

Report of the Head of Planning & Enforcement

- Address** FORMER HAYES STADIUM JUDGE HEATH LANE HAYES
- Development:** Application to vary condition 5 (to allow for revisions to the siting, layout and design; layout and design of the Homezone, highways, car parking layout; and amenity space provision) of planning permission ref: 49996/APP/2008/3561 dated 27/08/2009 for the redevelopment of the site to include demolition of existing buildings; Erection of 261 new residential units (consisting of 165 flats and 96 houses); Landscaping incorporating open spaces, tree planting and play space; Provision of energy efficient and renewable energy technology; Vehicular and cycle parking; and retention of vehicular access off Judge Heath Lane.
- LBH Ref Nos:** 49996/APP/2009/2766
- Drawing Nos:** 1204/P009 Rev: H
1204/P011 Rev: F
1204/P012 Rev: F
1204/P013 Rev: F
1204/P014 Rev: E
1204/P220 Rev: A
1204/P221 Rev: A
1204/P222 Rev: A
1204/P223 Rev: A
1204/P224 Rev: A
1204/P225 Rev: A
1204/P226 Rev: A
1204/P227 Rev: A
1204/P228 Rev: A
Planning, Design and Access Statement
- Date Plans Received:** 22/12/2009 **Date(s) of Amendment(s):**
- Date Application Valid:** 26/03/2010

1. SUMMARY

The application seeks to vary condition 5 of planning permission ref: 49996/APP/2008/3561 to enable changes to be implemented to the consented development. The proposals involve the removal of five flats within block G and associated car parking, and their replacement with five x 5-bedroom houses, providing a natural extension to the crescent. In addition, the proposal involves the removal of one x 4-bedroom unit from the crescent, and replacement with a further 5-bedroom unit; amendments to the siting of Block F and Block G; an extension to the proposed Homezone; relocation of wheelchair accessible units to the ground floor of blocks J, K, O and P; revisions to the Highway and car parking layouts; and minor elevation changes.

There is no significant change to the density of the development, which remains the same as the consented scheme in line with the upper limits of London Plan guidance in terms of the number of units, but is marginally higher in terms of habitable rooms. Density is increased by 7 in terms of habitable rooms over that already consented. Nevertheless, the layout, design, bulk and scale of the proposed buildings is considered appropriate for the site and existing surrounding development. The scheme would

provide acceptable environmental conditions for future occupiers.

The amended site layout indicates that, as per the consented scheme, adequate separation distances would be provided between the proposed buildings and neighbouring residential properties in Cromwell Road, Judge Heath Lane and Burbage Close, ensuring that there would be no undue impact on the occupiers of these properties by reason of loss of light, outlook or privacy. The development should therefore not result in unacceptable impacts on the amenities of neighbouring properties or to the character and appearance of the area. In addition, highway, parking, security and ecological issues have been satisfactorily addressed.

The amended site layout also indicates an overall increase of amenity space on the site, which is welcomed. There is a very marginal shortfall of shared amenity space serving the 1 and 2 bed units, but this must be counter balanced with the benefits of increasing the number of family units on the site. In this regard the proposal is considered to result in a better unit mix and improved urban design outcome compared with the extant planning permission.

Subject to the recommended conditions and the amended planning obligations to be secured by a Deed of Variation to the S106 Agreement, the application is recommended for approval.

2. RECOMMENDATION

That the application be determined by the Head of Planning and Enforcement under delegated powers, Subject to the completion of a Deed of Variation to planning permission 49996/APP/2008/3561 to be entered into provide for the following obligations:

2. RECOMMENDATION

- 1. That the application be referred to the Mayor under Article 5 of the Town and Country Planning (Mayor of London) Order 2008.**
- 2. That the application be referred to the Secretary of State as a departure from the provisions of the Development Plan.**
- 3. That the Council enter into a legal agreement with the applicants under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:**
 - (i) A financial contribution of £99,518 for healthcare facilities and places.**
 - (ii) A financial contribution of £586, 484 (including secondary school contribution provided for as part of this varied scheme) for education facilities and places**
 - (iii) A financial contribution of £12,485 towards library provision.**
 - (iv) A financial contribution of £35,000 towards employment/construction training initiatives**
 - (v) A financial contribution of £30,000 towards bus shelter upgrading**
 - (vi) The submission of a Travel Plan (effective for a minimum period of 10 years), including a bond of £20,000.**
 - (viii) Provision of affordable housing equivalent to 34% of the total number of habitable rooms, which shall be reflected in the revised schedule table.**
 - (ix) To retain the existing sports hall until the earlier of (a) a date of two years from the completion date of the sale of the sports hall or (b) such time as Botwell Green Leisure Centre facilities have been provided and are open to the public.**

(x) The applicants pay a sum £5000 for compliance, project management, administration and monitoring of the completed planning (and/or highways) agreement(s)

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

5. If the S106 Agreement has not been finalised within 6 months, the application is to be referred back to the Planning Committee for determination at the discretion of the Director of Planning and Community Services.

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

7. That subject to the Secretary of State not calling in the application and the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or issue a direction under Article 7 of the Order that he/she is to act as the local planning authority for the purpose of determining the application, and on the completion of the S106 Agreement, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

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

1 T8 Time Limit - full planning application 3 years

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 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) fenestration and doors
- (ii) entrance piers
- (iii) balconies
- (iv) boundary walls and railings
- (v) porches
- (vi) comprehensive colour scheme for all built details

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M3 Boundary treatment - details

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied or in accordance with a timetable agreed in writing by the Local Planning Authority. Development shall be carried out in accordance

with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 OM13 Demolition Protocols

The applicant is to prepare a selective programme (or demolition protocol) to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed from the site safely and intact for later re-use or processing, which is to be submitted to the Local Planning Authority prior to the commencement of demolition work.

REASON

To establish an 'audit trail' for demolition materials based on an established Demolition Protocol which will encourage more effective resource management in demolition and new builds, in accordance with London Plan (February 2008) Policies 4A.30 and 4A.31.

5 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 OM2 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 TL3 Protection of trees during site clearance and development

Prior to the commencement of construction work, the fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained, as shown in the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan (Appendix 12 of the Environmental Impact Assessment), shall be erected in accordance with the details approved and kept in place for the duration of the construction period.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Construction, planting, specification and maintenance of the green roofs
- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with

policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

13 OM5 Provision of Bin Stores

No development shall take place until details of facilities to be provided for the secure screened storage of refuse and recyclable bins within the site and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and/or in the interests of highway safety and London Plan (February 2008) Policy 4B.1.

15 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, including those for children's play areas, 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).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.'

16 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.

- (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 adjoining roads. Provision shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process. Construction traffic should avoid peak morning and evening hours. The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.
- (vi) All materials to be used on the site shall be stored within the site.

REASON

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

17 RPD5 Restrictions on Erection of Extensions and Outbuildings

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouses nor any garages, sheds or other outbuildings shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

18 RCU3 Loss of Garage(s) to Living Accommodation (Not Garage Courts)

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990, the garages shall be used only for the accommodation of private motor vehicles incidental to the use of the dwelling house as a residence.

REASON

To ensure that adequate off-street parking to serve the development is provided and retained, in accordance with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 H1 Traffic Arrangements - submission of details

Development shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas (where appropriate) must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-

street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan . (February 2008).

20 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be constructed prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

21 H16 Cycle Storage - details to be submitted (Residential)

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for 350 bicycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

22 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

23 DIS5 Design to Lifetime Homes Standards & to Wheelchair Standards

Details of the internal design of 26 units be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon' and the compliance of the remaining units to lifetime homes standards shall be submitted to and approved in writing by the Local Planning Authority before development commences. Such details shall include a management plan for the maintenance and breakdown of lifts serving the blocks of flats. Thereafter, the units shall be constructed in accordance with the approved details.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

24 SUS1 Energy Efficiency Major Applications (full)

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide 20% of the sites energy needs through renewable energy generation contained within the submitted report entitled HBS Energy Strategy December 2008, Edition 5 shall be integrated into the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

25 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

26 NONSC Employment & training Strategy

Before development commences, an employment and training strategy shall be submitted to and approved by the Local Planning Authority. The strategy shall include measures to promote and encourage the employment on the site of residents within the London Borough of Hillingdon; to encourage as far as reasonable and practical, the patronage of tradesmen, suppliers, retailers and businesses within the borough and to use reasonable endeavours to ensure that during the period of construction, all vacancies for jobs on the site capable of being filled by residents of the borough are, wherever possible, advertised in the local press and local job centres and are notified to the Council or its nominee prior to the commencement of recruitment.

REASON

In order to ensure that local residents and businesses benefit from the development, in compliance with Policies 3B.1 and 3B.11 of the London Plan (February 2008).

27 NONSC Flood Risk

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Barnard & Associates, Job No. 07046 dated February 2009 and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 year climate change critical storm so that it will not exceed the run-off rate of 17.5l/s from the developed site and not increase the risk of flooding off-site.
- Provide attenuation of surface water in SUDS systems outlined in the FRA including green roofs, detention ponds, permeable paving, tanks and above ground storage.

REASON

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to improve water quality, in compliance with Policies OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 4A.9 of the London Plan (February 2008).

28 NONSC Surface Water Scheme

Prior to the commencement of development, the detailed design of the surface water system shall be submitted and approved by the Local Planning Authority.

REASON

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to improve water quality, in compliance with Policies OE7 and OE8 of the Hillingdon Unitary development Plan Saved Policies (September 2007) and Policy 4A.9 of the London Plan (February 2008).

29 NONSC Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

To prevent pollution to controlled waters in compliance Policy 4A.17 of the London Plan (February 2008).

30 NONSC Surface Water Infiltration

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON

To prevent pollution to controlled waters in compliance Policy 4A.17 of the London Plan (February 2008).

31 NONSC Foundation Design

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

To avoid creating a pathway that would expose groundwater to contamination. And to prevent pollution to controlled waters in compliance Policy 4A.17 of the London Plan (February 2008).

32 NONSC Drainage Strategy

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works

referred to in the strategy have been completed.

REASON

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

33 NONSC Childrens Play Areas

Development shall not commence until details of the three children's play areas have been submitted to and approved in writing by the Local Planning Authority. The details shall include surface treatments, means of enclosure, lighting and associated infrastructure, including play equipment. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that adequate facilities have been provided and that the development presents a satisfactory appearance, in accordance with Policies BE13, BE23 and R1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

34 NONSC Tree Protection

Details of supervision of tree protection in relation to the approved development referred to in the approved Arboricultural Impact Appraisal and Method Statement, together with a programme of arboricultural input / works shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

35 NONSC Ecological Management Plan

No development shall take place until the applicant has submitted to and agreed in writing with the Local Planning Authority an Ecological Management Plan (EMP) for the site, based on the mitigation strategy set out in the Ecological Appraisal dated November 2008. This should include the following elements:

- (i) Agreement and implementation of best practice techniques identified to avoid impacts during construction
- (ii) Detailed design of mitigation enhancement, including species, numbers and grades
- (iii) Completion of a detailed Landscape Management Plan incorporating the ecological mitigation strategies identified above.
- (iv) Provision for future management of the site to maintain its biodiversity interest.

The scheme shall be carried out in accordance with the approved Ecological Management Plan.

REASON

To ensure that the proposed development will not have unacceptable ecological effects on the locality in accordance with Policies EC1 and E5 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

36 NONSC Site Survey

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be

undertaken at such points and to such depth as the local planning authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the local planning authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

REASON

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.33 of the London Plan (February 2008).

37 NONSC Sound Insulation

Development shall not begin until a sound insulation scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

38 AR3 Sites of Archaeological Interest - scheme of investigation

No development shall take place until the applicant, their agent or successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall only take place in accordance with the approved scheme. The archaeological works shall be carried out by a suitably qualified body acceptable to the Local Planning Authority.

REASON

The site is of archaeological interest and it is considered that all evidence of the remains should be recorded in accordance with Policy BE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

39 NONSC Electric Charging points

Prior to commencement of the development hereby approved, details of the installation (including location and type) of at least two secure electric vehicle charger points within the car parking areas must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charger points shall be installed prior to occupation of the development and retained for the lifetime of the building.

REASON

To comply with London Plan Policy 4A.3 and to encourage sustainable travel.

40 NONSC Parking allocation

Development shall not begin until details of the method of control for the designation and allocation of parking spaces to individual properties including the flats and for their sole use be submitted to and approved in writing by the Local Planning Authority.

REASON

In order to ensure that sufficient parking is provided, in accordance with Policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

41 NONSC Screening for Balconies

No development shall take place until details all roof gardens and balconies, including obscure screening have been submitted to and approved by the Local Planning Authority. The approved screening, where necessary, shall be installed before the development is occupied and shall be permanently retained for so long as the development remains in existence.

REASON

To ensure that the development presents a satisfactory appearance and to safeguard the privacy of residents in accordance with Policies BE13 and BE24 of the Hillingdon Unitary Development Plan Saved policies (September 2007).

42 NONSC Obscure glazing

The bathroom windows in the flank elevations shall be glazed with obscured glass and non-opening except at top vent level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

43 NONSC Car Club Parking Bays

Two of the parking spaces hereby approved shall be reserved for use by the car club and not used for any other purpose, without the written approval of the Local Planning Authority.

REASON

To ensure that adequate on site parking is provided, in accordance with Policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Car Parking Standards.

44 NONSC Street Lighting

Before the development hereby permitted commences details of street lighting shall be submitted to an agreed in writing by the local planning authority. No flats or houses hereby permitted shall be occupied until the agreed scheme has been completed in its entirety.

REASON

In the interests of highway and pedestrian safety in accordance with Policies AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

45 NONSC Waiting restrictions

In the event that the roads within the site not being adopted by the Local Authority, no waiting restrictions shall be implemented without the prior written consent of the Local Authority.

REASON

In the interests of highway and pedestrian safety in accordance with policies AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

With regard to water supply, this comes within the area covered by the Three Valleys Water Company.

2

Specific security needs identified for the application site include the following:

1. CCTV coverage of certain key areas within the development, namely the 3 Children's Play Areas and the Promenade by the Pond, the main vehicular entrance to the development and the pedestrian entrance to and from the school. This could be a simple fixed camera system for deterrence and retrospective investigation only and not monitored system.

2 Railing off green spaces to prevent vehicles mounting /damaging the grass and conversely children running into or damaging cars. The Promenade should be railed and bollarded off to prevent cars parking all over it.

4. In the Housing Association stock, provisions should be made for house-holders to accommodate their bicycles within their gardens. This will reduce the number of large unused bike stores. Where rooms for bins have been provided within the shell of buildings, these areas should first be used for bike storage as these rooms are obviously covered and easier to secure.

5. On the Bath Crescent style houses opposite "The Arena" the front doors are deeply recessed (to accommodate the door into the bin store). These houses have no natural surveillance from houses opposite them so are even more vulnerable because of this. The entrance detail to these houses should be reconsidered. These houses should have individual balconies. Otherwise all the French doors will have to be full PAS 24.

You are advised to submit details to expedite the specified security needs in order to comply with Condition 15 of this planning permission.

In addition to the above, for this site to achieve 'Secured by Design' accreditation, you are advised to consult with the local Police Crime Prevention Design Adviser (CPDA). The CPDA's contact number is 0208 246 1769.

3

Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London

Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please refer to the enclosed leaflet and contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 OPD. Tel: 020 8897 7633. Fax: 020 897 7644. email: p.sale@btconnect.com"

4 I1 **Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

5 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 will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

6 I3 **Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

7 I5 **Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- 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. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

8 I6 **Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the

owner. If you require further information or advice, you should consult a solicitor.

9 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).

10 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.

11 I13 **Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

12 I14 **Installation of Plant and Machinery**

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

13 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 should only be carried out between the hours of 08.00 hours 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 or Bank Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

14 I16 **Directional Signage**

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

15 I17 **Communal Amenity Space**

Where it is possible to convey communal areas of landscaping to individual householders, the applicant is requested to conclude a clause in the contract of the sale of the properties reminding owners of their responsibilities to maintain landscaped areas in their ownership and drawing to their attention the fact that a condition has been imposed to this effect in this planning permission.

16 I18 **Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

17 I19 **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

18 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).

19

Your attention is drawn to conditions 2, 3, 4, 6, 7, 9, 10, 12, 13, 14, 15, 16, 19, 21, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 45 and 46 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. For further information and advice contact: Planning and Community Services Group, Civic

Centre, Uxbridge (Tel: 01895 250230).

20

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Acts.

21 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).

22 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
HDAS	'Residential Developments'
LPP 3A.10	London Plan Policy 3A.10 - Special Needs and Specialist Housing.
LPP 3A.13	London Plan Policy 3A.13 - Special needs and specialist housing
LPP 3A.15	London Plan Policy 3A.15 - Protection and enhancement of the social infrastructure and community facilities
LPP 3A.21	London Plan Policy 3A.21 - Adequate provision of pre-school places
LPP 3A.3	London Plan Policy 3A.3 - Maximising the potential of sites
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice
LPP 4A.13	

LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4A.7	London Plan Policy 4A.7 - Renewable Energy
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R1	Development proposals in or near areas deficient in recreational open space
R3	Indoor sports, leisure and entertainment facilities
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

23

You are advised that any application submitted pursuant to the discharge of condition 32 (drainage strategy), will be put back to Committee for determination. This is in order for the Central/South Planning Committee to assess whether sufficient sewage capacity is made available to cope with the new development.

3. CONSIDERATIONS

3.1 Site and Locality

The site has an area of approximately 3.57 hectares and was formerly occupied by Hayes Sports Centre, Stadium and ancillary facilities. The stadium comprised an athletics running track and grandstand with capacity for a maximum of 900 spectators. The former boxing club has now been relocated to a purpose built building, fronting Judge Heath Lane. The site has been cleared and the redevelopment of the site has been commenced.

The character of the surrounding area is predominantly residential, comprising a mix of mainly two storey terraced and semi-detached dwellings. The site is bounded by residential properties to the south, east and west and by Rosedale College to the north. Adjacent to the eastern boundary of the site at Burbage Close lies a more recent residential development comprising a mix of houses and flats rising to 3 storeys in height. To the west, the site boundary consists of the rear gardens of semi-detached houses in Cromwell Road, while to the south, along Judge Heath Lane, are two storey semi-detached houses set behind a landscaped hedge. To the north, the site provides an open outlook across the playing fields belonging to Rosedale College.

The site is located approximately 4 km south east of Uxbridge Town Centre and 1.5 km to the north west of Hayes Town Centre and has a Public Transport Accessibility Level (PTAL) of 1b, within a range of 1 to 6, (6 being the most accessible).

3.2 Proposed Scheme

Planning permission is sought to vary condition 5 of planning permission ref: 49996/APP/2008/3561, dated 27/09/2009 for the redevelopment of site to include

demolition of existing buildings, erection of 261 new residential units (consisting of 165 flats and 96 houses); landscaping incorporating open spaces, tree planting and play space; provision of energy efficient and renewable energy technology; vehicular and cycle parking; and retention of vehicular access off Judge Heath Lane. Condition 5 reads:

'The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority. Reason: To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).'

A variation to Condition 5 is sought to allow for revisions to the siting, layout and design of the development; layout & design of the Homezone, highways and car parking as well as changes to the amenity space provision.

The proposed changes are set out below:

Layout, Siting and Design

- a) The two pedestrian accessways to Rosedale College have been omitted and the space between Blocks D and E reduced to 1.5m and between G and H reduced to 3.5m. This is in response to objections raised by Rosedale College and comments from the Metropolitan Police and is intended to increase security within the development.
- b) Block F has been repositioned north-west by approximately 1m. One 2 bedroom flat has been installed within the roof on the south west side.
- c) Two Harlington three-bedroom houses have been removed from the Block G terrace.
- d) The flatted block containing 5 flats (three 2-beds and two 1-beds) has been removed from Block G and associated car parking omitted. This has made way for five additional Chiswick Crescent 5 bedroom houses at the northern end of the Grand Crescent (Block G and H).
- e) The omission of three flats at the southern end of the Grand Crescent to enable the inclusion of two Ealing Crescent 4-bedroom houses and one further 5-bedroom house.
- f) The Crescent units have been relocated to allow all 5-bedroom units to be located at either end of The Crescent.
- g) Two 2-bedroom flats incorporated into the roofs at the corners of Blocks R and X.

Unit Mix

Whilst the overall number of units remains the same, the proposed unit mix varies slightly. The scheme proposes 62 one bed flats, 98 two bed flats, 61 three bed houses, 28 four bed houses and 12 five bed houses. There is no change to the unit mix of the affordable units. A total of six studio flats will be lost overall and replaced by six 5-bedroom family houses.

Car and Cycle Parking and Highways

The amended layout, siting and design results in the following in terms of car parking:

- a) Car park access at rear of Block F relocated to side of the building, Block F car park layout amended with the removal of four disabled car parking spaces to reflect relocation of wheelchair flats across the scheme.
- b) Disabled car parking has been relocated from Blocks F and G to Blocks O and P (four spaces around the Arena).
- c) End on car parking spaces have been added around the Arena (instead of parallel parking), to provide improved provision for the flats within the scheme, which was previously low and a concern for members. A total of 11 additional spaces are provided on this basis.
- d) Parking to the north of block P amended to be Angled (45 degree) car parking, to conform to highway safety requirements.
- e) Block B, J and K car parks re-planned. Within J, removal of one disabled parking space relocated to west side of entrance road, adjacent to Block K. Parking adjacent to Block K amended to include 7 spaces.
- f) Block B car park remains 10 spaces, but has been re-orientated to 45 degrees spacing in order to allow sufficient space for cars to manoeuvre, giving a clear distance of 5.5m in accordance with highways requirements of 4m.
- g) Overall car parking increases by 7 spaces from 282 to 289 spaces.
- h)) The proposed 'Homezone' has been extended to incorporate the northern road of the site, around the arena and opposite the Promenade. To facilitate this, the road widths have been increased by 0.5m to allow a 6m highway width.

Amenity/Open Spaces

- a) Total amenity space provision is 13,188sq metres, up from 12,752sq metres that is consented.
- b) Total private amenity provision is 10,511sq metres, up from 9,910sq metres that is consented. The net gain is allocated to the new 5 bedroom houses.
- c) A reduction of public open space from 2842 to 2677sq metres. This is as a result the reduction in the area of the Arena open space, reduced to incorporate extra parking and widening of the carriageway necessitated by the extension of the Homezone.

Wheelchair Units & Accessibility

The 26 wheelchair units have been relocated within the site so that they are all located at ground floor level. The changes are as follows:

- a) Block F - 4 no. two-bedroom wheelchair flats removed at first and second floors; Block G - removal of one two-bed wheelchair flat;
- b) Block J - three end-of-crescent two-bedroom wheelchair flats removed;
- c) Block J - two wheelchair flats added at ground floor;
- d) Block K - two wheelchair flats added at ground floor level;
- e) Block O and P - 4 no. two-bedroom wheelchair flats added at ground floor level;
- f) Lift cores removed from Blocks F, O, P, J and K.

Elevational Changes

- a) All French windows reduced in height from 2.4m to 2.1m. To reveal stone head detail and accommodate suspended ceilings servicing and curtain poles.
- b) Block J & K - North elevations - cycle store door removed and located internally. To enable the storage of residents bicycles more secure.
- c) Block B and D - Ground and first floor window sizes adjusted to 1050mm high. To suit internal kitchen layout.
- d) Blocks X & R roof raised by 1.5 m South elevation, 5 bay window and velux windows added. To accommodate 2 bedroom flat.
- e) South Elevation Block X - 1st & 2nd floor window heights reduced to 1050mm. To accommodate kitchen layout.
- f) Block O - South Elevation entrance porch redesigned to accommodate lobby and additional bedroom window added at 1st, 2nd & 3rd floors. To increase daylight and ventilation to bedrooms.
- g) Block P - North East elevation - cycle store door removed and located internally, entrance porch details changed, 1st floor window above porch size changed. As per Blocks J & K.
- h) Blocks V & T stone window heads within stucco base omitted. To be consistent with the rest of the scheme.
- i) Blocks J & K - 3rd floor windows amended, bay detail refined.
- j) Rear of all houses: ground floor 2 No. windows either side of conservatories moved inside. To improve the rear elevation composition should a conservatory not be built and to accommodate boiler extract.
- k) Block H all houses rear 2nd floor single pane windows increased to double pane. To increase light and ventilation to bedrooms.
- l) Blocks O & P East elevations wheelchair entrance porches shown and balconies above. For relocated wheel chair units.
- m) All terrace houses - 2nd floor single 3 pane window replaced with 2 No. 2 pane windows. To increase light and ventilation to bedrooms.
- n) Block D, 2 No. double windows added at 1st & 2nd floors To give additional aspect to the flats.
- o) Block C & A 1st floor - 4 bay window changed to 3 bay window and 1 bay window. To suit bedroom layouts.
- p) Block N ground, 1st & 2nd floor window sizes adjusted. To suit kitchen layouts.
- q) Block P SW elevation ground floor single pane window replaced with double pane to match size of adjacent casement.

r) Rosedale College Boundary - Entrance gates and piers replaced with close boarded fencing. Alternative arrangement following discussions with Rosedale College.

s) Blocks P & O double canopy added above wheelchair flat entrance doors. Porch to shelter visitors.

Trees

The large tree located to the east of the site entrance (T3) will be retained in response to the Council's Trees and Landscaping Officer's comments.

3.3 Relevant Planning History

Comment on Relevant Planning History

Outline planning permission was granted for residential development in October 2006, including the provision of a new boxing club.

A planning application, was submitted in December 2007, for the redevelopment of the site in two phases for 310 residential units (with 40% affordable housing), landscaping incorporating new open spaces and play areas and associated parking (involving demolition of existing buildings).

In April 2008, the application was refused mainly on the grounds of high density, high level of congestion on the traffic flow, lack of amenity spaces and family accommodation. The applicant appealed, but the applicant withdrew this appeal in February 2009.

In March 2008, another application was submitted for a similar proposed scheme (303 residential units with 48% affordable housing and more family houses than the previous schemes) was withdrawn at the end of April 2008.

The most recent planning history for the site relates to a full Planning Permission ref: 49996/APP/2008/3561, which the current application is seeking to amend, submitted by the current applicant in December 2008, for the redevelopment of the site for 261 residential units (consisting of 165 flats and 96 Houses of which 34% would be affordable); landscaping incorporating new open spaces, tree planting and play space; provision of energy efficient and renewable energy technology; vehicular and cycle parking; and retention of vehicular access off judge heath lane.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

PT1.13 To seek to ensure the provision of 8000 additional dwellings in the Borough

between 1 January 1987 and 31 December 2001.

- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.21 To seek publicly accessible recreational open space in association with proposals for development where appropriate to help reduce deficiencies in recreational open space or to ensure that provision does not fall below accepted standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.
- PT1.22 To seek the retention of existing recreation open space where there is an identified demand for such a facility or it makes a significant contribution to the visual amenity of the built up area.
- PT1.29 To seek, in conjunction with other London boroughs, to contribute a proportion of the regional sand and gravel requirement and London-wide landbank, and to protect the amenities of those living, working and recreating in and travelling through that part of the Borough south of the M4 motorway from an over-concentration of aggregate working.

Part 2 Policies:

- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- 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
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H4 Mix of housing units
- H5 Dwellings suitable for large families
- HDAS 'Residential Developments'
- LPP 3A.10 London Plan Policy 3A.10 - Special Needs and Specialist Housing.
- LPP 3A.13 London Plan Policy 3A.13 - Special needs and specialist housing
- LPP 3A.15 London Plan Policy 3A.15 - Protection and enhancement of the social

	infrastructure and community facilities
LPP 3A.21	London Plan Policy 3A.21 - Adequate provision of pre-school places
LPP 3A.3	London Plan Policy 3A.3 - Maximising the potential of sites
LPP 3A.5	London Plan Policy 3A.5 - Housing Choice
LPP 4A.13	
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4A.7	London Plan Policy 4A.7 - Renewable Energy
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R1	Development proposals in or near areas deficient in recreational open space
R3	Indoor sports, leisure and entertainment facilities
R4	Proposals that would involve the loss of recreational open space
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **12th May 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised as a departure from the development plan in the local paper and 427 surrounding owners/occupiers were consulted. 1 letter of objection has been received raising the following points:

- (i) To many residential units are to be crammed onto the site.
- (ii) The proposal will put a strain on local Health services and schools.

The following external bodies were also consulted:

GREATER LONDON AUTHORITY (GLA)

No response received. This will be reported at Committee.

TFL

The Section 73 application includes modifications to the layout and design of the site including the addition of 16 car parking spaces (from 282 spaces previously permitted to 298 spaces, an increase in the parking ratio to 1.14 spaces per unit from 1.08 spaces per unit).

TfL does not generally support such increases in car parking and it is not considered to be strictly necessary for the success of the scheme. Notwithstanding this, it is accepted that the proposed increase in parking of 16 spaces would not result in a noticeable impact on the operation of the highway network and on balance, given the mix of the units and the relatively low public transport accessibility of the site, TfL does not have any in principle objections to the proposals.

Officer Comment: It should be noted that 289 parking spaces are in fact proposed, an increase of 7 from the extant permission.

ENVIRONMENT AGENCY

We have assessed this application as having a low environmental risk.

HILLINGDON PRIMARY CARE TRUST

No response.

TRANSCO

No response.

ENGLISH HERITAGE (ARCHAEOLOGY)

No response.

SCOTTISH & SOUTHERN ELECTRIC

No response.

LONDON FIRE BRIGADE

No response.

METROPOLITAN POLICE

No objection to the proposal.

THAMES WATER UTILITIES

No response has been received. This will be reported at Committee.

SPORT ENGLAND

No response.

LAKE VIEW RESIDENTS' ASSOCIATION

No response.

PRINCES PARK RESIDENTS' ASSOCIATION

No response.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

1. Site

The application site has an area of 3.48 hectares. The site is located within the Developed Area as identified on the Proposals Map of the Saved Unitary Development Plan.

2. London Plan (Consolidated with Alterations since 2004) Feb 2008

The London Plan sets strategic targets to increase the overall provision of housing in London. Detailed development control criteria are not considered in the London Plan with the exception of density (PTAL - Public Transport Accessibility Levels) and Parking.

Policy 3A.3 seeks to maximising the potential of sites, compatible with local context and design principles in Policy 4B.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in Table 3A.2 (Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

London Plan Policy 3A.5 (Housing Choice) encourages Boroughs to ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups, all new housing is built to 'Lifetime Homes' standards and 10% of new housing to be wheelchair accessible. Local guidance is provided in Hillingdon Design and Accessibility Statement (HDAS) the Council's Supplementary Planning Document, which contains more details of lifetime homes.

2. Planning History

Outline planning permission was granted for redevelopment of site for residential use at a density of 49 units per hectare (involving the demolition of existing sports stadium) (49996/APP/2006/421). The density of the proposed development was approved at 49 dwellings per hectare or 171 habitable rooms per hectare subject to a 106 agreement.

Planning permission was granted for development of site for residential use at a density of 75 units per or 273 habitable rooms per hectare subject to a 106 agreement (49996/APP/2008/3561).

3. Main Policy Issues

Principle of development

This has already been established, therefore there is no objection.

Housing density

The previous planning permission (2008/3561) approved density of the proposed development at 75 units per hectare or 273 habitable rooms per hectare subject to a 106 agreement.

The proposed amendments for the current scheme, result in an increase of 7 habitable rooms per hectare from 273 hr/ha to 280 hr/ha. This results from an increase of large family houses.

Based on a suburban setting and PTAL 1b, the proposed density exceeds the density matrix at 50-75 units for 2.7-3.0 habitable rooms per unit for the current scheme. Where transport proposals will change the public transport accessibility ranking, there may a shift to a higher density range. Officers need to be satisfied that the proposal is the most efficient use of the site when considering its poor public transport access. HDAS guidance should be used.

Mix of housing

The revised mix does not change the affordable housing by unit numbers or area. The affordable percentage by habitable rooms has been reduced by 2% to 34% due to the increase in large family houses. Compared with the approved scheme (2009/2766), officers should be satisfied that the percentage reduction of affordable housing by habitable rooms meet the requirements of the viability test.

The split of affordable housing tenure remains the same as the approved scheme (2008/3561) at a 70:30 social rented: intermediate units. Policy has no further comments.

Loss of open space/sport facilities

The principle loss of open space to residential use was established by virtue of the outline consent granted in 2006 (ref: 2006/421) and the scheme approved in 2008 (ref: 2008/3561). The previously

approved scheme (ref: 2008/3561) secured by way of a legal agreement adequate, accessible, alternative sport facilities elsewhere in the borough. As there has been no material change to policy, policy has no further comments.

Amenity space

The Design and Access Statement submitted with this scheme states that overall the revisions to the scheme provide an improvement in terms of quantum of amenity space and an increase in total provision of amenity space compared with the approved scheme (2008/3561).

Although there may be an overall improvement in terms of quantum of amenity space, the amenity space proposed for the additional 5-bedroom houses are marginally below the SPD standard of 100m².

In addition, there has been a reduction in the communal amenity space in front of the 4/5 bedroom houses due to increased parking spaces. Any sub-standard amenity space previously approved was justified by access to the communal amenity space in front of the 4/5 bedroom houses.

Officers would need to be satisfied that the proposed amenity space for the additional 5 bedroom houses and the communal amenity space in front of the 4/5 bedroom houses will result in an appropriate internal living environment for future occupiers consistent with the design outcome of the previously approved scheme.

4. Conclusion

Officers would need to be satisfied that the proposed density of housing is appropriate for the site given its location and its relationship with the adjoining residential properties and poor public transport access and that the affordable housing by habitable rooms meets the viability test.

ENVIRONMENTAL PROTECTION UNIT

I refer to your request for comments on the details submitted in respect of the above application. EPU have no comments to make in respect of the above variation.

EDUCATION SERVICES

Under the previously used model, secondary school places weren't sought & building costs were slightly lower. Based on this model, an uplift of £44,484 towards education contributions is required.

ADULT SOCIAL CARE HEALTH & HOUSING

Thanks for the opportunity to comment on the above planning application.

The application primarily varies the mix of private units on the site and increases the total habitable rooms by 14. The affordable housing is unaffected and remains at 88 units or 34% as previously agreed. This does result in a net loss of 2% when the affordable housing is calculated on a habitable room basis so on that basis the affordable housing has reduced slightly from 36 -34%.

The application does make some improvements to the affordable element in that wheelchair accessible units are relocated to the ground floor and disabled parking bays have been repositioned nearer to the units.

We are happy to support this planning application providing that all the affordable housing complies with lifetime home standards and that the wheelchair accessible units within the affordable housing units are fully compliant with the Accessible Hillingdon SPD standards.

URBAN DESIGN OFFICER

The layout of the scheme has been revised in tandem with urban design advice, and are considered to retain and the fundamental elements of the approved development including density of the scheme, the compact layout, the level of amenity space, permeability, flexibility and character. The changes are as such supported in urban design terms.

WASTE STRATEGY MANAGER

No objection subject to waste condition.

HIGHWAY ENGINEER

It is considered that the trip generation would not be increased significantly by the amended scheme over and above that already approved. The additional 7 parking spaces are supported given the sites low PTAL of 1b.

No objections are raised on highway/traffic grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principles of a residential development and demolition of the sports stadium on this site have been established through previous planning permissions. Outline planning permission ref: 49996/APP/2006/421 was granted in October 2006 for a residential development and the demolition of an existing sports stadium. More recently, for the site relates to a Planning Permission ref: 49996/APP/2008/3561, approved in December 2008, for the residential development of the site (261 residential units) and demolition of the sports stadium, which the current Section 73 application is seeking to amend.

7.02 Density of the proposed development

Density guidelines are provided by the London Plan. These guidelines take into account public transport accessibility, the character of the area and type of housing proposed. The site has a PTAL score of 1b. Taking this into account, the London Plan density guideline is 150-200 hr/ha or 50 to 75 units per hectare (u/ha), within a suburban setting with a low PTAL.

The previous planning permission (2008/3561) for a development of 261 units, was approved at 75 dwellings per hectare and 273 habitable rooms per hectare or 3.6 habitable rooms per unit.

The current scheme also proposes 261 units, which would have a total of 975 habitable rooms. This would provide a residential density for the development of approximately 75 units per hectare (u/ha) and 280 habitable rooms per hectare (hrph) or 3.7 hr/unit. The proposed scheme would be within the higher end of the London Plan table 3A.2 density matrix in terms of units, as per the consented scheme.

Although the amended development would be slightly higher in terms of habitable rooms per hectare (7hrph) than the consented scheme, this is due to the omission 6 studio flats and the addition of six 5 bedroom houses. The addition of six 5 bedroom houses meets a recognised housing need within the Borough and is considered to make more efficient use of the site.

Furthermore, it is considered that site specific issues (dealt with elsewhere in the report), including design, environmental conditions for future occupiers and impact on neighbouring properties have been satisfactorily addressed. There is therefore no policy objection to the density proposed.

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

The site does not fall within an Archaeological Priority area and English Heritage (Archaeology) has made no representations.

Based on the findings of an Environmental Impact Assessment, a condition was attached to Planning Permission ref: 2008/3561 requiring that an archaeological evaluation (a programme of trial trenching) would be undertaken in advance of any construction activity on the site. The scope of this evaluation will concentrate on the areas with the highest potential of supporting remaining archaeological artefacts. If this evaluation indicates that an archaeological presence is likely, an archaeological Watching Brief will be carried out during the construction work.

This condition will be attached the new consent should planning permission be granted.

7.04 Airport safeguarding

The proposed development does not exceed the relevant height restrictions. No wind turbines are proposed within the development.

7.05 Impact on the green belt

The site does not fall within and is not adjacent to the Green Belt.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area. Policy BE38 seeks the retention of topographical and landscape features, and provision of new planting and landscaping in developments proposals. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London, and policy 4B.2 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 4B, London Plan policies relating to density (3A.3) and sustainable design and construction (4A.3) are also relevant.

The area is generally characterised by low scale development, comprising semi-detached housing to the west and south west and south east. To the North the Rosedale College campus buildings are set away from the site boundary within playing fields.

With regard to the scale and massing of the scheme, the main changes to the previously approved scheme have occurred in the north eastern corner bounding Rosedale College. Here the four storey flatted block containing 5 flats (three 2 bed and two 1 bed units) has been removed from Block G (adjacent to Block H) and associated parking omitted. This has made way for five, 3 storey, 5 bedroom houses at the northern end of the Grand Crescent. In addition two 3 bed houses have been omitted from Block G. The omission of the flatted block and addition of the six 5 bedroom houses has enabled the Grand Crescent to be extended and gives it a distinct uniformity, which adds interest and character to this focal point of the development.

Blocks F (a four storey Block of flats) and Block G (a terrace of 3 storey 4 bed houses) have been repositioned to the north-west by approximately 1m and one 2 bedroom flat has been installed within the roof on the south west side of Block F. Several rooflights are proposed within the roof slopes of Block F to facilitate the extra 2 bed flat.

These changes have been facilitated by the omission of the two pedestrian access ways from the site to Rosedale College and the reduction of space (formally the access ways) between Blocks D and E from 3.5m to 2m and from 3m to 2m between Blocks G and H. This was in response to concerns raised by Rosedale College and the Metropolitan Police's Crime Prevention Officer and is considered to increase security within the site.

The previous condition (condition 42) requiring this has now been deleted.

It is also proposed to add 1 x two bed flats in the roof spaces of Blocks R & X, which are located at either end of Block Q. These additional flats will be facilitated by the raising of part of the roof by 1.5m and through the introduction of windows into the roof gable features as well as rooflights for natural light.

The proposed elevational changes, incorporating mostly alterations to the fenestration and balcony design are relatively minor and are not considered to detract from the architectural merits of the previous approved scheme or from the character and appearance of the area.

The proposed changes are considered to contribute positively to the consented scheme. The overall development continues to be characterised by a density, massing and the overall building height of 2-3 storeys with a mixture of heights throughout. The scheme continues to be appropriate and well balanced for the site, and to harmonise with the surrounding context. The permeable layout and the variety of public and private open spaces, landscape character, size, use and character is considered to provide a robust, flexible and sustainable living environment.

In addition, the amended scheme maintains a legible and logical structure of pedestrian and vehicular routes. Car parking is provided throughout the site, but in most instances well situated in modestly sized parking courts, which are screened from the main road and pavement. The roads around the site include traffic calming features, such as gentle curves and raised tables, which maintain visibility through the route but force drivers to maintain lower speeds for navigation. Furthermore, the use of different coloured block paving with the road design incorporates adopted design principles for Home Zones.

In terms of permeability, there are limited connections out of the development, partly due to the constrained nature of the site, with the only vehicular and main pedestrian access off Judge Heath Lane.

The external design of the buildings and proposed building materials, such as traditional facing bricks, stucco render, slated pitched roofs in combination with Bath stone copings and cills maintain a balanced and appropriate design response with regard to the scale and context of the site. It is, as with the approved scheme, important that these features be retained in the more detailed design stages, as they contribute to the visual richness and quality of the scheme. The previously approved design condition requiring the submission of external materials details, as well as drawings, (including colour schemes), providing details of balconies, porches, fenestration and doors, together with boundary walls and railings, prior to the commencement of works therefore needs to be retained.

Subject to compliance with this condition, it is considered that the scheme is compliant with Policies BE13, BE19 and BE21 of the UDP, relevant London Plan policies and design guidance.

7.08 Impact on neighbours

In relation to outlook, Policy BE21 requires new residential developments to be designed to protect the outlook of adjoining residents. The design guide 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings.

The proposal being considered would maintain a gap of between 28 to 30 metres from the rear of properties to in Judge Heath Lane. In terms of the relationship with properties in Burbage Close to the south and east, a distance of between 21 to 35 metres is maintained, while an average distance of 30 metres is maintained between properties in Cromwell Road to the west. These are the same separation distances as with approved scheme ref: 49996/APP/2008/3561. This complies with the 15 metre HDAS overdominance guidance. It is not therefore considered that the proposal would result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with policy BE21 of the UDP.

With regard to privacy, the marginally altered site layout indicates that adequate separation distances would be provided between the proposed buildings and neighbouring residential properties in Cromwell Road, Judge Heath Lane and Burbage Close in accordance with the guidelines in the HDAS 'Residential Layouts' Supplementary Planning Document and Policy BE24 of the UDP.

It is not considered that there would be a material loss of day or sunlight to neighbouring properties, as the proposed buildings would be sited a sufficient distance away from adjoining properties. It is also considered given its layout that there will be a good level of day lighting for the proposed development. The proposal is considered to be consistent with Policy BE20 of the UDP and relevant design guidance.

7.09 Living conditions for future occupiers

Amenity space

Policy BE23 of the Unitary Development Plan Saved Policies states that new residential buildings should provide or maintain external amenity space which is 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.

Policy R1 states that where development is proposed in or near an area deficient in recreational open space, the Local Planning Authority may require developers to provide publicly accessible recreational open space, including children's play space, appropriate to the scale and type of development to serve an area of identified deficiency.

The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' requires residential developments to provide the following amenity space:

- a) 1 bed flat - 20sq metres of shared amenity space.
- b) 2 bed flat - 25sq metre of shared amenity space.
- c) 3 bed house - 60sq metres of private amenity space.
- d) 4 bed house - 100sq metres of private amenity space.
- e) 5 bed house - 100sq metres of private amenity space.

Based on these amenity requirements, the amenity space requirements for the proposed development results in the following:

- a) 62 x 1 bed flats - $20 \times 62 = 1240$ sq metres.
- b) 98 x 2 bed flats - $98 \times 25 = 2450$ sq metres.
- c) 61 x 3 bed houses - $61 \times 60 = 3660$ sq metres.
- d) 28 x 4 bed houses - $28 \times 100 = 2800$ sq metres.
- e) 12 x 5 bed houses - $12 \times 100 = 1200$ sq metres.

The revised scheme results in an HDAS requirement of 11,350sq metres of amenity space of which 3690sq metres is required to service the 1 and 2 bed flats and 7660sq metres of private amenity space to service 3,4 and 5 bed houses.

The consented scheme provided a quantum of amenity space totalling 12,752sq metres, of which 2,842sq metres was public/shared open space for the 1 and 2 bed flats and 9,910sq metres was private amenity space.

The proposed scheme provides a quantum of amenity space totalling 13,188sq metres, of which 2,677sq metres is public/shared amenity space for the 1 and 2 bed flats and 10,511sq metres is private amenity space. Of this private space provision, 982sq metres is private/communal space serving the 1 and 2 bed units. As such the total amenity space serving the 1 and 2 bed units totals 3,659sq metres, a shortfall of 31sq metres, which would not diminish the high quality internal living environment.

The large public open spaces predominantly remain the same in terms of quantum provided. The Green, Promenade and Pond are unchanged. However, The Arena open space has been reduced in size, by 163sq metres, to allow for additional/relocated parking bays to be provided. This revision was also to allow the carriageway to be widened by 0.5m as requested by Highways Officers, in order to enable the extension of the Home Zone, which is discussed later in the report.

The additional private amenity space, amounting to 601sq metres is provided within the Grand Crescent. Here six additional 5 bed houses are proposed, each of which has a front and rear garden. In addition, the developer has repositioned the six already consented 5 bed houses within the Grand Crescent, to maximise the amount of private amenity space afforded to each of them. Overall, the larger 5 bed dwelling units are serviced with a wider range of amenity areas of between 87sq metres and 135 sq metres, which is considered appropriate.

Internal Space

In terms of internal space standards and the quality of accommodation provided, the Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standards for studio apartments are 33 sq. m, 1 bedroom flats is 50 sq. m, two bedroom flats 67 sq. m, 81 sq. m for 3 bedroom houses, 92 sq m. for 4 bedroom houses and 101 sq. m for 5 bedroom houses.

The floor space information provided by the applicant indicates that all the replacement units within the amended development achieve and in many cases exceed HDAS recommended floor space standards for all of the units.

The applicant has confirmed that Lifetime Home standards will be met for all the units. In addition, 26 of the units will be designed to full wheelchair accessible standards.

Overall, it is considered that the amended proposals meet with the aims and objectives of the Council's HDAS SPD and would provide a high quality living environment for all of the proposed units, in accordance with Policies BE20, BE23, BE24, OE1 and O5 of the UDP, HDAS 'Residential Layouts' and 'Accessible Hillingdon' and the provisions of the London Plan. A condition requiring details of all wheelchair units and a condition requiring all units

to be developed to Lifetime Homes Standards will be followed through from the original planning permission to this Section 73 consent.

Outlook

In terms of outlook for future residents, Policy BE21 of the Unitary Development Plan Saved Policies seek to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

In this regard, it is considered that the amended site layout would continue to provide a high standard of amenity for future occupiers. The layout provides space around the flat blocks and ensures that there is adequate separation between the blocks and surrounding car parking spaces serving these buildings. This will result in a satisfactory outlook from the proposed units in these blocks and reduce the potential for nuisance and disturbance to the future occupiers. As such, the development is considered to be consistent with relevant design guidance and policies BE21 and OE1 of the UDP.

All of the units would benefit from an acceptable level of privacy and light, in compliance with the Council's standards given in The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts'.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed development is accessed from Judge Heath Lane from the south with a single access forming a priority junction. There are no proximate sections of Transport for London Road Network. The nearest section of Strategic Road Network is Uxbridge Road, 1 km north.

Under the consented scheme ref: 49996/APP/2008/3561, the Council's Highways Officer established that it was considered unlikely that traffic generated by the development will have an adverse impact on the highway network. Both TfL and the Highway Engineer raised no objections on highway/traffic grounds at the time.

The amended scheme proposes 289 car parking spaces, compared with 282 that were approved under the consented scheme, an increase of 7 car parking spaces. This level of provision does not exceed the maximum London Plan parking standards. Officers consider that the provision of maximum or close to maximum car parking standards of 1.5 for each flat and 2 spaces per dwelling should be adopted given the site's Public Transport Accessibility level (PTAL) rating of 1b, where 1 is the lowest and 6 is the highest.

The revised scheme proposes 289 parking spaces. This equates to a total provision of 1.11 spaces per unit which is a modest increase of 0.03 spaces per unit. This increase is within the adopted parking standards and as such is supported. A disabled parking space is to be allocated to each of the wheelchair accessible units. This level of provision is considered acceptable.

350 cycle parking spaces are proposed. This level meets TfL and Council cycle parking standards. Details of the cycle storage will be carried through consistent with the underlying consented scheme..

Amendments have also been made to highways design following detailed discussions with the Council's Highways department. The proposed Homezone has been extended to

incorporate the northern road of the site, around the arena and opposite the Promenade. This is considered to improve the pedestrian environment. The remainder of the entrance road has not been made a Homezone in agreement with Highways advice.

The Homezone will be defined by a differentiation of materials, signage and speed ramps at the three entrance/exit points of the homezone. The intention is that speeds within the estate road will be reduced further, especially around the Arena, which is the focus of one of the larger open space areas within the site. This will improve safety for pedestrians including children who may play within these communal amenity areas. To facilitate the extension of the Homezone the Highways department requested that the road width be increased by 0.5m to allow a 6m highway width. This has been achieved by minimising the pathways around the Arena to 1.2m (inner footpath) and 1.8m (outer footpath) respectively.

In terms of public transport accessibility, TfL London Buses concluded, when assessing the consented scheme, that the local bus network would be able to accommodate any new trips generated by the proposed development. Given there is no increase in the number of units proposed and there is only a minimal increase in habitable rooms across the site, the revisions to the scheme are unlikely to result in a significant increase in vehicle trips over and above the consented development.

Under the consented scheme, financial contributions towards upgrading the nearest bus stops to accessibility standards, and a Travel Plan were secured through a Section 106 Agreement. A deed of variation will be entered by the Council and Barratt Homes to follow through the S106 Agreement to the new permission to ensure it is secured. The proposal therefore complies with London Plan policy 3C.20 'Improving conditions for buses' and 3C.2 'Matching development to transport capacity'.

7.11 Urban design, access and security

Security

In order to address specific security issues raised by the Metropolitan Police Crime prevention officer, the layout of the development has been amended to address the following points:

- a) The two pedestrian access ways to Rosedale College have been omitted. The entrance gates and piers have been replaced with close boarded fencing. This will be secured by a condition requiring details of all boundary treatments.
- b) In Blocks J and K, the cycle store door in the north elevation has been removed and located internally to make storage of residents bicycles more secure.

Urban Design

The issues of urban design and access have been dealt with elsewhere in the report.

7.12 Disabled access

The amendments to the scheme are relatively minor. As with the approved scheme, the proposals are generally considered to comply with the London Plan policy 4B.5 and HDAS supplementary planning document Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Affordable Housing

London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

The London Borough of Hillingdon Affordable Housing SPD (May 2006) seeks to secure a minimum of 50% affordable housing on new build schemes that contain 15 units or more. This should then be split in 70% social rented and 30% shared ownership / intermediate housing. The Council's Planning Obligations SPD (July 2008), together with the London Plan Consolidation (2008) supersedes these requirements and schemes with 10 units or more shall secure 50% affordable housing.

The affordable housing provision has not altered from the approved scheme. The level of affordable housing offered by the applicant remains at 34% in terms of units and has reduced by 2% from 26% to 34% for habitable rooms. The tenure split is also unchanged and remains at 70% social rented and 30% intermediate. This will be secured by way of the S106 Agreement.

Special Needs Housing

The quantum of wheelchair units proposed under the amended scheme remains the same as that approved under planning permission ref: 49996/APP/2008/3561. The floor space information provided by the applicant indicates that the development generally achieves HDAS recommended floor space standards and that lifetime home standards will be met for all the units.

The approved scheme provided wheelchair units across all tenures and these were located at ground, first and second floors. As part of a design review, the location of wheelchair units and disabled parking spaces has been improved by incorporating all wheelchair units at ground floor and relocating disabled parking spaces to be as close as possible to the wheelchair units. In addition, a minimum of 10% wheelchair accessible units, which equates to 26 units delivered by this scheme, will be designed to full wheelchair accessible standards. This equates to 26 units. A condition will be carried over from the original planning permission requiring the submission of internal layout details, to ensure compliance.

Overall, it is considered that the proposed development would provide good living conditions for all of the proposed units in accordance with HDAS 'Residential Layouts' and the provisions of the London Plan.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other

things, that development proposals will be expected to retain and utilise topographical and landscape features of merit.

In terms of the landscape layout the amendments indicated on the current site plan, ref. 1204/P009 Rev H, are minor when compared with the approved layout plan ref. 1187/P010.

Subsequent to the approval of the layout plan, further negotiation took place with the developer in 2009 as a result of the need to raise the site levels. This led to the (agreed) removal of additional trees, notably along the north and east boundaries, where the raising of ground levels was not compatible with the proposed tree retention. At the time the Council noted that the additional trees to be removed were not of particular merit and the developer agreed to plant replacement trees (of more suitable species) in the affected rear gardens. Drawing No. 07046-BC09 Rev E indicates the 'Unilog' retaining wall system which is to be used along the northern boundary. An amended tree survey / arboricultural implications assessment should reflect these changes, as should the provision of new tree planting as part of the landscape proposals. These will be secured by condition.

Further to the provision of additional tree planting in the rear gardens (north and east) some other minor amendments have taken place, which affect the open spaces within the centre of the site. The area of open space and the disposition of structure planting (trees) as shown on the current layout plan is similar to the approved drawing. The amendments to the scheme are considered acceptable in landscape terms subject to conditions requiring details of landscaping, a tree survey and landscape management plan, in accordance with policy BE38 of the Hillingdon Unitary Development Plan.

7.15 Sustainable waste management

A Site Waste Management Plan (SWMP) will be developed in order to minimise the quantities of waste being disposed of through recycling and/or re-use on site. Management of construction waste would involve sorting, crushing, grading, and stockpiling on-site either to reuse these materials as a sub-base or to transport them to a suitable recycling facility. Where there is a need for remediation as a result of contamination of water, soil and/or building materials, any contaminated materials that cannot be remediated on site will be taken off site to appropriately licensed facilities. These measures can be controlled by appropriate conditions, carried over from the original planning permission.

7.16 Renewable energy / Sustainability

London Plan (February 2008) policies 4A.4 and 4A.7 require the submission of an energy demand assessment based on sustainable design and construction; a demonstration of how heating and cooling systems have been selected in accordance with the Mayor's energy hierarchy; and how the development would minimise carbon dioxide emissions, maximize energy efficiencies, prioritise decentralised energy supply, and incorporate renewable energy technologies, with a target of 20% carbon reductions from on-site renewable energy.

Policy 4A.9 promotes five principles to support the most effective adaptation to climate change. These are: to minimise overheating and contribution to heating and effects, minimise solar gain in summer, contributing to flood risk reductions, including applying sustainable drainage principles, minimising water use and protecting and enhancing green infrastructure. Specific policies cover overheating, living roofs and walls and water. Policies 4A.2 and 4A.8 focus on the means to mitigate climate change.

The changes to the approved scheme are relatively minor in extent and are considered to have little, if any additional impact in relation to renewable energy and sustainability issues over and above those considered under the consented scheme. A conditions requiring details of how the renewable energy can be implemented as part of the development, to contribute at least 20% CO2 reduction, in accordance with the aims of Renewable Energy Policy 4A.7 and 4A.9 of the London Plan (February 2008), will be followed through from the consented scheme and attached the new planning permission should this application be approved.

7.17 Flooding or Drainage Issues

Flood risk and drainage issues were assessed under the consented scheme. At the time the developer submitted a flood risk assessment, taking into consideration the principles of Planning Policy Statement 25 (PPS25) and other relevant regional and local policies. It was concluded that the development would not increase the risk of flooding. It is considered that the small amendments to the approved scheme would not have any detrimental affect on the flood risk on the site.

The Environment Agency conditions requiring the detailed design of the surface water system, limiting the surface water run-off, requiring attenuation of surface water in SUDS systems, (including green roofs, detention ponds, permeable paving, tanks and above ground storage), will be carried over from the current planning permission to the new decision should this application be granted.

With regard to land contamination, the Environment Agency requirement for a remediation strategy, in the event that contamination not previously identified is found to be present at the site, and a condition requiring measures to protect ground water have also been requested will also be carried through from the current planning permission.

Condition 32 relating to sewerage drainage capacity will be reported to Committee following consultation with Thames Water.

Subject to the recommended conditions, it is considered that development would not increase the risk of flooding and therefore is in accordance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies 2007, Policy 4B.6 of The London Plan (February 2008) and Planning Policy Statement 25: Development and Flood Risk.

7.18 Noise or Air Quality Issues

A noise assessment was included in the Environmental Impact assessment which was submitted as a part of the consented scheme, which the Council's Environmental Protection Unit considered to be acceptable subject to a condition requiring details of a sound insulation scheme. In addition the EPU considered the scheme would have an impact on the Council's Air Quality Action Plan and that the development was likely to cause a worsening of air quality.

The mitigation offered relied, mainly on the Green Travel Plan as well as the renewable energy options. These were secured by a proposed condition and through the S106 Agreement.

It is considered that the modest changes proposed to the scheme will have very little additional impact on noise and air quality over and above the approved development. The proposed scheme is therefore considered acceptable subject to conditions and the S106 Agreement. These have been followed through from the consented scheme.

7.19 Comments on Public Consultations

The development proposal seeks to vary planning permission ref: 49996/APP/2009/2766 which proposed 261 units on the site. The amended scheme also proposes 261 units. The road layout and vehicular access to the site remain unchanged. S106 Contributions will be secured by a S106 Agreement to mitigate any impact on services in the area resulting from the proposed development.

7.20 Planning obligations

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of 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'.

A range of Planning Obligations were sought, and secured, by a S106 Agreement under the consented scheme. The amendments to the approved development have resulted in some necessary alterations to the contributions sought in relation to education. Following financial viability tests the only contribution uplift that is being sought is for future education improvements. The amended scheme results in a net increase of 24 habitable rooms and there is an associated child yield resulting from the increase in habitable rooms. An Education contribution uplift is sought to the sum of £44,484. This has been agreed by the applicant and will be secured by A Deed of Variation to the existing S106 Agreement.

7.21 Expediency of enforcement action

There are no enforcement notices and/or investigations relating to the development of this site.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for

example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

10. CONCLUSION

The application seeks to vary condition 5 of planning permission ref: 49996/APP/2008/3561 to enable changes to be implemented to the consented development. The proposals involve the removal of five flats within Block G and associated car parking, and their replacement with five x 5-bedroom houses, providing a natural extension to the crescent. In addition, the proposal involves a removal of one x 4-bedroom unit from the crescent, and replacement with a further 5-bedroom unit; amendments to the siting of Block F and Block G; an extension to the proposed Homezone; relocation of wheelchair accessible units to the ground floor of blocks J, K, O and P; revisions to the Highway and car parking layouts; and minor elevation changes.

There is no significant change to the density of the development, which remains the same as the consented scheme in line with the upper limits of London Plan guidance in terms of the number of units, but is marginally higher in terms of habitable rooms. Density is increased by 7 habitable rooms per hectare (or 24 habitable rooms for the whole development) in terms of habitable rooms over that already consented. Nevertheless, the layout, design, bulk and scale of the proposed buildings is considered appropriate for the site and existing surrounding development. The scheme will still maintain a high quality internal living environment for future occupiers consistent with design principles of the original master plan for this site.

The amended site layout indicates that, as per the consented scheme, adequate separation distances would be provided between the proposed buildings and neighbouring residential properties in Cromwell Road, Judge Heath Lane and Burbage Close, ensuring that there would be no undue impact on the occupiers of these properties by reason of loss of light, outlook or privacy as a result of the erection of the buildings, in accordance with relevant policies and design guidance. The development will therefore not result in unacceptable impacts on the amenities of neighbouring properties or to the character and appearance of the area. In addition, highway, parking, security and ecological issues have been satisfactorily addressed

The amended site layout also indicates an overall increase of amenity space on the site, which is welcomed. Whilst there is a marginal shortfall of shared amenity space serving the 1 and 2 bed units, it is considered to be small and will not diminish the quality of the scheme.

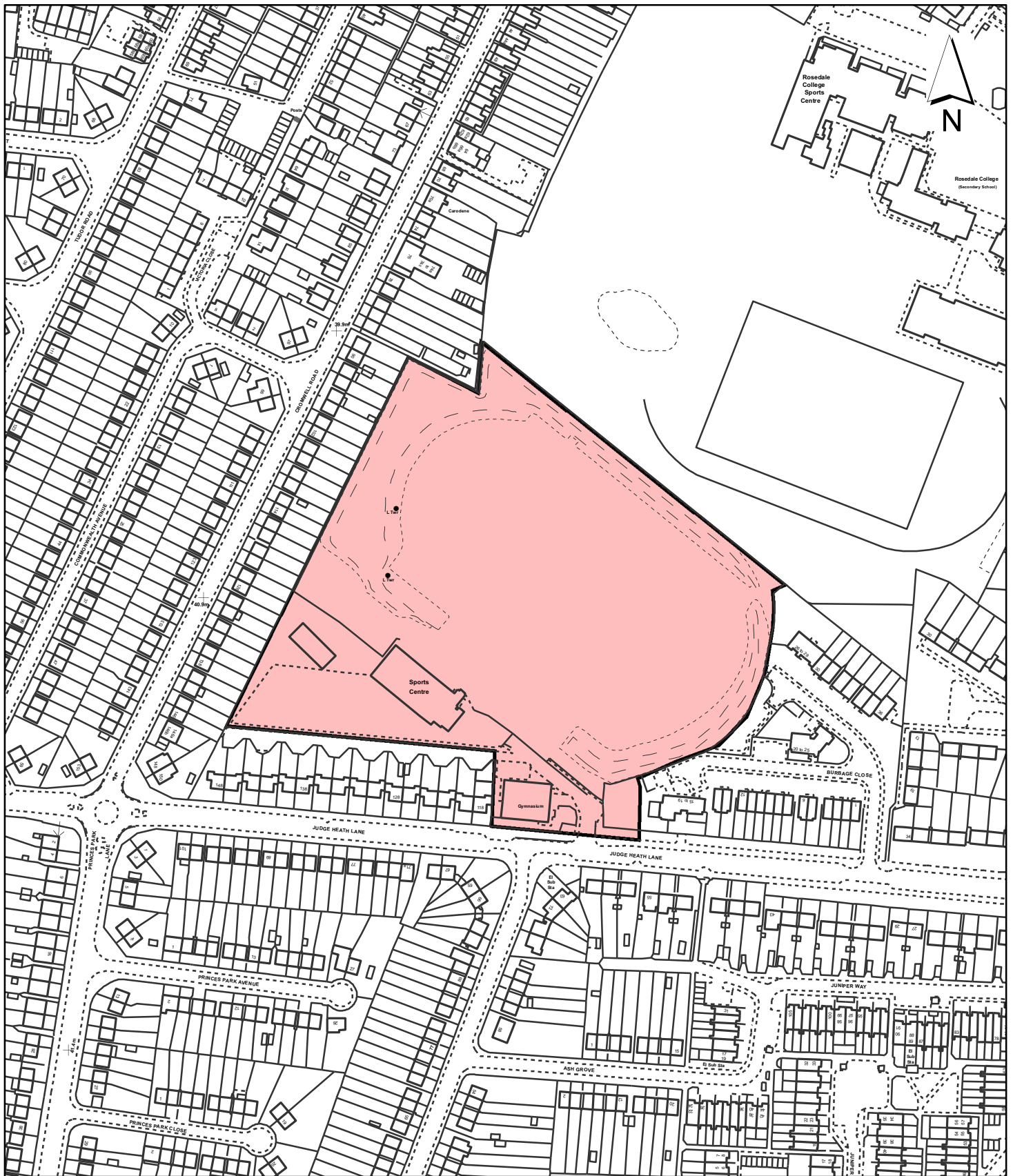
Subject to the recommended conditions and the planning obligations to be secured by a Deed of Variation to the S106 Agreement, the application is recommended for approval.

11. Reference Documents

- (a) London Plan Consolidation (February 2008)
- (b) Planning Policy Statement Note 3 - Housing
- (c) Planning Policy Guidance Note 13 - Transport
- (d) Planning Policy Guidance Note 24 - Planning and Noise
- (e) Hillingdon Unitary Development Plan Saved Policies (September 2007)
- (f) Hillingdon Design and Accessibility Statement (HDAS)
- (g) Council's Supplementary Planning Guidance Community Safety by Design
- (h) Council's Supplementary Planning Guidance Planning Obligations Strategy
- (j) Letters making representations

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Notes

 Site boundary
For identification purposes only.

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London Borough of Hillingdon
100019283 2009

Site Address

**Former Hayes Stadium
Judge Heath Lane
Hayes**

Planning Application Ref:

49996/APP/2009/2766

Planning Committee

Central and South

Scale

1:2,500

Date

May 2010

**LONDON BOROUGH
OF HILLINGDON
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