

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

Address FRAYS COURT, 71-73 COWLEY ROAD UXBRIDGE

Development: Erection of roof extension to provide 4 residential units with associated external alterations

LBH Ref Nos: 13010/APP/2020/1790

Drawing Nos: FLU.1192.2.01
 Planning, Transport, Design and Access Statement (Dated June 2020)
 FLU.1192.02.05
 FLU.1192.2.04
 FLU.1192.2.03
 FLU.1192.2.02
 FLU.1192.02.07
 FLU.1192.2.09 Rev. A
 FLU.1192.02.06
 FLU.1192.2.11 Rev. C
 FLU.1192.02.13 Rev. A
 FLU.1192.2.10 Rev. C
 FLU.1192.02.14 Rev. B
 FLU.1192.2.12 Rev. F
 201243/FRA/RS/KL/01 Flood Risk Assessment (Dated June 2020)

Date Plans Received: 11/06/2020 **Date(s) of Amendment(s):** 11/06/2020

Date Application Valid: 11/06/2020

1. **SUMMARY**

This application seeks permission for the erection of single storey roof extension to provide 4 no. residential units comprising 2 no. studio units, 1 no. 1-bed 2-person unit and 1 no. 2-bed 4 person unit. It is considered that the proposed extension to the building would not result in a negative impact on the character and appearance of the local area, flooding or the local highway network . The proposal also complies with relevant policies and guidance in terms of internal and external residential amenity provision and the protection of the amenities of neighbouring properties.

Whilst this development is a minor scale scheme, the Majors planning committee were recently presented with the prior approval on this site and for this reason, this scheme is also being reported to the Majors Committee for consistency.

The application is therefore recommended for approval, subject to conditions.

2. **RECOMMENDATION**

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

A)That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

i. Parking Permits: The residents of this development will not to be eligible for

parking permits within the Parking Management Areas and Council car parks in the vicinity of the site, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

ii. Financial contribution of £5,200 (£1300 per unit) is to be secured for the purposes of public open space enhancement.

iii) Management and Monitoring sum of 5%.

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

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

D) That, if the Legal Agreement has not been finalised by 20th October 2020, 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 agree a legal agreement in order to prevent future occupants from being eligible for Parking Permits, which is necessary to prevent harmful displacement of parking onto the local highway network. The applicant has also failed to secure a financial contribution towards the enhancement of local public open space which is deemed necessary to make the development acceptable. The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), the London Borough of Hillingdon Supplementary Planning Document on Planning Obligations, , Policy DF1 of the Draft London Plan (Intend to Publish version 2019), Policy 8.2 of the London Plan (2016) and paragraphs 54, 56 and 57 of the NPPF (2019).

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

1 RES3 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 RES4 Accordance with Approved Plans

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

FLU.1192.2.01;
FLU.1192.2.09 Rev. A;
FLU.1192.2.10 Rev. C;
FLU.1192.2.11 Rev. C;
FLU.1192.2.12 Rev. F;
FLU.1192.02.13 Rev. A;
FLU.1192.02.14 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 of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).

3 NONSC Tied Permission

Development shall not commence on the hereby approved rooftop extension unless it is carried out in parallel with, or post completion of, the conversion of the existing office building to residential use as consented by prior approval Ref: 13010/APP/2020/1006 dated 28.05.20.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2016).

4 RES7 Materials (Submission)

Prior to commencement of development, details of all materials and external surfaces 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 and photographs/images.

REASON

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

5 RES9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting 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

- 2.a Refuse Storage
- 2.b Cycle Storage 19 cycle spaces.
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts for 20 car parking spaces, 2 of which should be disabled accessible, (including demonstration that 4% of all parking spaces are served by active electrical charging points and 16 passive) and 1 motorcycle space.
- 2.e Hard Surfacing Materials
- 2.f External Lighting

3 Details of Landscape Maintenance

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.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.

4. 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 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

6 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

7 RES13 Obscure Glazing

The window(s) facing 69 Cowley Road shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with policies DMHB 11 and DMHD 1-2 of the Hillingdon Local Plan Part 2 (2020).

8 NONSC Access

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

REASON:

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

9 NONSC Flooding

Unless otherwise agreed in writing by the Local Planning Authority, the development permitted by this planning permission shall only be carried out in accordance with the approved '201243/FRA/RS/KL/01 Flood Risk Assessment (Dated June 2020)' and the following mitigation measures detailed within the FRA:

- i) Provision of a Flood Action Plan to all future residents including plan and locations of appropriate refuge and evacuation routes etc, and explanations that the site is at risk.
- iii) Implement the flood resistance and resilience measures within the FRA.
- iv) Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- v). Provision of compensatory flood storage on / or in the vicinity of the site to a 1 in 100 year plus climate change standard. As built ground level information is submitted.

REASON

To minimise the impact of flooding on the proposed development and future occupants and

To minimise the impact of the proposed development on the surrounding area.

- i) by ensuring the satisfactory storage of/disposal of surface water from the site.
- ii) by ensuring that compensatory storage of flood water is provided.

To ensure the development does not increase the risk of flooding in compliance with: Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy EM6 Flood Risk Management Hillingdon Local Plan Part 2 - Development Management Policies Policy DME1 9 Management of Flood Risk (Jan 2020) London Plan Policy 5.12 (March 2016), London Plan Policy 5.13 (March 2016) National Planning Policy Framework (June 2019), and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

10 OM19 Construction Management Plan

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

REASON

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

11 RES22 Parking Allocation

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

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Chapter 6 of the London Plan (July 2011).

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.

- DMH 1 Safeguarding Existing Housing
- DMH 2 Housing Mix
- DMH 4 Residential Conversions and Redevelopment
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 16 Housing Standards
- DMHB 17 Residential Density
- DMHB 18 Private Outdoor Amenity Space
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts

DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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

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

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

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@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.

6 160 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn 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 www.aoa.org.uk/publications/safeguarding.asp)

7

EA Informative

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to Applicant

Risks from Floating Vehicles during Flood Event

This development has been proposed within an area identified as being at risk of flooding, and includes the provision of car parking within buildings. The applicant should be aware that vehicles can start to float in flood depths of less than 60cm - less if it is fast-flowing. The applicant must satisfy themselves that any relevant building will be constructed in such a way that vehicles floating or displaced as a result of flooding, would not jeopardise its structural stability.

In addition, the applicant should ensure that any sensitive infrastructure such as gas and water pipes or electrical cabling are located and designed to withstand the potential impacts of floating or displaced vehicles.

Flood Proofing and Resilience Measures

We strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings:
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

Residential Developments

All new residential development are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report (Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the Local Planning Authority

Insurance Eligibility

New homes built in flood risk areas after 1 January 2009 are not covered by the Flood Re-insurance scheme and may not be eligible for home insurance. We advise contacting an insurance provider to discuss whether your development would qualify for insurance.

Flood Risk Management Scheme Funding eligibility

New properties and buildings converted to housings within areas of flood risk after 1 January 2012 will not be counted towards the outcome measures of any proposed future flood alleviation scheme. This is to avoid inappropriate development in flood risk areas. Further information can be found at:

<https://www.gov.uk/government/publications/calculate-grant-in-aid-funding-flood-riskmanagement-authorities>

3. CONSIDERATIONS

3.1 Site and Locality

The application site consists of a part three storey, part two storey, part single storey office building (with permission for 19 flats as per application reference 13010/APP/2020/1006) with basement parking, situated on the east side of Fray's River and west side of Cowley Road at the junction with Cotswold Close. Residential properties are located to the north, east and south-west of the site, Whitehall Nursery & Infant School is located to the south-east, and the nearest commercial properties are located approximately 45 metres to the north consisting of small scale motor repair shop, a tattoo parlour and takeaway shop. The west part of the site forms part of Flood Zone 3, designated as a functional floodplain. The site is located within a Controlled Parking Zone and has a good Public Transport Accessibility Level (PTAL) of 4. Based on the Council's GIS, the site forms part of the Uxbridge Air Quality Focus Area and Air Quality Management Area.

3.2 Proposed Scheme

This application seeks permission for the erection of single storey roof extension to provide 4 no. residential units comprising 2 no. studio units, 1 no. 1-bed 2-person unit and

1 no. 2-bed 4 person unit.

3.3 Relevant Planning History

13010/APP/2020/1006 Frays Court, 71-73 Cowley Road Uxbridge

Change of use from offices (Use Class B1a) to residential (Use Class C3) to accommodate 19 residential units (Application for Prior Approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))

Decision: 07-05-2020 Approved

13010/APP/2020/1758 Frays Court, 71-73 Cowley Road Uxbridge

Change of use from offices (Use Class B1a) to residential (Use Class C3) to accommodate 23 residential units (Application for Prior Approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended))

Decision: 03-08-2020 Withdrawn

Comment on Relevant Planning History

Planning application reference 13010/K/88/1325 granted permission (dated 16/09/1988) for the erection of part three storey, part two storey, part single storey office building with basement parking.

Planning application reference 13010/APP/2020/1006 granted permission (dated 28/05/2020) for the change of use from offices (Use Class B1a) to residential (Use Class C3) to accommodate 19 residential units, comprising 1 x studio flat, 12 x 1-bed flats and 6 x 2-bed flats (Application for Prior Approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)).

Prior Approval 13010/APP/2020/1758 was withdrawn by the applicants on 3/8/20.

4. Planning Policies and Standards

London Borough of Hillingdon Development Plan (from 6th April 2020)

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

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

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

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

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

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

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

Emerging Planning Policies

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

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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

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

1.6 The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response, however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

1.7 More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

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.H1 (2012) Housing Growth

Part 2 Policies:

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 4 Residential Conversions and Redevelopment

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 6.9	(2016) Cycling
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **16th July 2020**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Letters were sent to neighbouring properties and five objections have been received. These are summarised as follows:

- Concerns over who will be able to live in the property and if they will be affordable.
- The street is already very busy with vehicles parking by residents and businesses.
- The development will result in more noise, reduced privacy and more chances of accidents.
- The roof extension would over shadow neighbouring properties.
- There is inadequate parking within property.
- Building the extra level will make the poorly designed building more prominent.

CASE OFFICER COMMENT:

As the proposal is for less than 10 additional residential units, the proposal does not meet the threshold which would trigger the requirement to secure on-site affordable housing. In terms of the impact on the character of the area, local highway network, noise and privacy, this is addressed within the main body of the report.

NATIONAL AIR TRAFFIC SERVICES (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.

ENVIRONMENT AGENCY:

Based on a review of the submitted information, we have no objection to the proposed development. We note that the finished ground floor levels are set above the 1 in 100 plus climate change level and there is no increase in built footprint.

Informative

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to LPA

Sequential Test

In accordance with the NPPF (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Flood Risk - Safe Access and Egress

In accordance with paragraph 163 of the NPPF, you must ensure that the 'development is appropriately flood resilient and resistant, including safe access and escape routes where required...' This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test. Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable. Please note we have not assessed the proposed access and egress route.

Advice to Applicant

Risks from Floating Vehicles during Flood Event

This development has been proposed within an area identified as being at risk of flooding, and includes the provision of car parking within buildings. The applicant should be aware that vehicles can start to float in flood depths of less than 60cm - less if it is fast-flowing. The applicant must satisfy themselves that any relevant building will be constructed in such a way that vehicles floating or displaced as a result of flooding, would not jeopardise its structural stability.

In addition, the applicant should ensure that any sensitive infrastructure such as gas and water pipes or electrical cabling are located and designed to withstand the potential impacts of floating or displaced vehicles.

Flood Proofing and Resilience Measures

We strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings:
<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

Residential Developments

All new residential development are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report (Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the Local Planning Authority

Insurance Eligibility

New homes built in flood risk areas after 1 January 2009 are not covered by the Flood Re-insurance scheme and may not be eligible for home insurance. We advise contacting an insurance provider to discuss whether your development would qualify for insurance.

Flood Risk Management Scheme Funding eligibility

New properties and buildings converted to housings within areas of flood risk after 1 January 2012 will not be counted towards the outcome measures of any proposed future flood alleviation scheme. This is to avoid inappropriate development in flood risk areas. Further information can be found at:

<https://www.gov.uk/government/publications/calculate-grant-in-aid-funding-flood-riskmanagement-authorities>

Final Comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

MINISTRY OF DEFENCE:

No comment

HEATHROW AIRPORT LTD:

No comment

Internal Consultees

PLANNING POLICY OFFICER:

Designations

- Colne Valley APZ
- Flood Zone 2/3
- Adjacent to functional floodplain

The proposed development is for a single storey extension to 71-73 Crawley Road to create 5 x studio flats and forms part of an overall conversion of the building from offices (B1a) to residential (C3). In total, the final residential building would comprise 28 units consisting of 10 studios and 18 x 1 bedroom flats.

The site lies within Colne Valley Archaeological Priority Zone and parts of the site lie within Flood Zones 2 and 3.

The principle of residential use on site has been established by the grant of prior approval (reference 13010/APP/2020/1006).

Flood Risk

Parts of the site lie within Flood Zones 2 and 3 where there is a higher risk of flooding. Parts of the site are also at risk from surface water flooding. Policy DME1 9 of the Hillingdon Local Plan Part Two (2020) and states that development proposals in Flood Zones 2 and 3 should submit a site-specific flood risk assessment to demonstrate that the development is resilient to all sources of flooding. The assessment should also ensure that the requirements of paragraph 163 of the NPPF are met for development to be considered acceptable. Ordinarily a sequential test would also be required to steer development to areas with the lowest risk of flooding. Paragraph 164 of the NPPF however states that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments. This application is part of a wider development for change of use from offices to residential which would not require a sequential test as per paragraph 164, and it is considered that a FRA alone is required for this application.

Housing Mix

Policy DMH2 of the Local Plan: Part Two (2020) states that the Council will seek a housing mix which reflects the needs identified in the most up to date housing needs assessment.

The Council's current information on housing need set out in the SHMA 2016 indicates a substantial borough-wide requirement for larger affordable and private market units, particularly

three bedroom properties.

The proposed development is for 5 x studio flats which is not reflective of the borough's housing needs. The site is however in a highly accessible location (PTAL 4) in close proximity to Uxbridge Metropolitan Town Centre where a higher proportion of 1 bedroom dwellings may be considered more suitable. Whilst the Council would seek a higher proportion of 2 and 3 bedroom dwellings, the nature of the site may restrict these possibilities. The applicant should demonstrate that they have tried to optimise delivery of a mix of unit sizes in accordance with Policy DMH2 and the case officer should be satisfied that a higher proportion of larger bedroom units could not realistically be achieved on this site.

Housing standards

All dwellings should meet or exceed the internal space standards set out in Table 5.1 and provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users. The 5 studio flats exceed the internal space standards for 1bed 1 person dwellings.

Private amenity space

As stated in policy DMHB 18, all new residential development should provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in table 5.3 of the Local Plan: Part Two (2020). The proposed development does not make provision for any private or communal outdoor amenity space. The proposal is not policy compliant in this regard. The applicant has stated that they have provided excess internal floorspace, above the minimum internal floorspace standards, to compensate for the lack of private outdoor amenity space. The applicant has stated that the excess internal floorspace will be equal to or greater than the amenity space required as set out in table 5.3.

ACCESS OFFICER:

This proposal has been reviewed against the requirements of London Plan policy 3.8(c) which should not be applied to the proposed roof extension of this existing office building. Conclusion: no objections raised from an accessibility perspective.

TREES AND LANDSCAPING OFFICER:

This site is occupied by a two-storey office block which is set back from the road on the west side of Cowley Road. The west boundary is flanked by the River Frays. The site is covered by TPO 380. T1 is a twin-stemmed alder to the south of the building on an area of grass beyond a footpath (thought to be off-site?). T2 is another twin-stemmed alder which was due to be removed and replaced to the south-west of the building. No site inspection has taken place and it is not known whether the replacement tree has been planted.

Comment

The site has been the subject of previous applications, which include an approval for a change of use of the existing office to residential. The current proposal to add a further floor above the existing footprint of the building should have no direct impact on existing trees or other vegetation. Tree protection will be required to safeguard all trees and nearby vegetation throughout the construction programme.

Recommendation

No objection subject to pre-commencement condition RES8 and conditions RES9 (parts 1,2,4 and 5).

CONTAMINATED LAND OFFICER:

Notwithstanding my recent responses to earlier Apps with proposals for this site, and as this particular app does not appear to involve ground works which will penetrate the land, I therefore have no objection nor further comments.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of residential use of the application site has been established by the grant of prior approval reference 13010/APP/2020/1006 which granted the change of use from offices (Use Class B1a) to 19 residential units (Use Class C3). Based on paragraph 164 of the National Planning Policy Framework (NPPF) (February 2019) and paragraph 033 of the National Planning Policy Guidance (NPPG), a Sequential Test was not required for this permission as it was for a change of use.

In terms of the current application, Table 4-2 of the West London Strategic Flood Risk Assessment (SFRA) (April 2018) states that minor developments need to follow the Sequential and Exception Test guidance below if they do any of the following:

- Introduce a new householder building structure to the site (e.g. sheds and garages)
- Impact the footprint of the existing building(s)
- Introduce non-residential extensions greater than 250 square meters

Tables 4-1, 4-2, and 4-3 cover planning application and development requirements for Major, Minor and Change of Use developments (including changes to prior approvals), respectively. It is considered that this relates to Minor developments in terms of planning applications, not the NPPG flood risk definition (paragraph 046). In which case the West London SFRA avoids the need to do a sequential test on roof extensions for additional units that have no impact on the footprint of the existing building, subject to it being <10 units and 1,000 sqm.

The proposal to add four residential flats to this use is therefore not required to pass a sequential test and is considered acceptable in principle, subject to other planning policy considerations.

7.02 Density of the proposed development

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. Developments will be expected to meet habitable rooms standards.

Paragraph 5.67 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that Hillingdon will apply the density standards set out in the London Plan in a flexible manner, according to local circumstances. Large parts of the borough, including many areas in close proximity to town centres, are suburban in character and will lean heavily towards the applications of lower to mid range density scales. Table 5.2 represents a starting point for discussions on the issue of residential density, which should ultimately be determined by a design led approach.

Policy 3.4 of the London Plan (March 2016) defines a suburban location as an area with predominantly low density development such as detached and semi-detached houses, typically of two-three storeys. It defines an urban area as one with dense development such as terraced houses, mansion blocks and mixed uses, typically of two-four storeys, within 800m of a district centre or along main arterial routes.

The application site has a PTAL rating of 4. The area is characterised by low-rise terraced dwellings and is within 400 metres of Uxbridge Town Centre. The site is therefore considered to be urban. In accordance with Table 5.2, a site measuring 0.1 hectare should provide between 20 and 51 habitable rooms. Based on a unit mix of 3 no. studio

flats, 13 no. 1-beds and 7 no. 2-beds (including prior approval reference 13010/APP/2020/1006), the proposal should provide approximately 50 habitable rooms which would be within the recommended density parameter. As such, the proposal would accord with Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

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

Not relevant to the consideration of this application.

7.04 Airport safeguarding

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

A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.

B) In consultation with the Airport Operator, the Council will ensure that:

- i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
- ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application proposes an extension of 3.4 m in height to the third storey element of the existing building creating a total building height of 13.7 m. This is greater than the ridge heights of the surrounding buildings however the site is located a short distance from the edge of the Uxbridge Town Centre where there are significantly taller buildings. The Airport Safeguarding Team and MOD were both consulted as part of the consultation process however no response has been received.

The National Air Traffic Services have confirmed that the proposal does not conflict safeguarding criteria and that there is no objection.

Taking the above into consideration the proposal is not considered to be contrary to Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.05 Impact on the green belt

Not relevant to the consideration of this application.

7.07 Impact on the character & appearance of the area

Policy 7.1 of the London Plan (March 2016) sets out a series of overarching design principles for development in London and Policy 7.6 of the London Plan (March 2016) seeks to promote high quality design and design-led change in key locations.

Policy BE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

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

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding:
 - scale of development, considering the height, mass and bulk of adjacent structures;
 - building plot sizes and widths, plot coverage and established street patterns;
 - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
 - architectural composition and quality of detailing;
 - local topography, views both from and to the site; and

- impact on neighbouring open spaces and their environment.
 - ii) ensuring the use of high quality building materials and finishes;
 - iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
 - iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
 - v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.
- D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The application site is located on Cowley Road Uxbridge. The character of the area is mixed with residential properties located to the north, east and south-west of the site, Whitehall Nursery & Infant School is located to the south-east, and the nearest commercial properties are located approximately 45 metres to the north consisting of small scale motor repair shop, a tattoo parlour and takeaway shop. The design of the built form varies between each of the different uses but mainly the properties are two storey terraced blocks which are constructed of brick with pitched tiled roofs.

The existing three storey element of the building is proposed to be extended by one storey, increasing the building height from approximately 10.3 metres to 13.7 metres. The existing building is a detached standalone property which is of a design that does not reflect or replicate any of the surrounding properties. The proposed roof extension will increase the brick built form upwards and finish the roof in an almost identical pitch form with dormer window insertions to reflect and replicate the existing building design. Taking this approach has meant that there is a very limited impact from the extensions in the wider streetscene primarily because the design and detailing of the building in all but height will look as it does at present.

The existing property comprises 12 dormer windows at 2nd floor level. A total of 15 dormer windows are proposed at roof level, with two on the north elevation, six on the north-east elevation, two on the south-east elevation and five on the south-west elevation. This results in a net addition of three dormer windows at roof level, although it would harmonise with the exiting character and detailing of the building.

Whilst the proposal presents a increase in the height of the building which is above the maximum height of the surrounding buildings the additional height is not considered to have a detrimental impact upon the character and appearance of the street scene when viewed from travelling both northbound and southbound along the Cowley Road. The building lines of the existing properties which front the Cowley Road travelling southbound towards Cowley are staggered and therefore obstruct a modest proportion of the building. In terms of the northbound views the dense hedging and trees along the boundary of the river which runs along the adjacent footpath which obstructs views of the majority of the building.

Furthermore the building would remain set back from the highway and the additional height would be restricted to the 3 storey element of the building. The material pallet proposed would match that of the existing building and surrounding context, thus reducing the potential impact to the street scene. The proposal is therefore considered to comply with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), DMHB 11 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020) and London Plan Policies 7.1 and 7.6.

7.08 Impact on neighbours

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

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

The existing building is located over 30 metres to the east of nos. 13 to 22 Austin Way, over 30 metres to the west of nos. 66 to 76 Cowley Road, and over 35 metres north-west of Whitehall Nursery & Infant School. As such, it is not considered that the proposal would have a detrimental impact in terms of overlooking or loss of outlook from these neighbouring properties.

The building is sited approximately 9 metres south of no. 69 Cowley Road, with two dormer windows proposed at third floor level to face this property. However, these are proposed as obscured glazed and non-opening below 1.7 metres. Subject to a condition securing this, the proposal is not considered to compromise the privacy of such neighbours. Furthermore, given the location of the proposed roof extension to the side elevation of this neighbouring property, it is also not considered that the proposal would result in a detrimental loss of outlook or daylight and sunlight.

Given the above considerations, the proposal is considered to accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January

2020).

7.09 Living conditions for future occupiers

INTERNAL LIVING CONDITIONS

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

- i) meet or exceed the most up to date internal space standards, as set out in Table 5.1; and
- ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users.

Table 3.3 of London Plan (March 2016) Policy 3.5 requires the following:

- One storey 1-bed 1 person unit with a shower room should provide a minimum of 37 square metres Gross Internal Area (GIA).
- One storey 1-bed 2 person unit should provide a minimum of 50 square metres Gross Internal Area (GIA).
- One storey 2-bed 4 person unit should provide a minimum of 70 square metres Gross Internal Area (GIA).

Table 3.1 of London Plan - Intend to Publish Version (December 2019) Policy D6 states the same internal space standards.

As the proposed development only relates to a roof extension, the four proposed units form the focus for consideration. The proposed flats measure as follows:

- Flat 1 - studio measuring 46.28 square metres GIA
- Flat 2 - 1-bed 2-person measuring 66.66 square metres GIA
- Flat 3 - 2-bed 4-person measuring 76.02 square metres GIA
- Flat 4 - studio measuring 42.16 square metres GIA

As such, all four of the proposed flats exceed the minimum internal floorspace standards and all units are dual aspect. The proposal therefore complies with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 3.5 of the London Plan (March 2016).

EXTERNAL PRIVATE AMENITY SPACE

Paragraph 127 of the NPPF (February 2019) requires that planning decisions create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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 DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

- A) All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3.
- B) Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres.

C) Any ground floor and/or basement floor unit that is non-street facing should have a defensible space of not less than 3 metres in depth in front of any window to a bedroom or habitable room. However, for new developments in Conservation Areas, Areas of Special Local Character or for developments, which include Listed Buildings, the provision of private open space will be required to enhance the streetscene and the character of the buildings on the site.

D) The design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

Table 5.3 states that studio and 1-bedroom flats should provide a minimum of 20 square metres of amenity space, 2-bedroom flats should provide a minimum of 25 square metres of amenity space and 3+ bedroom flats should provide a minimum of 30 square metres of amenity space. Based on this, the proposed development should provide 100 square metres of usable external amenity space.

Based on the submitted plans, no private amenity space is provided by the proposed development. The application submission does, however, note that excess floorspace is provided for each unit in order to compensate for the lack of private amenity space. Based on the minimum requirements, the excess floorspace for each unit is summarised as follows:

- Flat 1 - 9.28 square metres GIA
- Flat 2 - 16.66 square metres GIA
- Flat 3 - 6.02 square metres GIA
- Flat 4 - 5.16 square metres GIA

Evidently, each flat fails to provide the private amenity space required. It is noted that paragraph 2.3.32 of the GLA Housing SPG (March 2016) states that in exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. whilst it is accepted that the units are oversized, the quantum of additional floor area still fails to meet Policy DMHB18 of the Local Plan Part 2 (2020).

Further to this, the submission notes that Rockingham Recreational Ground is 50 metres from the application site and could be used by future occupiers in place of private amenity space. It is noted that Uxbridge South is identified as a ward with insufficient open space (London Borough of Hillingdon Open Space Strategy 2011-2026 (July 2011)) and the development would be increasing demand within a deficient area. As such, it is considered appropriate that a financial contribution is secured by Section 106 agreement for the purposes of enhancing the public open space. This is noted as a suitable mechanism for allowing development under paragraph 9.4 of the Planning Obligations Supplementary Planning Document (July 2014). A sum of £1,300 per unit has been calculated and agreed by the applicant.

Based on the above, the proposed development is considered to provide sufficient mitigation for the lack of private amenity space proposed. As such, a refusal reason based on the provision of private amenity space is not considered necessary or robust.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The development is located within a Controlled Parking Zone and has a good Public Transport Accessibility Level (PTAL) of 4. The existing site provides 22 off-street car parking spaces and the proposal would provide 20 car parking spaces including 2 accessible parking bays. It is noted that two existing car parking spaces are proposed to be lost in order to facilitate a bin store. This provision is also accompanied by 2 cycle stores with a capacity for 20 bicycles.

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

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

i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;

ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;

iii) provide equal access for all people, including inclusive access for disabled people;

iv) adequately address delivery, servicing and drop-off requirements; and

v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

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

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

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

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

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

The National Planning Policy Framework (NPPF) (February 2019) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 6.3 of the London Plan (March 2016) requires development proposals to ensure that the impacts on transport capacity and the transport network are fully assessed.

CAR PARKING

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires a maximum of 1 to 1.5 car

parking spaces for units up to 2 bedrooms and a maximum of 2 car parking spaces for 3-bed units. Based on a proposal for 5 additional studio units, the site should provide a maximum addition of between 5 and 8 car parking spaces.

In accordance with prior approval reference 13010/APP/2020/1006, 19 residential units have been approved for the ground, first and second floors, comprising 1 x studio flat, 12 x 1-bed flats and 6 x 2-bed flats. Based on the provision of 20 car parking spaces, this equated to 0.95 parking spaces per unit and was considered acceptable subject to a Section 106 planning obligation to restrict occupiers being eligible for parking permits.

The current application would result in a building with 23 residential units (19 prior approval flats plus 4 roof extension flats). This would equate to a parking ratio of 0.87 parking spaces per unit. Given that the site is located within a Controlled Parking Zone, has a good Public Transport Accessibility Level (PTAL) of 4 and is located within close proximity to Uxbridge Town Centre, the parking provision proposed is considered acceptable subject to a Section 106 planning obligation to restrict future occupiers from being eligible for parking permits.

ACCESSIBLE PARKING

Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that residential development includes 10% of car parking spaces as suitable for a wheelchair user in accordance with the provisions in the Council's Accessible Hillingdon SPD May 2013.

The proposal would provide two accessible car parking spaces and therefore accords with this requirement.

ELECTRICAL VEHICLE CHARGING POINTS

Policy T6.1 of the of the draft London Plan - Intend to Publish (December 2019) states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. As such, a total of 4 active and 16 passive electrical vehicle charging points are required.

The proposal does not indicate any provision for such infrastructure. If recommended for approval, a condition would secure policy compliant provision of electrical vehicle charging points.

MOTORCYCLE PARKING

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that parking spaces for motorised two wheelers (motorcycles, moped and scooters) must be provided at the rate of 5% of car parking spaces. The proposed development therefore requires 1 motorcycle parking space.

The proposed development does not include such provision. If recommended for approval, a condition would secure policy compliant provision of motorcycle parking.

CYCLE PARKING

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that a maximum of 1 cycle

space is provided per studio, 1 or 2 bed unit and that a maximum of 2 cycle spaces are provided per 3 or more bed units. As such, the proposal should be providing storage for 19 cycle spaces. Based on the submitted plans, sufficient cycle parking is provided on the lower ground floor plan.

VEHICULAR TRIP GENERATION

The proposal would reduce the number of car parking spaces from 22 to 20. Given the existing and proposed uses, it is considered that there would be a limited impact in terms of traffic generation on the local highway network.

REFUSE SERVICING

In terms of refuse servicing, the building would continue to be serviced from the front of the site, with storage located at the lower ground floor. This would be accessible to residents and to collection vehicles as per the existing arrangements. This arrangement is not considered to raise any transport or highway safety issues.

SUMMARY

Given the above considerations, the proposal is considered to provide sufficient on-site parking in order to reduce parking displacement onto the local highway network. In order to prevent further parking stress within the locality, a legal agreement is considered necessary to secure that future occupants will not be eligible for car parking permits. It is also considered necessary that a condition is attached in order to secure a parking allocation plan for adequate availability and management of on-site car parking. Subject to such planning conditions and obligations, the proposed development would not be considered contrary to Policies DMT 1, DMT 2, DMT 4, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 6.3 of the London Plan (March 2016) and the NPPF (February 2019).

7.11 Urban design, access and security

The design of the proposed building is considered in the 'Impact on Street Scene' section of the report.

MIX OF UNITS

Policy 3.8 of the London Plan (March 2016) notes that new development should offer a range of housing choices in terms of housing mix and sizes taking into account different sizes and types.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment 2016.

In accordance with Policy DMH 2, developments should demonstrate how the provision of family housing (>3 bedroom units) has been optimised, to address local needs. Notably, the proposed development has been revised from 5 no. studio flats to 2 no. studio units, 1 no. 1-bed 2-person unit and 1 no. 2-bed 4 person unit. This is considered to be a better mix of units which is more reflective of the borough's housing needs. The site is also in a highly accessible location, with a PTAL rating of 4 in close proximity to Uxbridge

Metropolitan Town Centre where a higher proportion of 1 bedroom dwellings may be considered more suitable. As such, the proposal is not considered to be contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 3.8 of the London Plan (March 2016).

7.12 Disabled access

Policy 3.8(c) of the London Plan (March 2016) requires that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'.

Policy 7.2 of the London Plan (March 2016) states that new development should achieve the highest standards of accessible and inclusive design to ensure that:

- a) development can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances and
- b) development is convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment.

As confirmed by the Council's Access Officer, there are no objections to the proposal from an accessibility perspective. As such, the proposal is not considered contrary to Policies 3.8 and 7.2 of the London Plan (March 2016).

7.13 Provision of affordable & special needs housing

Not relevant to the consideration of this application.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

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 5.11 of the London Plan (March 2016) states that major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

Policy G5 of the London Plan - Intend to Publish (December 2019) states:

- a. Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- b. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

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

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

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The application site is covered by a TPO and the Council's Landscapes Architect has identified specific trees of merit within and on the edge of the site boundary. It is noted that the principle of development is established through existing consents for the change of use of the building and this application is for an extension to the existing building which as stated in the submission, would not result in any loss of trees or vegetation. As such the proposal is considered to be acceptable however a condition pertaining to the submission of a tree protection plan to ensure all trees are protected during the construction phase of the development is recommended.

7.15 Sustainable waste management

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

The proposal indicates that refuse storage and recycling facilities are located at lower ground floor level. In terms of refuse servicing, the building would continue to be serviced from the front of the site. As such, the proposal is considered to accord with Policy 5.17 of the London Plan (March 2016).

7.16 Renewable energy / Sustainability

Not relevant to the consideration of this application.

7.17 Flooding or Drainage Issues

Based on the Council's GIS, the west part of the site forms part of Flood Zones 2 and 3, designated as a functional floodplain.

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

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

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

Policy DME1 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DME1 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

The submitted Flood Risk Assessment notes that the development site is located in Flood Zone 1 as the modelled water level for the 1 in 1000 year event remains in the channel of the Frays River, does not surround the development, and is below the finished floor level of the existing development. As such, the site is already at low risk of flooding, satisfying the requirement of a sequential test to consider sites at lower risk of flooding first, if considered applicable.

The Flood Risk Assessment (FRA) states that a safe, dry access will be available to and

from the site at all times during a flood event and a flood management and evacuation plan will be issued to all residents. The FRA also concludes that even when the highest climate change allowance is factored in, the site would still be free from flooding.

Cowley Road exhibits surface water issues and the previous prior approval applications (to which this application is tied) have secured a financial contribution, amounting to £28,000, to make drainage improvements to the public highway land comprising the grass embankment between the road and river.

This application forms part of wider redevelopment of the building which includes a change of use to residential dwellings which was granted consent through the prior approval process. Flooding was considered as part of the prior approval application and what needs to be considered as part of this proposal is whether the additional 4 units increases the potential for flooding. No additional hard standing or below ground level works are proposed and there were no objections raised when assessing the flood risk assessment. Given the relatively minor addition to the prior approval consent no additional flood mitigation is sought above what has already been secured on site. Subject to an emergency evacuation conditions, the proposal is not considered contrary to Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 5.12 and 5.13 of the London Plan (March 2016).

7.19 Comments on Public Consultations

Please see Section 06.1 of the report.

7.20 Planning obligations

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

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

B) Planning obligations will be sought on a scheme-by-scheme basis:

i) to secure the provision of affordable housing in relation to residential development schemes;

ii) where a development has infrastructure needs that are not addressed through CIL; and
iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

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

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

i. necessary to make the development acceptable in planning terms

ii. directly related to the development, and

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

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

challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following:

i. Parking Permits: The residents of this development will not to be eligible for parking permits within the Parking Management Areas and Council car parks in the vicinity of the site, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

ii. Financial contribution of £5,200 (£1300 per unit) is to be secured for the purposes of public open space enhancement.

COMMUNITY INFRASTRUCTURE LEVY (CIL):

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

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

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

Hillingdon CIL: £30,926.71

London Mayoral CIL: £14,557.36

Total CIL £45,484.07

7.21 Expediency of enforcement action

Not relevant to the consideration of this application.

7.22 Other Issues

None.

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

This application seeks permission for the erection of single storey roof extension to provide 4 no. residential units comprising 2 no. studio units, 1 no. 1-bed 2-person unit and 1 no. 2-bed 4 person unit. The proposal forms part of a wider plan to redevelop the site which includes the change of use of the building for residential purposes which was granted consent via the prior approval process. The consideration is therefore whether the extension presents an unacceptable level of impact.

It is considered that the proposed extension to the building would not result in a negative impact on the character and appearance of the local area, flooding or the local highway

network . The proposal also complies with relevant policies and guidance in terms of internal and external residential amenity provision and the protection of the amenities of neighbouring properties.

As such the proposed development is considered acceptable and the application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (February 2019)

Technical Housing Standards - Nationally Described Space Standard (May 2016)

The draft London Plan - Intend to Publish (December 2019)

The London Plan (March 2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

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

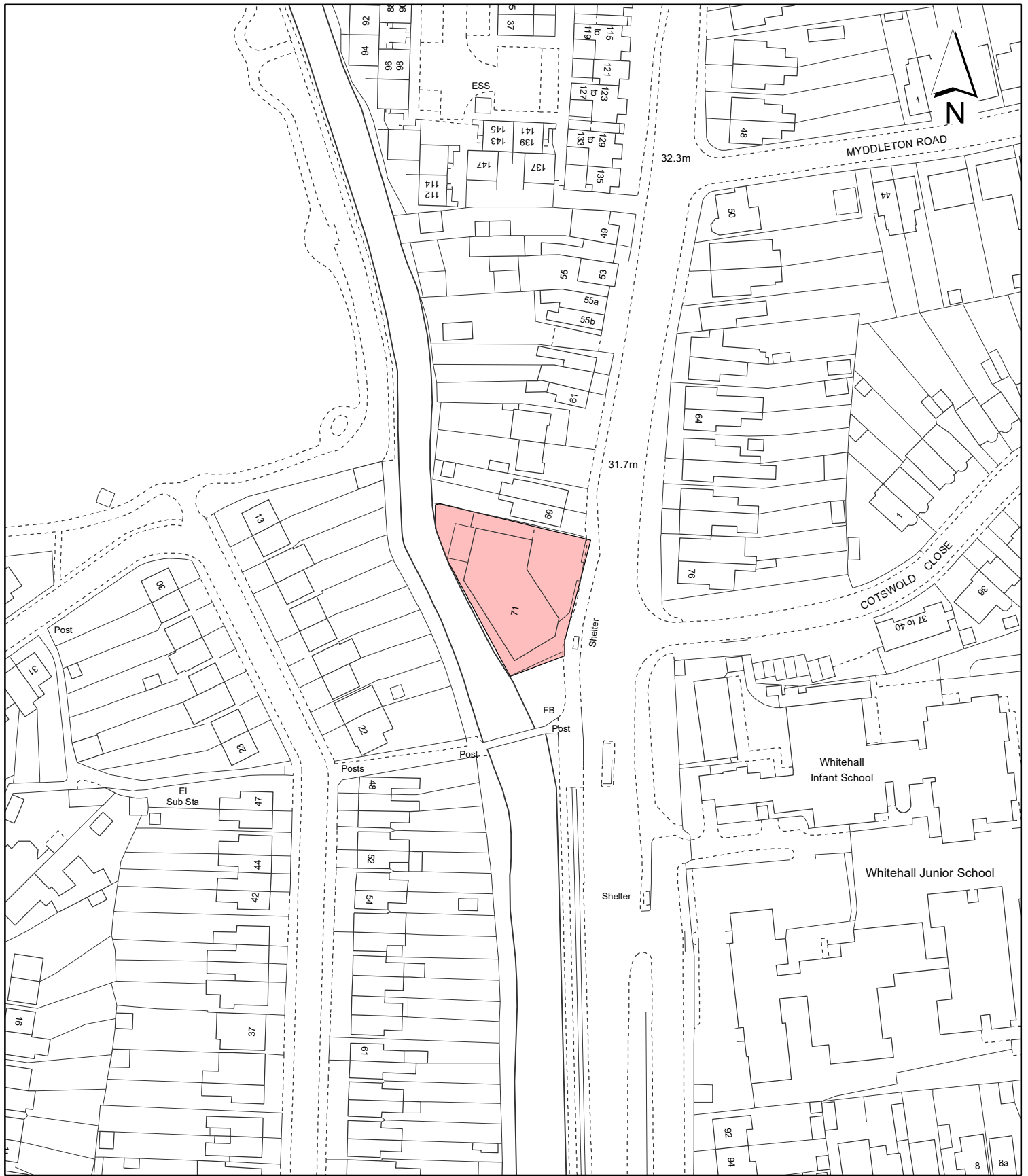
Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

London Borough of Hillingdon Open Space Strategy 2011-2026 (July 2011)

Contact Officer: Michael Briginshaw

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Frays Court, 71-73
 Cowley Road**

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

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

Planning Application Ref:

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Scale:

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Planning Committee:

Major

Date:

August 2020



HILLINGDON
 LONDON