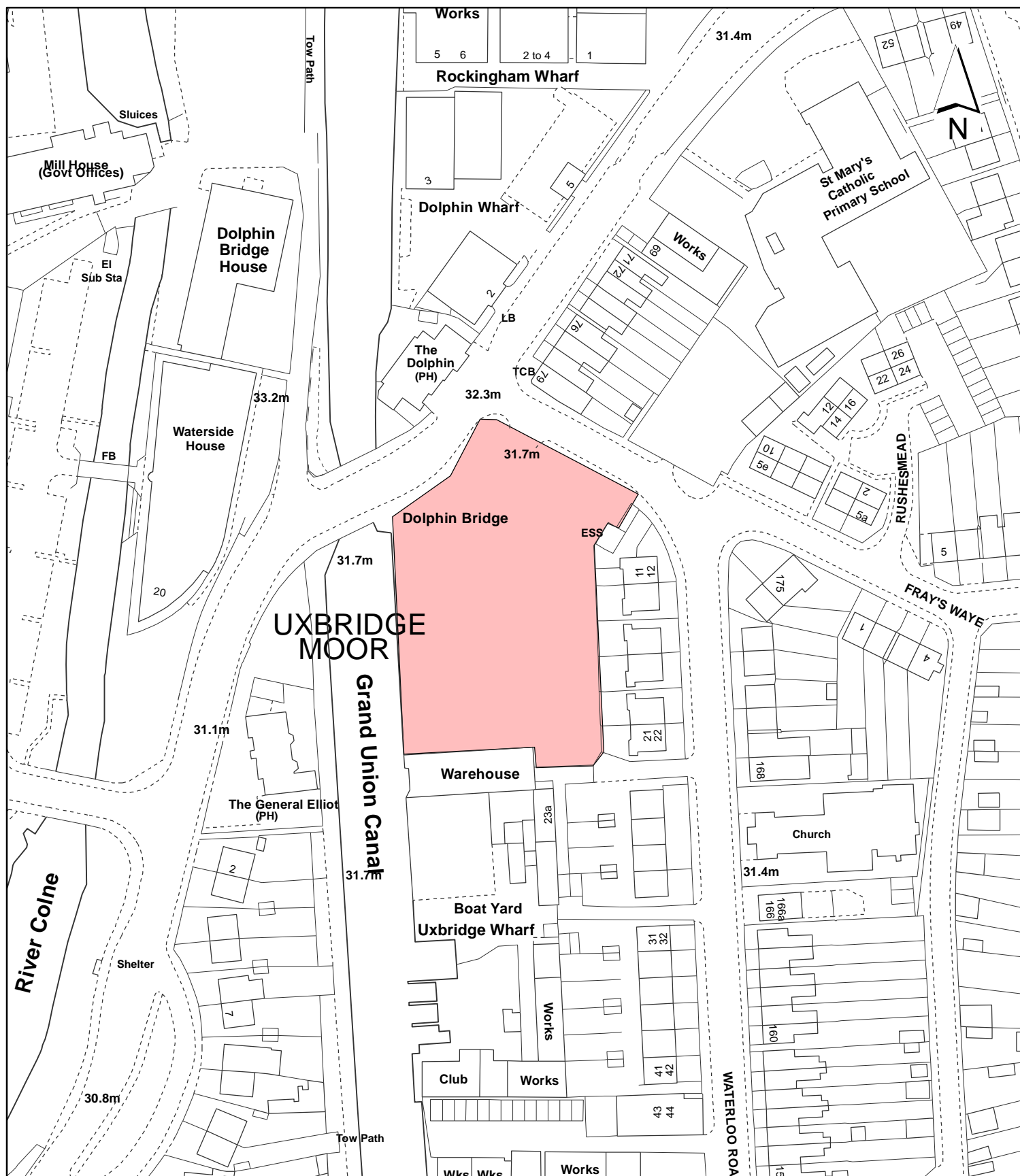
National Planning Policy Framework

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:

**Waterloo Wharf
Waterloo Road
Uxbridge**

Planning Application Ref:

43016/APP/2019/2054

Planning Committee:

Major

Scale:

1:1,250

Date:

August 2019

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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HILLINGDON
LONDON