

Report of the Head of Planning, Transportation and Regeneration

Address PACKET BOAT MARINA PACKET BOAT LANE COWLEY

Development: Variation of Conditions 2 (Approved Plans), 3 (Supporting Documentation), 8 (Signage and Lighting Details) and 13 (Turning Areas) of planning application 53216/APP/2018/4179, dated 21/11/2019 (Change of use of 25 existing moorings from leisure to residential use, with associated works), in order to amend the wording of conditions and make changes to the approved parking layout, landscaping, cycle storage, bin storage and lighting.

LBH Ref Nos: 53216/APP/2020/3138

Drawing Nos: P267-PB-01 Rev. B Location Plan
3058/FRA/Final/v3.2/2018-11-21 Flood Risk Assessment Final Report v3.1 (November 2018)
Ecological Enhancement Scheme (January 2018)
416.04960.00012 Packet Boat Marina Property Assessment (Dated October 2018)
734338-2 (01) Interpretive Report on Ground Investigation (Dated July 2019)
Landscape Management and Maintenance Plan
002 Rev. B Jetty Sections
001 Rev. D Site Plan
003 Rev. B Jetty Details
734338-1 Rev. 1 Desk Study and Preliminary Risk Assessment
P267-PAC-02 Rev. G Existing Site Plan
JC.5102 Cover Letter (Dated 2nd October 2020)
P267-PB-10 Rev. A
TBSC_BWML_PBO_56AMZ+BIN_MS_01 Issue 01
P267-PB-05 Rev. E
P267-PB-06 Rev. E
P267-PB-04 Rev. F
The Sauro LED Light

Date Plans Received:	02/10/2020	Date(s) of Amendment(s):	22/02/2019
Date Application Valid:	02/10/2020		26/03/2019
			30/07/2019
			28/11/2018
			17/10/2019
			18/11/2020
			03/09/2019
			27/09/2019
			16/10/2019

1. SUMMARY

This application seeks permission to vary Conditions 2 (Approved Plans), 3 (Supporting Documentation), 8 (Signage and Lighting Details) and 13 (Turning Areas) of planning application 53216/APP/2018/4179 (Change of use of 25 existing moorings from leisure to residential use, with associated works), in order to amend the wording of conditions and make changes to the approved parking layout, landscaping, cycle storage, bin storage and lighting.

The changes proposed are considered to constitute a minor material amendment and are considered acceptable with regard to their impact on relevant material planning considerations. 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and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid.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 conditions, this application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from 21st November 2019.

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 P267-PB-01 Rev. B, P267-PAC-02 Rev. G, P267-PB-04 Rev. F, P267-PB-05 Rev. E, P267-PB-06 Rev. E, P267-PB-10 Rev. A, 001 Rev. D, 002 Rev. B, 003 Rev. B and TBSC_BWML_PBO_56AMZ+BIN_MS_01 Issue 01 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 carried out except in complete accordance with the specified supporting plans and/or documents:

JC.5102 Cover Letter (Dated 2nd October 2020);
734338-1 Rev. 1 Desk Study and Preliminary Risk Assessment;
734338-2 (01) Interpretive Report on Ground Investigation (Dated July 2019);
Ecological Enhancement Scheme (January 2018); and
Landscape Management and Maintenance Plan.

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 Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the London Plan (March 2016).

4 NONSC Number of Boats

At no time shall there be more than 164 no. boats moored within the development area, including no more than 55 no. boats which are moored to residential moorings (that include a postal address). The associated residential and visitor parking layout shall be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with Policies DMHB 14, DMHB 20, DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

5 NONSC Records of Residential Boats

The developer shall make available for inspection their records detailing the location and number of residential moorings within Packet Boat Marina at the request of the Local Planning Authority.

REASON

To preserve the character of Packet Boat Marina, to manage amenity impacts on surroundings residents and to manage impacts on the ecology of the site, in accordance with Policy EM3 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012); Policy DMHB 20, DMEI 6 and DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); Policy 7.19 of the London Plan (March 2016) and National Planning Policy Framework (February 2019).

6 NONSC Site Management Plan

Residents shall be required to use:

- a) only smokeless fuels in stoves and heaters on their boats; and
- b) only use phosphate free washing up liquids and detergents, including boat materials.

To ensure the above can be in place, a site management plan shall be submitted and approved in writing by the LPA prior to the first occupation of the proposed residential moorings, which details the following:

- i) Measures and management strategies to ensure that only smokeless fuels in stoves and heaters are used on boats within the marina.
- ii) Measures and management strategies to ensure that only phosphate free washing up liquids and detergents are used on boats within the marina.

The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON

To protect the amenity of existing and future residents in accordance with Policy DMHB 11, DMEI 14 and DMHB 20 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 7.14 of the London Plan (March 2019), and to protect elements of biodiversity value within 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 National Planning Policy Framework (February 2019).

7 COM8 Tree Protection

Prior to commencement of the relevant part of the works, details shall be 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.

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 Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

8 NONSC Lighting Details

Prior to the commencement of the relevant works, details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canals and Rivers Trust in relation to the replacement/refurbished lighting columns throughout the site. The works shall incorporate low level lighting using warm white LEDs 1000-3000k.

The lighting shall be constructed in accordance with the above approved information and shall be retained as such.

REASON

To ensure lighting is appropriate for the amenity of the users of the Marina and is not detrimental to biodiversity, in compliance with Policies DMEI 7 and DMHB 20 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and paragraph 170 of the National Planning Policy Framework (February 2019).

9 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first

planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

10 NONSC Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy, detailing how this contamination will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

(i) Any subsequent remediation scheme concerning newly discovered contamination shall include a written method statement providing details of how the completion of the remedial works will be verified. The details shall be agreed in writing with the LPA prior to commencement. No deviation shall be made from the scheme without the express agreement of the LPA prior to its implementation.

(ii) All works which form part of any 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 strategy shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(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.

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 Policy DME1 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).

11 NONSC Soil and Material Imports

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.

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 Policy 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 Control of Noise

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.15 of the London Plan (March 2016).

13 NONSC Turning Areas

The turning areas identified on drawing reference 'P267-PB-05 Rev. E ' hereby approved shall remain clear and unobstructed at all times to ensure the free flow and movement of boats within the marina.

REASON

To ensure that residential amenity is safeguarded in accordance with Policy DMHB 11 and DMHB 20 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

14 RES22 Parking Allocation

The residential moorings 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 there is no sub-letting of parking spaces and 1 car parking space shall be allocated and dedicated for the use of each of the residential moorings 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 Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

15 NONSC Non Standard Condition

Prior to commencement of the relevant part of the works, details shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with TfL with respect to:

- A cycle store designed in accordance with the London Cycling Design Standards (LCDS). A minimum 1.0m spacing between cycle stands is required, with a minimum 0.5m bay width provided per cycle.
- Provision of wider cycle spaces should be introduced to at least 5% of the allocated residential cycle parking in line with London Plan cycle parking standards and the LCDS.

The approved details shall be implemented prior to first occupation and shall remain 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 Policies DMT 1, DMT 2 and DMT 6 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 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.

NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
LPP 5.10	(2016) Urban Greening
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.17	(2016) Waste capacity
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 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.24	(2016) Blue Ribbon Network
LPP 7.27	(2016) Blue Ribbon Network: supporting infrastructure and recreational use
LPP 7.28	(2016) Restoration of the Blue Ribbon Network
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 6	Development in Green Edge Locations
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 20	Moorings

DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

3 170 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.

4

The Council have information on the ground conditions and there is a possibility there may be contaminating substances present in the ground. We would advise persons working on site to take basic precautions in relation to any contamination they may find. It is understood there is some evidence that remedial works were undertaken at the site, however the possibility of contamination being present at depth remains. Precautions should be taken to minimise the mixing of any material that is dug up with clean shallow soils that are to remain on site.

5

The Flood Action Notice included in the Flood Risk Assessment should be provided residents and displayed on site.

6

It is advised that Conditions 4, 5, 8, 9 and 10 of planning permission reference 53216/APP/2017/1711, permitting a new fixed pontoon to provide 7 leisure moorings, have not been discharged. It appears that this development has been brought forward without complying with the decision notice.

7

It is advised that enforcement case reference ENF/92/07 was raised and closed in 2007, stating that there was no breach of planning control as all works/operations/uses occurring on site were in accordance with approved planning permission or permitted development.

8 125 Consent for the Display of Adverts and Illuminated Signs

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

3. CONSIDERATIONS

3.1 Site and Locality

Packet Boat Marina is a medium sized marina on the Grand Union Canal which

accommodates both residential and leisure boats. The Marina is located on the western edge of the borough, on the south eastern side of Packet Boat Lane, immediately to the west of the Water's Edge Public House and the Grand Union Canal, north of its junction with the Slough arm of the canal. The site includes a marina with wide beam and narrow boat berths, a visitor centre, a shop, an office building, a workshop, shower and toilet facilities, laundry facilities, a boatyard, landscaped grounds and a car park accessed from Packet Boat Lane to the north. The entrance to the marina for boat traffic is from the Slough arm to the south.

Surrounding the site to the west, south and north west is a large country park including a builder's yard adjacent to the west of the site. The land to the north, east and south east of the site is a mixture of commercial/light industrial and residential uses. A scrap car yard is located approximately 15 metres to the north. The closest residential properties are located approximately 40 metres north-west and 80 metres north-east of the site.

The Marina forms part of designated Green Belt land, a Nature Conservation Site of Metropolitan or Borough Grade I Importance and the Colne Valley Regional Park. The Site is located within Flood Zone 1 and has a low Public Transport Accessibility Level (PTAL) of 1a. The north section of the application site is designated as part of the Cowley Lock Conservation Area.

3.2 Proposed Scheme

This application seeks permission to vary Conditions 2 (Approved Plans), 3 (Supporting Documentation), 8 (Signage and Lighting Details) and 13 (Turning Areas) of planning application 53216/APP/2018/4179 (Change of use of 25 existing moorings from leisure to residential use, with associated works), in order to amend the wording of the attached conditions and make changes to the approved parking layout, landscaping, cycle storage, bin storage and lighting. As such, the current application does not seek to change the main element of the proposal, this being the proposed change of use of 25 no. existing moorings from leisure to residential use.

Under the current application, the parking bays in the western portion of the car park will no longer be reconfigured, meaning the number of parking spaces will remain at 84 (as opposed to increasing to 103). The extent of new tarmac will be reduced to cover only the most damaged section of the internal roadway.

The 3 no. active and 3 no. passive electric vehicle charging points and 3 no. accessible parking spaces are proposed to remain as part of the proposed works, along with new planting as identified on the submitted plans. There will be no change to the approved parking spaces and allocations in the eastern portion of the car park.

The proposal still includes the refurbishment of the existing faulty lighting columns are to be replaced but all other functional columns will remain as existing.

The design of the proposed cycle storage and refuse storage has been revised and is proposed to be contained within an anthracite grey enclosed metal structure, measuring 2.04 metres in height and 10.2 metres by 8.7 metres in footprint. The 34 no. resident storage boxes are also proposed to take the form of 'box-like' timber clad structures, measuring 1.42 metres in height and 1.42 metres by 1.965 metres in footprint.

3.3 Relevant Planning History

53216/APP/2018/4179 Packet Boat Marina Packet Boat Lane Cowley

Change of use of 25 existing moorings from leisure to residential use, with associated works

Decision: 20-11-2019 Approved

Comment on Relevant Planning History

Planning application reference 53216/APP/2018/4179 permitted the change of use of 25 existing moorings from leisure to residential use, with associated works.

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 London Plan - Consolidated With Alterations (2016)
The West London Waste Plan (2015)

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 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 parts of 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.BE1 (2012) Built Environment
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM3 (2012) Blue Ribbon Network
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- NPPF- 2 NPPF-2 2018 - Achieving sustainable development
- NPPF- 9 NPPF-9 2018 - Promoting sustainable transport
- NPPF- 13 NPPF-13 2018 - Protecting Green Belt land
- NPPF- 15 NPPF-15 2018 - Conserving and enhancing the natural environment
- LPP 5.10 (2016) Urban Greening
- LPP 5.14 (2016) Water quality and wastewater infrastructure
- LPP 5.17 (2016) Waste capacity
- 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 7.16 (2016) Green Belt
- LPP 7.19 (2016) Biodiversity and access to nature
- LPP 7.24 (2016) Blue Ribbon Network
- LPP 7.27 (2016) Blue Ribbon Network: supporting infrastructure and recreational use
- LPP 7.28 (2016) Restoration of the Blue Ribbon Network
- DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMEI 6	Development in Green Edge Locations
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 20	Moorings
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **28th October 2020**

5.2 Site Notice Expiry Date:- Not applicable

29th October 2020

6. Consultations

External Consultees

Letters were sent to neighbouring properties and an advert was posted in the local paper. All forms of consultations expired on 29th October 2020. No comments from neighbouring residents have been received.

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE:

Thank you for your consultation of 06 October 2020 regarding the above application for planning permission. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England's Greater London Archaeological Advisory Service under their consultation criteria, details of which are on our webpage at the following link:

<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice>

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request. If we do not hear from you within five working days we will assume this application should not have been sent to us.

This response relates to undesignated archaeological assets only. If necessary, Historic England's Development Management or Historic Places teams should be consulted separately regarding statutory matters.

TRANSPORT FOR LONDON:

Thank you for consulting TfL on the above application. After reviewing the case documents, we have the following comments to make:

- The proposed cycle store has not been designed in accordance with the London Cycling Design Standards (LCDS). A minimum 1.0m spacing between cycle stands is required, with a minimum 0.5m bay width provided per cycle.
- As per previous comments, wider cycle spaces should be introduced to at least 5% of the allocated residential cycle parking in line with London Plan cycle parking standards and the LCDS.

PLANNING OFFICER COMMENT:

A condition requesting the above details has been imposed.

CANAL AND RIVER TRUST:

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

The Trust has reviewed the application and has the following advice:

Condition 2:

The submitted condition 2 amendment, to supersede plans and drawings for the cycle and bin storage, landscaping, Marina Turning Area and parking layout is considered acceptable, subject to the council accepting an amendment to condition 8, rather than, as the applicant proposes, it's removal. Further details and a revised plan are requested for the lighting details associated with condition 8, below.

Condition 3:

We have no comment to make on the applicant's request for the condition to be amended to provide greater clarity.

Condition 8:

The proposed removal of condition 8 is not considered acceptable. An amended condition is requested.

Hillingdon Borough Council Local Plan January 2020, policy DMEI 7; Biodiversity Protection and Enhancement, DMHB 20: Moorings and the National Planning Policy Framework 2019, paragraph 170, require that development proposals retain and enhance biodiversity. The planning consent allows the proposed development, subject to the implementation of a biodiversity enhancement scheme, to include new ecologically appropriate exterior lighting, in compliance with these policies (or those of a similar nature in the development plan in existence at the time of the decision).

Retaining and repairing existing lighting without attention to biodiversity enhancement requirements would not be considered consistent with the obligations of the previous consent. To ensure the development both retains and enhances biodiversity in accordance with the policy requirement, an amended lighting condition is requested, as follows:

'Details of existing lighting bollards and fitments, proposed repairs and upgrading shall be submitted to and approved in writing by the Local Planning Authority, and shall incorporate low level, directional lighting fitments, using warm -white LED's 1000 - 3000K. The agreed upgrading and repairs shall be carried out as agreed within the year, (12 months), of this permission hereby granted, and retained thereafter.

Reason: To ensure lighting is appropriate for the amenity of the users of the Marina and is to no detriment to biodiversity and provides required biodiversity enhancement, compliant with Hillingdon Borough Council Local Plan January 2020, policy DMEI 7; Biodiversity Protection and Enhancement, DMHB 20: Moorings and the National Planning Policy Framework 2019, paragraph 170'.

Condition 13 (Turning Areas):

In respect of the waterspace at the marina, the moorings plan submitted appears to be identical to that permitted under the existing planning permission (reference 53216/APP/2018/4179), to which this condition refers. The changes relate to the parking and facilities areas, to which we have no objection, and a revision letter label. As a result, the Trust has no planning objection to the amendment of the condition.

We would note, however, that the plans do not appear to take account of planning permission 53216/APP/2017/1711, dated 07.09.2017 (plan reference PB/SB/002), which indicates that there are a further 7 permitted moorings within the Marina. It is not clear that the location and size of these vessels have been taken into account on the submitted moorings plan. We would also remind the Council of a further, undecided application, for four further moorings, under application reference 53216/APP/2019/684, which are also not indicated on this submission.

The Trust as an affected Landowner

In our capacity as an affected landowner, the Trust will want to ensure that all vessels using the marina will be able to access and egress the marina safely, in order to ensure the safe use of our navigation. We would welcome confirmation of the maximum size of vessel that will be using the marina and a drawing showing that such vessels can safely turn into and out of the entrance. The applicants/developers are advised to contact the Business Boating Specialist Tammy Plant, in this respect, on Tammy.Plant@canalrivertrust.org.uk.

PLANNING OFFICER COMMENT:

Regarding the Canal and River Trust's comment regarding Condition 8, the existing functional lighting is to remain in place and only the faulty lighting bollards are to be replaced. As these are located within the centre of the existing car park, outside of the designated Nature Conservation Site of Metropolitan or Borough Grade I Importance, it is considered unlikely that the replacement lighting would compromise any biodiversity value. A condition requesting further details has been proposed to be added to any grant of consent.

Regarding the Canal and River Trust's comment regarding Condition 13 and other consents on the application site, the current application only seeks permission for a minor material amendment to planning permission reference 53216/APP/2018/4179. Accordingly, matters relating to the approved planning application reference 53216/APP/2017/1711 and the refused planning application reference 53216/APP/2019/684 are not relevant.

Internal Consultees

ACCESS OFFICER:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal.

TREES AND LANDSCAPING OFFICER:

Condition 2: Approved plans / variation

The submitted drawings provide details and annotated plans of the proposed site and the provision of new facilities (including bike and bin stores) required to accommodate the needs of the marina and its occupants. Some of the annotations refer to site management and maintenance operations.

Recommendation: No objection.

HIGHWAYS OFFICER:

Site Characteristics & Background

The proposal location is Packet Boat Marina adjacent to the Grand Union Canal and accessed via in Packet Boat Lane which is rural in its setting and connects to the High Road in Cowley. The site has 157 moorings of which 30 were allocated for residential purposes with the remaining 127 retained for leisure uses. As part of the extant consent (53216/APP/2018/4179), 25 of these leisure moorings are to be converted to residential accommodation.

It was proposed to allocate 25 parking spaces from an uplifted total of 158 (103 Public & 55 residential) on-plot car park spaces to the proposed residential use which broadly corresponds with the existing 1:1 parking ratio afforded to the original 30 dwelling units.

The remaining 103 'non-residential' spaces (uplifted from 84) out of a total of 158 were to be retained

for 102 leisure moorings which approximates to a 1:1 ratio and was considered sufficient within the context of this use and capacity of the Marina car park.

The adjacent communal car park consists of 84 spaces (which would rise to 103 in-line with the original consent) as a result of the proposed repositioning of the existing bin store and general car park reconfiguration with 30 spaces currently allocated for the 30 residential units equating to 1:1 parking ratio. The parking allocation for the proposed residential use would then rise proportionally to include provisions for the 25 new units totalling 55 residential spaces.

Appraisal - Condition 2 (Approved Plans)

As part of the original consent, the western portion of the car park designated for patrons of the marina was proposed for enhancement which included new surfacing, bay reconfiguration (increasing from 84 to 103 bays), electric vehicle charging point (EVCP) provision etc.

However due to economic implications associated with the current pandemic, a number of these changes are to be abandoned (with the exception of EVCP (3 passive + 3 active) and disabled compliant provision (3)). However, there are no changes proposed regarding the number of approved residential parking spaces/allocations within the eastern segment of the car park which equate to a total of 55.

Conclusion

There are no specific issues raised with regard to the 84 'public' spaces within the western public segment of the car park remaining at this level. This was confirmed at the original scheme appraisal where there was no demand made by the Highway Authority to raise this quantum. The applicant volunteered to increase the number to 103 to which no objection was raised.

For this reason, the variation to Condition 2 is considered acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Matters relating to the principle of the change of use of the 25 existing moorings from leisure to residential use has 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.

Whilst there is no statutory definition of a 'minor material amendment', the key principle is that it is not open to the local planning authority to vary a condition if that variation means that the precise terms of the original permission (i.e. the description of development) were changed by it. The original description is stated as follows:

"Change of use of 25 existing moorings from leisure to residential use, with associated works."

It is considered appropriate that proposed changes would fall under the scope of 'associated works' previously approved. The detail of the proposal is considered further in the main body of the report.

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

ARCHAEOLOGY

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

The Greater London Archaeological Advisory Service were consulted as part of the application process and stated that it was not necessary for comment to be provided under their consultation criteria. Accordingly, the proposed development is not considered contrary to Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

LISTED BUILDINGS OR AREAS OF SPECIAL LOCAL CHARACTER

Not applicable to the consideration of this application.

CONSERVATION AREA

Please see Section 07.07 of the report.

7.04 Airport safeguarding

Not applicable to the consideration of this application.

7.05 Impact on the green belt

The application site is located within Green Belt land and is subject to the following policy considerations:

Paragraph 143 of the NPPF (February 2019) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 144 continues this, stating:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 145 of the NPPF (February 2019) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but that exceptions to this include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy 7.16 of the London Plan (March 2016) supports this, stating:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance."

In terms of local policy, the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) gives strong protection to Green Belt land. Policy EM2 states that the Council will seek to maintain the current extent of the Green Belt and any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan (March 2016) policies, including the very special circumstances test.

Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also states that:

A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

- i) the height and bulk of the existing building on the site;
 - ii) the proportion of the site that is already developed;
 - iii) the footprint, distribution and character of the existing buildings on the site;
 - iv) the relationship of the proposal with any development on the site that is to be retained;
- and
- v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

Under paragraph 145 of the NPPF (February 2019) it is stated that the provision of facilities for outdoor recreation is considered appropriate development within the Green Belt as long it preserves the openness. As the proposed residential moorings will not be used purely for outdoor recreation purposes, the proposal would not be considered to constitute appropriate development within the Green Belt. The proposed change of use is therefore considered to be inappropriate development within the Green Belt, requiring very special circumstances.

It is noted that the 25 no. moorings which form the focus of this application already exist and are used by boat owners on a semi-permanent basis. The proposal would allow the boat owners permanent residency and would not therefore increase the total number of moorings on the site. In this respect, there would be no impact on the openness and visual amenities of the Green Belt.

In terms of the associated works, the proposed cycle storage and refuse storage would be contained within an anthracite grey enclosed metal structure, measuring 2.04 metres in

height and 10.2 metres by 8.7 metres in footprint. This would contain 56 no. cycle parking spaces and 11 no. bins, thereby screening such facilities to the benefit of the Green Belt and associated visual amenities.

In addition to this, the proposed 34 no. timber clad resident storage boxes would measure 1.42 metres in height and 1.42 metres by 1.965 metres in footprint. These would be located immediately to the south of the existing residential car park and are considered to be sufficiently limited in size to avoid posing a greater impact on the openness of the Green Belt.

Given that this site already has planning permission for a mix of residential and leisure moorings, it is considered reasonable to expect the operator/owner to upgrade facilities to serve the additional boats that will now use these moorings on a permanent basis. The additional facilities proposed are very modest in scale and would not have a detrimental impact on the character or function of the Green Belt. It would also facilitate improved amenities for future occupiers of the residential moorings. Accordingly, it is considered that very special circumstances exist to outweigh the limited harm posed by the proposed development within the Green Belt.

Given the above, the proposal is not considered contrary to Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.16 of the London Plan (March 2016) and the NPPF (February 2019).

7.06 Environmental Impact

CONTAMINATED LAND

Matters relating to the impact of the proposal on contaminated land 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.

7.07 Impact on the character & appearance of the area

The main principle of the proposed change of use of 25. no leisure moorings to residential use, alongside associated works, is to remain the same. The main difference is the removal and/or revision of certain elements of work previously proposed.

For context, it should be established that Packet Boat Marina located on the western edge of the borough, on the south eastern side of Packet Boat Lane, immediately to the west of the Water's Edge Public House and the Grand Union Canal, north of its junction with the Slough arm of the canal. The site includes a marina with wide beam and narrow boat berths, a visitor centre, a shop, an office building, a workshop, shower and toilet facilities, laundry facilities, a boatyard, landscaped grounds and a car park accessed from Packet Boat Lane to the north.

Surrounding the site to the west, south and north west is a large country park including a builder's yard adjacent to the west of the site. The land to the north, east and south east of the site is a mixture of commercial/light industrial and residential uses. A scrap car yard is located approximately 15 metres to the north. The closest residential properties are located approximately 40 metres north-west and 80 metres north-east of the site.

The Marina forms part of designated Green Belt land, a Nature Conservation Site of Metropolitan or Borough Grade I Importance and the Colne Valley Regional Park. The north section of the application site is designated as part of the Cowley Lock Conservation Area.

Accordingly, the following planning policies are considered:

Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy HE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape.

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.

B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification.

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 setting.

As established under the original consent, the proposed change of use of moorings from leisure to residential is not considered to materially impact on the setting of the Conservation Area or canal scene as the aesthetic will remain the same. It should be noted that none of the proposed works would be located within the Conservation Area designation but would be within close proximity.

The proposed cycle storage and refuse storage would be contained within an anthracite grey enclosed metal structure, measuring 2.04 metres in height and 10.2 metres by 8.7

metres in footprint. This would contain 56 no. cycle parking spaces and 11 no. bins, thereby screening such facilities to the benefit of the Conservation Area and canal scene.

In addition to this, the proposed 34 no. timber clad resident storage boxes would measure 1.42 metres in height and 1.42 metres by 1.965 metres in footprint. These would be located immediately to the south of the existing residential car park and are considered to be sufficiently limited in size to avoid posing harm to the designated Conservation Area to the north.

In accordance with the considerations noted above, it is not considered that the proposed development would pose harm to the Cowley Lock Conservation Area and would sufficiently harmonise with the existing character of the Marina. The proposal is therefore considered to accord with Policies BE 1 and HE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 4 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.08 Impact on neighbours

Matters relating to the impact of the proposal on neighbouring residents 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

Matters relating to the impact of the proposal on living conditions 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.

7.10 Traffic impact, car/cycle parking, pedestrian safety

In terms of highways matters, the following planning policies are considered:

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.

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

A) 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.

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.

Based on TfL's WebCAT planning tool, the application site has a Public Transport Accessibility Level (PTAL) rating of 1a, meaning visitors or residents are likely to be dependent on the private car for access to the site.

As stated by the Council's Highways Officer, the proposal is likely to increase traffic generation from the site. As the proposal replaces an equivalent number of leisure units which already generate a specific level of use intensity, the proposal is only considered to generate a marginal increase. Accordingly, the proposal would not exacerbate congestion and would not raise any highway safety concerns, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 6.3 of the London Plan (March 2016).

The car park currently consists of 132 no. spaces and would rise to 141 no. as part of the proposed additional 9 no. spaces in the eastern residential car park. A total of 55 residential parking spaces are to be provided as part of the proposal, equating to 1:1 parking ratio. The remaining 'non-residential' 84 spaces out of a total of 141 would be retained for 109 leisure moorings which equates to just under a 0.77 parking spaces per leisure mooring. As stated by the Council's Highways Officer, this is considered acceptable within the context of this use and capacity of the Marina car park. If recommended for approval, a parking allocation plan would be secured by condition.

As required by local policy, 10% of the 9 no. proposed parking spaces should be disabled compliant. A total of 3 no. disabled compliant spaces are proposed and is considered acceptable. A total of 3 active and 3 passive electrical charging spaces is also proposed and is considered acceptable.

Regarding cycle provision, standards require 1 secure and accessible space for each of the moored units totalling 25 spaces. A cycle store with 56 no. spaces is proposed and would conform with this requirement.

Given the above considerations, it is considered that the proposal would accord with Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 6.9 and 6.13 of the London Plan (March 2016).

7.11 Urban design, access and security

URBAN DESIGN

Please see Section 07.07 of the report.

ACCESS

Please see Section 07.12 of the report.

SECURITY

Matters relating to the impact of the proposal on 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 the impact of the proposal on accessibility has 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 applicable 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 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 revised proposal would not rearrange the western car park. Although the majority of the landscaping within the western car park would remain as existing, the current proposal does include the planting of new sapling native silver birch trees as well as the maintenance of overgrown shrubs. No trees or landscape features of merit will be affected by the proposal. Tree protection measures are required and secured as a planning condition. Subject to further details, the proposed development is considered to accord with Policy 5.10 of the London Plan (March 2016) and Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

ECOLOGY

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

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

Policy EM3 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) requires that the Council continue to promote and contribute to the positive enhancement of the strategic river and canal corridors and the associated wildlife and habitats through the Biodiversity Action Plan and the Thames River Basin Management Plan, and developer contributions where appropriate. The Council will work with the Environment Agency and other interested bodies to continue to enhance the local character, visual amenity, ecology, transportation, leisure opportunities and sustainable access to rivers and canals. The Council will collaborate with adjacent local authorities to ensure that Hillingdon's river and canal corridors complement and link with cross boundary corridors.

Policy DMEI 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also states that new development adjacent to the Blue Ribbon Network should incorporate proposals to assimilate development into the surrounding area by the use of extensive peripheral landscaping to site boundaries.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the design and layout of new development should retain and enhance any existing features of biodiversity within the site.

The proposed development would not significantly change the use of the site in a way which could compromise its biodiversity value. Additional planting in the form of silver birch saplings and perennial plants is also proposed. Accordingly, such works are not considered to have detrimental impacts on local biodiversity.

A condition is attached to secure the use of smokeless fuels and phosphate free products to minimise environmental impacts. In conjunction with the Canal and River Trust's consultation response, a condition securing the details of the lighting is also attached to ensure that there are no detrimental impacts on biodiversity. Subject to such conditions, the proposal is not considered contrary to the NPPF (February 2019), Policy 7.19 of the London Plan (March 2016) , Policy EM3 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMEI 6 and DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.15 Sustainable waste management

Matters relating to the impact of the proposal on sustainable 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

Not applicable to the consideration of this application.

7.17 Flooding or Drainage Issues

Matters relating to the impact of the proposal on flood and drainage issues 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 the impact of the proposal on the noise environment 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 the impact of the proposal on air quality 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

Please see Section 06.1 of the report.

7.20 Planning Obligations

There is no need for any contributions or planning obligations to mitigate the impact of the

development.

7.21 Expediency of enforcement action

Not applicable.

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 Probitry 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

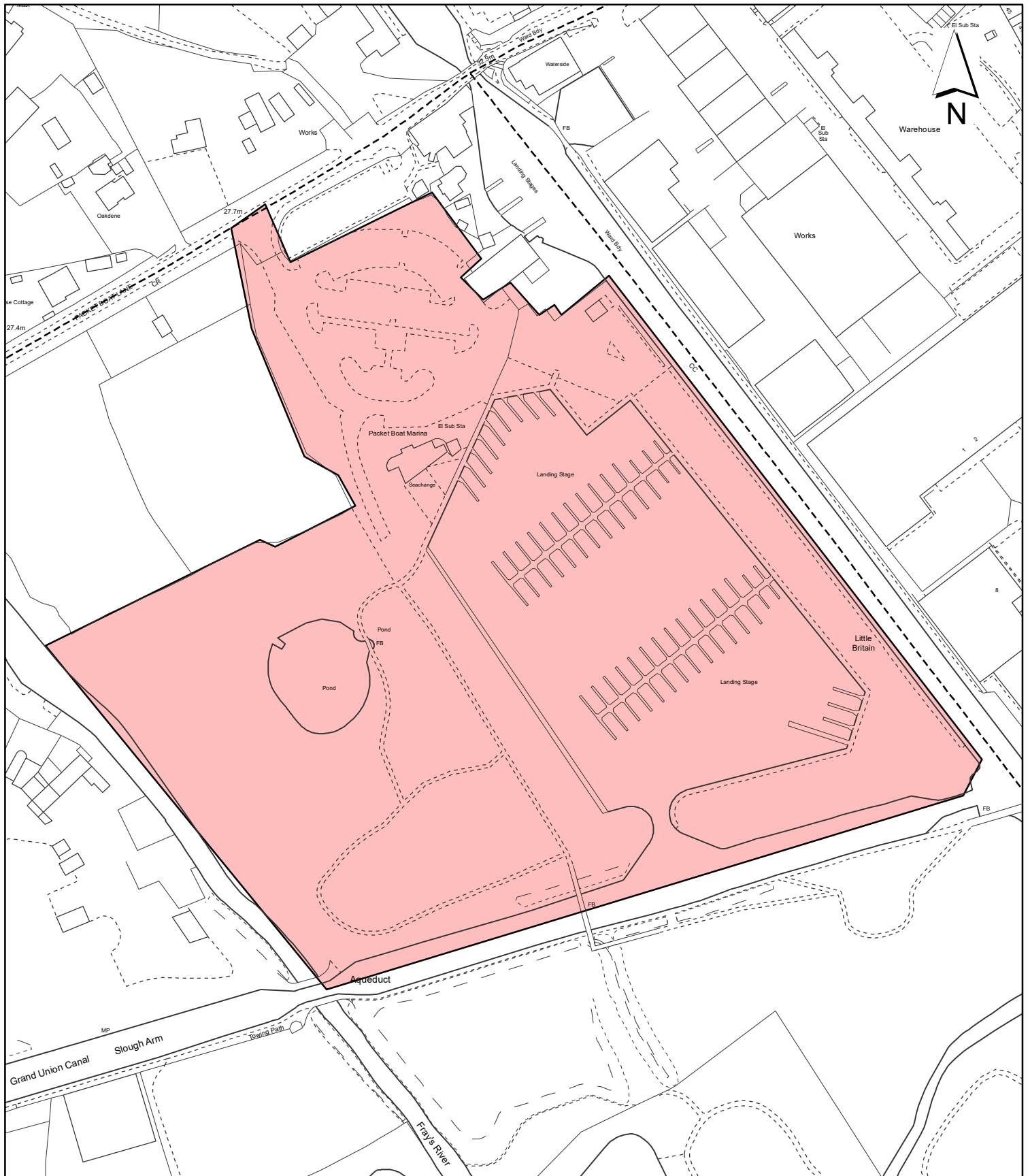
In conclusion, the changes proposed are considered to constitute a minor material amendment and are considered acceptable with regard to their impact on relevant material planning considerations. All other matters have already been established by grant of original permission and there has been no material change in policy and/or site circumstances to suggest that the previous assessment is no longer valid. Subject to conditions, this application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (February 2019)
The draft London Plan - Intend to Publish Version (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:
**Packet Boat Marina
 Packet Boat Lane
 Cowley**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
53216/APP/2020/3138

Scale:
1:2,000

Planning Committee:
Central & South

Date:
December 2020

