

Report of the Head of Planning, Transportation and Regeneration

Address GETHCELN HOUSE DAWLEY ROAD HAYES

Development: Variation of Condition 2 (Approved Plans) of planning application 71737/APP/2019/1979, dated 31/07/2020 (Proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)(Eg(iii))/B2/B8 building comprising 3 units with associated access and parking), in order to amend the design of the roof, canopy and boundary fence.

LBH Ref Nos: 71737/APP/2020/2960

Drawing Nos: P401 Rev. A
Energy and Sustainability Assessment V2
J0238/2/F1 Air Quality Assessment
70850R2 Contaminated Land Risks (Dated 22nd March 2019)
3972 SWDS v3.0 Surface Water Drainage Strategy
Planning Statement (June 2019)
17785.BS4142.01 Rev.A BS4142 Assessment
TR8180150/MB/DW/017 Transport Statement (Dated 20 November 2019)
P306
P402
P501
P101
P301 Rev. H
P302 Rev. G

Date Plans Received:	16/09/2020	Date(s) of Amendment(s):	16/09/2020
Date Application Valid:	16/09/2020		09/12/2019
			11/06/2019

1. SUMMARY

The proposed variation of Condition 2 (Approved Plans) attached to planning application reference 71737/APP/2019/1979 would amend the design of the roof, canopy and boundary fence. This is considered to constitute a minor material amendment and is considered acceptable with regard to its design and impact on the nearby Conservation Area and Locally Listed Building, as well as the street scene. All other matters have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

Subject to a Section 106 legal agreement and conditions, this application is recommended for approval.

2. RECOMMENDATION

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

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

planning permission 71737/APP/2019/1979 dated 31/7/20 which secured the following obligations:

i) **Travel Plan:** A full and formal Travel Plan with associated £20,000.00 bond to include Sustainable Transport Measures is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.

ii) **Employment Strategy and Construction Training:** Either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is Council's priority. Financial Contribution will only be accepted in exceptional circumstances.

iii) **Highways Contribution:** A financial contribution amounting to £20,000 shall be paid to the Council to deliver shared use footways and crossing facilities at the junction of Dawley Road / Kestrel Way.

iv) **Air Quality Contribution:** A financial contribution amounting to £13,000 shall be paid to the Council's Local Air Quality Action Plan to address the air pollution emissions associated with the proposed development.

v) **Project Management & Monitoring Fee:** A financial contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement.

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

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

D) If the Legal Agreements have not been finalised within 6 months of the committee meeting (or such other timeframe as may be agreed by the Head of Planning, Transportation and Regeneration), delegated authority be given to the Head of Planning, Transportation and Regeneration to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of highway safety and air quality). The scheme therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); the adopted Planning Obligations Supplementary Planning Document (July 2014); Polices 8.2 of the London Plan

(March 2016); Policy DF1 of the London Plan - Intend to Publish Version (December 2019); and paragraphs 54-57 of the National Planning Policy Framework (February 2019).'

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

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the 31st July 2020.

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P301 Rev. H, P302 Rev. G, P306, P401 Rev. A, P402 and P501 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 2 - Development Management Policies (January 2020) and the London Plan (March 2016

3 COM5 General compliance with supporting documentation

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

Energy and Sustainability Assessment V2;
J0238/2/F1 Air Quality Assessment;
TR8180150/MB/DW/017 Transport Statement (Dated 20 November 2019);
70850R2 Contaminated Land Risks (Dated 22nd March 2019);
17785.BS4142.01 Rev.A BS4142 Assessment.

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the London Plan (March 2016

4 NONSC Sustainable Water Management

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

The scheme shall follow the strategy set out in Surface Water Drainage Strategy, reference 3972 SWDS v3.0.

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

a) Suds features:

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

sustainable solution, justification must be provided,

- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where identified in an area at risk of surface water flooding, include additional provision within calculations for surface water from off site
- iv. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Capacity of Receptors

- i. Demonstration that the proposals connect into a proper and functioning Thames Water network, i.e. that the point a proposal connects into is part of a wider network, and the applicant provides details of the approval and any appropriate upgrades will be undertaken from Thames Waters free pre planning service.
- ii. Where infiltration techniques (soakaway) or a basement are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).
- iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased.
- iv. identify vulnerable receptors, i.e. WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

c) Minimise water use.

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and or grey water will be recycled and reused in the development.

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

REASON

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

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012),
Policy DME1 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Policy 5.12, 5.13 and 5.15 of the London Plan (March 2016),
National Planning Policy Framework (February 2019), and the
Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

5 COM31 Secured by Design

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the

well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with Policies 7.1 and 7.3 of the London Plan (March 2016).

6 COM22 Operating Hours

The commercial premises shall not be open for customers outside the following hours: -
0700 and 2200 Mondays - Fridays
0800 to 1600 Saturdays and Sundays
Closed on all Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies DMHB 11, DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.15 of the London Plan (March 2016).

7 NONSC Delivery Hours

The premises/ site shall not be used for loading and unloading in external areas, delivery and the loading or unloading of goods outside the hours of 07:00 and 19:00, Monday to Friday, and outside the hours of 07:00 and 17:00 on Saturdays. The premises/site shall not be used on Sundays or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies DMHB 11, DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.15 of the London Plan (March 2016).

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

Prior to any works above damp proof course level, a landscape scheme shall be 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, to include pollution absorbing trees.

NB: Landscaping plans shall include pollution absorbing and native planting species.

2. Details of Hard Landscaping
 - 2.a Refuse storage with associated screening
 - 2.b Secure and covered cycle storage (demonstrating capacity for 28 bikes)
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts to total 17 car parking spaces including demonstration that 3 parking spaces served by active electrical charging points, 3 parking spaces are served by passive electrical charging points and 2 parking spaces are for Blue Badge users)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures

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 surfing/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 14 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 5.10 and 5.17 of the London Plan (March 2016)

9 NONSC Energy

Prior to any works above damp proof course level, full details of the low and zero carbon technology required to meet the CO2 reductions identified in the 'Energy and Sustainability Assessment V2' shall be submitted and approved in writing by the Local Planning Authority. The details shall include full specifications, locations of equipment and associated emissions (noise/odour/gas).

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

REASON

To ensure the development contributes to a reduction in CO2 in accordance with Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 5.2 of the London Plan (March 2016)

10 NONSC Ecological Enhancement

Prior to any works above damp proof course level, an ecological enhancement scheme, providing net gains for biodiversity which establish coherent ecological networks resilient to current and future pressures, has been submitted to and approved by the Local Planning Authority.

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

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 7.19 of the London Plan (March 2016) and Chapter 15 of the National Planning Policy Framework (February 2019).

11 NONSC Contamination

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning

Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

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

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

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

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

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 5.21 of the London Plan (March 2016) and the National Planning Policy Framework (February 2019).

12 NONSC Low Emission Strategy

Prior to occupation, a low emission strategy (LES) shall be submitted to and approved in writing by the Local Planning Authority. The LES shall specify the following:

- 1) A clear and effective strategy to encourage users of the office units to:-
 - a) use public transport;
 - b) cycle / walk to work where practicable;
 - c) enter car share schemes;
 - d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

REASON

To ensure the development reduces and manages its air quality impacts in an Air Quality Management Area, in accordance with the National Planning Policy Framework (February 2019), Policy 7.14 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2018) and Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

13 NONSC Servicing and Delivery Plan

Prior to the occupation of development, details of a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority.

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

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

14 NONSC Construction Environmental Management Plan

Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. The Plan must be drawn up in accordance with the GLA Control of Dust and Emissions from Construction and Demolition SPG. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and to ensure the development reduces and manages its air quality impacts in an Air Quality Management Area, in accordance with the National Planning Policy Framework (February 2019), Policy 7.14 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2018) and Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

15 NONSC Construction Logistics Plan

Prior to the commencement of works on site, a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority.

This should be in accordance with Transport for London's Construction Logistic Planning Guidance and detail the management of construction traffic, including vehicle types, frequency of visits, expected daily time frames, use of an onsite banksman, on-site loading/unloading arrangements and parking of site operative vehicles.

The construction works shall be carried out in strict accordance with the approved plan.

REASON

To ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and minimizes emissions, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.14 of the London Plan (March 2016).

16 NONSC Delivery Bays/Docks

The delivery bays/docks shall always be used for deliveries and shall not form part of the building as operational floorspace.

REASON

To ensure efficient access and manoeuvring into, within and out of the site, so as not to compromise the safe and efficient operation of the local highway network, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

17 NONSC Use Restriction

Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the units hereby approved shall be used for industrial purposes only (B1(c)/Eg(iii), B2 and B8 use) and shall not be used as a data centre.

REASON

In order to accord with the terms of the application and in order to prevent a different use being established on site without it being fully assessed in terms of its activities and vehicle movements generated, and to prevent undue noise and air quality disturbance (including from associated infrastructure) to neighbouring occupiers in accordance with DMHB 11 and DMEI 14 of the Hillingdon Local Plan: Part 2 -Development Management Policies (January 2020).

18 COM7 Materials

Prior to commencement of any superstructure works, 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 - Development Management Policies (January 2020).

19 NONSC Canopy Details

Prior to commencement of any superstructure works, detailed drawings of the proposed canopy 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.

REASON

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

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 2 - Development Management Policies (January 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.

DME 1	Employment Uses in Designated Sites
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMCI 7	Planning Obligations and Community Infrastructure Levy
LPP 2.17	(2016) Strategic Industrial Locations
LPP 5.10	(2016) Urban Greening
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.17	(2016) Waste capacity
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.21	(2016) Contaminated land
LPP 6.13	(2016) Parking

LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy

3 173 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.

4 172 Section 106 Agreement

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

5

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will

undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

6

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

7

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises an approximately 0.2 hectare site, currently occupied by industrial workshops, a scaffolding yard and Gethceln House, a detached two-storey property, which has received planning permission for change of use from offices to residential use in 2016 (application reference 71737/APP/2016/1199). It is noted that the planning conditions relating to this permission were not discharged and as such, the building is still lawfully an office building.

The site is bounded to the north, south and west by industrial uses, including a Crossrail depot to the south, beyond which is the mainline railway line. To the east it is bounded by Dawley Road, beyond which is a public house, and a row of terraced houses, the end terrace, opposite the site entrance, accommodating a cafe at ground floor level.

The site falls within a Strategic Industrial Location (SIL) as identified in the London Plan (March 2016) and the Hillingdon Local Plan: Part 2 - Site Allocations and Designations and the Local Plan Policies Map.

The site is located to the west of the Botwell Thorn EMI CA and the Locally Listed Buildings located within the western quarter of the designated area. The tall red brick walls to the front and side of the site appear to be part of the walls built by Henry Earl of Uxbridge, to enclose the Dawley House Estate, now lost. They are circa 1755 in date and of historic interest.

3.2 Proposed Scheme

This application seeks permission to vary Condition 2 (Approved Plans) of planning application 71737/APP/2019/1979 in order to amend the design of the roof, canopy and

boundary fence.

3.3 Relevant Planning History

71737/APP/2019/1979 Gethceln House Dawley Road Hayes

Proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking.

Decision: 22-01-2020 Approved

Comment on Relevant Planning History

Planning application reference 71737/APP/2019/1979 granted permission for the demolition of the existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking.

4. Planning Policies and Standards

Development Plan

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

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

- The Local Plan: Part 1 - Strategic Policies (2012)
- The Local Plan: Part 2 - Development Management Policies (2020)
- The Local Plan: Part 2 - Site Allocations and Designations (2020)
- The West London Waste Plan (2015)
- The London Plan - Consolidated With Alterations (2016)

Material Considerations

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

Emerging Planning Policies

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

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

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

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated

Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

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.

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.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.BE1 (2012) Built Environment
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- DME 1 Employment Uses in Designated Sites
- DMEI 2 Reducing Carbon Emissions
- DMEI 7 Biodiversity Protection and Enhancement
- DMEI 9 Management of Flood Risk
- DMEI 10 Water Management, Efficiency and Quality
- DMEI 12 Development of Land Affected by Contamination
- DMEI 14 Air Quality
- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- DMCI 7 Planning Obligations and Community Infrastructure Levy
- LPP 2.17 (2016) Strategic Industrial Locations

LPP 5.10	(2016) Urban Greening
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.17	(2016) Waste capacity
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.21	(2016) Contaminated land
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **13th October 2020**

5.2 Site Notice Expiry Date:- **22nd October 2020**

6. Consultations

External Consultees

As part of the public consultation, a site notice was displayed at the site, the development was advertised in the press and letters were sent to neighbouring residents. No comments have been received to date.

MINISTRY OF DEFENCE:

I can confirm the MOD has no objections to the Variation of Condition 2 (approved plans).

NATIONAL AIR TRAFFIC SERVICES:

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.

Internal Consultees

TREES AND LANDSCAPING OFFICER:

This site is occupied by an office and warehouse / workshops located on the west side of Dawley Road, to the north of Dawley Road Bridge. There is no existing soft landscape and there are no landscape designations affecting the site.

Comment: Planning approval to demolish and redevelop the site was granted under application ref. 2019/1979. Juttla drawings P304 and P305 confirm that the external layout and landscape will remain unaffected by the proposed variations.

Recommendation: No objection subject to previous conditions COM9 (parts 1,2,4 and 5).

CONSERVATION AND URBAN DESIGN OFFICER:

The application seeks permission to vary Condition 2 (Approved Plans) of planning application 71737/APP/2019/1979, dated 31/07/2020 (Proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking), in order to amend the design of the roof, canopy and boundary fence.

The proposed boundary to the front is to remain the same but where it returns into the site it changes beyond the car parking area to a closed boarded fence. Since the car parking area will still retain the railings to its perimeter the change to boarding in the less sensitive area is considered acceptable.

The setback portion to the front of the building is now to be infilled. This was designed in to help break up the bulk of the building and lessen its impact. It is regrettable that this element is to be changed. The loss of the curved roof form is being compensated for by the introduction of a canopy to a similar profile. This will also help to break up the bulky form of the building, but it would need to be carefully detailed so that it does not have a heavy appearance.

It is also noted that the windows below the canopy are changing in design. Where previously they were full height they are now to a more regular horizontal design. Could this be reverted back to the original design as the proposed windows look more 'off the shelf' and standard undermining the original design.

It would appear that the proposals are being introduced to reduce the build costs and as a

consequence the design quality of the previously approved scheme is being undermined.

PLANNING OFFICER COMMENT:

A revised plan has been submitted to revert the proposed window design to match that previously approved. This accords with the Conservation and Urban Design Officer comments and adds weight to a favourable decision.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the proposed development has been established by grant of the original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.02 Density of the proposed development

Not relevant to the consideration of the application.

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

ARCHAEOLOGY

Not relevant to the consideration of the application.

CONSERVATION AREA AND LISTED BUILDINGS

The application site is located approximately 12 metres west of the Botwell: Thorn EMI Conservation Area and 48 metres north-west of the Locally Listed HMV/EMI Building. Accordingly, the following policies are considered:

Policy DMHB 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

Policy DMHB 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will:

A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area.

It is acknowledged that the design principles of the proposed development has been established by the grant of planning permission reference 71737/APP/2019/1979. The current application alters the design of this approval by removing the set back from the front elevation and adding a canopy element to replicate the 'wave' roof form approved previously. As the basic principles of the design previously approved scheme are proposed to be maintained, any impact on the setting of the Conservation Area or Listed Building is not considered to be significant.

The application submission also seeks permission to replace the stretch of boundary treatment which encloses the proposed building to the side and rear, comprising a low-rise brick wall with railings, with a 1.8 metre high timber boarded fence. The boundary treatment for the proposed site frontage would remain to be a brick wall with railings, meaning that the proposal would not have any additional impact on the setting of the Conservation Area or Locally Listed Building relative to the scheme already approved.

Given the above considerations, the proposed development is not considered contrary to Policies DMHB 3 and DMHB 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

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.

The Ministry of Defence and the National Air Traffic Services have confirmed that there is no safeguarding objection to the proposed changes. Accordingly, the proposed development is not considered contrary to Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.05 Impact on the green belt

Not relevant to the consideration of the application.

7.06 Environmental Impact

Not relevant to the consideration of the application.

7.07 Impact on the character & appearance of the area

The existing site consists of a number of low rise buildings and a courtyard. The site is located on Dawley Road which is considered to be pre-dominantly urban and industrial in character, although it is noted that low-rise residential properties are located across from the site. Temporary Crossrail containers are located on the south side of the application site, a container storage yard is located to the north and a large industrial building is located to west.

In terms of the impact on the character and appearance of the area, Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) is taken into consideration and states:

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.

As previously stated, the design principles of the proposed development has been established by the grant of planning permission reference 71737/APP/2019/1979. The current application alters the design of this approval by removing the set back from the front elevation and adding a canopy element to replicate the 'wave' roof form approved previously. Removing the set back from the front elevation would make the proposed development a more visually prominent feature within the street scene. The main footprint of the building would occupy the same area and would be sited over 21 metres back from Dawley Road, although the canopy structure would protrude forward of this by 4.5 metres. This element of the proposed development would therefore be set back approximately 16.5 metres from Dawley Road. Based on the industrial character of the area and the set back away from residential properties to the north-east, the proposed amendment is considered to be minor in materiality and could not be used as a robust reason for refusal.

The application submission also seeks permission to replace the stretch of boundary treatment which encloses the proposed building to the side and rear, comprising a low-rise brick wall with railings, with a 1.8 metre high timber boarded fence. The boundary treatment for the proposed site frontage would remain as a brick wall with railings, meaning that the proposal would not be materially different to the arrangement already approved under the previous permission. Accordingly, this element of the proposal is considered acceptable.

Given the above, the proposed development is considered to accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020). If recommended for approval, a planning condition would secure the detail of proposed materials and the associated landscaping scheme.

7.08 Impact on neighbours

Matters relating to the impact on neighbouring resident amenity have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.09 Living conditions for future occupiers

Not relevant to the consideration of the application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Matters relating to the impact on the local highway network have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.11 Urban design, access and security

URBAN DESIGN

Please see Section 07.07 of the report.

SECURITY

Matters relating to security have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.12 Disabled access

Matters relating to accessibility have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.13 Provision of affordable & special needs housing

Not relevant to the consideration of the application.

7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPING

Matters relating to trees and landscaping have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

ECOLOGY

Matters relating to ecology have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.15 Sustainable waste management

Matters relating to waste management have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.16 Renewable energy / Sustainability

Matters relating to renewable energy have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.17 Flooding or Drainage Issues

Matters relating to flooding and drainage have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.18 Noise or Air Quality Issues

NOISE

Matters relating to ecology have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

AIR QUALITY

Matters relating to ecology have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

7.19 Comments on Public Consultations

No comments received.

7.20 Planning Obligations

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the National Planning Policy Framework (February 2019) have put three tests on the use of planning obligations into law. Planning obligations should be:

- 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

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 following contributions or planning obligations were secured under the original planning permission and remain relevant to the current application:

i) Travel Plan: A full and formal Travel Plan with associated £20,000.00 bond to include Sustainable Transport Measures is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.

ii) Employment Strategy and Construction Training: Either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is Council's priority. Financial Contribution will only be accepted in exceptional circumstances.

iii) Highways Contribution: A financial contribution amounting to £20,000 shall be paid to the Council to deliver shared use footways and crossing facilities at the junction of Dawley Road / Kestrel Way.

iv) Air Quality Contribution: A financial contribution amounting to £13,000 shall be paid to the Council's Local Air Quality Action Plan to address the air pollution emissions associated with the proposed development.

v) Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of

the resulting agreement.

A deed of variation to secure the above obligations to this planning permission will be required to be completed, prior to the release of a decision notice.

The proposal would also be liable for the London Borough of Hillingdon CIL and the Mayor of London's CIL, as the scheme provides more than 100 sqm of floorspace. This would be collected by the Council after implementation (if permission were to be granted) and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

CONTAMINATED LAND

Matters relating to contaminated land have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

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

In conclusion, the proposed variation of Condition 2 (Approved Plans) attached to planning application reference 71737/APP/2019/1979 is considered to constitute a minor material amendment and is considered acceptable with regard to its design and impact on the nearby Conservation Area and Locally Listed Building, as well as the street scene. All other matters have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.

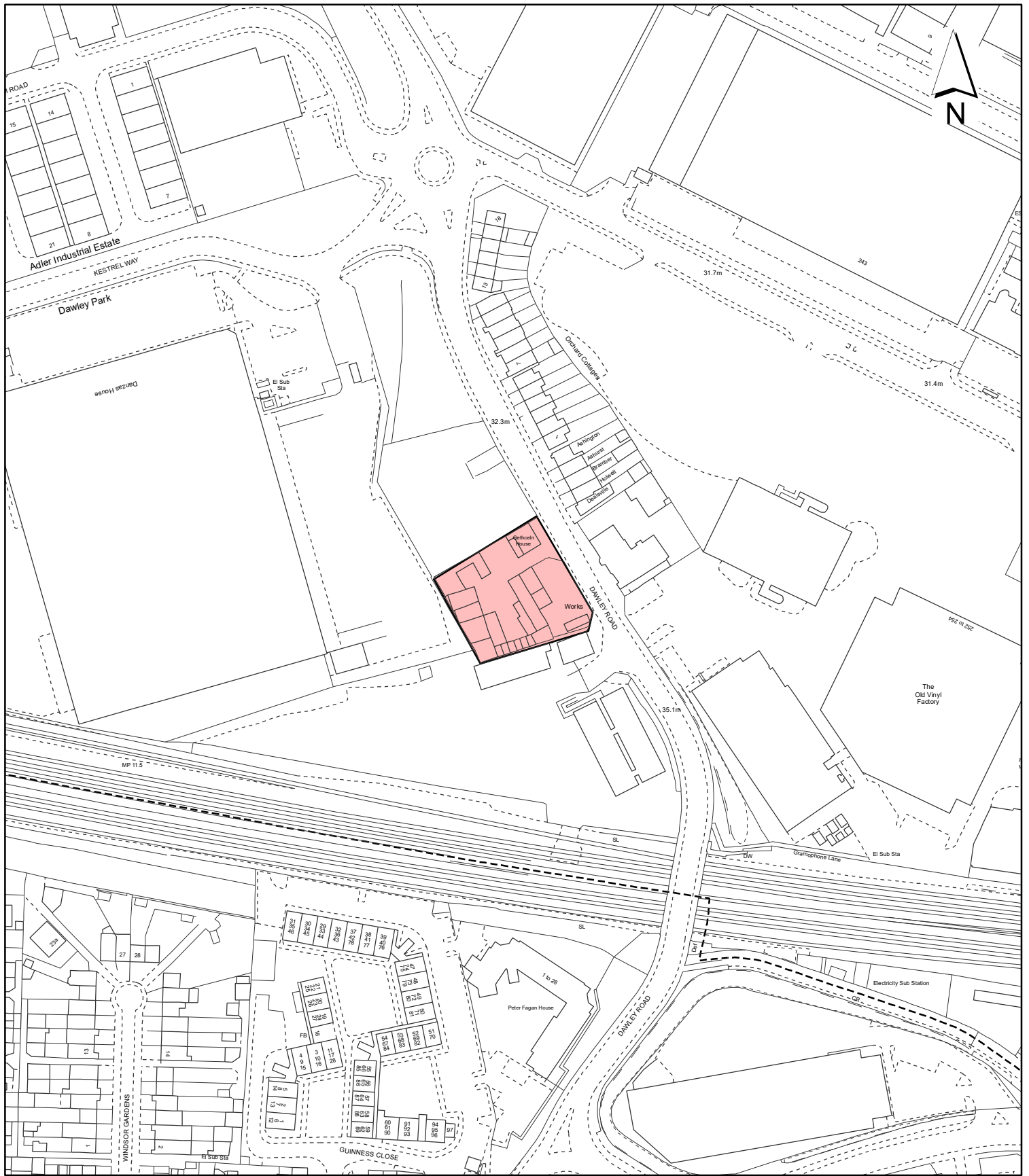
Subject to a Section 106 legal agreement and conditions, this application is recommended for approval.

11. Reference Documents

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

Contact Officer: Michael Briginshaw

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Gethceln House
 Dawley Road
 Hayes**

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

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

Planning Application Ref:

71737/APP/2020/2960

Scale:

1:2,000

Planning Committee:

Central & South

Date:

December 2020



HILLINGDON
 LONDON