

Item No.	Report of the Head of Planning, Transportation and Regeneration		
Address	LAND TO THE EAST SIDE OF NEWPORT ROAD HAYES		
Development:	Demolition of existing buildings (Use Class B1a) and redevelopment of the site to provide a new building up to 4 storeys comprising 24 residential units (Use Class C3) and associated landscaping, amenity space, car parking, cycle parking, access and refuse.		
	Detailed Description: 16 x 1 bedroom, 8 x 2 bedroom		
LBH Ref Nos:	73298/APP/2020/1194		
Drawing Nos:	Schedule of Accommodation Planning Statement dated April 2020 Air Quality Assessment dated April 2020 Design and Access Statement dated April 2020 20.088-03 Rev. A 20.088-04 Rev. A 20.088-05 Rev. A 20.088.06 Rev. B 20.088-10 Rev. C 20.088-11 Rev. B Daylight and Sunlight Assessment dated July 2020 20.088.07 Phase I Geo Environmental Risk Assessment Energy Assessment Report dated April 2020 Flood Risk Assessment and Drainage Strategy Report Environmental Noise Assessment dated April 2018 Sustainability Statement dated April 2020 Transport Statement ref: 2020 PL/JM/12927 Economic Viability Appraisal Report dated Dec 2018 Economic Viability Report Addendum Covering Letter dated 09.04.2020 PR241 024 Rev. P1 20.088-02 PR241 012 Rev. P1 PR241 013 Rev. P1 PR241 014 Rev. P1 PR241 022 Rev. P1 PR241 023 Rev. P1 20.088-01		
Date Plans Recieved:	09/04/2020	Date(s) of Amendment(s):	09/04/2020
Date Application Valid:	09/04/2020		14/04/2020
			22/04/2020
			24/07/2020

1. SUMMARY

The application seeks permission for the redevelopment of the site to provide a 4-storey building comprising 24 self contained flats (16 x 1 bed and 8 x 2 bed) with associated landscaping works following demolition of existing building.

This application follows a slightly increased scale proposal that is currently being considered at appeal. The revised proposal which reduces the footprint and scale of the proposed building is considered to be of an appropriate height and design that overcomes the previous reasons for refusal. The proposal would not result in harm to the amenity of neighbouring residents and overall the development provides an acceptable quality of units for future occupants with associated amenity space and car parking. The development seeks to provide 2 units of affordable housing on site, which is considered to be the maximum reasonable amount that can be provided. The proposal is recommended for approval subject to condition and a Section 106 legal agreement.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Transportation and Regeneration to GRANT planning permission subject to:

A. The Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

- 1. To secure all necessary highway works and repair and enhancement to the footpath adjoining the site including written agreement from the Local Planning Authority; (Section 278);**
- 2. Parking Permit exclusion clause for all future residents;**
- 3. 2 x 1 bedroom shared ownership units at ground floor level and an affordable Housing review mechanism;**
- 4. Employment Strategy and Construction Training - 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. Securing an Employment/Training Strategy Agreement is Council's priority. Financial Contribution will only be accepted in exceptional circumstances.**
- 5. Air Quality: in line with the SPD and given the site is located in an air quality management area, a contribution in the sum of £14,420;**
- 6. Carbon Fund: a contribution for a carbon fund to make up for the shortfall for this development and in order to make the development policy compliant (£1800 for every tCO2/annum that is below the zero carbon target);**
- 7. Open Space Contribution of £32,000; and**
- 8. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.**

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

C) If the Legal Agreements have not been finalised by 11 October 2020 (or such other time frame 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 highways works, travel plan, construction training and

air quality contrary to Policy DMT 2, DMT 6, DMCI 4, DMCI 7, DMEI 14.'

D) That subject to the above, the application be deferred for determination by the Head of Planning, Transportation and Regeneration under delegated powers.

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

1 COM3 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 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 and documents listed below:

20.088-02

20.088-03 Rev. A

20.088-04 Rev. A

20.088-05 Rev. A

20.088.06 Rev. B

20.088.07

20.088-10 Rev. C

20.088-11 Rev. B 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: Part 1 (November 2012) and Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the London Plan (2016).

3 COM5 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:

Schedule of Accommodation

Planning Statement dated April 2020

Air Quality Assessment dated April 2020

Daylight and Sunlight Assessment dated July 2020

Phase I Geo Environmental Risk Assessment

Energy Assessment Report dated April 2020

Flood Risk Assessment and Drainage Strategy Report

Environmental Noise Assessment dated April 2018

Sustainability Statement dated April 2020

Transport Statement ref: 2020 PL/JM/12927

Economic Viability Appraisal Report dated Dec 2018

Economic Viability Report Addendum

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 the Hillingdon Local Plan:

Part 2 - Development Management Policies (2020).

4 COM7 Materials (Submission)

Prior to development above ground floor level, details of all materials and external surfaces, including details of balconies shall be 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, photographs and images.

REASON

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

5 COM15 Sustainable Water Management

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 follow the strategy set out in the Flood Risk Assessment & Drainage Strategy Report (Heyne, Tillett & Steel report dated December 2018). The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Sustainable Drainage:

- i. Infiltration drainage - a ground investigation must be provided to establish the level of groundwater on the site; to demonstrate the suitability of infiltration techniques proposed on the site by providing the results of infiltration testing in line with BRE Digest 365; and to confirm the suitability of infiltration drainage based on any encountered ground contamination.
- ii. Runoff rates - surface water discharge from the site must be no greater than 5.5l/s at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change. Any increases above greenfield rates will be subject to developer contributions.
- iii. Drainage calculations - include calculations to demonstrate the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.
- iv. Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and include details on flow paths, depths and velocities. Safe access and egress for the site must be demonstrated.

b) Long-term management and maintenance of the drainage system.

- i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.
- ii. Include details of the necessary inspection regimes and maintenance frequencies.
- iii. Where managed flooding of the ground surface is proposed, the plan should include the appropriate actions for those areas and document the actions required to ensure the safety of the users of the site during a rainfall event.

c) 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.

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 DMEI 10 of the Local Plan: Part 2 Development Management Policies (2020), Policies 5.12, 5.13 and 5.15 of the London Plan (2016), National Planning Policy Framework (2019), and the Planning Practice Guidance (March 2014).

6 COM31 Secured by Design

The building and car park hereby approved 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 building 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 excising 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 ensure the development provides a safe and secure environment in accordance with Hillingdon Local Plan Part 2 policy DMHB 15 and Policies 7.1 and 7.3 of the London Plan (2016).

7 NONSC Accessibility

Notwithstanding the Design and Access Statement and plans hereby approved, the units marked 'Unit 2 and 3' on drawing no. 20.088-03 Rev. A shall be constructed as a wheelchair accessible 1-bedroom units meeting the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 "Accessible and adaptable dwellings" M4 (3) 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.

Building Regulations Approved Plans and Decision Advice Notices, confirming that these requirements will be achieved, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works beginning on site.

The Category 3 unit shall be provided prior to the first occupation of the block within which it is located, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

REASON

To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, and to ensure the development is of an inclusive design in accordance with policies 3.8 and 7.2 of the London Plan (2016).

8 NONSC Energy

Prior to above ground works, a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The energy assessment shall

demonstrate how the development will achieve a zero carbon target through the application of the London Plan energy hierarchy, Be Clean, Be Lean and Be Green in combination with any offsite contribution. The assessment shall provide full details of the measures to be incorporated into the development and their impact on the baseline development (2013 building regulation compliance) in terms of energy (KwHr) and CO2 (KgCo2). The scheme shall demonstrate how the applicant has tried to achieve the full zero carbon onsite and to justify why a lower onsite saving is achieved if applicable.

The assessment shall provide full details of the plans and specifications of any low and zero carbon technology to be used including, for example, roof plans and elevations if PVs are selected. The assessment shall clearly set out any shortfall in emissions below the zero carbon. Thereafter, the development must proceed and be operated in accordance with the approved plans and specifications.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with Policy 5.2 of the London Plan (2016) and Policy DMEI 2 of the Local Plan: Part 2 - Development Management Policies(2020).

9 NONSC Low Emissions Strategy

Prior to above ground works, details of a clear and effective low emission strategy (LES) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include, but not be restricted to:

- a) Be clean by design as per the London Sustainable Design and Construction Supplementary Planning Guidance,
- b) provision of an electric vehicle fast charging bay. This is to be implemented as part of the proposal with the minimum requirements as per the London Plan.
- c) a clear and effective strategy, aligned with the Travel Plan, to encourage residents of the site to
 - i) use public transport;
 - ii) cycle/walk to work where practicable;
 - iii) enter car share schemes;
 - iv) enter cab share schemes to and from the airport and or home/work locations;
 - iv) purchase and drive to work zero emission vehicles.

Measures to support and encourage modal shift, will include but be not restricted to incentives for residents to use public transport to reduce their car ownership. The measures in the agreed scheme shall be maintained throughout the life of the development.

REASON

As the application site is within an Air Quality Management Area and to reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), London Plan 2016 Policy 7.14, and paragraph 170 of the National Planning Policy Framework (2019).

10 COM9 Landscaping (car parking & refuse/cycle storage)

No development above ground floor level 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 and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping and communal terraces

2.a Refuse Storage and management plan

2.b Cycle Storage for 32 spaces

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5 parking spaces are served by active electrical charging points and 19 parking spaces are served by passive provision and 2 disabled parking bay)

2.e Hard Surfacing Materials including details of the proposed roof terrace

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 surfacing/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

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 4, DMHB 11, DMHB 12, DMHB 14 and DMT 6 of the Local Plan: Part 2 - Development Management Policies (2020) and Policies 5.11 and 5.17 of the London Plan (2016).

11 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 and manage highways impacts in accordance with Policies DMHB 11, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

12 NONSC Noise Levels

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 Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).

13 RES17 Sound Insulation

The development shall provide 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 living rooms and kitchens above bedrooms 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 EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMAV 2 and DMAV 3 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) and London Plan (2016) Policy 7.15.

14 NONSC Fire Strategy

A Fire Strategy Report shall be submitted to and agreed in writing by the local planning authority prior to above ground works. Thereafter it shall be implemented on site in conjunction with a suitably qualified consultant. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development meets Fire Safety Standards in accordance with policy D12 of the draft London Plan (Intend to Publish version 2019).

15 NONSC NRMM register

1. Prior to above ground works proof of the registration in GLA's database (nrmm.london/nrmm/about/what-nrmm-register) and compliance with the London's Low Emission Zone for non-road mobile machinery requirements shall be submitted to and approved in writing by the Local Planning Authority.
2. The London's Low Emission Zone for non-road mobile machinery to comply with the standards set out at Supplementary Planning Guidance 'The Control of Dust and Emissions from Construction and Demolition'.
3. This will apply to both variable and constant speed engines for both NO_x and PM. These standards will be based upon engine emissions standards set in EU Directive 97/68/EC and its subsequent amendments.

REASON

In compliance with the London's Low Emission Zone for non-road mobile machinery as per requirements as of 1st September 2015, and London Plan Supplementary Planning

Guidance 'The Control of Dust and Emissions from Construction and Demolition' (2014).

16 NONSC Land Contamination

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, 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 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

(b) 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.

17 RES13 Privacy Screens

Prior to the units being brought into use, details of the siting, design and materials of side privacy screens to balconies shall be submitted to and approved in writing by the Local Planning Authority.

The screens shall be retained on site for so long as the development remains in

existence.

REASON

To prevent overlooking to adjoining properties and to protect the privacy of occupiers of the flats in accordance with policies DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

18 NONSC Third Floor Terrace

Notwithstanding the plans hereby approved, the third floor terrace shall not be constructed until details of the enclosure and details mitigating against overlooking along the north and south elevations has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the terrace enclosure and screening shall be retained in accordance with the approved scheme and remain in place for the life of the development.

REASON

To prevent overlooking to adjoining properties and to protect the privacy of occupiers of the flats in accordance with policies DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

19 NONSC Car Parking Allocation

The development hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the parking shall remain allocated for the use of the units only in accordance with the approved scheme and remain under this allocation and shall not be sold or let separately for the life of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Chapter 6 of the London Plan (2016).

20 NONSC Non Standard Condition

No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

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 Plan Part 1 (2012) and Part 2 (2020) set out below, 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.

DMAV 1	Safe Operation of Airports
DMCI 4	Open Spaces in New Development
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMH 7	
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 19	Play Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 3	Road Safeguarding
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 2.16	(2016) Strategic Outer London Development Centres
LPP 3.12	(2016) Negotiating affordable housing on individual private residential and mixed-use schemes
LPP 3.2	(2016) Improving health and addressing health inequalities
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.17	(2016) Waste capacity
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction
LPP 6.10	(2016) Walking
LPP 6.13	(2016) Parking
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods

LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review

3 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.

4 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

5 I21 Street Naming and Numbering

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

6 I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

7 I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

8 I4 Neighbourly Consideration - include on all residential exts

You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

9 I5 Party Walls

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

10 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

11 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.

12 173 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@hillingdon.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

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.

13

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

Wind Turbines

Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 7, 'Wind Turbines and Aviation' available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>

14

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

3. CONSIDERATIONS

3.1 Site and Locality

The site forms a 0.16ha roughly square shaped site, located on the eastern side of Newport Road, which forms a short cul-de-sac with the site being sited approximately half way along its length, some 40m to the north of the road's junction with the A4020 Uxbridge Road. It comprises two and single storey commercial buildings, with a two storey brick building mainly in use as offices fronting Newport Road with single storey industrial / warehouse buildings behind, which enclose a yard area. The site is completely covered in concrete hardstanding.

The surrounding area is mainly characterised by a mix of commercial and residential properties, with commercial units adjoining the site to the east and on the opposite side of Newport Road, which includes a shishi type lounge use opposite. To the north is a four storey residential block and to the south, fronting Uxbridge Road is a three storey office building to the east of Newport Road and a part two, part three storey retail parade to the west, with a segregated service road to the front.

The site does not have any particular designation and therefore is considered to form part of the 'developed area' as identified in the Hillingdon Local Plan (November 2012). The site has a PTAL score of 2 and also forms part of the Hillingdon Air Quality Management Area.

3.2 Proposed Scheme

This application seeks planning permission for the demolition of existing buildings (Use Class B1a) and redevelopment of the site to provide a new building up to 4 storeys comprising 24 (2 x 3 bedroom units, 8 x 2 bedroom units and 14 x 1) residential flats (Use Class C3) and associated landscaping, amenity space, car parking, cycle parking, access and refuse.

The application includes 2 x 1 bedroom affordable housing units that would be in shared ownership units at ground floor level.

This application follows an application at the site that was refused and is currently at appeal. The key difference between this application and the previously refused schemes is that this application provides clarity on aspects of the scheme and the footprint of the building has reduced. The applicant has made minor amendments to the design of the scheme so the southern elevation does not feature a large flank wall that would dominate the streetscene.

Access

The pedestrian and vehicular access would be off Newport Road. The application proposes to make alterations to the existing vehicular crossover so it would provide appropriate visibility splays. The proposed car parking is situated to the rear of the proposed development that is accessed through an undercroft vehicular access.

Layout and Amount

The application proposal seeks to provide a 4-storey building with amenity space provided as a roof terrace and balconies. The proposed building would measure approximately 14.7m in height and 26.4m in width and a depth of 24.6m. The proposed building is set back from the back end of the pavement on Newport Road by 2.7m. The proposed building is situated 15m from the neighbouring building Murray Grey House.

Amenity Space

The application proposal seeks to provide 484 sq.m of amenity space of which 360 sq.m would comprise communal amenity space and 124 sq.m would comprise private amenity space in the form of balconies.

Car Parking

The application provides 24 car parking spaces of which 2 car parking spaces would be wheelchair accessible and 5 car parking spaces are proposed to be provided with an electric car charging space.

Cycle Parking

Overall, 32 cycle parking spaces would be provided within a secure location off the car parking entrance into the site.

Refuse and Recycling

Refuse storage is located at ground floor level within the undercroft recessed to avoid conflict between vehicular access and the doors that provide access to the bin store.

3.3 Relevant Planning History

73298/APP/2018/3046 Infotree House Newport Road Hayes

Change of use from offices (Use Class B1) to 1 x 2-bed, 2 x 1-bed and 1 x studio self contained flats (Use Class C3) (Prior Notification)

Decision: 17-10-2018 Approved

73298/APP/2018/3048 Y-4 Express Ltd Newport Road Hayes

Change of use from storage (Use Class B8) to 2 x 2-bed, 2 x 1-bed and 2 x studio self contained flats (Notification for Prior Approval under Schedule 2, Part 3, Class P of the Town and Country Planning (General Permitted Development) (England) Order 2015)

Decision: 01-11-2018 Approved

73298/APP/2018/4477 Land To The East Side Of Newport Road Hayes

Demolition of existing buildings and redevelopment of the site to provide 24 residential units (14 x 1 bed, 8 x 2 bed and 2 x 3 bed) in a part 3, part 4 storey building and associated car parking, cycle parking, access and refuse

Decision: 30-07-2019 Refused

73298/PRC/2017/199 Land At Newport Road Hayes

Proposed demolition of existing buildings and erection of 5 storey building comprising 43 self-contained units.

Decision: 14-02-2018 OBJ

Comment on Relevant Planning History

Under application ref: 73298/APP/2018/4477 (30-07-19) planning permission was refused for the following reasons:

1. The proposed development, by reason of its overall size, scale, bulk and detailed design would result in a disproportionately large, dominating and incongruous form of development, which represents an over-development of the site, and fails to provide an

adequate setback from the street, in particular the 4-storey building with rooftop amenity space set against the southern boundary which would be highly visible from Uxbridge Road and Newport Road would fail to respect the pattern and scale of development in the immediate area. The proposal would be detrimental to the visual amenities of the street scene and the character and appearance of the wider area, contrary to Policies 3.4, 7.1 and 7.6 of the London Plan (2016), Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); Policies DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

2. The proposed development, by virtue of its size, scale, bulk, design and proximity, would be detrimental to the amenities of the adjoining occupiers at 1200 Uxbridge Road by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to policy BE1 of the Local Plan Part 1 (2012), policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions and policy DMHB11 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019).

3. The proposed width of the vehicular access and proposed refuse store would result in vehicles temporarily stopping along Newport Road in order to give way to vehicles attempting to enter or exit the site. This will obstruct the free-flow of traffic resulting in a detrimental impact on highways safety, or residual cumulative impacts on the road network which would be severe and therefore contrary to Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policies DMT 2 and DMT 5 of the the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019), Policy 6.12 of the London Plan (2016) and Chapter 9 of the National Planning Policy Framework (2019).

4. The proposed development fails to provide on site private and communal amenity space of a quantity and quality commensurate to the size and layout of the proposals. Furthermore, the communal amenity areas are situated directly outside habitable rooms and balconies which would result in overlooking from communal spaces into balconies and habitable rooms at ground floor level. Such an arrangement would be detrimental to the residential amenity of the future occupiers the proposal would provide a substandard form of accommodation for future residents contrary to Policies BE21 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), DMCI 4 and DMCI 5 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) , the adopted Supplementary Planning Document HDAS: Residential Layouts and Policy 7.1 of the London Plan (2016).

The proposal is currently being considered at appeal and a hearing is scheduled to take place in September. Reason for 3 (highways) is no longer being pursued by the Council.

4. Planning Policies and Standards

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

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)

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

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)

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.

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.

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).

Local Plan Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.E1 (2012) Managing the Supply of Employment Land
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation

- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.H2 (2012) Affordable Housing

Part 2 Policies:

- DMAV 1 Safe Operation of Airports
- DMCI 4 Open Spaces in New Development
- DMCI 7 Planning Obligations and Community Infrastructure Levy
- DMEI 1 Living Walls and Roofs and Onsite Vegetation
- DMEI 10 Water Management, Efficiency and Quality
- DMEI 11 Protection of Ground Water Resources
- DMEI 12 Development of Land Affected by Contamination
- DMEI 14 Air Quality
- DMEI 2 Reducing Carbon Emissions
- DMEI 9 Management of Flood Risk
- DMH 2 Housing Mix
- DMH 4 Residential Conversions and Redevelopment
- DMH 7
- DMHB 1 Heritage Assets
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 15 Planning for Safer Places
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space
- DMHB 19 Play Space
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 3 Road Safeguarding
- DMT 4 Public Transport
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- LPP 2.16 (2016) Strategic Outer London Development Centres
- LPP 3.12 (2016) Negotiating affordable housing on individual private residential and mixed-use schemes
- LPP 3.2 (2016) Improving health and addressing health inequalities

- LPP 3.8 (2016) Housing Choice
- LPP 3.9 (2016) Mixed and Balanced Communities
- LPP 5.11 (2016) Green roofs and development site environs
- LPP 5.12 (2016) Flood risk management
- LPP 5.17 (2016) Waste capacity
- LPP 5.2 (2016) Minimising Carbon Dioxide Emissions
- LPP 5.21 (2016) Contaminated land
- LPP 5.3 (2016) Sustainable design and construction
- LPP 6.10 (2016) Walking
- LPP 6.13 (2016) Parking
- LPP 6.5 (2016) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.9 (2016) Cycling
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.13 (2016) Safety, security and resilience to emergency
- LPP 7.14 (2016) Improving air quality
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- LPP 7.2 (2016) An inclusive environment
- LPP 7.4 (2016) Local character
- LPP 7.5 (2016) Public realm
- LPP 7.6 (2016) Architecture
- LPP 7.8 (2016) Heritage assets and archaeology
- LPP 8.2 (2016) Planning obligations
- LPP 8.3 (2016) Community infrastructure levy
- LPP 8.4 (2016) Monitoring and review

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th May 2020**

5.2 Site Notice Expiry Date:- **9th May 2020**

6. Consultations

External Consultees

The application was consulted on between 29-04-2020 and 05-05-2020. 51 neighbouring residents were notified and a press notice was published. No comments or objections were received.

Amended plans were consulted on between 24-06-20 and 08-07-20. No comments or objections were received.

STATUTORY CONSULTEE COMMENTS

Heathrow Aerodrome Safeguarding

We have now assessed the above application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development. However, we would like to

make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

Wind Turbines

Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 7, 'Wind Turbines and Aviation' available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Thames Water

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be

directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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.

GLAAS

Thank you for your consultation of 17/04/2020 regarding the above application for Planning Permission. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England's Greater London Archaeological Advisory Service.

Internal Consultees

Contaminated Land Officer

I have reviewed a copy of the following document which was submitted with the above application:

Title: Phase I Geo-environmental Risk Assessment | Residential Development; Ref: 17-222.01
Revision A; Dated: July 2017; Prepared by: Aviron Associates Limited.

The above report appears to be simply a revised version of the report 17-222.01 dated July 2017, the revised details comprise inclusion of the following figures:

Figure 1: Existing Site Layout

Figure 3: Titled Proposed Development Plan.

However, the body of the updated Phase 1 report which includes an initial conceptual model (CSM) and preliminary risk assessment (PRA), continues to be acceptable. Based on the CSM and PRA the report recommends: - "Should residential re-development be proposed it is recommended that ground investigation and further risk assessment is completed". Preliminary assessments indicate

made ground at the site may represent a possible source of contaminants and as such, a condition is recommended.

Flood Water Management Officer

The site lies in Flood Zone 1 and is not shown to be at risk of flooding from surface water. There is a surface water flow path to the north of the site that commences on Uxbridge Road and passes along Hayes End Close towards Kingshill Avenue and Byron Way. There are properties along this flow path that are at risk of flooding and there are schemes being developed alongside town centre improvement works to contribute to a reduction in flood risk.

The applicant has submitted a Flood Risk Assessment & Drainage Strategy Report to support the application (Heyne, Tillett & Steel report dated December 2018).

The proposed drainage strategy uses permeable paving for car parking spaces with sub-base storage in addition to shallow geo cellular storage. It is proposed to discharge from the site into the surface water sewer in Newport Road at a rate of 5.5l/s. This rate is based on the available area for surface water storage on the site, acknowledging that the surface water sewer in Newport Road is at a shallow depth. While we would prefer this runoff rate to be reduced further from the development, we are conscious of the need to prevent a pumped outfall from the site. This rate does not account for the potential to partially infiltrate into the ground from the permeable paving and storage, which is to be considered at detailed design.

We would therefore expect this rate to be revised and reduced based on the results of infiltration testing. As there are limitations on site that is unlikely to allow for a reduction in runoff rates to equivalent greenfield rates, as required by local planning policy, we accept the current proposals subject to agreement of developer contributions for off-site sustainable drainage.

We welcome that the proposals for rainwater harvesting will be considered during detailed design based on the landscaping strategy. We would expect any measure, however small, to be included in the proposals during detailed design to demonstrate compliance with local and regional planning policies.

Highways Officer

his scheme follows that contained under ref 73298/APP/2018/4477 which the Highway Authority issued concerns over. Those issues were later addressed during the appeal process. Given the like-for-like nature of both proposals in terms of highways impacts, there are no objections to the application.

Trees and Landscaping Officer

This site is occupied by a vacant industrial buildings with a yard and parking area, located within an industrial cul-de-sac on the north side of Uxbridge Road. There are no existing trees, or soft landscape, and no planning designations which might constrain the re-development of the site.

COMMENTS No tree or other landscape features will be affected by the development. The layout proposes accommodation in two blocks, one to the north and one to the south with vehicle access between the two blocks leading to a groundlevel car park which dominates the western edge of the site. Bike and bin stores are integral to the buildings and accessed via the access road. Ground floor flats are to have modest external amenity space, similar in size to the upper floor balconies. - Proposed hedging should be located outside the private areas, within the comunal space from where they cabn be established and managed as part of the overall landscape maintenance of the site. The north-facing facade of the northern block look out onto a narrow linear shared open space. The southern block will have access to a roof terrace with plants in raised planters. The

weakest part of the scheme is the ground level car park which occupies a significant proportion of the site and comprises unrelieved hard surfacing. If any car spaces can be lost and space given up to soft landscape (tree planting) this space could be improved. Failing that, even with the existing layout it would be possible to establish climbing plants to soften the car park walls - without the loss of parking spaces. RELEVANT POLICIES The scheme must satisfy policies DMHB 11 and DMHB 14. The D&AS refers to the the landscape design and amenity space. A comprehensive landscape design, with quality hard and soft detailing, well-implemented and maintained is required to ensure that the scheme is both accessible and attractive for future residents.

RECOMMENDATIONS If you are minded to approve this application, please add conditions RES9 (parts 1,2,3,4,5 and 6).

Access Officer

This proposal which seeks to remove the existing commercial building in order to redevelop the site for residential use, has been assessed against the requirements of the 2016 London Plan and its contained policies 3.1, 7.2 and 3.8. Reference is also made to the emerging 2020 London Plan and its contained policy D11. The proposal is to construct 24 apartments over 4 floors, consisting of 14 one bed units, 8 two bed units, and 2 three bed units, each with an external balcony or terrace. Whilst the proposal demonstrates some commitment to the principles of accessibility and inclusion, the following accessibility concerns should be addressed: 1. 10% of the residential units are shown to meet the requirements for an M4(3) Category 3 - wheelchair user dwelling. However, both units are 1 bed units and no information appears to have been provided on the proposed tenure for this accommodation. The required M4(3) units should be interspersed throughout the development, across all typologies and tenures. 2. 10% of Affordable Housing units would be required to satisfy the design standards for an M4(3) Wheelchair Accessible unit. More details are required by condition.

Design Officer

A similar scheme was previously refused under application 73298/APP/2018/4477 where a number of design concerns were raised. The current application has been further amended in order to overcome these concerns. The following comments are based upon the amended drawings received 24/06/2020.

The existing building onsite comprises a 2-storey light industrial building that has limited architectural merit. It is set back 6 metres from the back edge of the pavement and has fenestration to its north, south and eastern sides that help to animate the street. Its low key appearance allows it to sit quietly within this part of the townscape.

The surrounding area is mainly characterised by a mix of commercial and residential properties, with commercial units adjoining the site to the east and on the opposite side of Newport Road, which includes a shishi type lounge use opposite. To the north is a four-storey residential block and to the south, fronting Uxbridge Road is a three-storey office building to the east of Newport Road and a part two, part three-storey retail parade to the west, with a segregated service road to the front. The buildings range between 2 and 4 storeys in height.

The proposal seeks to provide a 4-storey brick built block of flats the fourth floor of which is set back. The southern elevation of the previously refused scheme resulted in a blank brick flank wall which extended up to four full storeys creating a stark and unattractive elevation when viewed from Uxbridge Road. The development has now been improved with the addition of decorative brickwork panels and the addition of horizontal windows. This elevation has been further improved with the third floor now being set back helping to break up the bulk and mass of the building reduce the impact of the blank overbearing southern flank wall.

The proposed building would sit only 1m from the back edge of the pavement north of the vehicular access and 2.8m to the south. Although this building line is closer to the street than neighbouring developments it is considered that given the varied building line of the street and the other design improvements outlined above, the scheme now sits relatively quietly in this part of the townscape. The scheme is now considered acceptable, in design terms, and the accumulative impact of the design issues raised under the previous application have now been overcome.

The success of the scheme will be dependent on the finer detailing, choice of materials and workmanship. Should the application be minded for approval then I would suggest conditions be attached requesting samples of all external materials and detailed drawings of the, balconies, doors, windows, railings and roof access enclosure.

Air Quality Officer

The proposed development is located within the Uxbridge Road Focus Area, bringing additional air pollutant emissions which will add to current exceedances. As per the new London Plan, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

Therefore, a section 106 agreement with the LAP of £14,420 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels. Conditions are also recommended.

Sustainability Officer

Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction can be met within the framework of the energy hierarchy.

The sustainability officer has commented on this application noting the energy consultants working on the energy strategy do not appear to be familiar with the scheme presented. Their conclusions that photovoltaics would provide the primary solution to achieve a minimum onsite 35% reduction target requires a considerable amount of roof space. Unfortunately, the amended roof plans show the majority of the space will be a roof terrace thus ruling out the possibility of PVs. Consequently, the energy strategy as presented is of little value.

However, there is no reason to believe that this development could not achieve the minimum 35% CO2 reduction target onsite with any shortfall mitigated through an offsite contribution.

A standard energy condition requiring the development to be zero carbon (with a minimum of 35% reduction in CO2 onsite) should suffice along with a S106 allowance to capture any shortfalls for the offsite contribution.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 118 of the NPPF expects planning decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. It promotes and supports the development of under- utilised land and buildings, especially if this would help to meet identified need.

Policy 3.3 of the London Plan (2016) expects Hillingdon to deliver a minimum of 559 new homes each year until 2025.

Policy H1 of the Local Plan: Part One (2012) requires the Council to exceed or meet its

minimum strategic dwelling requirements, where this can be achieved, in compliance with other Local Plan policies.

The Local Plan proposals map does not allocate the site for any specific land use. Until early 2018, the site was in use as an office (Use Class B1(a)) which is an employment use. Prior approval applications was granted for the change of use of buildings within the site from office to residential. There is currently consent for the provision of up to 10 residential units within the envelope of the existing buildings.

Policy 3.3 of the London Plan (2016) recognises there is a pressing need for more homes across London and in particular on brownfield sites. As such, there is no objection in principle to the redevelopment of the site a to provide a residential development subject to all other material planning considerations being accepted.

UNIT MIX

London Plan Policy 3.8 and the Mayor's Housing SPG promote housing choice and seek a balanced mix of unit types and sizes in new developments. In addition, London Plan Policy 3.11 accords priority to affordable family housing in residential development.

The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties. Applicants proposing residential schemes will be required to demonstrate that this need has been taken into account and provide a mix of housing units on site, in line with Policy DMH 2 of the Local Plan: Part Two (2020).

The proposal provides the following:

8 x 2 bedroom units; and
16 x 1 bedroom units.

None of the proposed units are family sized which is well below the need for family sized units identified in the recent SHMA it is therefore contrary to Policy DMH 2 of the Local Plan: Part Two (2020). It is noted that unit 23 and Unit 24 are larger 2 bedroom units and do not preclude smaller families.

Notably, Policy H10 of the emerging London Plan (Intend to publish version) 2019, also outlines that the nature and location of the site needs to be taken into account, with a higher proportion of one and two bed units generally being more appropriate in locations with higher public transport access and connectivity.

Whilst this application fails to provide family sized units (3 bedroom or more), it is considered that given the site's constraints, namely being in an Air Quality Focus Area, located off Uxbridge Road, next to a commercial premises and with limited meaningful and usable amenity space on site, the proposed unit mix in this location is in accordance with emerging policy H10 of the London Plan and suitable to the site context and constraints.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) requires developments to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan Chapter 7 and public transport capacity. Table 3.2 provides the density matrix in support of this policy. The site has an 'urban' setting with a PTAL rating of 2. According to the density matrix, the application should be within a density range of 55-145 u/ha or 200 - 450 hr/ha. Policy DMHB 17 of the Hillingdon Local Plan: Part 2 -

Development Management Policies (January 2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2.

The application has a density of 337 hr/ha and 155 u/ha which only marginally exceeds the recommended guidance. Density however is only one measure of the suitability of the acceptability of a development, therefore, in the round, this schemes density is deemed to be acceptable in light of all matters considered within this report.

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

The application does not lie within an archaeological zone, conservation area nor are there listed buildings in the vicinity of the application site.

7.04 Airport safeguarding

Policy DMAV 1 of the Local Plan: Part Two (2020) notes that the Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the relevant airport operators on proposals in safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted. NATS and Heathrow Airport Safeguarding have been consulted on this application and no safeguarding objections have been raised to this application and as such the proposal would not be detrimental to the safe operation of any airport. Informatives recommended by Heathrow Aerodrome Safeguarding are included within the decision notice.

7.05 Impact on the green belt

The application does not fall within land that is designated as Green Belt. As such, the proposal would not impact the Green Belt.

7.07 Impact on the character & appearance of the area

Paragraph 131 of the NPPF (2019) requires that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Policy 7.6 of the London Plan (2016) requires new developments to be of the highest architectural quality and be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.

Policy D1B of the draft London Plan (2019) requires all development to make the best use of land by following a design led approach that optimises the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth.

Policy BE1 of the Local Plan: Part One (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) re-emphasises the importance of good design in new development by A) requiring all new buildings and extensions to be designed to the highest standards, which incorporate principles of good design, such as harmonising with the local context by having regard to the scale, height, mass and bulk of surrounding buildings; using high quality materials and finishes; having internal layouts and design which maximise sustainability and the adaptability of the space; protecting features which contribute positively to the area and providing landscaping that enhances amenity, biodiversity and green infrastructure; B) avoiding adverse impacts on the amenity, daylight and sunlight of adjacent property and open space; C) safeguarding the development potential of adjoining sites and D) making adequate provision for refuse and recycling storage.

Policy DMHB 12 of the Local Plan: Part Two (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

The existing building comprises a 2-storey building, the existing building has limited architectural merit but is set back some distance from Newport Roads street frontage. The character of the surrounding area is varied with a mix of commercial and residential units. The proposal seeks to provide a 4-storey building with the fourth storey set back. The proposal also includes rooftop amenity space which although the elevation illustrates the proposal as being only 4 storeys, once the rooftop amenity space is provided with its paraphernalia, this would read as a 5-storey building. The applicant has revised the proposal so the rooftop amenity space is setback and thereby reducing its visual impact on the streetscene.

A similar scheme was previously refused under application 73298/APP/2018/4477 where a number of design concerns were raised. The current application has been amended to address the reasons for refusal.

The surrounding area is mainly characterised by a mix of commercial and residential properties, with commercial units adjoining the site to the east and on the opposite side of Newport Road, which includes a shisha lounge use opposite. To the north is a four-storey residential block and to the south, fronting Uxbridge Road is a three-storey office building to the east of Newport Road and a part two, part three-storey retail parade to the west, with a segregated service road to the front. The buildings range between 2 and 4 storeys in height.

The proposal seeks to provide a 4-storey brick built block of flats the fourth floor of which is set back. The southern elevation of the previously refused scheme resulted in a blank brick flank wall which extended up to four full storeys creating a stark and unattractive elevation when viewed from Uxbridge Road. The development has now been improved with the addition of decorative brickwork panels and the addition of high level horizontal windows. Under this application, the southern elevation has been further improved with the third floor now set back helping to break up the bulk and mass of the building to reduce the impact of the blank overbearing southern flank wall.

The proposed building would sit only 1m from the back edge of the pavement north of the vehicular access and 2.8m to the south. Although this building line is closer to the street than neighbouring developments it is considered that given the varied building line of the street and the other design improvements made to the proposed development, the scheme now sits relatively quietly in this part of the townscape and is a considerable improvement above the previously refused proposal. The design officer considers the cumulative impact of the design issues raised under the previous application have now been overcome.

The front boundary treatment includes metal railings with hedging to provide privacy to future residents. The boundary treatment would soften the boundary and create visual enhancements to the streetscene.

The success of the scheme will be depend on the finer detailing, choice of materials and workmanship. Should the application be minded for approval a condition is attached requesting samples of all external materials and detailed drawings of balconies, doors, windows, railings and roof access enclosure.

7.08 Impact on neighbours

Policy BE1 of the Local Plan: Part One (2012) requires developments to be appropriately

designed so that they do not adversely affect their surroundings or the local character.

Policy DMHB 11 of the Local Plan: Part Two (2020) requires that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The nearest residential dwellings that could be affected by the development are:

- 1200 Uxbridge Road to the south;
- Murray Grey House to the north; and
- TCM House to the west.

Privacy

The proposed development is proposed to be situated at a distance of 15m from Murray Grey House and at least 21m between facing windows at Murray Grey House. It is noted that at first and second floor levels, the application does not include balconies on the northern elevation. However, the proposal includes a terrace that wraps around the third floor. The application could result in overlooking or the perception in overlooking from the third floor terrace into Murray Grey House. It is therefore considered that notwithstanding the submitted plans, a condition is attached to the decision to prevent the third floor terrace being used as an area of amenity space to protect the amenity of neighbouring residents at Murray Grey House.

The proposal includes a frosted glass window along the southern elevation to provide visual interest and break up the facade. The proposal would not result in overlooking into the residential units on 1200 Uxbridge Road. The proposal is situated approximately 19m from the consented scheme at TCM House to the west. Given that there is an intervening road between the application site, this relationship is common within an urban context and considered to be acceptable.

It is noted that balconies along the east and west elevations could result in mutual overlooking, to protect the amenities of future occupiers and ensure any informal privacy screening does not look incongruous, details of privacy screening between balconies is required by way of a condition.

Daylight and Sunlight

The applicant has provided a daylight and sunlight assessment which has found that of the 42 windows tested, 1 window failed. However the window affected is one of two windows servicing a habitable room. Consequently the proposal would result in negligible harm to the amenities of neighbouring properties.

Overshadowing

The report also confirms that all neighbouring amenity areas will continue to receive at least 2 hours of sunlight across 50% of the garden area in accordance with BRE guidance. The rear garden and patio areas of Murray Grey House were considered to be most sensitive. The daylight and sunlight report found the proposal would not result in a noticeable increase in overshadowing to the neighbouring gardens.

7.09 Living conditions for future occupiers

UNIT SIZES

The London Plan (2016) sets out minimum sizes for various sized residential units. The

applicant submitted plans with all unit sizes meeting the minimum floor space standards as set out above.

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.

Standard 28 of the London Plan Housing SPG (2016) requires the developments to demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

The scheme accords with the London Plan (2016) minimum standard, each unit enjoys good outlook and privacy. Each unit is provided with a buffer at ground floor level. The proposal is considered acceptable on this basis.

INTERNAL LAYOUT AND ACCOMMODATION

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.

Standard 28 of the London Plan Housing SPG (2016) requires the developments to demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

The proposal also includes defensible space at ground floor level between habitable spaces for each unit and communal amenity space. Overall the layouts and orientation of each unit provides good quality living space for each residential unit.

10 of the 24 units are dual aspect and 14 units are single aspect, there are no north facing single aspect units. The London Plan Residential Standards recommend eight units to each core. The proposal provides upto 8 units to each core. The proposed development provides good internal layouts and good quality accommodation for future residents.

AMENITY SPACE

Policy DMHB 18 of the Local Plan: Part Two (2020) requires new developments to provide good quality and usable private outdoor amenity space in accordance with the standards set out in Table 5.3. Based on the schedule of accommodation proposed, the applicant is required to provide 520 sq.m of private amenity space. This application provides 484 sq.m of amenity space of which 360 sq.m would comprise communal amenity space at ground and roof levels and 124 sq.m would comprise private amenity space in the form of balconies. Whilst there is a shortfall, it is because the proposed enclosures at ground floor level that are provided to protect the privacy of future occupants were not counted as meaningful amenity space. Furthermore the wrap around terrace at third floor level was also omitted from the calculation. There is a 7% shortfall in amenity space however this could be addressed if the applicant provided appropriate details in relation to the third floor terrace. An appropriately worded condition is recommended to ensure adequate amenity space is provided for future residents.

PUBLIC OPEN SPACE

Policy DMCI 4 of the Local Plan: Part Two (2020) requires new major residential development to make provision for new open space or enhancements to existing open

space which meets the needs of future occupiers of the development. Given the constraints of the site, the proposal cannot provide open space on site, therefore an off site contribution of £32,000 is required towards the enhancement of existing public open space in line with the requirements of Policy DMCI 4 of the Local Plan: Part Two (2020).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 1 of the Local Plan: Part Two (2020) requires development proposals to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Local Plan: Part Two (2020) notes development proposals must ensure that safe and efficient vehicular access to the highways network is provided to the Council's standards.

Policy DMT 6 of the Local Plan: Part Two (2020) states that development proposals must comply with the relevant parking standards. For a development of this type it is required that the quantum of car parking provided is determined

The trip generation from this proposal is not considered to result in harm to the local highway network. 24 car parking spaces are proposed which equates to a 1:1 parking ratio. In terms of cycle parking, there is a requirement for a minimum provision of 1 secure and accessible space for each of the 1-2 bedroom units. This has been demonstrated and in fact exceeded by the respective provision of 32 spaces for the flats.

The Intend to Publish Version of the London Plan (2019) requires electric vehicle charging points (EVCPs) to be provided in line with standards for residential use which would equate to 20% for 'active' provision with a further 80% acting as 'passive' provision for future activation equating to 5 active and 19 passive spaces in total. This would be secured via planning condition and 'active' provision would then evolve on a demand led basis. .

The principle of improving the vehicular access points and visibility splays onto Newport Road is considered acceptable in principle and would be subject to the Council's carriageway crossing dimension and construction standards with separate and detailed applications being made post-permission under a S184 of the Highways Act 1980 agreement (or suitable alternative arrangement) at the applicant's expense.

Refuse collection is expected to be undertaken via Newport Road.

The applicant is required to make good any damage to the footpath or road during as during or after the construction period which is secured as a clause within the Section 106 legal agreement.

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with Local Plan Part 2 Development Plan Policies DMT 1, DMT 2 and DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

Design has been addressed in paragraph 7.07 of this report.

Security

Paragraph 7.13 of the London Plan (2016) requires development proposals to contribute to the minimisation of potential physical risks and include measures to deter crime and

anti social behaviour. A secured by design condition has been recommended and therefore the proposal is considered to accord with Policy 7.13 of the London Plan (2016).

7.12 Disabled access

Policy 3.8 of the London Plan (2016) and the London Housing SPG together promote accessible design, whilst advocating a flexible approach on small scale developments. The Housing SPG clarifies that Policy 3.8 should be applied flexibly to ensure that residential or mixed use development is deliverable and notes that a lift may cause practical difficulties for small scale developments (where the depth and width of a plot and height restrictions may inhibit the overall floorplate and massing).

Policy 7.2 of the London Plan (2016) require all new development in London to achieve the highest standards of accessible and inclusive design and supports the principles of inclusive design.

The proposal is to construct 24 apartments over 4 floors, consisting of 8 x 2 bedroom units; and 16 x 1 bedroom units each with an external balcony or terrace. The proposal demonstrates commitments to the principles of accessibility and inclusion. A condition is included requiring details of compliance with M4(3) Category 3 - wheelchair user dwelling for both affordable units.

7.13 Provision of affordable & special needs housing

Policy 3.12 of the London Plan (2016) states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes.

Policy H4 of the Intend to Publish Version of the London Plan (2019) sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable and advises of specific measures to achieve this aim. It states that affordable housing should be provided on site and that affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances.

Policy H5 of the Intend to Publish Version of the London Plan (2019) establishes the threshold approach to applications, and that where the development does not fall within a specific category, the threshold level of affordable housing on gross residential development is initially set at a minimum of 35 per cent.

Policy H2 of the Local Plan: Part One (2012) requires sites with a capacity of 10 or more units, to provide an affordable housing mix to reflect the housing needs in the borough, particularly the need for larger family units.

Policy DMH 7 of the Local Plan: Part Two (2020) requires major residential developments to maximise the delivery of affordable housing on site. A minimum of 35% of all new homes should be delivered as affordable housing with a tenure split of 70% Social/Affordable Rent and 30% Intermediate.

The Applicant seeks to provide 2 affordable shared ownership units at ground floor level. The applicant provided an updated Financial Viability Appraisal with the application which has been reviewed by an Independent Surveyor appointed by the Council.

The Independent Surveyor has reviewed the submitted information which included the sales of both new and old properties in the area. The Independent Surveyor agreed with the Applicant's conclusion that it is unviable to deliver a policy compliant level of affordable housing on site. The Independent Surveyor accepted that 2 affordable shared ownership

units is the maximum reasonable in this instance.

The planning obligations officer agreed this approach provides a maximum reasonable amount of affordable housing in compliance with Policies 3.11 of the London Plan (2016) and Policy H2 of the Local Plan: Part One (November 2012). A review mechanism is secured through a clause within the Section 106 legal agreement.

7.14 Trees, landscaping and Ecology

LANDSCAPING

Policy 3.5 of the London Plan (March 2016) requires that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces.

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 Local Plan:Part Two (2020) notes all developments will be expected to retain or enhance the existing landscape, trees, biodiversity and natural features of merit. Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees.

No tree or other landscape features will be affected by the development. The layout proposes accommodation in two blocks, one to the north and one to the south with vehicle access between the two blocks leading to a ground level car park which dominates the western edge of the site. Soft landscaping and hedging is expected to be provided within the defensible spaces at ground floor level and the communal amenity space. The applicant is required to provide full hard and soft landscaping details of the overall landscape maintenance of the site. Should the application be considered acceptable, details of hard and soft landscaping which include details of landscaping and maintenance is required by way of a condition.

ECOLOGY

Paragraph 170 of the NPPF (February 2019) states that planning decisions should contribute to and enhance the natural and local environment by amongst other measures, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Policy 7.19 of the London Plan (March 2016) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DMEI 7 of the Hillingdon Local Plan: Part Two (2020) requires the design and layout of new development should retain and enhance any existing features of biodiversity or geological value within the site.

The proposed roof would be used for private amenity space and therefore there would be

limited opportunities to provide a green roof. There are however opportunities to provide a green wall across the development and details would be required by way of a condition including a maintenance schedule to ensure it is delivered and appropriately managed for the lifetime of the development. If recommended for approval, a landscaping scheme would be secured by condition and would ensure that the proposal includes soft landscaping and improved green infrastructure provision to the benefit of biodiversity. Subject to this condition, the proposed development would not be contrary to Policy DME1 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 7.19 of the London Plan (March 2016) and the NPPF (February 2019).

7.15 Sustainable waste management

Policy 5.17 of the London Plan (2016) sets out the Mayors Spatial Policy for Waste Management including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

The highways officer has reviewed the waste management and recycling arrangements and considers the proposal is acceptable. However a waste management plan is required so there is a process in place to ensure bins are replaced within the bin store after collection and not left to clutter the streetscene, given the bin store is located behind an automated gate.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (2016) requires developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

Be lean: use less energy

Be clean: supply energy efficiently

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 (2016).

Policy DME1 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 submitted energy statement appears to be inconsistent with the proposal itself. It relies on the delivery of photovoltaic panels to provide the primary solution to achieve a minimum onsite 35% reduction target which requires a considerable amount of roof space. The amended roof plans show the majority of the space will be used as a roof terrace thus ruling out the possibility of PV panels.

The sustainability officer considers there is no reason to believe that this development could not achieve the minimum 35% CO₂ reduction target onsite with any shortfall mitigated through an offsite contribution. As such, it is recommended that a condition

requiring the development to be zero carbon (with a minimum of 35% reduction in CO2 onsite) should be attached to the decision along with a S106 allowance to capture any shortfalls for the offsite contribution.

7.17 Flooding or Drainage Issues

Policy 5.13 of the London Plan (2016) states that development proposals should use sustainable urban drainage systems (SuDs) unless there are good reasons for not doing so and that developments should aim to achieve green-field run-off rates. Policy 5.15 goes on to confirm that developments should also minimise the use of mains water by incorporating water saving measures and equipment.

Policy DMEI 10 of the Local Plan: Part Two (2020) applications for all new build developments are required to include a drainage assessment demonstrating that appropriate sustainable drainage systems (SuDS) have been incorporated in accordance with the London Plan Hierarchy.

The flood water management officer has commented on this application raising no in principle objections to the development. A detailed drainage proposal and surface water management is required to ensure the most sustainable solution is implemented on site.

A condition is proposed within the draft decision notice requiring details of the above. Should the application be considered acceptable, details of the drainage proposal and surface water management would need to be provided prior to commencement other than demolition.

7.18 Noise or Air Quality Issues

Noise

Policy 7.15 of the London Plan (March 2016) states that development proposals should seek to manage noise by:

- a. avoiding significant adverse noise impacts on health and quality of life as a result of new development;
- b. mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens on existing businesses;
- c. improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity);
- d. separating new noise sensitive development from major noise sources (such as road, rail, air transport and some types of industrial development) through the use of distance, screening or internal layout - in preference to sole reliance on sound insulation;
- e. where it is not possible to achieve separation of noise sensitive development and noise sources, without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through the application of good acoustic design principles;
- f. having particular regard to the impact of aviation noise on noise sensitive development;
- g. promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to ensure that noise sensitive development and noise generating development are only permitted if noise impacts can be adequately controlled and mitigated.

The C submitted acoustic information demonstrates that the proposed internal noise levels and mitigation will be addressed ,according to internal room requirements found in

BS8233:2014. The proposal is considered acceptable subject to the following condition.

Air Quality

Policy DMEI 1 of the Local Plan: Part Two (2020) requires major development in Air Quality Management Areas to provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate.

The Local Plan recognises that living walls and roofs allow a number of environmental goals to be achieved in a relatively small space. They also remove particulates that improve local air quality. The Council's EPU (Air Quality) Officer has requested that a condition is added to the decision notice to ensure the proposal contributes to air quality enhancements.

Policy DMEI 14 of the Local Plan: Part Two (2020) requires development proposals to demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants. Developments are expected to be:

- Air quality neutral;
- Include mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors; and
- Actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

The application site falls within the Uxbridge Road Focus Area (FA), which is a zone identified by both the Greater London Authority (GLA) and London Borough of Hillingdon (LBH) as experiencing pollutant concentrations above the limit value to safeguard human health, with high density of population being exposed to such hazardous levels.

As per the London Plan and London Borough of Hillingdon Local Action Plan, developments need to be neutral as minimum and contribute actively to reduce pollution in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

Given the location of the application site within a FA and in the absence of suitable mitigation measures that in a quantifiable manner would demonstrate the additional traffic emissions would be removed, a S106 contribution is required. Therefore, a section 106 agreement with a contribution of £14,420 is required to be paid to enable Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal in order to reduce vehicle emissions and or reduce human exposure to pollution levels, assuming no local network congestion would be exacerbated by the proposal. Subject to the inclusion of the clause within the legal agreement, the Air Quality Officer has raised no objection to this application.

7.19 Comments on Public Consultations

No public comments received.

7.20 Planning obligations

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.

At a regional level, policy 8.2 'Planning Obligations' of the London Plan (2016) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

Policy DMCI 7 of the Local Plan: Part Two (2020) seeks 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. Planning obligations are sought on a scheme-by-scheme basis to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

Relevant Officers have reviewed the proposal, as have other statutory consultees. The comments received indicate the need for the following contributions or planning obligations to mitigate the impact of the development.

1. To secure all necessary highway works and repair and enhancement to the footpath adjoining the site including written agreement from the Local Planning Authority; (Section 278);
2. Parking Permit exclusion clause for all future residents;
3. 2 x 1 bedroom shared ownership units at ground floor level and an affordable Housing review mechanism;
4. Employment Strategy and Construction Training - 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. Securing an Employment/Training Strategy Agreement is Council's priority. Financial Contribution will only be accepted in exceptional circumstances.
5. Air Quality: in line with the SPD and given the site is located in an air quality management area, a contribution in the sum of £14,420;
6. Carbon Fund: a contribution for a carbon fund to make up for the shortfall for this development and in order to make the development policy compliant (£1800 for every tCO₂/annum that is below the zero carbon target);
7. Open Space Contribution of £32,000; and
8. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

Community Infrastructure Levy

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.

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.

7.21 Expediency of enforcement action

There is no enforcement history for this site.

7.22 Other Issues

Contaminated Land

Policy DMEI 12 of the Local Plan: Part Two (2020) requires proposals for development on potentially contaminated sites to be accompanied by at least an initial study of the likely contaminants. 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.

Fire Safety

Policy D12 (Fire safety) of the Intend to Publish of the London Plan (2019) states that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety. It is considered that a condition should be added to any permission to secure the implementation of a Fire Strategy for all parts of the development in accordance with draft Policy D12 (Fire safety) of the London Plan - Intend to Publish (2019).

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.

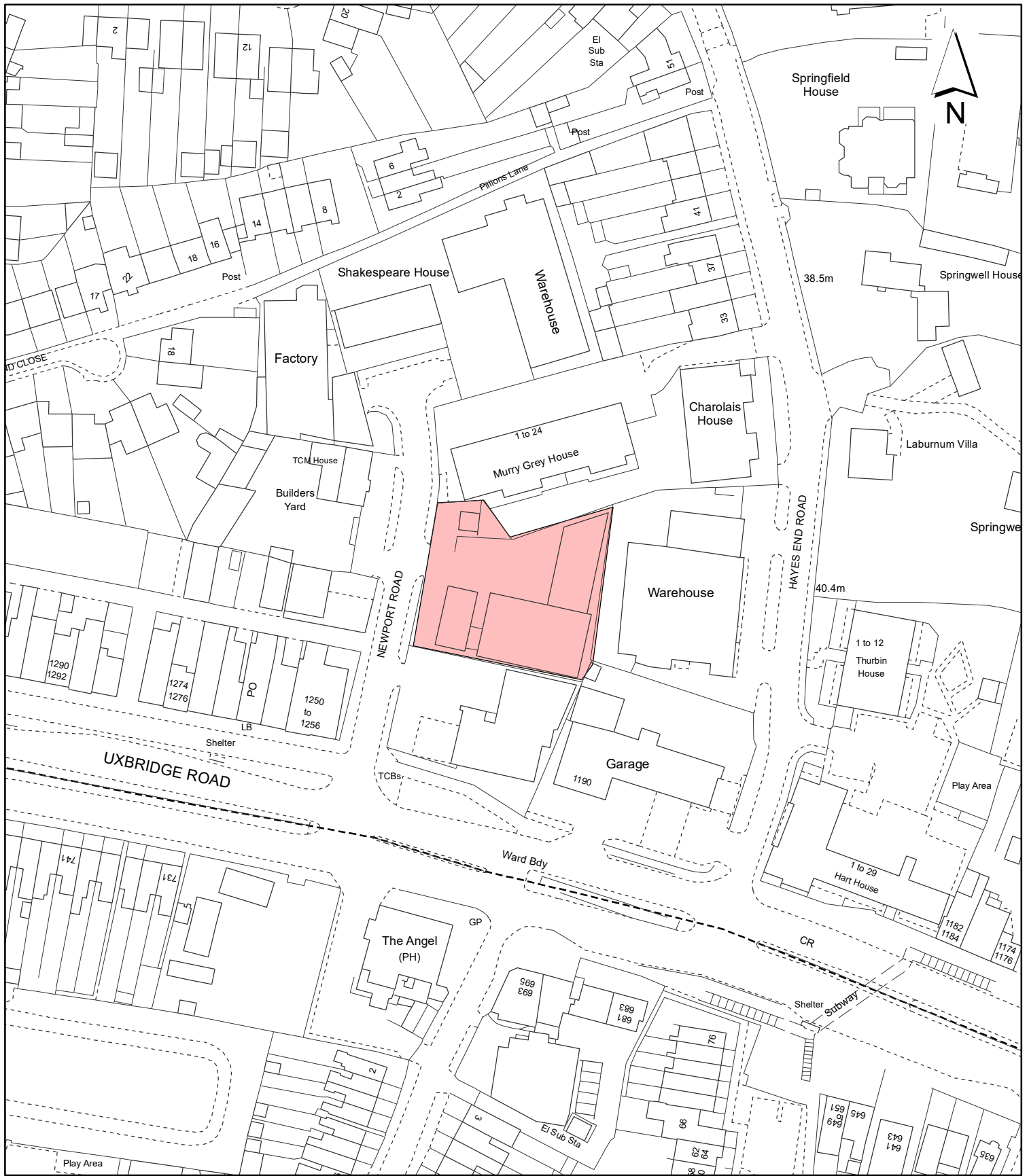
10. CONCLUSION

The application seeks permission for the redevelopment of the site to provide a 4 storey building comprising 24 self contained flats (16 x 1 bed and 8 x 2 bed) with associated landscaping works following demolition of existing building.

The revised proposed development reduces the footprint and scale of the proposed building and it is considered to be of an appropriate height and design that overcomes the previous reasons for refusal. The Council's Design Officer has raised no objection to this application. The proposal would not result in harm to the amenity of neighbouring residents and overall the development provides an acceptable quality of units for future occupants along with 1 car parking space for each unit. The proposal includes 2 units of affordable housing on site which is considered to be the maximum reasonable amount that can be provided. The proposal is considered to be a sustainable development and the application is recommended for approval subject to condition and a Section 106 legal agreement.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 Site Allocations and Designations (2020)
Hillingdon Local Plan: Part 2 Development Management Policies (2020)
Hillingdon Local Plan: Policies Map (2020)
London Plan (2016)
London Plan Intend to Publish (2019)
National Planning Policy Framework (2019)



Notes:

 Site boundary

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Site Address:

Land to the East of Newport Road

Planning Application Ref:

73298/APP/2020/1194

Planning Committee:

Major

Scale:

1:1,250

Date:

August 2020

LONDON BOROUGH OF HILLINGDON
Residents Services Planning Section

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HILLINGDON
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