

Item No. Report of the Head of Planning, Transportation and Regeneration

Address OTTER HOUSE 5 HIGH STREET COWLEY

Development: Change of use from offices (Use Class B1a) to residential use (Use Class C3) to create 31 flats (Application for Prior Approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)).

LBH Ref Nos: 63329/APP/2020/1811

Drawing Nos: OHCB.05.PR.BP Block Plan
OHBP.05.LP. The Location Plan
OHCB.05.EX.FP.01. Existing Floor Plan
OHCB.05.EX.FP.02. Existing Floor Plan
OHCB.05.PR.FP.01. Proposed Floor Plan
OHCB.05.PR.FP.02. Proposed Floor Plan

Date Plans Recieved: 15/06/2020 **Date(s) of Amendment(s):**

Date Application Valid: 26/06/2020

1. SUMMARY

This application seeks prior approval for the change of use of the existing office building, Otter House to provide 31 flats, cycle parking, external bin area and 76 parking spaces. The parking and cycle space would be located within the existing hard surfaced parking areas to the side and rear of the building.

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

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

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

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

The application has been assessed against the above criteria and subject to relevant conditions, prior approval is required and granted.

2. RECOMMENDATION

APPROVAL subject to the following:

1 PAA Prior Approval - Approval

The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the Council has assessed the impacts of the proposal and considers that there would be no unacceptable impacts with regard to (a) transport and highways impacts of the development, (b) contamination risks on the site, (c) flooding risks on the site, and (d) impacts of noise from commercial premises on the intended occupiers of the development.

2 COM4 Accordance with Approved Plans

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

OHCB.05.PR.FP.02. Proposed Floor Plan

OHCB.05.PR.FP.01. Proposed Floor Plan

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

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

3 NONSC Parking Scheme

Prior to the occupation of the development, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

1. 37 residential car parking spaces with markings, including 2 allocated spaces for visitor parking,
2. 10% of parking should be dedicated to blue badge holders
3. 20% of parking being provided with active electrical charging points and a further 20% as passive provision
4. 2 motorcycle parking spaces with anchor points,
5. Secure and covered cycle parking/ storage spaces for a minimum of 31 bicycles,
6. Details of a refuse and recycling management scheme, including details of storage facilities which should be located within/close to the building entrance(s) and also a collection day storage area close to the site access, together with appropriate management arrangements in order to aid collection.

Thereafter, they shall be implemented and permanently retained and used for no other purpose.

REASON

To ensure adequate parking is provided and to promote sustainable modes of transport, in accordance with Policies DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies 5.17, 6.3, 6.9, and 6.13 of the

London Plan (2016).

4 NONSC Parking Management

Prior to commencement of development, a strategy for ceasing usage of all additional and surplus car parking on site over and above the 37 proposed off street car parking spaces to serve the development hereby approved, shall be submitted to and approved in writing by the local planning authority. This surplus car parking shall at no time be leased or sub-let or used as car parking thereafter.

REASON

To ensure adequate parking is provided and to mitigate against highways impact, in accordance with Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies 6.3 and 6.13 of the London Plan (2016).

5 RES22 Parking Allocation

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the lifetime 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 Two - Development Management Policies (2020) and Chapter 6 of the London Plan (2016).

6 NONSC Contamination Scheme

(i) The development shall not commence until a scheme to deal with contamination has been submitted to, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

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

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

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme

shall be agreed with the LPA prior to implementation; and

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

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

7 NONSC Noise Scheme

The development must achieve the following internal noise levels:

Indoors 35 dB LAeq, 16hrs daytime (07.00 to 23.00hrs);

Inside bedrooms 30 dB LAeq, 8hrs night-time (23.00 to 07.00hrs);

Inside bedrooms 45 dB LAFmax to be exceeded no more than 15 times per night-time from sources other than emergency sirens.

Prior to occupation of the first residential unit, a report must be submitted to the Council confirming that these standards (through appropriate acoustic mitigation if necessary) will be met unless otherwise agreed in writing with the Local Planning Authority. These levels (or alternative as agreed in writing with the Local Planning Authority) must be maintained as a minimum within the development throughout its lifetime.

REASON

To ensure that an acceptable level of noise can be maintained within the development in accordance with Policy EM8 of the Hillingdon Local Plan Part 1 - Strategic Policies (November 2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.15 of the London Plan (March 2016).

8 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a Construction Management Plan to the Local Planning Authority for its approval. The plan shall detail:

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

(ii) How the storage of construction materials will be managed on site during the conversion works.

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

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

9 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

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 the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) and London Plan (2016) Policy 5.12.

INFORMATIVES

1 I70 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 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.

2 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

4 13 **Building Regulations - Demolition and Building Works**

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

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The applicant site is a 3 storeys high office building, west of Fray's River and east of the Grand Union Canal. The building has a brick exterior with glass panels along the second floor level and on the front reception/stairs section of the building. Existing car parking is located to the south, north and west of the building and soft landscaping is obvious along the front and rear of the site. Soft landscaping is also present between the application site and adjacent Waterside House which was recently granted Prior Approval for the change of use from office to residential use.

Access to the site is via the roundabout on High Street. The surrounding area is mixed use and contains a number of existing office buildings. The closest residential properties are located east of Fray's River, 40 metres away, Ferndale Crescent and Spencer Close. The site has a PTAL of 1a and is within a developed area.

On the east of the site, Fray's River forms part of the Nature Conservation Site and area forming links in Green Chain.

The site lies within a Tree Preservation Order Area, Colne Valley Archaeological Priority Area, Air Quality Management Area and forms part of the proposed extent of Uxbridge Industrial Estate PIL, Strategic Industrial Location.

The site is approximately 1.5km south-west from Uxbridge Town Centre. An Article 4 Direction to protect this business park is in place, however this only covers Class P of the GDPO consisting of a change of use within Class B1(c) to Class C3 and not protected under Class O. Therefore, PD rights in respect of Part O of the Order have not been removed.

3.2 Proposed Scheme

This application seeks the change of use of Otter House from existing office use (Use Class B1(a)) to dwellinghouses (Use Class C3) in accordance with development permitted under Schedule 2, Part 3 Class O of the General Permitted Development Order (GPDO) (2015) (as amended).

Based on the plans submitted, the proposal would provide 10 x 2-bedroom flats, 18 x 1-bedroom flats and 3 x studios. A total of 76 parking spaces would be available and cycle parking is provided to the rear of the property.

Further details of each floor:

- Ground Floor Level - 4 x 2-bedroom, 5 x 1-bedroom and 1 x studio
- First Floor Level - 3 x 2-bedroom, 6 x 1-bedroom and 1 x studio
- Second Floor Level - 3 x 2-bedroom, 7 x 1-bedroom and 1 x studio

3.3 Relevant Planning History

63329/APP/2007/2099 Otter House 5 High Street Cowley

Retention of an enclosure for 6 no. condensers and an existing steel panel at roof level.

Decision: 14-09-2007 Approved

Comment on Relevant Planning History

The office building adjacent to the application site, Waterside House have previously been granted Prior Approval for the conversion from office use to residential use.

4. Planning Policies and Standards

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

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.EM6 (2012) Flood Risk Management

PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

NPPF- 14 NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

LPP 5.12 (2016) Flood risk management

LPP 5.17 (2016) Waste capacity

LPP 5.21 (2016) Contaminated land

LPP 6.3 (2016) Assessing effects of development on transport capacity

LPP 6.9 (2016) Cycling

LPP 6.13	(2016) Parking
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMT 1	Managing Transport Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **24th July 2020**

5.2 Site Notice Expiry Date:- **27th July 2020**

6. Consultations

External Consultees

A total of 36 neighbouring owners/occupier were consulted and a site notice was displayed adjacent to the site on 6/7/20, with a closing date of 27/7/20.

The petition with 78 valid signatures has been received. The desired outcome of the petition is for the immediate withdrawal of the application, an assurance that no further plans would be submitted and to resume the original use of the building for offices. Other concerns raised includes the TPO area, protection of wildlife and nature, an increase in the number of new residents and the change of use would impact on privacy and security of Ferndale Crescent occupiers.

The applicant has provided the following response to the petition:

1. The wood land has a blanket TPO; the proposed application is a conversion which is not situated in the woodland, and does not propose to develop other than converting existing space. The applicants appreciate the woodlands natural beauty, which will be one of the strong point attractions to the proposed residential conversions, offering tranquillity and untouched natural space, obviously any prospective occupiers showing disrespect to the above will be evicted.
2. The woodland and the River Frays have a vast array of wildlife and multiple species of ducks which will be under threat if permission is granted because it will set a precedent for the other buildings and can lead to 750 resident on the park; As mentioned above, the application does not propose any additional floor space than what is currently on site, likewise any additional development on site is under the control of the LA, hence we do not consider a "change of use" a threat to wildlife. In addition Otter House, when fully occupied housed in excess of 150 persons a day which is probably in excess than the footfall the building will generate once its occupied as a residential building. It also worth noting that if all buildings on the park will be converted under the PDR it will accommodate in the region of 200 units, however if all buildings are used as offices the buildings can accommodate in excess of 1000 persons per day (150,000 sqf)
3. The invasion of privacy to the back gardens on Ferndale Crescent; As mentioned above, no exterior alterations are being proposed so there will be zero increase of invasion of privacy. If any further windows will be added than it will be up the local authority to determine in line with policy guidance.
4. Exposed to intruders; again as mentioned above, no additional buildings to be erected. However we fully understand the concerns and its in our joint interest to look after the local beauty location and we will be happy to form a joint residence group to address local matters of security and fly

tipping if necessary.

Furthermore, 19 objections from 12 households have been received. Summary of the comments has been listed below:

Trees and Wildlife/ Environmental Issues:

1. Concerned that the proposed development is going to bring further footfall and vehicle traffic causing pollution to the Green Corridor that borders the site. Currently we ensure that the wildlife is left to thrive by not disturbing the Green Corridor, and feel that to maintain this eco-system the area should be made unreachable to residents and visitors of the proposed development.
2. The effect on the local wildlife and River Frays. The green corridor between my back garden and the business park will be detrimental.
3. The site is situated between the Frays and the Grand Union Canal which form part of an area "Forming Links in Green Chain". These are classified as Site of Importance for Nature Conservation, Borough Grade I and Site of Metropolitan Importance for Nature Conservation. There is a protected woodland on site (Western bank of the Frays river), protected under TPO 775.
4. An area of important ecological value which must be protected for the generations to come.
5. Our garden backs onto the the River Frays and we ensure that the wildlife (kingfishers, stag beetles, owls, mallards, coots, moorhens to name just a few) is left to thrive by not disturbing the Green Corridor in our garden. I feel that this development will destroy the wildlife and nature.
6. The proposed thirty one flats with an average of three people per flat would put about ninety three people into the building. Along with the building next door (Riverside House) which has just had planning granted for transformation into 29 flats and Allport House 100 metres away also just had planning agreed for flats, at an average of three people in each flat this is already about 273 people moving into what would be a new housing estate. It is very naive to think that all these people will have no affect on the wildlife and the little nature haven we have here. It is very obvious that they will be forced away for quieter areas. This cannot be allowed to happen, we have to protect our wildlife and nature in this area.
7. The landowners have demonstrated poor and negligent management of the area to date. The woodlands have not been sympathetically maintained and trees have been irresponsibly felled. Even after the TPO 755 was enforced, cropping was carried out in the spring disturbing nesting birds, while lower large branches were cut, opening the woodlands unnecessarily, exposing the undergrowth and nesting coots, grebes, moorhens and mallard chicks.
8. I had monitored a bat roost near this building and suspect that they maybe be using the building as a habitat. There is no mention of this in the documentation or any wildlife/environment studies.
9. Protection of the wildlife is prevalent in the buffer zone (i.e. corridor) which abuts the river on the opposite side to the houses/gardens in Ferndale Crescent. Subsequent to the development of the Cowley Business Park this (20 metre) truncated area is now all that is left for the protected species of Pipistrelle Bats, endangered Water Voles, Stag Beetles, which are a priority species and already extinct in some area of Europe, not to mention the wildfowl, birds (including owls) field mice, hedgehogs and foxes etc. To add to this there has been a loss of some magnificent trees due to the drainage of the land which is sandwiched between the Grand Union Canal and the river Frays for the purpose of the said business park development.
10. For the benefit of the wildlife's continued protection which I feel would be compromised by the influx of even more increased population and which I believe will inevitably lead to intrusion into the buffer zone by individuals thus disturbing the habitat of the wildlife in a confined area plus adding to additional concerns over residents privacy and security that a fence be erected along the outer perimeter of the buffer zone.
11. The river Frays and the woodland have a diversity of native trees, wetland plants, fish and waterfowl associated with good water quality. This thin wildlife corridor provides a habitat for herons, egrets, mallards, coots, great crested grebes, kites, owls, as well as carp, chub, pike, dace and perch. The habitat includes protected species such as kingfishers, swifts and bats and priority species like night lark, song thrush, house sparrow. There are also numerous invertebrates supporting the chain, including dragonflies and the endangered stag beetle, already extinct in many parts of Europe and the UK.
12. It would be naive to believe that the exponential increase of human population and traffic would

not have a detrimental impact on the wildlife, as well as littering and pollution levels (woodland, water, noise and night light), endangering the viability of this small protected and fragile ecosystem, which could ultimately result in the loss of protected and priority species. A surge in human presence would deter breeding and feeding and the continuous night lighting would particularly affect the bat and owl population.

13. The application does not include a detailed Environmental Risk Assessment, compulsory given the recognised status and ecological value of the area.

14. It is unlawful to damage or destroy bats breeding or resting places. Penalties include unlimited fines and up to 6 months in prison. Development applications which affect bat habitats, must include a Bat Survey.

15. We cannot see an independent specialist Ornithology Survey included in the application, essential given the wide variety of bird species in the area, included Kingfishers, Swifts and Owls.

16. The proposal has not included a Site Management Plan detailing how the woodland and river Frays would be protected and maintained short and long term, including complying with riparian duties.

17. We believe that the introduction of human habitation will affect the site's biodiversity and surrounding green spaces, cumulatively eroding and fragmenting the Green Link Chain and the ecosystem it supports.

18. If the Otter House planning proposal goes through, it will leave this buffer zone vulnerable leaving us residents exposed and will inevitably drive out the wide range of fauna thriving in this natural habitat.

19. Numerous issues exist from poor maintenance and illegal tree-felling. The original TPO458 on this area was granted on 31/8/89 so was in force in 03/2019 when the landowners were felling trees. Residents' efforts stopped this and the present TPO775 resulted. Since then further selective 'management' destroying undergrowth/healthy trees occurred. Recent pumping; one pump left leaking for months turning the associated ground waterlogged and affecting nesting sites coincided with the application to change usage. The last time this occurred the water table lowered resulting in large mature trees falling/wildlife damage.

Traffic/Highway Issues:

20. Otter House has parking facilities, there is a question about potential spillage into neighbouring roads, like Ferndale Crescent, filled to capacity, given the high rates of car ownership in Hillingdon.

21. I would also highlight that there is currently heavy congestion on the Cowley Road, especially in peak times and now this additional proposed development will just add to even further increased traffic flow and potentially create a monumental bottle-neck when entering and exiting the small roundabout to access the business park area. There will inevitably be a requirement for supplementary services such as waste disposal sewage etc which could undoubtedly lead to further pollution and possibly litter.

22. The road is particularly congested at peak times and the addition of a large Lidl has had a negative impact on traffic. Converting the buildings to residential flats (Waterside, Allport House, Otter House) is likely to bring up to 300 new residents, increasing congestion, in a road constantly used by emergency services to Hillingdon Hospital.

23. On grounds of increased congestion of an already very congested road. Cowley Road is a major bus route and main access road to surrounding areas including A&E. During rush-hour often almost stationary. Access via a small roundabout not designed to deal with increased usage 200+ extra residents many with school-age children/working needing to access the Main road at similar time a potential bottleneck. If the whole Business Pk is given over to residential use then numbers will rise.

24. Congestion/Parking - We are the Borough with the highest proportion of work trips by car as 7% of households in Hillingdon own 3 or more vehicles, 71% own 1-2 cars. Furthermore Cowley Road, is classified as a Category D: major bus corridor, is one of Hillingdon's key arteries. It provides access to Uxbridge, Yiewsley, West Drayton; feeds some of the UK busiest motorways (A40, M4, M25) and Heathrow airport; Brunel University, several schools and Hillingdon hospital. The road is particularly congested at peak times and the addition of a large Lidl has had a negative impact on traffic. There's also an issue about roads like Ferndale Crescent, being filled to capacity, given the new residents and high rates of car ownership in Hillingdon.

25. The proposed conversion will have a negative impact on the Cowley High. Turning onto the main road from Ferndale is already a complete nightmare and the extra traffic that more flats will add will be an accident waiting to happen.

26. Bring unnecessary traffic, pollution and people to the area.

Case Officer's Comments:

Should this application be approved, the maximum standard of car parking ratio should be applied with an addition of 2 visitor car spaces.

Residential Amenity Issues:

27. All the residents of Ferndale Crescent are furious at these proposals, our gardens all back onto the river, we obviously do not have fences to block the river out as this would defeat the object of living there. So our privacy would be completely taken away, our security would be completely jeopardised with all these people too, we have had burglaries down Ferndale Crescent in the past with intruders coming across the river and getting away back across the river again.

28. It is inevitable new residents will adventure into the woodland interfering with Ferndale Crescent neighbours' privacy.

29. We already have instances of anti social behaviour with police involved.

30. Developing residential properties will expose the properties further. Also 2 years ago, the site owners were unable to protect the business park from Travellers who squatted and brought havoc to the area. There was damage to the commercial property worth hundreds of thousands of pounds and tons of waste were fly-tipped. During that time, the Business Park left Ferndale Crescent neighbours exposed. We were victims of intimidation, car theft and were afraid to go into our own gardens.

31. This development would also further expose the Crescent, making it more susceptible to burglary.

32. I will also lose all the privacy I have in my back garden as the flats will look straight into this and also my back rooms.

33. Residents in Ferndale Crescent and Spencer Close will be adversely affected by being overlooked, especially in winter when the trees have shed their leaves.

34. Our properties will also be at a higher security risk and our privacy extremely compromised.

35. I live directly opposite this building and the new flats would look directly onto my whole property. The upper floor flats would look down directly into my two rear bedrooms. We wouldn't even be able to open our curtains without being fully dressed as you can see straight in. Totally unacceptable in my own house where we should be able to do as we please in our own privacy. Both floors of flats would be able to see directly into our living room downstairs, our dining room and our whole garden. As a family, I have two boys, eight and nine years old and a fiance, we spend a huge amount of time in our garden. We have spent thousands of pounds to make it an extremely enjoyable place to be in. We regularly have friends and family over to socialise in the garden and the thought of having all these flats overlooking us and the occupants peering in completely invading our privacy is absolutely horrifying.

Noise Issues:

36. The area is affected by high levels of Westerly incoming noise from the round the clock M25 traffic and DS Smith Recycling Centre.

37. The noise is an inconvenience to Ferndale Crescent neighbours, in spite of having double-glazed windows closed. As noise increases exponentially in height, and as Otter House is situated further West, the impact to new residents' quality of life and potentially their health, will be higher.

38. The application should include an Acoustic Report.

Economic Issues:

39. This site proposal, if approved, will be the third office building on Cowley Business Park converted to residential use. The Park is designated for business use and when the economy picks up it will be needed for offices. I am concerned that we do not have infrastructure (e.g. school places & doctors' surgeries, to cope with the large influx of families).

40. The site is located just outside Uxbridge Town Centre with excellent connectivity to Central

London and benefits from direct access to the M40/A40 intersection and Uxbridge Underground Station. Cowley Business Park just attracted Monster Energy who occupy some 31,000 Sq ft. If this change of use are approved, why would any business relocate or start their company in Uxbridge?

41. Being so close to Brunel University this business park is ideal for science, technology and Engineering companies like Glen Dimplex have found. We are in recession. In order to recover office space in Uxbridge Cowley Business Park will be vital to support residents' jobs, create new long term jobs and in turn add to the Council's finances through business rates.

42. The Business Park could be attracting new business to Cowley, its location is close to Brunel University and businesses from Zone 1 looking to relocated outside of Central London.

43. It is evident that this business district will be lost if the council continues to approve the development of offices into residential, which is against the councils own approved 5 year plan.

Pollution Issues:

44. The site is in close proximity to the M25, mean there are excessive high levels of average nitrogen dioxide.

45 I also fear the inevitable increased pollution if this planning proposal is approved, especially for residents raising new families and elderly residents. We have already faced incidents with illegal waste disposal in the buffer zone and the Frays River that runs in the back of our gardens which we have fought against for the sake of environmental conservation and the health of residents.

46 Factors including increased sewage, rubbish disposal, light, and noise pollution would not be just to impose upon us residents.

47 The, additional traffic, congestion and resultant reduction in air quality will be detrimental to health and well-being of local current residents.

48 Pollution/waste disposal. How is the increase in sewage to be managed? How are light and noise pollution to be controlled? What arrangements for rubbish collections?

Flood Issues:

49. Water supply and drainage will be insufficient possibly leading to outfalls into River Frays. The location is in a flood zone and this alone should mean residential development is not allowed.

50. The site has been classified as a flood risk area: High Risk of Floods due to Surface water and River Flood risk Zone 3.

51. The water tables have been reduced due to pumping which is still going on and we can't get an answer to the reason or the fact that some leakage is happening and the discharge of possible pollutants into the river.

52. The application fails to acknowledge that the site has been classified as a flood risk area: High Risk of Floods due to Surface water and River Flood risk Zone 3.

53. There are additional pumping that has been in operation for a number of months, which raised suspicions re flooding risk and the water-table. It would be good to have transparency from the owners/ potential developers on this matter.

Public Consultation Issues:

54. I live less than 30 meters from the business and wasn't even notified. A few of my neighbours received letter however I certainly didn't.

Other Issues:

55. The address given, 5 Cowley high street rather than Cowley Business Park, appears to be deliberately deceptive.

56. The development contravening multiple principles, policies and objectives of the Hillingdon Local Plan - Part 1, in particular those regarding SO8, SO10, SO11, as well as policy T4.

57. The increase in littering and the weekly waste collections will attract more foxes and rats, increasing the risk of loss to predators.

58. It is likely that if approved there will be a request to make the loft/roof space habitable which will overlook local residents with little tree cover to shield their properties.

59. When the Business Park was approved it was supported by nearby residents on the basis that it would not become residential in the future and due to the promise of no great increase in traffic (hardly any at weekends).

60. The water usage for offices is less than residential so this will add additional pressure to resources, especially when the population is being advised to use less.
61. We were informed when we purchased our properties (in my case over 50 years ago) that because the land was waterlogged it would never be built on.
62. Historically, in 1989 when the application for planning for the said Business Park was submitted it was agreed at that time by the owners that the aforementioned buffer zone was needed to ensure the privacy and security of the residents whose properties backed on to the river Frays and was of paramount importance for the protection of the wildlife.
63. The landowners are yet to comply with their riparian duties, all left to Ferndale neighbours, who clear all the river blockades and rubbish that accumulates alongside the Cowley Business Park Frays stream and river banks. So, we cannot visualise how the woodlands could be maintained with minimum human interference, if residents moved into the site which would bring additional littering to this small nature reserve.
64. What is to say about the potential damages residents faced as a result of insufficient planning? The current Prime Minister and the local MP Boris Johnson and Sir John Randall both even visited our garden in response to a previous illegal coppicing incident of the buffer zone and both fully agreed that our buffer zone must be protected for security and environmental factors. I cannot stress enough how this planning proposal must not be approved. Many species of wildlife and long-term residents will be put under serious danger if approved.
65. Whilst I am aware the Government has lifted planning restrictions in converting business properties to residential and therefore much easier to grant permissions, I contest that this planning proposal has been properly thought through in terms of its impact on current residents, neighbourhood congestion and environmental damage. I am sure the committee will be aware of the risks of rushed planning and the plethora of 'land banking' cases and I therefore impress on you to consider the impact of bad planning and commit this proposal for a proper review in light of the complaints already brought by the residents. My key points of concern and strong objections relate to : 1 A lack of transparency or process in relation to conducting a full Environmental impact evaluation The potential for 700+ residents in the area under development and the adverse impact on sewerage, drainage of land, the nature of the water-table in the area and the risk of flooding is considerable - we note there has been no response to residents' enquiries as to why there has been a drainage pump operating on the site over the last few months, coinciding with the proposal and our challenges.
66. Bad Planning should not condemn families to raise children in sterile environments and this will surely be the fate should this development proceed in its current form without restrictions.
67. We have already suffered the increase in light and noise pollution resulting from the Business development, this will worsen - Unlike in 1989 (Try development) there has been no respect given to nor any consultation with local Ferndale crescent residents. This makes for bad planning and bad outcomes. I urge you to reconsider the proposal in its entirety.
68. If it was deemed necessary with hours of usage and the numbers of people accessing the site restricted, how much more essential is this now with heavily increased numbers of people with access? Many of these proposed residences will house families often with young adults the lure of a secluded area will be difficult to ignore, friends will inevitably be invited and the whole area will become well known.
69. I understand the government pushing more housing but does this have to be at the expense of wildlife/residents? There are other local ongoing/unfinished developments. Many councils restrict this type of development using Article 4, recognising that developers use such to land-bank/increase their properties' value.
70. Potential Devaluation of Domestic Properties and Higher Insurance Premiums - Riverside properties at Ferndale Crescent sell at premium due to their unique undisturbed setting. Converting Otter House, will not only result in irreparable loss of habitat and a valuable green space, but it will also inevitably result in loss of privacy and character of the area. As a consequence, this is likely to bring property prices down, which could result in negative equity.
71. Insurance premiums, already very high due to flood risk cover, could be even higher.
72. I will wish to amplify my objections as this proposal progresses to a full planning application.

Case Officer's Comments:

This is a prior approval application and legislation makes it clear that only issues relating to transport and highways, contamination risks on site, flood risks on site and noise from commercial premises on the intended occupiers of the development can be taken into consideration. These have been dealt with in the officer's report. As regards point 42 concerning a lack of consultation, all adjoining and nearby properties have been consulted and a site notice was displayed outside the site, exceeding best practice guidance and it is considered that the consultation undertaken was commensurate with the nature of the proposals.

THAMES WATER:

Waste Comments

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Internal Consultees

HIGHWAYS OFFICER:

Thank you for your consultation regarding the proposed works at the above location.

When considering the Highway Authority's limited remit in assessing these proposals and the very nature of this scheme in that the site will generate a reduction in overall trip rates, I do not consider this application to have adverse impacts upon the safety and convenience of the highway network.

It is noted that the site currently makes use of 76 parking spaces. As per the London Borough of Hillingdon's maximum car parking standards, a total of 35 parking spaces should be provided in order to accommodate the development. A Car Parking Allocation Plan should therefore be secured via condition.

10% of parking should be dedicated to blue badge holders with 20% of parking being provided with active electrical charging points and a further 20% as passive provision. This should also be secured by condition.

A condition prohibiting/restricting the remaining 41 spaces from being rented/leased should be incorporated.

With regard to cycle parking provision, it is required that this scheme provide 31 secure and covered cycle parking spaces. This should be conditioned.

Should you be minded to approve, I have no objections subject to the above mentioned conditions being included on any consent that you may grant.

Case Officer's Comments:

In addition to conditions recommended, it was discussed with the Highways Officer that an additional 2 visitor car parking spot should be included.

FLOOD AND WATER MANAGEMENT OFFICER:

No objection - the site lies in Flood Zone 1.

EPU OFFICER:

This development is not in a noise sensitive location and I do not foresee any issues with the change of use therefore I do not have any comments or objections to this application.

CONTAMINATED LAND OFFICER:

1 Summary of Comments:

The information submitted within the application does not include details of land conditions at the site.

However, the application involves a proposed change of use from commercial offices to residential properties; in which case significantly more information is required in order to more precisely determine whether or not the land is affected by unacceptable concentrations of contamination which, unless suitably remediated, may render the site unsuitable for its proposed new use.

The LPA shall therefore require further information and it is recommended that the following standard conditions should be imposed if planning permission is awarded:

(i) The development shall not commence until a scheme to deal with contamination has been submitted to, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

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

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

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

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

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

2 Reason for Refusal (if objecting):

N/A (subject to conditions)

3 Observations:

The councils mapping records indicate that former land use/s at the location included various works which occupied the subject site and surrounding areas of land.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Under Part 3 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), from 30 May 2013 development consisting of the change of use of a building to a use falling within Class C3 (dwellinghouses) from a use falling within Class B1(a) (offices) constitutes 'permitted development', subject to a number of criteria; namely permitted development rights do not apply if:

- the building is on article 1(6A land);
- the building was not used for a use falling within Class B1(a) immediately before 30th May 2013, or, if the building was not in use immediately before that date, when it was last in use;
- the site is or forms part of a military hazard area;
- the site is or forms part of a military explosives storage area;
- the building is a listed building (or within its curtilage) or a scheduled monument;
- permitted development rights have been removed.

An Article 4 Direction to protect this business park is in place, however this only covers Class P of the GDPO consisting of a change of use within Class B1(c) to Class C3 and not protected under Class O. Therefore, PD rights in respect of Part O of the Order have not been removed.

The site and buildings do not meet any of the criteria listed above. As such the site benefits from permitted development rights.

7.02 Density of the proposed development

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

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

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

7.04 Airport safeguarding

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

7.05 Impact on the green belt

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

7.07 Impact on the character & appearance of the area

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

7.08 Impact on neighbours

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

7.09 Living conditions for future occupiers

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

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

Policy DMT 2 of the Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and roads.

Policy DMT 4 of the Local Plan: Part 2 - Development Management Policies (2020) states that proposals must promote the enhancement of public transport facilities. The Council may require developers to mitigate transport impacts from development proposals by improving local public transport facilities and services.

Policy DMT 5 of the Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network and that cycle parking and changing facilities are provided.

Policy DMT 6 of the Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 6.3 of the London Plan requires development proposals to ensure that the impacts on transport capacity and the transport network are fully assessed.

On the existing site, there is a total of 76 parking spaces available that is located to the sides and rear of the property. Parking is accessed via the existing vehicle entrance to the south of the site. The Council's Highways Officer has assessed this application and no objections has been raised subject to planning conditions. The officer has noted that in accordance to the Local Plan, the maximum number of car spaces required for the 31

flats proposed would be 35 parking spaces (10% dedicated to blue badge holders, 20% with active electrical charging points and a further 20% as passive provision), 2 visitor parking space and 31 secure and covered cycle parking spaces. Furthermore, the change of use from office to residential will result in a reduction in the overall trip rates of the site, therefore would not have adverse safety or highway network impact subject to the imposition of condition there are no highways objections.

7.11 Urban design, access and security

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

7.12 Disabled access

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

7.13 Provision of affordable & special needs housing

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

7.14 Trees, landscaping and Ecology

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

7.15 Sustainable waste management

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

7.16 Renewable energy / Sustainability

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

7.17 Flooding or Drainage Issues

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 Council's Flood and Water Management Officer has reviewed the application and no objections has been raised. The site lies in Flood Zone 1 and no external alteration is proposed. It is noted that immediately to the east and to the west, the land is within Flood Zone 3. In order for the flood risk to the site is not increased to the proposed residents or those nearby, a planning condition is recommended to be attached to any determination of the application.

7.18 Noise or Air Quality Issues

Noise from Commercial Premises

Policy DMHB 11 of the Local Plan Part 2 Development Management Policies (January 2020) seeks to protect residential amenity.

The EPU officer advises that the development is not in a noise sensitive location and they do not foresee any issues with the change of use therefore did not have any comments or objections to the application.

A condition has nonetheless been proposed to ensure that the noise levels within the residential units meet satisfactory standards (to protect from road and other background noise levels).

7.19 Comments on Public Consultations

All public consultation comments has been summarised in Section 6.1 of this report.

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

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 Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

i. necessary to make the development acceptable in planning terms

ii. directly related to the development, and

iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

COMMUNITY INFRASTRUCTURE LEVY (CIL):

The scheme would also be liable for payments under the Community Infrastructure Levy.

Please be advised that as from 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100m² or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £60 per square metre (from April 2019). The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy, which came into effect on 1st August 2014. The liability payable is equal to £95 per square metre for residential development.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

CONTAMINATED LAND

The Council's Contaminated Land Officer has reviewed the submitted documents in terms of the risk of contamination and has raised no objections to the proposal subject to the attachment of an appropriate condition. The proposal is therefore acceptable in terms of contamination.

PROVISION OF ADEQUATE NATURAL LIGHT IN ALL HABITABLE ROOMS

From 1st August 2020, Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the LPA is required to take part (e), the provision of adequate natural light in all habitable rooms of the dwellinghouses into consideration while determining applications.

It should be noted that this application was submitted prior to the 1st August 2020, however the applicant has provided floors plan as part of the submission. The plans indicate that each habitable room will have access to at least one window. Therefore, the proposal is considered acceptable in terms of adequate natural light.

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.

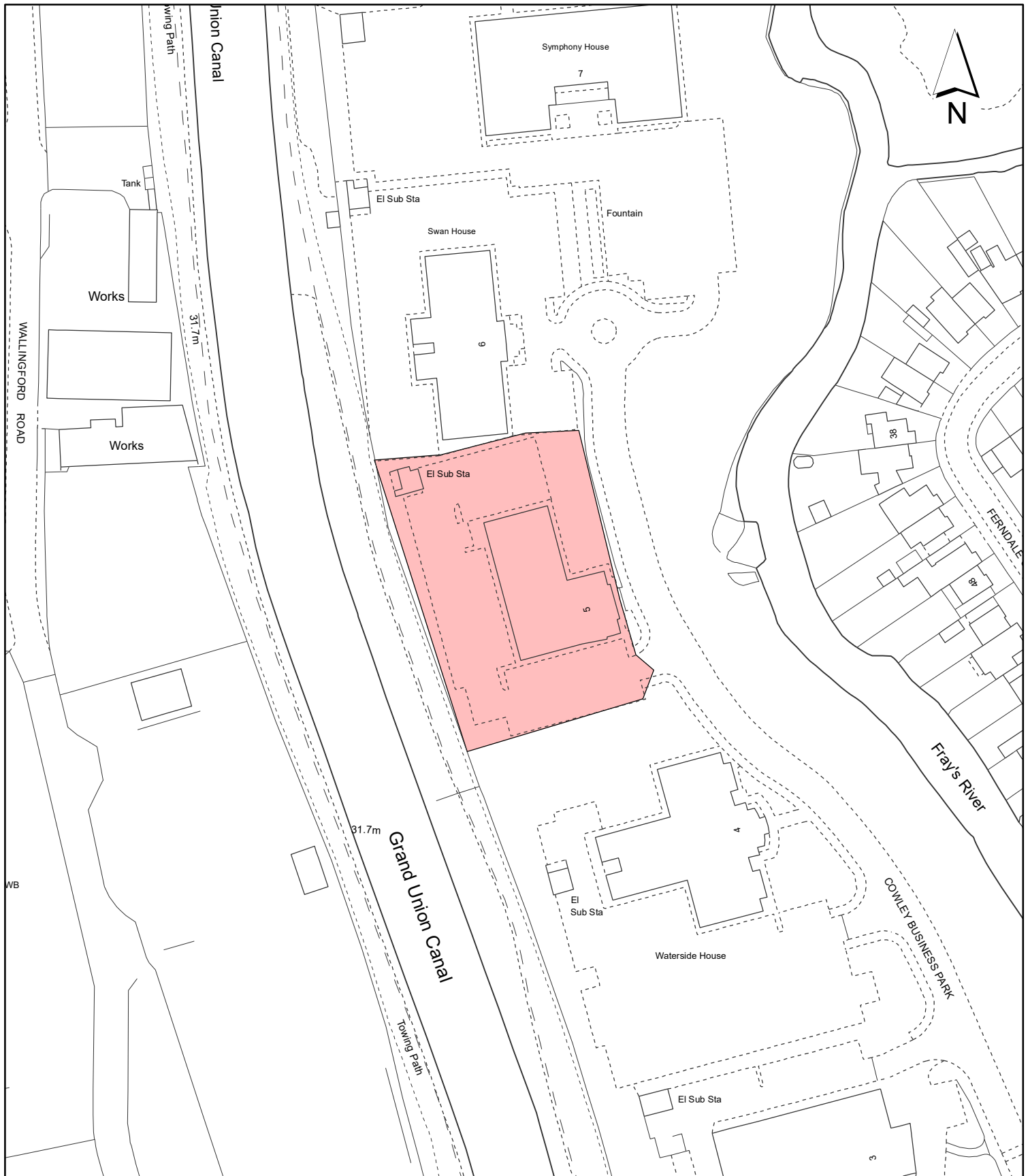
Planning Conditions

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



Notes:

 Site boundary

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Site Address:

**Otter House
 5 High Street**

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services
 Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
63329/APP/2020/1811

Scale:
1:1,250

Planning Committee:
Major

Date:
August 2020

