

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

**Address** 19-22 CHIPPENDALE WAYE UXBRIDGE MIDDX

**Development:** Erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity.

**LBH Ref Nos:** 67544/APP/2019/1978

**Drawing Nos:** AAL-19-152-P03 REV C  
Croft - Transport Assessment  
C2217-REV-A-R1  
15045-NEA-01  
Design and Access Statement - June 2019  
AAL-19-152-P04 REV A  
AAL-19-152-P05 REV A  
AAL-19-152-P01 REV E

**Date Plans Received:** 11/06/2019

**Date(s) of Amendment(s):** 11/06/2019

**Date Application Valid:** 02/08/2019

### **1. SUMMARY**

The application seeks consent for the redevelopment of the existing residential plots to provide 12 new residential units comprising of 7x1 bed, 4x2 bed and 1x3 bed units with associated access, car parking and landscaping.

Following the demolition of both the dwellings at No19 and No 22 Chippendale Waye, planning consent was granted for the erection of 4 x 3 bedroom houses with associated parking and external works (planning reference 67544/APP/2018/4323). It should be noted that in 2011 an earlier approval was granted for 12 flats.

The principle of development is established through the existing residential use of the site and further compounded by the above planning consent therefore it is the intensification of the use of the site which is being assessed. Whilst the application proposes a taller building than the properties which bound the site, the wider street scene comprises of a variety of taller buildings and the proposed height of the building would be acceptable within the context of the local streetscene.

As such the application is recommended for approval.

### **2. RECOMMENDATION**

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

**A) Entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:**

**The obligations sought are as follows:**

**1. Off-site Affordable Housing - Contribution of £150,000**

**2. Applicant agrees to restrict the occupiers from applying for parking permits for**

all on street parking control zones.

3. **Employment Strategy and Construction Training Contribution** - either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered.

4. **Carbon off-set contribution** as required by an approved Energy Assessment

5. **Project Management & Monitoring Fee: Project Management & Monitoring Contribution** equal to 5% of the total cash contributions. Details shall be in accordance with the Council Planning Obligations Supplementary Planning Document 2014

6. **S278 agreement** to carry out works to facilitate a new vehicle crossover to the front, eastern end of the site to allow for the bins to be carried or wheeled out to the collection vehicle.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreement has not been finalised by 19 April 2020 (or such other timeframe as may be agreed by the Head of Planning, Transportation and Regeneration), delegated authority be given to the Head of Planning, Transportation and Regeneration to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of affordable housing, construction training, carbon offset and parking restrictions). The proposal therefore conflicts with Policy H2 of the Hillingdon Local Plan Part 1 (2012), DMCI 7 of the Hillingdon Local Plan : Part 2 - Development Management Policies (Jan 2020) and Policies 3.12 and 5.2 of the London Plan (2016).'

E) That if the application is approved, the following conditions be attached:-

1            HO1            **Time Limit**

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

REASON

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

2            HO2            **Accordance with approved**

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

AAL-19-152-P03 REV C  
AAL-19-152-P04 REV A  
AAL-19-152-P01 REV D  
AAL-19-152-P05 REV A

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **3 RES5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Amasia -Design and Access Statement  
15045-NEA-01 - Noise Assessment  
C2217-REV-A-R1 - FRA  
Croft - Transport Assessment

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

#### REASON

To ensure that the development complies with the objectives of Policies DMT1, DMT2, DMT 6, DMHB 11 and DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

### **4 NONSC SUDS**

Prior to commencement,(excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information on:

#### a) Suds features:

i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,

ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1in 30, 1 in 100, and 1 in 100 plus Climate change. This rate should be presented per hectare as well as the total for the whole site.

iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, ( safe access

and egress must be demonstrated).

iv. Where infiltration techniques (soakaway) a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

b) Minimise water use.

i. incorporate water saving measures and equipment.

ii. provide details of how rain and or grey water will be recycled and reused in the development.

c) Long Term Management and Maintenance of the drainage system.

i. Provide a management and maintenance plan

ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).

lii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.

iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

## REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy 5.13, 5.15 Flood Risk Management of the London Plan and National Planning Policy Framework (2019), and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014)

## **5 OM19 Construction Management Plan**

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

(i) The phasing of development works

(ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).

(iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.

(iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

(v) Traffic management and access arrangements (vehicular and pedestrian) and parking

provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(vii) The storage of demolition/construction materials on site.

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

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

### **6 RES7 Materials (Submission)**

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

Details should include information relating to make, product/type, colour and photographs/images.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

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

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

#### 1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting including pollution absorbing planting around the front boundary and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate, which shall include pollution absorbing tree species along the Chippendale Way road frontage.

#### 2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage demonstrating 12 secure covered cycle spaces

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts demonstrating 4 car parking spaces (including demonstration that 1 active and 3 passive of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

#### 3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

3.b Justification as to why no part of the development can include living walls and roofs

#### 4. Details of Landscape Maintenance

4.a Landscape Maintenance Schedule for a minimum period of 5 years.

4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

#### 5. Schedule for Implementation

#### 6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 14 of the Hillingdon Local Plan : Part 2 - Development Management Policies (Jan 2020) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

### **8            SUS1            Energy Efficiency Major Applications (full)**

Prior to commencement of development an Energy Assessment for the 12 units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall set out the annual baseline regulated energy demand (kwhr) as per 2013 Building Regulations (or subsequent amendments) and associated carbon emissions (kgCO<sub>2</sub> and tCO<sub>2</sub>). The assessment shall then set out the measures and technology required to achieve a 100% reduction (zero carbon) in the CO<sub>2</sub> associated with the baseline regulated energy demand; these measures must be sufficiently evidenced with corresponding details and specifications including the location of low and zero carbon technology (i.e. roof plans showing the inclusion of PV panels). The updated Energy Assessment must clearly set out any shortfall (tCO<sub>2</sub>) of the zero carbon standard. The development must proceed in accordance with the approved updated Energy Assessment.

#### REASON

To ensure the proposals contribute to a reduction in CO<sub>2</sub> in accordance with London Plan Policy 5.2 (2016).

### **9            NONSC            Imported Soils**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy DMEI 12 and DMEI 13 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **10           RES26           Contaminated Land**

Before any part of this development is commenced a site survey to assess contamination at the site shall be conducted to the satisfaction of the Council and a remediation scheme,

for addressing any unacceptable concentrations of contaminants present at the site, shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of any identified contaminants and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy DMEI 12 and DMEI 13 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **11 NONSC Non Standard Condition**

No contaminated soils or other materials shall be imported to the site. All soils used for gardens and/or soft landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination and the results of this testing shall be submitted for approval to the Local Planning Authority.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination, in accordance with policy OE11 of the Hillingdon Local Plan Part 1 and DMEI 14 of the Hillingdon Local Plan - Part 2 - Development Management Policies (January 2020).

#### **12 NONSC Noise**

The noise level in rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

REASON : To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy DMHB 11 of the Hillingdon Local Plan - Part 2 - Development Management Policies (January 2020).

#### **13 NONSC Noise**

An enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

#### REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy DMHB 11 of the Hillingdon Local Plan - Part 2 - Development Management Policies (January 2020).

#### **14 NONSC Accessibility**

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

#### REASON

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

**15 NONSC Accessibility**

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

**REASON:**

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

**16 NONSC Non Standard Condition**

The development hereby approved shall ensure that 10% (1) of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling with a floor plan at no less than 1:100 submitted for each of the different M4(3) units and agreed in writing by the Local Planning Authority. All details, to include transfer zones, wheelchair storage area, and other spatial requirements within bedrooms, bathrooms, living and dining areas, should be shown on a separate plan for every different unit type. All remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

**REASON**

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

**17 RES22 Parking Allocation**

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

**REASON**

To ensure that an appropriate level of car parking provision. is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

**18 RES24 Secured by Design**

The dwelling(s) shall achieve '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). No dwelling shall be occupied until accreditation has been achieved.

**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 London Plan (2016) Policies 7.1 and 7.3.

## **INFORMATIVES**

### **1 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).

### **2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plans (2012 and 2020) including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

### **3 I47 Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

#### **4            170            LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

#### **5            173            Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingsdon.gov.uk](mailto:planning@hillingsdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

#### **6**

The removal and making good of the existing carriageway crossing and provision of new will need to be subject of a Section 184 application via the Highways Act 1980

### **3.    CONSIDERATIONS**

#### **3.1    Site and Locality**

The application site measures approximately 0.07 hectares in size and is located on the

north side of Chippendale Way within close proximity of Uxbridge Town Centre. The site was previously occupied by 4 semi-detached houses but were demolished due to poor condition, leaving the plot vacant.

The plot is situated between rows of semi-detached houses and Uxbridge Early Year's Centre, with vehicular access via a service road to the rear of the houses. To the rear of the site are parking facilities, an access road and a disused playground.

To the northeast is a listed building at no. 59 Park Road and properties with access from Grove Way, to the south east is the Uxbridge Early Years Centre just beyond Chippendale Alley; the southwest is Chippendale Way itself and the rear gardens associated with 23-28 Chippendale Way and to the northwest by an existing service road serving the site and the rear of properties 4-16 Montague Road.

### **3.2 Proposed Scheme**

The proposal seeks full planning consent for the construction of a new three storey building comprising of 7 x 1 bed, 4 x 2 bed and 1 x 3 bedroom apartments with associated landscaping and parking.

### **3.3 Relevant Planning History**

67544/APP/2011/736      19-22 Chippendale Way & Car Park Area To Rear Of 23-28 Chippen  
Erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way) (Outline Application).

**Decision:** 11-10-2011    Approved

67544/APP/2012/2024      19-22 Chippendale Way & Car Park Area To Rear Of 23-28 Chippen  
Reserved Matters (Scale and Appearance) in compliance with conditions 2 and 3 of planning permission ref: 67544/APP/2011/736 for the erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way).

**Decision:** 06-11-2012    Approved

67544/APP/2018/4323      19-22 Chippendale Way Uxbridge Middx  
Erection of 4 x 3 bedroom houses with associated parking and external works

**Decision:** 05-02-2019    Approved

67544/PRC/2019/64      19-22 Chippendale Way Uxbridge Middx  
Erection of apartment building consisting of 12 apartments

**Decision:** 13-05-2019    PRC

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

67544/APP/2018/4323 - Approved - Erection of 4 x 3 bedroom houses with associated parking and external works

67544/APP/2012/2024 - Approved - Reserved Matters (Scale and Appearance) in compliance with conditions 2 and 3 of planning permission ref: 67544/APP/2011/736 for the erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way).

67544/APP/2011/736 - Approved - Erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way) (Outline Application).

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

London Borough of Hillingdon Development Plan (from 17 January 2020)

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this

Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019)

1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

1.6 The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

1.7 Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 9 Management of Flood Risk

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMH 6 Garden and Backland Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

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

**5.1** Advertisement Expiry Date:- **13th September 2019**

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

## **6. Consultations**

### **External Consultees**

Letters were sent to adjoining neighbours and a site notice was erected. All forms of consultation expired on 11-09-19 . 2 comments were received raising concerns with the following:-

- Privacy of the surrounding properties (overlooking)
- Location of the bin storage
- Lack of car parking
- Height of the building is excessive
- Drop off point for those who interact with the Early Years Centre would be lost
- Further congestion problems

### **Internal Consultees**

#### **TREES AND LANDSCAPING:**

This site is a Council-owned vacant plot which has been cleared and boarded up on the north side of Chippendale Way. According to aerial photographs natural regeneration has occurred and the site is covered with self-set colonist vegetation. There are no TPO's or Conservation Area designations affecting the site. COMMENT the site was the subject of a previous planning application ref. 2018/4323, which was approved. No trees or other landscape features of merit will be affected by the proposal. The development will have a shallow front garden facing Chippendale Way and a rear

garden with four parking spaces to the rear, accessed via the rear service road. The current proposal is similar to the approved scheme, however, the following details are noted: 1. The proposal now promotes flats rather than houses. 2. The front elevation has been moved forward towards Chippendale Way and in front of the existing building line. 3. The D&AS is weak and does not address all of the recommended items listed in the guidance. For example, there is no analysis of the existing landscape or comment about the potential landscape quality.

**RECOMMENDATION** If you are minded to approve this proposal it should be accompanied by a robust landscape proposal secured by condition DMHB14 .

## HIGHWAYS:

### Site Characteristics & Background

The site is located in a residential catchment just to the north and on the 'edge' of Uxbridge town centre fronting onto Chippendale Way. As a consequence of the sustainable location, the PTAL rating for the site is rated as 4 and borders on an area equating to 5 making the site highly accessible by public transport thereby diminishing the need to own and travel by private motor car. The address is currently a vacant site which once contained a row of residential housing which was demolished due to dilapidation. There is an extant but now expired consent for a residential development containing 12 one bed units within the proposed site envelope. In addition the address benefits from a more recent extant permission for 4 three bedroom houses (67544/APP/2018/4323).

The site backs onto a rear service road which is designated as housing land (i.e. un-adopted public highway) and allows access to neighbouring residential properties and the adjacent 'Early Years' centre and associated gated car park allocated for that use. Other residential dwellings in the locality exhibit some on-plot parking provisions and the surrounding road network is extensively covered by parking controls which include a Controlled Parking Zone (CPZ) incorporating a residential parking scheme operating from 9am to 10pm for seven days per week. The rear service road is currently unrestricted but will in due course be encompassed within the above CPZ with residential parking provisions.

### Parking Provision

Hillingdon Local Plan: Part 2 states that new development will only be permitted where it is in accordance with the Council's adopted parking standards. It is proposed to construct a substantive single block incorporating 12 flats with 4 on-plot parking facilities arranged in a communal fashion to the rear of the units accessed from the aforementioned rear service road. In order to comply with the adopted parking standard, the maximum on-plot requirement would demand up to 1.5 spaces per unit totalling 18 spaces. A quantum of 4 spaces are proposed hence the proposal falls well below this maximum level of requirement.

It is noted that the 'edge of town centre' location and surrounding residential catchment/road network exhibit certain characteristics which could arguably support a lower quantum of on-plot parking provision. As mentioned earlier - the PTAL is relatively high and the local area is covered by an extensive daytime/evening CPZ with off-street parking facilities for some of the surrounding residential properties in the area. These characteristics combined promote the use of sustainable transport modes thereby reducing the need for ownership and use private motor transport which inherently reduces general on-street parking demand and subsequent parking pressures on the highway. Also, once included within the CPZ, a 'resident permit restriction' could be imposed on the address in order to prevent future occupiers from obtaining parking permits for the local area when the adjacent CPZ comes into play. This would further help deter potential car ownership/usage from within the site. This would need to be secured by legal agreement under Section 106 of the Town and Country Planning Act 1990 (T&CPA 1990).

On balance, the provision of 4 on-plot spaces is therefore considered borderline acceptable in this

case.

#### Cycling Parking Provision

In terms of cycle parking there should be a provision of at least 1 secure and accessible space for each of the 1- 2 bedroom flatted units (totalling 11 spaces) with 2 spaces for the 3 bedroom unit in order to conform to the adopted minimum borough cycle parking standard. In total 13 spaces are sought. 12 are shown on plan hence an additional space should be provided either by way of amended submission or via planning condition.

#### Vehicular Access Arrangements

To allow access from the existing rear service road to the proposed 4 on-plot parking spaces, an existing 'bell-mouth' arrangement would be utilised as is. This arrangement is considered acceptable in principle.

#### Vehicular Trip Generation

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

Clearly the proposal would raise the level of vehicular activity to and from the site given its current dormant status. It is noted that some vehicular traffic had previously been generated when the now demolished housing units were in place hence the net impacts are unlikely to exhibit a significant variance that would be prejudicial to road capacity. Nevertheless the anticipated uplift in trip generation related to the 12 new dwelling units as compared with the vacant site would clearly rise but it does not raise any immediate highway concerns with traffic generation not expected to exceed 3-4 vehicle movements during the peak morning and evening hours. Such uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Road safety benefits are also achieved by way of the fact that traffic movement into and out of the site would emerge onto the rear service road and then onto a formal road junction which connects directly to Chippendale Way thereby concentrating vehicles onto a single aperture in lieu of multiple access points onto this main road which could otherwise prejudice general road safety.

#### On-Plot Refuse Storage

Refuse collection would be executed via the rear service road as is the case at present for the existing neighbouring properties. Although this arrangement is not ideal in terms of the restricted manoeuvring space within the service road which causes difficulty for refuse vehicles to enter and depart in a forward gear onto Chippendale Way (which is encouraged on best practice safety grounds), the collection regime is already established hence the new units would continue to be served by-way of the established collection methodology. The bin store location is positioned in a manner which conforms to the Council's waste collection standards hence there are no further observations.

#### Construction Logistics Plan (CLP)

A full and detailed CLP will be a requirement to help protect the amenity/safety of the local residential road network thereby avoiding/minimising potential detriment to the public realm. It will need to be secured under a suitable planning condition.

#### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not measurably exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with policies DMT1, DMT2 and DMT 6 of the Hillingdon Local Plan : Part 2 - Development Management Policies 2020 and policies 6.3,6.9, and 6.13 of the London Plan (2016).



#### CASE OFFICER COMMENT:

Whilst a proportion of the application site does fall within PTAL zone 4 Chippendale Way itself falls within PTAL 5 and the site remains sits directly on the boundary of the town centre which mostly benefits from the highest PTAL rating. The refuse storage and collection arrangements have since been changed by relocating the bin store to close to the bike storage towards the eastern flank wall and a path. This allows the bins to be access by the waste crew within a compliant distance and prevents collection from the rear access road which would have involved the waste crew having to reverse at an awkward angle into the collection area.

#### FURTHER HIGHWAY COMMENTS RELATING TO THE ABOVE

As discussed - the presented detail is sound from the perspective of highway location.

#### ACCESS:

"Any grant of planning permission should include the following conditions: Prior to works commencing, details of step free access via all communal and principal private entrances shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building. REASON To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8 (c) and (d) is achieved and maintained. The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building. REASON: To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8 (c) and (d) is achieved and maintained.

#### FLOOD WATER MANAGEMENT

No objection subject to condition. The applicant has submitted a flood risk assessment and drainage strategy (Nimbus Engineering report dated July 2019) to accompany the application. The drainage strategy confirms the approach to managing surface water on the site, including the use of permeable paving and an expanse of green roof, discharging to the surface water sewer at a rate of 0.3l/s. The drainage strategy identifies elements that are to be clarified during detailed design and therefore the details of the drainage network should be secured with an appropriately worded condition. The detailed design should be in line with the approaches proposed in the submitted drainage strategy.

#### CONTAMINATED LAND

Please apply the following conditions: - 1. Before any part of this development is commenced a site survey to assess contamination at the site shall be conducted to the satisfaction of the Council and a remediation scheme, for addressing any unacceptable concentrations of contaminants present at the site, shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of any identified contaminants and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works. REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. 2. No contaminated soils or other materials shall be

imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be laboratory tested for chemical contamination, and the results of analyses shall be submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy DMEI 12 of the Hillingdon Local Plan : Part 2 - Development Management Policies (Jan 2020)

#### AIR QUALITY

There was no specific air quality assessment with the application. However, this development is within the Uxbridge Air Quality Focus Area and the close proximity of the residential units to the road therefore consideration should be given to protect the future residents from emissions from the road. A condition to encourage the use of green infrastructure, incorporating pollution absorbing planting, to protect future residents from emissions from the road should be considered.

I believe there is a specific landscaping condition which has been worded to capture this.

#### POLICY

There are no general comments on the principle development. The key policy issue is the requirement for the provision of affordable housing. Policy H2 of the Local Plan Part 1 and policy DMH7 of the emerging Local Plan Part 2 require developments of 10 or more units to maximise the delivery of affordable with a minimum target of 35%. Policy DMH 7 also applies the requirement for affordable housing for additional units created through subsequently amended planning applications. This includes where a development under the 10 unit threshold threshold is amended to have 10 or more housing units. It does appear that any affordable housing is currently proposed on site. I can see on Ocella that an FVA has been provided which should be assessed in accordance with the guidance in the Mayor's Affordable Housing and Viability SPD. In accordance with policy, the option of offsite provision or payment in lieu should also be considered where on site provision is not demonstrated to be unviable.

#### S106 AND AFFORDABLE HOUSING

67544/APP/2019/1978 - 19-22 CHIPPENDALE WAYE

As requested, please see my comments below:

- (1) the proposed scheme is for erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity.
- (2) It should be noted that the site was sold at an auction. The applicant's agent submitted an FVA report that did not include any reasoning and support justifying the auction price for the approved 4 unit housing scheme. The onus is on the applicant to provide this justification.
- (3) The National Planning Policy Framework (NPPF) viability guidance is very clear that purchase price is no longer an acceptable approach for establishing a site's benchmark land value.
- (4) The Council appointed FVA Assessor has made an appraisal of the residual land value of the previous approved scheme.
- (5) There are 28 habitable rooms within the current proposed scheme which is an uplift from the approved 4 house scheme. Therefore, based on the calculations made this would result in an

overage.

(6) The Council FVA Assessor analysis based on adopting optimistic assumptions results in a land value for the approved 4 unit housing scheme. The FVA Assessor has previously advised (again using their assumptions) that the proposed scheme assuming 100% market housing would result in an optimal residual land value.

(7) Planning guidance does not distinguish between the sale of public and private sector land and ultimately the purchase price of any site should take full account of policy requirements.

(8) For the proposed planning scheme in view of the circumstances, it is considered reasonable for the applicant to contribute £150,000 as a financial sum towards affordable housing off-site provision.

(9) The above recommendation is subject to a S106 agreement including the following Head of Term:

- contribution of £150,000 as a financial sum towards affordable housing off-site provision

#### NOISE

Erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity.

As seen in the revised drawings.

The acoustic report refers to the external noise environment surrounding the proposed development. The applicant has demonstrated what the ambient noise levels surrounding the site and the level of mitigation required to achieve the standards cited in BS 8223:2014. Sound reduction requirements for the external building fabric and glazed elements of the residential units have been provided and is deemed satisfactory however the application states 12 residential units and the drawings show different uses /rooms in the adjoining residential unit on specific floors. Namely between the first floor ,second floor and third floor(Seen in drawings of flats 5 ,9 and 12)

Therefore in light of the above kindly consider the following noise conditions

1.Condition ; The noise level in rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance with EM8 Part 1 Local Policy.

2. Separation of noise sensitive rooms in neighbouring flats

Condition: Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  [and  $L'_{nT,w}$ ] of at least 5dB above the Building Regulations value, for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with EM8 Part 1 Local Policy.

INFORMATIVES for Demolition and Construction:

## 1 Permitted hours for building work

Construction and demolition works and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

## 2.Dust

Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Best Practice Guidance by the GLA 2014 for The Control of Dust and Emissions from Construction and Demolition

## WASTE MANAGEMENT

No objections to amended layout and new crossover for waste collection from Chippendale Way.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The National Planning Policy Framework (2019) has a requirement to encourage the effective use of land and encourages the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing. Chapter 5 of the National Planning Policy Framework (NPPF), supports the delivery of homes, confirming that local authorities should, through their Local Plans, demonstrate how housing targets and objectives will be met. Particular emphasis is given to housing delivery over the next five years, but authorities are also required to consider growth beyond this.

Policy H1 of the Local Plan: Part 1 - Strategic Policies gives general support to housing provision to meet and exceed the Council's minimum strategic dwelling requirement, where this can be achieved, in accordance with other Local Plan policies.

London Plan (2016) policy 3.3 similarly seeks to ensure that London's housing needs are met. This objective is reiterated in the Mayor of London's Supplementary Planning Guidance (SPG) on Housing, although it must be noted that the SPG is clear that in achieving housing targets, full account must be given to other policy objectives and that to address London's strategic housing requirement and reconcile any local disparities between housing need and supply, boroughs should identify and proactively seek to enable extra housing capacity through the preparation of their Local Plans.

Notwithstanding this general policy support for new residential developments, it is clear that careful consideration must be given to the ability of development proposals to also meet other planning policies and also the ability of authorities to meet their housing needs.

The application site is located on the boundary line of the Uxbridge Metropolitan Town Centre as defined within the Local Plan : Part 2 - Development Management Policies (Jan 2020) although it does not form part of it.

The principle of development is established through the existing residential use of the site and recent planning consent granted for 4 new 3 bed residential dwellings. The proposal seeks to intensify this existing and consented residential use of the site and therefore the principle of development is considered to be acceptable.

### 7.02 Density of the proposed development

London Plan Policy 3.4: Optimising housing potential, aims to optimise the housing potential of sites whilst recognising that there are a wide range of factors that need to be taken into account in determining planning decisions relating to the residential density of any proposal.

The London Plan includes a density matrix at Table 3.2, and in paragraph 3.28 it recognises that the ranges within the density matrix are broad. It goes on to state that these broad ranges 'provide the framework within which boroughs can refine local approaches to implementation of this strategic policy through their LDFs.'

Policy 3.4 of the London Plan (2016) seeks to optimise housing potential and includes a sustainable residential quality (SRQ) matrix for calculating the optimal density of residential development of a particular site. Optimal density levels vary based on the Public Transport Access Level (PTAL) score for the area in which the site is located, the character of the area (central, urban or suburban) and the type of accommodation being provided (based on the amount of habitable rooms per unit).

Notwithstanding the above policy reference in the latest version of the emerging London Plan (Dec 19) demonstrates the removal of the density matrix table 3.2 which is used as a guide for decision makers to assess optimal density for housing sites. It is therefore considered that whilst referred to above the optimal density should be assessed against the Local Planning Authorities density matrix within its adopted Local Plan.

Policy DMH 2: Housing Mix The Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The proposal seeks full planning consent for 12 new residential units comprising of 7x1 bed, 4x2 bed and 1x3 bed units. Whilst the latest version of the Hillingdon Strategic Housing Assessment (November 2016) states that there is a general need for more family sized units (3 bed and above) it is considered that smaller sized units should be located within town centres. Given the site's location on the boundary of the town centre, the need for housing and the inclusion of a 3 bed unit, the proposed unit mix is considered acceptable in policy terms.

Policy DMHB 17 of the Hillingdon Local Plan Part 2: Development Management Policies (Jan 2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.3. Developments will be expected to meet habitable rooms standards.

Policy H10 of the Intend to Publish version of the London Plan (Part A6) also states that unit mix should take account of the nature and location of the site with a higher proportion of one and two bed units generally deemed more appropriate in town centre locations, such as this site.

Whilst a proportion of the site does fall within PTAL rating 4 as stated in the Officer comment above, a search of the TFL WebCAT using 19-22 Chippendale Way as the address results in a PTAL rating of 5 therefore the density calculation should be undertaken using PTAL 5 and not 4.

Table 5.3 provides a list of residential settings alongside the PTAL ratings and the optimal density range. The location is considered to be central given its 4/5 PTAL rating therefore the optimal density range should be within 495-1,100 habitable rooms per hectare and 165-405 units per hectare with an average of 3 habitable rooms per unit. The proposed

scheme would result in a density of 167 units per hectare and 391 habitable rooms per hectare. As such the application proposes an overall density which would fall within the optimal density range and is therefore considered to be acceptable.

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

The application site is not located within an area important for archaeological remains, it is not sited close to any statutory listed building nor is it located within or on the fringes of a Conservation Area. Notwithstanding this the application site is located in approximately 17 metres south west, from the Old Stable, 59 Park Road which is locally listed.

The application site is located within what is considered the setting of a Locally Listed building therefore Policy DMHB 3 is relevant to the assessment of the proposal. The policy provides three key points for which a proposal should adhere to however section A) is the only relevant point given that the proposal is not for alterations to the Listed Building itself. Point 'A)' states that there is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications.

With regards to the potential impact to the setting of the Locally Listed Building and in particular the views of the Old Stable from Park Road, the building is set against the backdrop of the much larger industrial, functionally design Intu Car Park which towers above the Locally Listed Building. The proposed rear elevation of the new building would effectively replace the back drop which is formed by the Intu car park and given its lightweight brick colour its various set-ins it is considered that the proposed development would improve the views taken from the front of the Old Stable from Park Road.

The scheme is considered to accord with Policy DMHB 3 of the Local Plan Part 2 (2020) and would not have a detrimental impact on the setting to the Locally listed Old Stable building.

#### **7.04 Airport safeguarding**

Not applicable

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

Not applicable

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

There is a hierarchy of design policies which relate to housing development and which filter from national policy down to local level policy, each of which needs to be considered when determining an application for new housing.

At national level, Chapter 4 of the National Planning Policy Framework sets out strong principles for determining planning applications. Section 48 provides 3 key principles for which weight should be given. Point c) of this section states "the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)".

At regional level Policy D4 of the London Plan (2016) states that in order to optimise the development of housing on sites across London, a range of housing typologies will need to be built. To bring forward development on constrained sites, innovative housing designs that meet the requirements of this policy, including minimum space standards, are supported. In ensuring high quality design, housing developments should consider the elements that enable the home to become a comfortable place of retreat and should not differentiate between housing tenures.

New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people. Qualitative aspects of a development are key to ensuring successful sustainable housing and should be fully considered in the design of any housing developments. Housing developments are required to meet the minimum standards below.

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design which includes ;

- i) harmonising with the local context by taking into account the surrounding:
    - scale of development, considering the height, mass and bulk of adjacent structures;
    - building plot sizes and widths, plot coverage and established street patterns;
    - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
    - architectural composition and quality of detailing;
    - local topography, views both from and to the site; and · impact on neighbouring open spaces and their environment.
  - ii) ensuring the use of high quality building materials and finishes;
  - iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
  - iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and
  - v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory redevelopment of any adjoining sites which have development potential. In the case of proposals for major development 5 sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

Chippendale Way and its surrounding area is characterised by a variety of mixed use buildings which understandably vary in scale and design given their town centre location. Whilst, in strict design terms, there is no objection to the redevelopment of the existing site, the design of any new development should harmonise with the established character of the area and enhance the visual amenities of the overall street scene.

The site is located on the north-eastern side of Chippendale Way, where residential development comprises two storey and two and a half storey semi-detached dwellings, some with private driveways, others without and plot sizes of varied depth. To the south-west of the site lies "The Intu" five storey car park and Uxbridge Heath Centre. Towards the south east of the site and adjacent to the intu car park is 1-23 Penrith Close which is a flatted block, 3 stories in height and is similar in terms of its bulk and massing to what is currently being proposed as part of this application. Immediately east of the site is a single storey children's nursery which is separated by a public footpath which runs between Chippendale Way and Park Road. External materials along Chippendale Way are a mixture of traditional and modern, including facing brickwork, tile hanging, render, cladding, metal detailing and plain roof tiles.

Whilst the immediate residential context comprises of two storey properties the composition of the buildings within the slightly wider context of the street scene should also be given consideration when assessing whether a 4 storey building would be out of character in this location. The proposed building would measure 11.7 metres in height, extend approximately 30 metres in width and would feature a rear projecting wing towards the western end of the building which results in a maximum depth of 16 metres. With regards to the proposed height, it should be noted that there is a previously approved application at this site (planing ref: 67544/APP/2011/736), whilst adopting a more traditional design the overall height of that consented building was approximately 11 metres and was evidently taller than the neighbouring two storey properties. Furthermore the front facade measured 32 metres which is in excess of the 30 metres proposed as part of the current application.

Whilst it is clear that the height of the proposed block would be greater than the two storey dwellings and the nursery which abut the site, the building has been set in from all of the boundaries and a staggered set in designed into the second and third stories. The slight front projecting bays and the set in stated above contribute to the breaking up of the front facade which reduces the bulk when viewed from the front and when travelling in both directions along Chippendale Way. Furthermore the use of a lighter brick and glazing to the third storey level further reduces the bulk and appearance of a taller building than those which abut the site as it appears subordinate to the lower levels.

In terms of the boundary treatments, the character is relatively mixed and this is understandable given the mixed use nature of the street scene. The residential properties benefit from small front gardens with approximately 1m high brick boundary walls which sit in front of vegetation (mainly hedgerows) of varying heights. The proposed block would be set back from the main highway by 3 metres and whilst this is approximately 1m forward of the front building line of the adjacent residential property No.23 it is consistent with the building line of No 27 & 28. Whilst the proposed front boundary treatment is yet to be finalised (will be secured by way of condition) the site plan indicated that boundary treatment will include vegetation along the frontage and should be a pollution absorbing species given its location on a modestly busy road. The proposed boundary treatment would therefore be considered acceptable within the street scene.

The proposed material palette consisting of a light grey brick rather than render is welcomed and has been designed to sit comfortably within this site and the varied streetscene. It is considered that the proposed development of a 4 storey flatted development in this location accords with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020).

#### **7.08 Impact on neighbours**

As stated above policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020) sets out principles of good design which will ensure the amenities of surrounding properties are protected. Paragraph 5.38 of the Hillingdon Local Plan Part 2 - Development Management Policies (Jan 2020) which supports DMHB 11 states that the Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking.

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic



noise and adjacent uses can hamper the quiet enjoyment of homes.

The proposed block would be constructed approximately 4 metres from the eastern side elevation of No 23 Chippendale Way and would extend approximately 2 metres beyond its rear elevation. However potential impact of the additional depth would be offset by the staggered building line as the block tunnels towards the rear. The rear projecting wing would be set in from the side elevation of No 23 by approximately 8 metres thus reducing potential overshadowing. Furthermore a staggered set in has been applied from the first floor to the 3rd floor which reduces the potential impact to the visual amenities of No23 in terms of overshadowing and overdominance even further. In addition to the above there are no windows in the eastern elevation of No23 which serve a habitable room thus the proposed block is not considered to give rise to any significant impacts to the visual amenities of the No.23.

The proposed site plan includes a swept path for 21 metre overlooking distances which are relevant to the nearest residential properties. To the north of the site is the Locally Listed, Old Stable, 59 Park Road which is a detached former stable block located on the western side of Park Road. The building has undergone alterations and extensions which include a new rear L-shape wing which extends south from the main building, alongside a public footpath and tunnels around the boundary shared with the Early Years Centre car park. The elevation which runs alongside the car park is most relevant as it faces the proposed new block. A search of the planning history and site visit confirmed that this elevation benefits from 2 rooflights which provide sunlight into the kitchen area of this ground floor extension and therefore are not considered to serve a habitable room. Notwithstanding this, the proposed site plan and 21 metre swept path demonstrates compliance with the 21 metres separation distance stated within the above LPP2 policy.

Immediately east of the application site is a children's early years centre (nursery) which is separated by the public footpath leading from Chippendale Way through to Park Road further north. The eastern flank wall of the proposed development would be constructed 7 metres from what is a small play area within the boundaries of the nursery and which fronts Chippendale Way. The aforementioned flank wall would not feature any windows and therefore the play area would not be overlooked. Notwithstanding this the proposed plans illustrate 1 side facing window and balcony which would offer views west towards the nursery however this would be in excess of 26 metres from the boundary of the nursery and therefore is considered to be far enough away not to give rise to any overlooking or privacy issues.

Taking the above into consideration the proposed development is considered to comply with DMHB 3 & DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

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

##### **UNIT SIZES**

The London Plan (2016) and the 'Technical housing standards - nationally described space standard' sets out minimum sizes for various sized residential units.

Policy DMHB 16 of the Hillingdon Local Plan Part 2: Development Management Policies (Jan 2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

To achieve this all residential development or conversions should: i) meet or exceed the most up to date internal space standards, as set out in Table 5.1; and ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users. The proposed dwelling sizes are as follows:

Unit 1	1b/2p	52.6 sqm
Unit 2	1b/1p	46.0 sqm
Unit 3	2b/3p	66.4 sqm
Unit 4	1b/2p	50.2 sqm
Unit 5	1b/2p	54.4 sqm
Unit 6	1b/1p	39.0 sqm
Unit 7	2b/3p	66.4 sqm
Unit 8	1b/2p	50.2 sqm
Unit 9	2b/2p	76.4 sqm (internal measurements meet 2b/3p)
Unit 10	2b/3p	66.4 sqm
Unit 11	1b/2p	50.2 sqm
Unit 12	3b/6p	106.8 sqm

The submitted floor plans demonstrate that the proposed units would exceed the relevant quantum of floor space required to satisfy the minimum floor space standards set out in table 5.1 which states that 1 bed 1 person unit should provide 39 sqm, 1 bed 2 person 50sqm, 2 bed 3 person 61 sqm, and a 3 bed 6 person should provide 95 sqm of internal floor space. It is clear from the measurements above that the proposed units sizes would comply with Policy DMHB 16 of the Hillingdon Local Plan Part 2: Development Management Policies (Jan 2020).

#### PRIVATE AMENITY SPACE

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) sets out specific design standards to ensure that each residential unit benefits from adequate levels of amenity space. Paragraph 5.71 states dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building. Houses and ground floor flats should have private gardens. The Council is keen to improve the quality of housing in the Borough and therefore communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of high quality with clear planning merits.

Table 5.2 which supports Policy DMHB 18 states that the studios or 1 bed flats should provide 20 sqm, 2 bedroom flats should provide 25 sqm and 3+ bedroom flats should provide 30 sqm of amenity space. The proposed development should therefore provide 270 sqm of amenity space.

With regard to the above the proposed site plan illustrates the ground level amenity space arrangement which includes segregated amenity space for the units fronting the Chippendale way and shared communal space mainly to the rear of the building but also a smaller proportion towards the eastern boundary. Given the busy traffic flow of Chippendale Way the segregated amenity space to the front of the building has not been included within the amenity space calculations although a condition is to be added to ensure pollution absorbing planting is used for the boundary treatments. Notwithstanding this, the proposed development would provide 188 sqm of communal amenity space at

ground level and a further 56 sqm via private balconies therefore in total the scheme would provide 244 sqm of amenity space. Whilst the proposal falls 26 sqm short of the amenity space required to serve the development, this deficiency is considered marginal and is outweighed by the quality of the space provided. Furthermore there is also a small children's playground slightly further north of the site which is available for use by local residents. Consequently, on balance the proposed level of provision is considered acceptable in this instance

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

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that new development is only permitted where it is in accordance with the Council's adopted car parking standards.

The application site is located on the boundary of the Uxbridge Town Centre and benefits from a PTAL rating of 4/5 which is relatively high and means that the site benefits from high accessibility to public transport. Whilst the proposal would provide 4 parking spaces and this falls below the maximum level which the council could seek to secure, the Highways Officer who has assessed the application states that consideration should be given to the site's location on the Town Centre boundary as well as the extensive CPZ which prevents on street parking overspill from potential developments. It is not unusual in cases such as these that the Council would accept less than the maximum car parking provision on the basis that the developer enters into a legal agreement which prevents the occupants from applying for a residents permit allowing them to park on street within the CPZ areas. As such this has been added to the heads of terms within this report. Given that only 4 spaces are proposed to be provided on site, a Parking Allocation Plan condition is proposed to be imposed to ensure that the 4 spaces provided are firstly allocated to the family sized units and the disabled unit required to be provided on site.

With regards to the vehicular access arrangements this will be from the existing rear access road from Chippendale Way and will utilise an existing 'bell-mouth' arrangement which is considered acceptable.

In terms of cycle parking there should be a provision of at least 1 secure and accessible space for each of the 1- 2 bedroom flatted units (totalling 11 spaces) with 2 spaces for the 3 bedroom unit in order to conform to the adopted minimum borough cycle parking standard. In total 13 spaces are sought. 12 are shown on plan hence an additional space should be provided either by way of amended submission or via planning condition.

Taking the above into consideration the proposed development is considered acceptable in terms of Highway Impacts and Parking provision.

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

Urban Design matters are discussed in detail under paragraph 7.07 of this report.

Security Issues have been incorporated into the design of the development and will be secured by a recommended condition to achieve Secure By Design accreditation.

#### **7.12 Disabled access**

London Plan policy 3.8 (d) states that ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair

accessible, or easily adaptable for residents who are wheelchair users

Paragraph 5.63 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) states that all new homes should be designed to meet accessibility criteria as detailed in the Council's 'Accessible Hillingdon' SPD or subsequent guidance document(s). All housing of ten or more dwellings will be required to provide 10% of units which are accessible to wheelchair users and must comply with the design criteria of "Wheelchair Standard Homes" as defined in the Council's "Accessible Hillingdon" SPD.

The above paragraph supports LPP2 policy DMHB 16 policy which states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

With regard to the above policy and supporting text, the application proposes 12 units therefore 1 fully accessible unit should be secured. Whilst the proposed site plan and floor plans indicate that Unit 1 would be accessible for wheelchair users and a dedicated path has been and entrance separate to the main front entrance has been included within the design. Notwithstanding this the proposed plan or supporting documents do not directly state this unit has the provision to meet the above policy therefore a condition has been included to secure further details.

Taking the above into consideration and the inclusion of a condition to secure full details of the 1 fully accessible unit, the proposal is considered to comply with both London Plan and LLP2 policies.

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

The London Plan (March 2016) sets the policy framework for affordable housing delivery in London. Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to their affordable housing targets. Policy 3.13 sets the threshold for seeking affordable housing on schemes with 10 or more units.

The development would introduce a total of 12 dwellings, thereby triggering the Mayor's affordable housing requirement threshold. Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough to be delivered as affordable housing.

The Council's Planning Obligations Supplementary Planning Document (supplementary planning guidance) adopted in July 2014 states that the Council aims to achieve a tenure mix of 70% social rent and 30% intermediate housing across the Borough, however it notes at paragraph 4.16 that subject to the provision of robust evidence, it will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough as well as the viability of schemes.

The applicant has submitted a Financial Viability Appraisal (FVA) as the scheme is unable to deliver 35% affordable housing on site, as required by policy. The FVA has been assessed by an independent assessor appointed by the Local Planning Authority.

Following the assessment of the FVA and in view of the circumstances stated within the document, it is considered reasonable for the applicant to contribute £150,000 as a financial sum towards affordable housing off-site provision. This is to be secured by way of a S106 legal agreement.

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

Policy 5.10 of the London Plan (March 2016) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The proposed development would feature shallow gardens to the frontage allocated specifically to the ground floor units which front the road and further soft communal landscaping to the rear and eastern side of the building. In commenting on the scheme the Landscapes Officer has stated that further information is required in order to determine the suitability the landscaping however this can be secured by an appropriate landscaping condition. Further to the Air Quality Officers comments these details should include pollution absorbing planting particularly to the front of the building as the principle highway for which the building fronts is a busy road.

## **7.15 Sustainable waste management**

Policy 5.17 of the London Plan (March 2016) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The initial submission suggested that refuse collection would be executed via the rear service road however it is clear from the comments raised by the waste strategy manager that this arrangement would be unacceptable as the waste vehicle would be required to reverse out of the rear access road and around the bend onto Chippendale Way in order to egress from the bin store as there is inadequate turning space. A revised site plan has been submitted demonstrating the relocation of the bin store to the eastern end of the site, in front of the bike stands. The bins would then be pulled 10 metres to the front of the site onto the vehicle to be emptied on Chippendale Way. A new crossover would be required to facilitate the collection and this is to be secured via a s278 agreement. The bin store which measures 5.3 sqm would be adequate to house 2 x 80L euro bins which is considered adequate to serve the development. No specific details have been provided in relation to the materials to be used to construct the bin store and these will be secured within the proposed landscaping condition.

The revised waste details are considered to be acceptable and compliant with LPP2 policy DMHB 11.

## **7.16 Renewable energy / Sustainability**

Policy 5.2 of the London Plan (March 2016) requires that development proposals make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy: Be lean: use less energy; Be clean: supply energy efficiently; and Be green: use renewable energy.

Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will ensure that climate change mitigation is addressed at every stage of the development process. This includes the reduction of carbon emissions through low carbon strategies and encouraging the installation of renewable energy to meet the targets set by the London Plan (March 2016).

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that: A) All developments make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets; B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved; C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, if the Council is minded to approve the application despite not meeting the carbon reduction targets, then it will seek an off-site contribution to make up for the shortfall. The contribution will be sought at a flat rate at of £/tonne over the lifetime of the development, in accordance with the current 'allowable solutions cost'.

The assessment submitted alongside this planning application is not adequate and provides no details of measures to minimise carbon dioxide emissions. The proposal is for the creation of 12 units within a new build. This is therefore a major development which triggers the requirement to deliver zero carbon housing. The energy assessment is not sufficient in its current form.

In order to ensure compliance with regional and local planning policies, it will be necessary to impose a condition requiring the submission and approval of a revised Energy Assessment. In addition, as it is not currently possible to assess if the development is policy compliant, the S106 agreement will require a contribution linked to the submission of further assessments and using the standard formula to allow the Council to capture any shortfalls. If the updated Energy Assessment indicates no shortfall, then no payment is necessary.

Subject to the imposition of the above condition and Heads of Term legal agreement, the development accords with policy 5.2 of the London Plan (2016), policy EM1 of the Local Plan Part 1 (2012) and policy DMEI 2 of the Local Plan Part 2 (2020).

## **7.17 Flooding or Drainage Issues**

Policy 5.12 of the London Plan (March 2016) requires that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development.

Policy 5.13 of the London Plan (March 2016) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policies DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

The applicant has submitted a flood risk assessment and drainage strategy (Nimbus Engineering report dated July 2019) to accompany the application. The drainage strategy confirms the approach to managing surface water on the site, including the use of permeable paving and an expanse of green roof, discharging to the surface water sewer at a rate of 0.3l/s. The drainage strategy identifies elements that are to be clarified during detailed design and therefore the details of the drainage network will be secured by condition.

Subject to the imposition of the above condition, the development is considered to accord with regional and local planning policies.

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

### **AIR QUALITY**

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) states

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

The application site is located within an Air Quality focus area and is considered to be of a small scale major application therefore the Air Quality Management Officer has been consulted as part of the assessment of the scheme. Taking the comments from the Air Quality Management Officer which suggest that the proposed building should be set back from the principle highway and that pollution absorbing planting should be used along the front boundary which shall be secured by condition, the proposal is considered to be acceptable.

### **NOISE**

Policy EM 8 of the Hillingdon Local Plan Part 1 - Strategic Policies states that the Council will seek to ensure that noise levels within developments are controlled and mitigated. With regard to the above and the general design policies (DMHB 11 of the LPP2) an acoustic report has been submitted and refers to the external noise environment surrounding the proposed development. The applicant has demonstrated what the ambient noise levels surrounding the site and the level of mitigation required to achieve the standards cited in BS 8223:2014. Sound reduction requirements for the external building fabric and glazed elements of the residential units have been provided and is deemed satisfactory however the application states 12 residential units and the drawings show different uses /rooms in the adjoining residential unit on specific floors. Namely between the first floor, second floor and third floor. As such the Council's Noise Officer has recommended 2 conditions to ensure that the proposal meets the necessary noise level standards and the appropriate noise insulation between rooms is secured.

Taking the above into consideration and the inclusion of the 2 recommended conditions the application is considered to be acceptable.

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

All comments raised have been addressed within the body of this report.

#### **7.20 Planning obligations**

Policy DMCI 7 of the Local Plan : Part 2 - Development Management Policies (January 2020) sets parameters for the use of Planning Obligations and Community Infrastructure charges.

Paragraph 7.33 of the of the Local Plan : Part 2 - Development Management Policies (January 2020) states while new development can make provision for new homes, employment and leisure facilities and can improve the environment through use of renewable energy and improved landscaping, it can also place additional pressure on social and physical infrastructure and general amenity, and may require measures to be taken to remedy or mitigate such impacts.

Paragraph 7.34 states that the purpose of CIL is to provide infrastructure to support the development of an area; however, the Government has specified that there may still be site specific impact mitigation requirements without which a development should not be granted planning permission. These requirements should be dealt with by planning obligations.

Finally paragraph 7.35 states that the Council will require planning obligations where the CIL levy does not sufficiently mitigate the infrastructure impacts of new development. This may include situations in which site-specific requirements have been identified that will not be funded by CIL, or where there is floorspace that results in an intensification of use but is not CIL chargeable. In such circumstances on-site obligations or financial contributions may be sought to address site-specific impacts. CIL payments will also be collected towards the cost of Crossrail on behalf of the Mayor. The Mayor's CIL Charging Schedule specifies a rate within Hillingdon of £35 per square metre of net increase in floorspace.

Further detail is contained in the Council's Planning Obligations SPD and its CIL Charging Schedule however policy DMCI 7 of the Local Plan : Part 2 - Development Management Policies (January 2020) sets the local parameters of Planning Obligations and Community Infrastructure charges.

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis: i) to secure the provision of affordable housing in relation to residential development schemes; ii) where a development has infrastructure needs that are not addressed through CIL; and iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The obligations sought are as follows:

1. Off-site Affordable Housing - Contribution of £150,000
2. Applicant agrees to restrict the occupiers from applying for parking permits for all on street parking control zones.



3. Employment Strategy and Construction Training Contribution - either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered.
4. Carbon off-set contribution as required by an approved Energy Assessment
5. Project Management & Monitoring Fee: Project Management & Monitoring Contribution equal to 5% of the total cash contributions. Details shall be in accordance with the Council Planning Obligations Supplementary Planning Document 2014
6. S278 agreement to carry out works to facilitate a new vehicle crossover to the front, eastern end of the site to allow for the bins to be carried or wheeled out to the collection vehicle.

#### Community Infrastructure Levy (CIL)

In addition to S106 contributions the Council has adopted its own Community Infrastructure Levy (CIL) with a charge of £95 per square metre of gross internal residential floor area. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £ 97,064.35

In addition to the London Borough of Hillingdon CIL, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £60 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created and the sum calculated based on the floor area proposed is £45,688.68

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

Not applicable

#### **7.22 Other Issues**

#### CONTAMINATED LAND

Policy DMEI 12: relates to the development of Land Affected by Contamination and states:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

With regard to the above an assessment of the Council's mapping system has been undertaken and revealed that parts of the site may be at risk of possible contamination as it

was historically used for nursery/orchyd purposes. Whilst the site has been previously developed to residential since its original land use, the contaminated land officer has stated that given the scale of development a condition pertaining to a further land contamination study to identify the potential for remaining contamination, should be undertaken.

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

### **General**

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

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

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

### **Planning Conditions**

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

### **Planning Obligations**

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

### **Equalities and Human Rights**

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

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

circumstances.

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

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

Not applicable

**10. CONCLUSION**

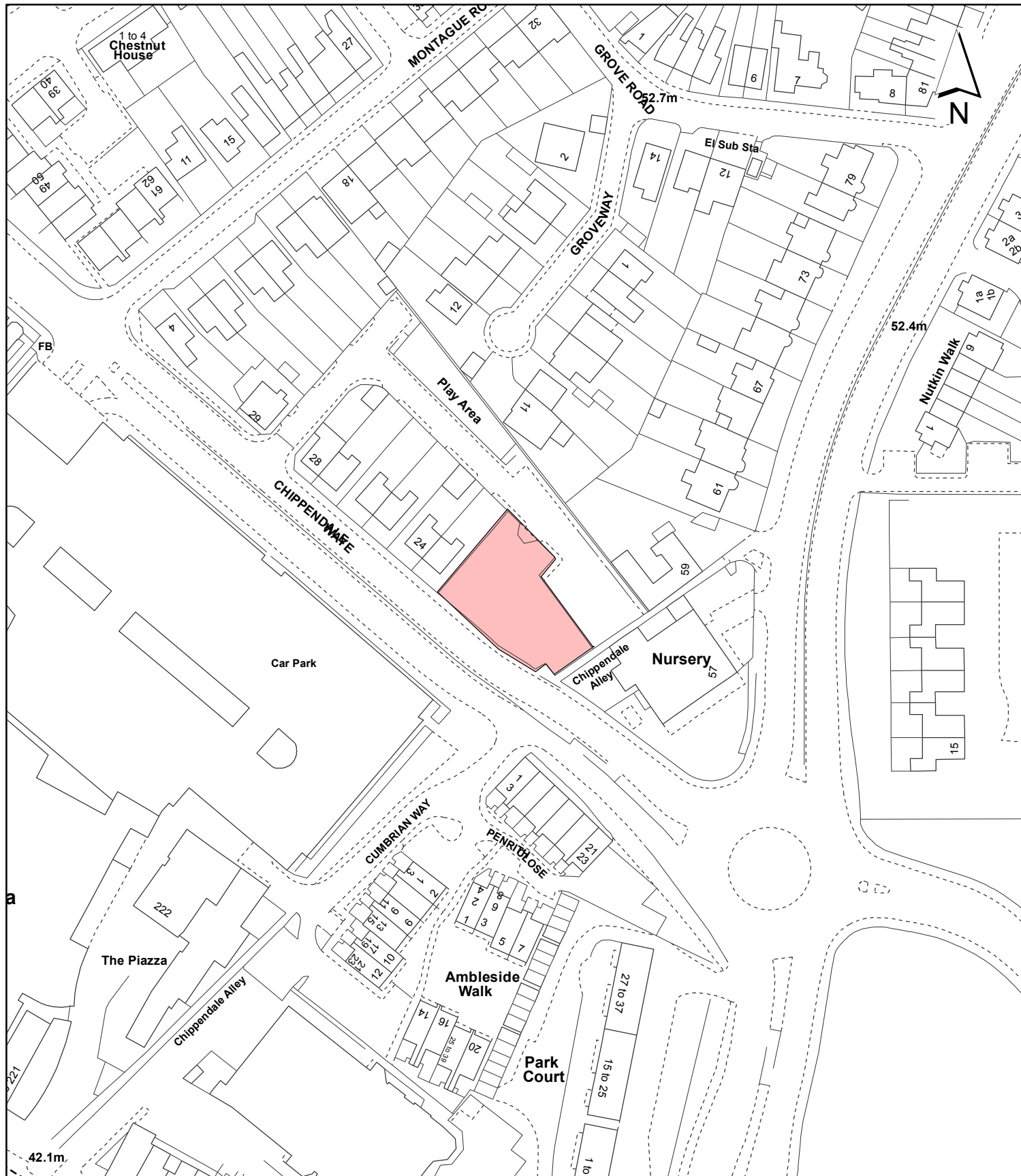
The principle of development is established through the recent consent for the construction of 4 new dwellings. The proposal to construct a larger flatted development comprising of 12 units is considered to be acceptable given the sites location on the town centre boundary and the design of the building is not considered to give rise to any significant impact to the character and appearance of the street scene or the visual amenities of surrounding properties. As such the application is recommended for approval subject to a s106 agreement pertaining the restriction of occupants applying for on street parking permits and an off-site affordable housing contribution.

**11. Reference Documents**

National Planning Policy Framework (February 2019)  
The London Plan (March 2016)  
Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)  
Accessible Hillingdon Supplementary Planning Document (September 2017)  
Planning Obligations Supplementary Planning Document (July 2014)

**Contact Officer:** Christopher Brady

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#### Notes:

 Site boundary

For identification purposes only.

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Site Address:

**19 - 22 Chippendale Way**

Planning Application Ref:

**67544/APP/2019/1978**

Planning Committee:

**Major**

Scale:

**1:1,250**

Date:

**February 2020**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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**HILLINGDON**  
LONDON