

## Report of the Head of Planning, Transportation and Regeneration

**Address** 19-22 CHIPPENDALE WAYE UXBRIDGE MIDDX

**Development:** Variation of condition 2 (approved plans) for planning consent reference 67544/APP/2019/1978 dated 11-06-19 for the Erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity. The proposed changes are as follows:

- 1) Flat 1 extended to the rear to provide M4(3) requirement.
- 2) Flat 5 extended to the rear as per Flat 1 to simplify construction.
- 3) Lift/Stair core mirrored internally.
- 4) Rear elevation behind lift core goes up to main roof to simplify construction
- 5) Balcony support posts added to simplify construction.
- 6) Roof over Flat 12 balcony removed to simplify construction

**LBH Ref Nos:** 67544/APP/2020/3709

**Drawing Nos:** AAL-20-214-P01  
AAL-20-214-P03  
AAL-20-214-P04 Rev A  
AAL-20-214-P05 Rev A  
AAL-19-152-P01 Rev E  
AAL-19-152-P03 Rev C  
AAL-19-152-P04 Rev A

**Date Plans Received:** 12/11/2020      **Date(s) of Amendment(s):** 19/02/2021  
**Date Application Valid:** 23/11/2020      12/11/2020

### 1. SUMMARY

The application seeks to vary the approved plans condition of application reference 67544/APP/2019/1978 dated 11-06-19 for the Erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity.

The purpose of the current application is to amend the design of the development in order to ensure the units comply with accessible standards and to simplify construction. The specific amendments are as follows.

- 1) Flat 1 extended to the rear to provide M4(3) requirement.
- 2) Flat 5 extended to the rear as per Flat 1 to simplify construction.
- 3) Lift/Stair core mirrored internally.
- 4) Rear elevation behind lift core goes up to main roof to simplify construction.
- 5) Balcony support posts added to simplify construction.
- 6) Roof over Flat 12 balcony removed to simplify construction

As set out within this report, the proposed changes are deemed to provide a better standard of unit for future residents and would not result in adverse impacts upon the character and appearance of the area or the amenities of neighbouring properties. The application is therefore recommended for approval.

## 2. RECOMMENDATION

That delegated powers be given to the Deputy Director of Planning 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 secure this planning permission to the original legal agreement: PP ref 67544/APP/2019/1978 dated 11-06-19.

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 by 18th June 2021 (or such other timeframe as may be agreed by the Deputy Director of Planning and Regeneration), delegated authority be given to the Deputy Director of Planning 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 works). The proposal therefore conflicts with Policies contained with the adopted Hillingdon Local Plan Saved Policies (November 2012).'

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

**1 HO1 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of the original permission (11-06-19).

**REASON**

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

**2 HO2 Accordance with approved**

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

AAL-20-214-P03  
AAL-20-214-P04 REV A  
AAL-20-214-P01  
AAL-20-214-P05 REV A

**REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part

2 - Development Management Policies (January 2020).

**3 RES5 General compliance with supporting documentation**

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

Amasia -Design and Access Statement  
15045-NEA-01 - Noise Assessment  
C2217-REV-A-R1 - FRA  
Croft - Transport 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 that the development complies with the objectives of Policies DMT1, DMT2, DMT 6, DMHB 11 and DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

**4 NONSC SUDS**

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 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 SI 13 of the London Plan (2021). 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, 1in 30, 1 in 100, and 1 in 100 plus Climate change. This rate should be presented per hectare as well as the total for the whole site.

iii. 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).

iv. Where infiltration techniques (soakaway) 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).

b) 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.
- c) Long Term Management and Maintenance of the drainage system.
- i. Provide a management and maintenance plan
  - ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).
  - lii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
  - iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner.

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

#### REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), SI 12 and SI 13 of the London Plan (2021) and National Planning Policy Framework (2019), and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

#### **5 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

## REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **6 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, including details of balconies have been 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 DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **7 RES9 Landscaping (car parking & refuse/cycle storage)**

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting including pollution absorbing planting around the front boundary and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate, which shall include pollution absorbing tree species along the Chippendale Way road frontage.
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage demonstrating 12 secure covered cycle spaces
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts demonstrating 4 car parking spaces (including demonstration that 1 active and 3 passive of all parking spaces are served by electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
3. Living Walls and Roofs
  - 3.a Details of the inclusion of living walls and roofs
  - 3.b Justification as to why no part of the development can include living walls and roofs
4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

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 14 of the Hillingdon Local Plan : Part 2 - Development Management Policies (Jan 2020) and policies D4 and G5 of the London Plan (2021)

**8 SUS1 Energy Efficiency Major Applications (full)**

Prior to commencement of development an Energy Assessment for the 12 units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall set out the annual baseline regulated energy demand (kwhr) as per 2013 Building Regulations (or subsequent amendments) and associated carbon emissions (kgCO<sub>2</sub> and tCO<sub>2</sub>). The assessment shall then set out the measures and technology required to achieve a 100% reduction (zero carbon) in the CO<sub>2</sub> associated with the baseline regulated energy demand; these measures must be sufficiently evidenced with corresponding details and specifications including the location of low and zero carbon technology (i.e. roof plans showing the inclusion of PV panels). The updated Energy Assessment must clearly set out any shortfall (tCO<sub>2</sub>) of the zero carbon standard. The development must proceed in accordance with the approved updated Energy Assessment.

REASON

To ensure the proposals contribute to a reduction in CO<sub>2</sub> in accordance with policy SI 2 of the London Plan (2021)

**9 NONSC Imported Soils**

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. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy DME1 12 and DME1 13 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**10 RES26 Contaminated Land**

Before any part of this development is commenced a site survey to assess contamination at the site shall be conducted to the satisfaction of the Council and a remediation scheme, for addressing any unacceptable concentrations of contaminants present at the site, shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of any identified contaminants and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy DMEI 12 and DMEI 13 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**11 NONSC Non Standard Condition**

No contaminated soils or other materials shall be imported to the site. All soils used for gardens and/or soft landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination and the results of this testing shall be submitted for approval to the Local Planning Authority.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination, in accordance with policy OE11 of the Hillingdon Local Plan Part 1 and DMEI 14 of the Hillingdon Local Plan - Part 2 - Development Management Policies (January 2020).

**12 NONSC Noise**

The noise level in rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

REASON : To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy DMHB 11 of the Hillingdon Local Plan - Part 2 - Development Management Policies (January 2020).

**13 NONSC Noise**

An enhanced sound insulation value DnT,w and L'nT,w of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise in accordance with policy DMHB 11 of the Hillingdon Local Plan - Part 2 - Development Management Policies (January 2020).

**14 NONSC Accessibility**

Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON

To ensure that an appropriate standard of housing stock, in accordance with D5 of the London Plan (2021) is achieved and maintained.

**15 NONSC Accessibility**

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

REASON:

To ensure that an appropriate standard of housing stock, in accordance with policy D5 of the London Plan (2021) is achieved and maintained.

**16 RES22 Parking Allocation**

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

**REASON**

To ensure that an appropriate level of car parking provision. is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

**17 RES24 Secured by Design**

The dwelling(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 dwelling 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 D11 of the London Plan (2021)

**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 Plans (2012 and 2020) 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.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts



DMT 6	Vehicle Parking
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 4	Residential Conversions and Redevelopment
DMH 6	Garden and Backland Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP D14	(2021) Noise
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP G7	(2021) Trees and woodlands
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H4	(2021) Delivering affordable housing
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

### **3            I47                    Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

### **4            I70                    LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local

Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

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

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

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

## **6**

The removal and making good of the existing carriageway crossing and provision of new will need to be subject of a Section 184 application via the Highways Act 1980

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site measures approximately 0.07 hectares in size and is located on the north side of Chippendale Way within close proximity of Uxbridge Town Centre. The site was previously occupied by 4 semi-detached houses but were demolished due to poor condition, leaving the plot vacant.

The plot is situated between rows of semi-detached houses and Uxbridge Early Year's Centre, with vehicular access via a service road to the rear of the houses. To the rear of the site are parking facilities, an access road and a disused playground.

To the northeast is a listed building at no. 59 Park Road and properties with access form Grove Way, to the south east is the Uxbridge Early Years Centre just beyond Chippendale Alley; the southwest is Chippendale Way itself and the rear gardens associated with 23-28 Chippendale Way and to the northwest by an existing service road serving the site and the rear of properties 4-16 Montague Road.

#### **3.2 Proposed Scheme**

In July 2019 planning permission was granted for the construction of a new block comprising of 12 residential units; planning permission 67544/APP/2019/1978 dated 11-06-19. The applicant has now submitted a proposal to simplify the construction and alter the design to ensure the units comply with accessible requirements. The specific amendments are as follows:

- 1) Flat 1 extended to the rear to provide M4(3) requirement.
- 2) Flat 5 extended to the rear as per Flat 1 to simplify construction.
- 3) Lift/Stair core mirrored internally.
- 4) Rear elevation behind lift core goes up to main roof to simplify construction.
- 5) Balcony support posts added to simplify construction.
- 6) Roof over Flat 12 balcony removed to simplify construction

### 3.3 Relevant Planning History

67544/APP/2011/736      19-22 Chippendale Way & Car Park Area To Rear Of 23-28 Chipper  
Erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way) (Outline Application).

**Decision:** 11-10-2011    Approved

67544/APP/2012/2024      19-22 Chippendale Way & Car Park Area To Rear Of 23-28 Chippe  
Reserved Matters (Scale and Appearance) in compliance with conditions 2 and 3 of planning permission ref: 67544/APP/2011/736 for the erection of a two storey building comprising 12, one bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way).

**Decision:** 06-11-2012    Approved

67544/APP/2018/4323      19-22 Chippendale Way Uxbridge Middx  
Erection of 4 x 3 bedroom houses with associated parking and external works

**Decision:** 05-02-2019    Approved

67544/APP/2019/1978      19-22 Chippendale Way Uxbridge Middx  
Erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity.

**Decision:** 19-02-2020    Approved

### Comment on Relevant Planning History

This planning application relates to planning permission 67544/APP/2019/1978 - Erection of a block of 12 No. flats comprising of 7x1 bed, 4x2 bed and 1x3 bed apartments with associated parking, landscaping, access and amenity.

## 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 (2021)

## 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.

### **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.H1 (2012) Housing Growth

#### Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy  
DMEI 2 Reducing Carbon Emissions  
DMEI 9 Management of Flood Risk  
DMT 1 Managing Transport Impacts  
DMT 2 Highways Impacts  
DMT 6 Vehicle Parking  
DMH 1 Safeguarding Existing Housing  
DMH 2 Housing Mix  
DMH 4 Residential Conversions and Redevelopment  
DMH 6 Garden and Backland Development  
DMHB 11 Design of New Development  
DMHB 12 Streets and Public Realm  
DMHB 14 Trees and Landscaping  
DMHB 16 Housing Standards  
DMHB 17 Residential Density  
DMHB 18 Private Outdoor Amenity Space  
LPP D14 (2021) Noise  
LPP D4 (2021) Delivering good design

LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP G7	(2021) Trees and woodlands
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H4	(2021) Delivering affordable housing
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th December 2020**

5.2 Site Notice Expiry Date:- **18th December 2020**

## 6. Consultations

### External Consultees

The application was advertised in the local press, site notices were posted and local residents were consulted on the application. All methods of consultation expired on 18.12.20. No resident responses were received.

HISTORIC ENGLAND (summary)

No objection.

### Internal Consultees

TREES AND LANDSCAPES (Summary)

Further to my previous comments and your email, I confirm that one of the trees, to the rear of the flats, indicated on the layout plan (2019/1978) has been removed owing to a slight reduction in the available area of soft landscape.

However, the original scheme was sketchy / indicative only and subject to detail. If you are minded to approve this scheme, there is no objection subject to conditions RES9 (parts 1,2,4, 5 and 6).

ACCESS

Drawing no. AAL-20-214-P03 has been reviewed in respect of the proposed variation of the approved plans and extension to the rear to achieve M4(3) compliance within flat 1. These changes are satisfactory from an accessibility standpoint as flat 1 now complies with M4(3) specifications. No concerns are raised regarding the other proposed changes. CONCLUSION: acceptable

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

As demonstrated in the planning history section of this report the application site benefits from planning permission which has already been established the principle of development to be acceptable.

### **7.02 Density of the proposed development**

The proposal does not seek to alter the unit mix or the number of units which have been granted consent. As such the density of development remains unchanged.

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

The application site is not located within an area important for archaeological remains, it is not sited close to any statutory listed building nor is it located within or on the fringes of a Conservation Area. Notwithstanding this the application site is located in approximately 17 metres south west, from the Old Stable, 59 Park Road which is locally listed.

The application site is located within what is considered the setting of a Locally Listed building therefore Policy DMHB 3 is relevant to the assessment of the proposal. The policy provides three key points for which a proposal should adhere to however section A) is the only relevant point given that the proposal is not for alterations to the Locally Listed Building itself. Point 'A' states that 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.

With regards to the potential impact to the setting of the Locally Listed Building and in particular the views of the Old Stable from Park Road, the building is set against the backdrop of the much larger industrial, functionally design Intu Car Park which towers above the Locally Listed Building. The proposed rear elevation of the new building would effectively replace the back drop which is formed by the Intu car park and given its lightweight brick colour its various set-ins it is considered that the proposed development would improve the views taken from the front of the Old Stable from Park Road.

The scheme is considered to accord with Policy DMHB 3 of the Local Plan Part 2 (2020) and would not have a detrimental impact on the setting to the Locally Listed Old Stable building.

### **7.04 Airport safeguarding**

Not applicable

### **7.05 Impact on the green belt**

Not applicable

### **7.06 Environmental Impact**

Not applicable

### **7.07 Impact on the character & appearance of the area**

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design which includes ;

- 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 undesignated, 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.

The application seeks minor material amendments which include alterations to the front and rear elevations. Balcony supports would be added to the front and rear elevations in order to simplify construction and these would be visible from Chippendale Way. Chippendale Way features a small cul-de-sac which provides access to the parking area and rear of the development. As such it would provide views of the increase in floor area to flats 1 and 5 and also the rear stair core. Notwithstanding this the amendments are minor and are not considered to give rise to adverse impacts upon the character and appearance of the street scene. As such the proposal would comply with DMHB 11 of the Hillingdon Local Plan : Part Two - Development Management Policies.

#### **7.08 Impact on neighbours**

Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) sets out principles of good design which will ensure the amenities of surrounding properties are protected.

The proposed amendments would result in a deeper rear elevation being constructed to both unit 1 and 5 however the site plan indicates that given the separation distance between the proposed new building and No.23 Chippendale Way it would not result in adverse impacts upon the outlook, daylight and sunlight of this property. The remaining changes which include balcony supports and a very minor extension to the rear of the lift core would also not result in adverse impacts upon the amenities of neighboring properties.

As such the development is considered to comply with DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.09 Living conditions for future occupiers**

##### **UNIT SIZES**

The 'Technical housing standards - nationally described space standard' sets out minimum sizes for various sized residential units.

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

To achieve this all residential development or conversions should: i) meet or exceed the most up to date internal space standards, as set out in Table 5.1; and ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users. The proposed dwelling sizes are as follows:

Unit 1	1b/2p	60.9 sqm
Unit 2	1b/1p	47.2 sqm
Unit 3	2b/3p	68.1 sqm
Unit 4	1b/2p	51.6 sqm
Unit 5	1b/2p	60.9 sqm
Unit 6	1b/1p	40.3 sqm
Unit 7	2b/3p	68.1 sqm
Unit 8	1b/2p	51.6 sqm
Unit 9	2b/3p	80.4 sqm
Unit 10	2b/3p	68.1 sqm
Unit 11	1b/2p	51.5 sqm
Unit 12	3b/6p	111 sqm

The submitted floor plans demonstrate that the proposed units would exceed the relevant quantum of floor space required to satisfy the minimum floor space standards set out in table 5.1 which states that 1 bed 1 person unit should provide 39 sqm, 1 bed 2 person 50sqm, 2 bed 3 person 61 sqm, and a 3 bed 6 person should provide 95 sqm of internal floor space. It is clear from the measurements above that the proposed units sizes would comply with Policy DMHB 16 of the Hillingdon Local Plan Part 2: Development Management Policies (Jan 2020).

#### PRIVATE AMENITY SPACE

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) sets out specific design standards to ensure that each residential unit benefits from adequate levels of amenity space. Paragraph 5.71 states dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building. Houses and ground floor flats should have private gardens. The Council is keen to improve the quality of housing in the Borough and therefore communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of high quality with clear planning merits.

Table 5.2 which supports Policy DMHB 18 states that the studios or 1 bed flats should provide 20 sqm, 2 bedroom flats should provide 25 sqm and 3+ bedroom flats should provide 30 sqm of amenity space. The proposed development should therefore provide 270 sqm of amenity space.

With regard to the above the proposed site plan illustrates the ground level amenity space arrangement which includes segregated amenity space for the units fronting the Chippendale way and shared communal space mainly to the rear of the building but also a smaller proportion towards the eastern boundary. Given the busy traffic flow of



Chippendale Way the segregated amenity space to the front of the building has not been included within the amenity space calculations although a condition is to be added to ensure pollution absorbing planting is used for the boundary treatments. Notwithstanding this, following the increase in floor space to unit 1 the proposed development would now provide 168 sqm of communal amenity space at ground floor level and a further 56 sqm via private balconies therefore in total the scheme would provide 224 sqm of amenity space. Whilst the proposal falls 46 sqm short of the amenity space required to serve the development, this deficiency is considered marginal and is outweighed by the quality of the space provided. Furthermore there is also a small children's playground slightly further north of the site which is available for use by local residents. Consequently, on balance the proposed level of provision is considered acceptable in this instance.

#### Public Open Space

Policy DMCI 4 of the Local Plan: Part Two (2020) requires new major residential development to make provision for new open space or enhancements to existing open space which meets the needs of future occupiers of the development. Where a development would fail to provide policy compliant levels of amenity space to serve future occupants, a financial contribution should be sought towards enhancements to local public open spaces which are within a reasonable distance from the application site. In accordance with the Council's Planning Obligations SPG a financial contribution of £9000 would be applicable.

Notwithstanding this point consideration needs to be given to the viability of the scheme and whether the aforementioned contribution could have an impact on the delivery of the proposed development. It is noted that the parent consent was supported by a FVA which justified the lack of on-site affordable housing provision and a contribution in lieu was considered to be appropriate instead. Taking this into consideration and the fact that St Andrews Park now features a public open space which is within walking distance of the site, the financial contribution towards open space enhancements is not to be secured within the proposed deed of variation.

#### Child Play Space

Policy DMHB 19 'Play Space' of the Local Plan: Part 2 - Development Management Policies (2020) states that new major residential developments which result in a significant net increase in child yield an occupancy of ten or more children will be required to provide children and young people's play facilities on-site. Where a satisfactory level of provision for children and young people's play facilities cannot be achieved on-site, the Council will seek a financial contribution towards the improvement of existing children and young people's play facilities within the local area.

London Plan Policy S4 (2021) require development proposals to make provisions for play and informal recreation based on the expected child population generated by a development. This is supported by the Mayor's supplementary planning guidance (SPG) 'Shaping Neighbourhoods: Play and Informal Recreation', which sets a benchmark of 10m<sup>2</sup> of usable child play space to be provided per child, with under-fives play space provided on-site as a minimum, and makes clear that play space should not be segregated by tenure.

In accordance with the above policy the application should provide 19sq.m of on site child playspace. As the application fails to provide any dedicated on-site provision an off-site contribution can be sought which would amount to £3,040.

As stated in section above relating to the public open space contribution, an FVA was submitted to demonstrate the viability of the scheme as part of the parent consent. Further contributions could render the viability of the development which needs to be taking into consideration when determining the application. Furthermore it should be noted that in determining the parent consent the lack of onsite provision was deemed to be acceptable on-balance due to the children's playground 30 metres north of the site which could be utilised by the occupants of the development. As such a contribution towards child playspace has not be included within the proposed deed of variation.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

The proposed changes would not result in amendments to the car parking, access arrangements or any other highway related impacts.

#### **7.11 Urban design, access and security**

##### URBAN DESIGN

The urban design assessment of the proposal is discussed within the impact upon the street scene section of this report.

#### **7.12 Disabled access**

##### ACCESS

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct 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 might impede disabled people.

Policy DMHB 16: 'Housing Standards' of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should meet or exceed the most up to date internal space standards, and in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users

The application proposes alterations to the consented application to enable unit 1 to comply with accessible standards. The amended plans have been reviewed by the Councils Accessibility Officer who has confirmed that the proposal now provides an accessible unit which was required by condition attached to the extant consent. The scheme is deemed in accordance with Policy DMHB 16: 'Housing Standards' of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **7.13 Provision of affordable & special needs housing**

An FVA was submitted within the original application which was granted consent on 19-02-20 and it was concluded that it was reasonable for the applicant to contribute £150,000 as a financial sum towards affordable housing off-site. The proposed changes do not result in the alterations to the number of units or the unit mix as such there is no requirement to alter the affordable housing contribution. This is to be secured by way of a S106 legal agreement.

#### **7.14 Trees, Landscaping and Ecology**

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 proposed development would feature shallow gardens to the frontage allocated specifically to the ground floor units which front the road and further soft communal landscaping to the rear and eastern side of the building. In commenting on the scheme the Landscape Officer has stated that further information is required in order to determine the landscaping however this can be secured by an appropriate landscaping condition. Further to the Air Quality Officers comments these details should include pollution absorbing planting particularly to the front of the building as the principle highway for which the building fronts is a busy road.

#### **7.15 Sustainable waste management**

No changes are proposed.

#### **7.16 Renewable energy / Sustainability**

No changes are proposed.

#### **7.17 Flooding or Drainage Issues**

No changes are proposed.

#### **7.18 Noise or Air Quality Issues**

No changes are proposed.

#### **7.19 Comments on Public Consultations**

No comments received.

#### **7.20 Planning Obligations**

Policy DMCI 7 (Planning obligations and CIL) of the Local Plan Part 2 Development Management Policies (2020) seeks contributions or planning obligations which may be required in order to mitigate the impacts of the development. The proposed development is required to complete a deed of variation to secure this to the original legal agreement. This application does not give rise to any new planning obligations.

The original planning permission secured the following planning obligations:

1. Off-site Affordable Housing - Contribution of £150,000
2. Applicant agrees to restrict the occupiers from applying for parking permits for all on street parking control zones.
3. Employment Strategy and Construction Training Contribution - 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.
4. Carbon off-set contribution as required by an approved Energy Assessment
5. Project Management & Monitoring Fee: Project Management & Monitoring Contribution equal to 5% of the total cash contributions. Details shall be in accordance with the Council Planning Obligations Supplementary Planning Document 2014
6. S278 agreement to carry out works to facilitate a new vehicle crossover to the front, eastern end of the site to allow for the bins to be carried or wheeled out to the collection vehicle.

A Deed of Variation to secure this planning permission to the original legal agreement: PP ref 67544/APP/2019/1978 is therefore required under this planning permission.

The applicant has agreed to the above heads of terms. As such, the scheme complies with Policy DMCI 7 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020)

In addition to S106 contributions the Council has adopted its own Community Infrastructure Levy (CIL) with a charge of £35 per square metre of gross internal floor area. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £101,312.09

In addition to the London Borough of Hillingdon CIL, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £47,688.11.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

Not applicable to this application.

### **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**

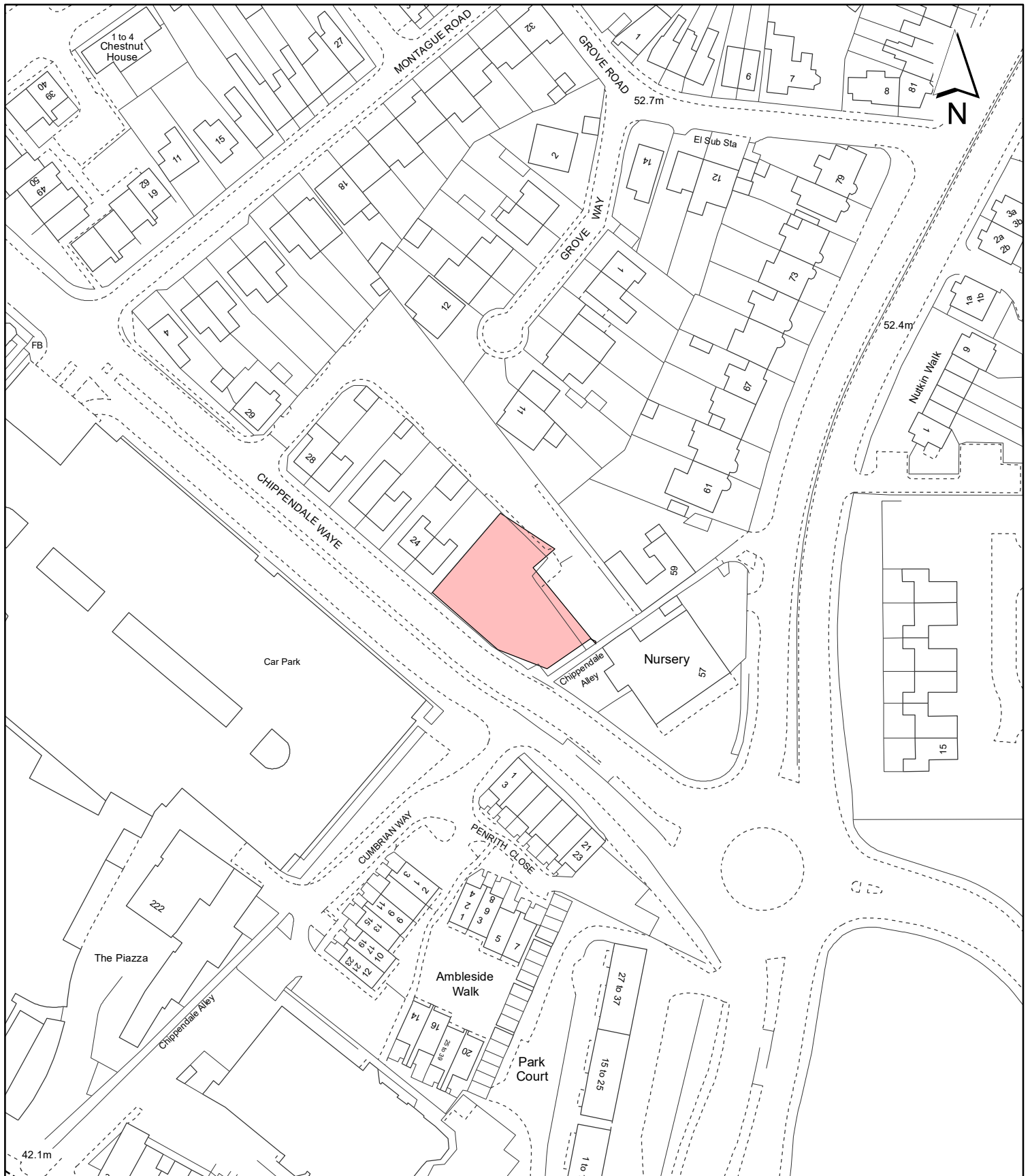
The application proposes a minor material amendments to the existing planning consent to marginally increase the floor area of the development across various locations of the proposed building. This will enable the proposed units to conform with accessible standards. Further changes are proposed to the buildings elevations which include the provision of balcony supports and a marginal extension to the rear of the lift shaft in order to simplify the construction of the block. The proposed changes are not considered to give result in additional material impacts therefore the changes are considered to be minor and acceptable thus the application is recommended for approval.

#### **11. Reference Documents**

Hillingdon Local Plan: Part 1 Strategic Policies (2012)  
Hillingdon Local Plan: Part 2 Site Allocations and Designations (2020)  
Hillingdon Local Plan: Part 2 Development Management Policies (2020)  
London Plan (2021)  
London Plan (December 2021)  
National Planning Policy Framework (2019)

**Contact Officer:** Christopher Brady

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**19-22 CHIPPENDALE WAY  
 UXBRIDGE**

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

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

Planning Application Ref:

**67544/APP/2020/3709**

Scale:

**1:1,250**

Planning Committee:

**Major**

Date:

**March 2021**



**HILLINGDON**  
 LONDON