

## Report of the Head of Development Management and Building Control

**Address:** KIRK HOUSE 97 HIGH STREET YIEWSLEY

**Development:** The provision of 8 residential dwellings in the existing loft space and external alterations to existing building including the extension of the roof, the provision of new dormer windows and external roof terraces

**LBH Ref Nos:** 32928/APP/2023/753

**Drawing Nos:** 712-P-301  
DA Statement  
712-P-104  
Planning Statement  
Transport Statement  
Sustainability and Energy Statement  
Flood Solutions Report - AEL-4707-FLC-947304  
BRE DAYLIGHT ASSESSMENT  
712-P-102  
712-P-100  
712-P-101 Rev A  
712-P-200 Rev D  
712-P-201 Rev A  
712-P-202  
712-P-203  
712-P-205 Rev C  
712-P-206 Rev A  
712-P-103

**Date Plans received:** 13-03-2023                      **Date(s) of Amendments(s):** 06-07-2023  
13-03-2023

**Date Application valid** 13-03-2023

### 1. SUMMARY

Planning permission is sought for the provision of 8 residential dwellings in the roof space of Kirk House. The proposed works also include external alterations to the building, extensions to its roof, new dormer windows and external roof terraces.

During the process of the application concerns were raised by local residents regarding inadequate consultation on the application and the fact that the applicant had submitted the wrong ownership certificate. Since then, a revised certificate of ownership (Certificate B) has been submitted, along with confirmation that lessees were served notice of the proposed development on 26 April 2023 (It is

understood that this is in addition to notice being served by the applicant on 31 March 2023). Following receipt of the revised ownership certificate, the Council issued its own notification letters to the occupiers of the flats at Kirk House (on 26 April 2023), giving them 21 days to submission of comments, a site notice was also placed at the site advertising the proposed development. It is therefore considered that appropriate consultation has now taken place for the proposed development and that no neighbours or members of the public have been prejudiced by the proposed development.

Amended plans were also received during the process of the application. Those plans differ from the original plans in that the privacy screens to the south of the building have been lowered. The obscure glazed window on flat TF40 has been removed so its occupant has adequate outlook, a section plan of the flat has also been submitted showing that it would have adequate internal head space. The ground floor external amenity space has been removed from the scheme to protect the appearance of the area and the privacy of existing residents.

Overall it is considered that subject to a conditions and a legal agreement which restricts future residents from applying for parking permits, the proposed development would cause no harm to the character and appearance of the area or building, nor would it cause significant harm to neighbouring amenities or the local highways network. Residents of the new flats would be provided with an acceptable standard of living accommodation and an appropriate housing mix is proposed for this town centre development.

Whilst the development would not provide a policy compliant amount of external amenity space for the future residents of four of the flats, it would still provide some private amenity space for those residents whilst public open space is a short distance away from the site. Furthermore, the benefits of the scheme (which include the provision of 8 additional dwellings, stimulation of the local economy and the utilisation of brownfield land in a town centre location, for additional residential development - which is supported by the Local Plan, NPPF and London Plan) are considered to outweigh the shortfall in amenity space.

It is therefore recommended that planning permission be granted for the proposed development subject to a S.106 agreement securing the new units as car-capped (no on-street parking permits to be issued).

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1. RES3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

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

### **2. RES4 Accordance with Approved Plans**

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

712-P-100  
712-P-101 Rev A  
712-P-102  
712-P-103  
712-P-104  
712-P-200 Rev D  
712-P-201 Rev A  
712-P-202  
712-P-203  
712-P-205 Rev C  
712-P-206 Rev A  
712-P-301

and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

### **3. NONSC Sustainable Drainage and Water Management**

Prior to the commencement of the development hereby approved, a scheme for the provision of sustainable water management and water efficiency shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a timetable for its implementation; and
- iii. Provide a management and maintenance plan for the lifetime of the development

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. Provide details of water collection facilities to capture excess rainwater;
- v. Provide details of how rain and grey water will be recycled and reused in the development;
- vi. Provide details of how the dwelling will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the optional requirement defined within Approved Document G of the Building Regulations).

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 the development does not increase the risk of flooding in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London

Plan (2021).

#### **4. OM19 Construction Management Plan**

No development shall take place until a demolition and construction management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- a) The phasing of development works
- b) Types of vehicles accessing the site, including their ability to enter the shared driveway without affecting neighbouring properties
- c) The hours during which development works will occur
- d) How vehicles will access the site whilst protecting neighbouring sites
- e) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
- f) 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)
- g) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
- h) 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 BE1 of the Hillingdon Local Plan Part 1 (2012).

#### **5. NONSC Privacy Screens**

Notwithstanding the approved drawings, prior to the occupation of the hereby approved dwellings, details of the siting, design and materials of all privacy screens to balconies shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the screens shall be installed as per the consented details prior to the first occupation of the development here by approved and the privacy screens shall be retained on site for so long as the development remains in existence.

#### **REASON**

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

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

No above ground construction works shall take place until details of all materials and external surfaces for the proposed development 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 Policy DMHB 11 of the Hillingdon Local Plan Part 2 (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 and cultivation works to be undertaken

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

#### 2. Details of Hard Landscaping

2.a Refuse Storage (including the provision of 1 additional 1280L container on site)

2.b Cycle Storage (which should be secure and enclosed providing cycle parking space for 17 bikes)

2.c Means of enclosure/boundary treatments

2.d Hard Surfacing Materials

2.e External Lighting

2.f Other structures (such as play equipment and furniture)

#### 3. Details of Landscape Maintenance

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

3.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased

#### 4. Schedule for Implementation

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

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 (2020), as well as policies D3 and T6 of the London Plan (2021).

### **8. B8 Parking Arrangements (Residential)**

A Parking Management Plan showing 6 spaces allocated to the new dwellings and 38no. allocated to the existing dwellings shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of any of the units. Two of the parking spaces shall have active electrical vehicle charging points. The development shall be carried out in accordance with the approved details and retained as such.

## REASON:

To ensure an appropriate distribution of parking spaces in accordance with the published London Plan Policy T6.1 Residential Parking.

## **9. NONSC Energy Statement**

Prior to the commencement of the development hereby approved, a sustainability and energy statement shall be submitted to and approved in writing by the Local Planning Authority. The sustainability and energy statement shall demonstrate how a 10% reduction in carbon dioxide emissions beyond Building Regulations requirement Part L 2013 (TER Baseline) has been achieved including full technology specifications and locations. Thereafter, the development shall be carried out in accordance with the approved details.

### **REASON**

To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy SI 2 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. I73 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.

### **3. I15 Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

### 153 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 (2021) and national guidance.

DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
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 GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply

LPP H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The development site is located on the corner of St Stephens Road and High Street, West Drayton. The site comprises a 3 storey building and its associated car park. The building is finished in brick and has a pitched roof. A mixture of soft and hard landscaping surrounds the building. The building is currently in residential use but was converted from an office under permitted development rights.

The area surrounding the site comprises 2 to 4 storey buildings, which vary in design and material finish. Buildings are predominantly residential, commercial or mixed in terms of their use.

The site is located within the Colne Valley Archaeological Priority Zone and Yiewsley and West Drayton Town Centre. It has a PTAL Rating of 3 (moderate) and is located within an Air Quality Focus Area.

#### 3.2 Proposed Scheme

Planning permission is sought for the provision of 8 residential dwellings in the existing loft space and external alterations to existing building including the extension of the roof, the provision of new dormer windows and external roof terraces.

#### 3.3 Relevant Planning History

32928/83/0228 Kirk House, 97-109 High Street Yiewsley  
Mixed dev. on 0.1900 hectares (outline)(P)

**Decision:** 08-06-1983 Approved

32928/A/83/1398 Kirk House, 97-109 High Street Yiewsley  
Mixed dev. on 0.1900 hectares (full)(P)

**Decision:** 25-11-1983 Approved



32928/APP/2009/2795 Kirk House, 97-109 High Street Yiewsley

Installation of cycle shelter.

**Decision:** 08-03-2010 Approved

32928/APP/2011/1458 Kirk House, 97-109 High Street Yiewsley

Change of use from Class B1 (Office) to Class C1 (Hotel) with ancillary restaurant/cafe, including new ground level infill construction, at ground floor level (rear), below the existing first floor accommodation, extension to front (ground floor level facing High Street), alterations to facade and internal layout at all levels, alterations to access, parking and landscaping arrangements.

**Decision:** 21-10-2011 Refused

32928/APP/2012/644 97 High Street Yiewsley

Change of use from Office accommodation to 74 room Hotel, including new infill construction at Ground Floor level (below the existing First Floor accommodation).

**Decision:** 14-06-2012 Refused

32928/APP/2017/2396 Kirk House, 97-109 High Street Yiewsley

Prior Approval for change of use from office use to residential (36 units).

**Decision:** 05-09-2017 Approved

32928/APP/2018/3172 Kirk House, 97-109 High Street Yiewsley

Provision of nine residential units (8 no. one-bedroom and 1 no. two-bedroom flats) within a single storey third-floor extension to replace existing roof and external alterations to existing building comprising 8 Juliette balconies at first and second floor levels.

**Decision:** 29-05-2019 Withdrawn

32928/APP/2019/1916 Kirk House, 97-109 High Street Yiewsley

Details pursuant to conditions 1 (parking allocation) and 2 (contaminated land) of planning consent 32928/APP/2017/2396 (Prior Approval for change of use from office to residential)

**Decision:** 20-09-2019 Approved

32928/B/84/0141 Kirk House, 97-109 High Street Yiewsley

Details in compliance with 03298/831398(P)

**Decision:** 14-03-1984 Approved

32928/C/84/1203 Kirk House, 97-109 High Street Yiewsley

Details in compliance with 32928/831398(P)

**Decision:** 26-07-1984 Approved

32928/E/87/0122 Kirk House, 97-109 High Street Yiewsley

Change of use from retail to showroom and offices.

**Decision:** 23-04-1987      Approved

32928/F/87/0616      Kirk House, 97-109 High Street Yiewsley

Prov of new vent intake & extract terminals

**Decision:** 27-04-1987      Approved

32928/H/87/1325      Kirk House, 97-109 High Street Yiewsley

Alts to elevations

**Decision:** 11-09-1987      Approved

32928/L/93/1829      Kirk House, 97-109 High Street Yiewsley

Change of use of part of ground floor from Class A1 (Retail) to Class B1 (Business)

**Decision:** 09-05-1994      Approved

32928/PRC/2021/266      Kirk House, 97 High Street Yiewsley

Roof conversion for 4 x 1 bed flats.

**Decision:** 12-05-2022      Objection

### **Comment on Relevant Planning History**

The site's planning history is set out in section 3.3 of this report (above).

Prior approval was granted in 2017 for 'Prior Approval for change of use from office use to residential (36 units)' under planning application No.32928/APP/2017/2396. The permission has been implemented and the site is currently in residential use.

## **4. Planning Policies and Standards**

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

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

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

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

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

The West London Waste Plan (2015)

The London Plan (2021)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

## **Local Plan Designation and London Plan**

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

Part 1 Policies:

PT1.H1 (2012) Housing Growth

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMH 2 Housing Mix

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP GG2 (2021) Making the best use of land

LPP GG4 (2021) Delivering the homes Londoners needs

LPP H1 (2021) Increasing housing supply

LPP H2 (2021) Small sites

LPP H10 (2021) Housing size mix

LPP D2 (2021) Infrastructure requirements for sustainable densities

LPP D3 (2021) Optimising site capacity through the design-led approach

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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 T6 (2021) Car parking  
LPP T6.1 (2021) Residential parking  
NPPF11 NPPF 2021 - Making effective use of land  
NPPF12 NPPF 2021 - Achieving well-designed places  
NPPF2 NPPF 2021 - Achieving sustainable development  
NPPF5 NPPF 2021 - Delivering a sufficient supply of homes  
NPPF9 NPPF 2021 - Promoting sustainable transport

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date: **21st April 2023**

**5.2** Site Notice Expiry Date: Not applicable

## **6. Consultations**

### **External Consultees**

A total of 141 neighbouring properties were directly notified of the proposal on 21/03/23, 26/04/23 and 02/08/23. A site notice was also displayed at the site on 23/03/2023.

29 letters of objection have been received in response to consultation on the application. Those comments have been summarised below.

- 1) Units within the existing site have not been sold, so there is no need for additional units at the site;
- 2) The proposal would have an adverse impact on the local highways network, as well as pedestrian and vehicle user safety. Inadequate parking would be provided for users of the resulting building;
- 3) The development is for profit and it will devalue existing properties;
- 4) The area needs low cost affordable housing, no affordable housing is being provided. The proposed flats are not affordable at £300k for a single bedroom apartment;
- 5) We were not consulted on the application and should have been as residents and leaseholders of the building;
- 6) The proposed development would have an adverse impact on the amenities of residents within the existing building. It would also have an adverse impact on neighbouring properties in terms of overlooking;

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- 7) There are issues with the lift, windows and air within the existing building;
- 8) The resulting building would not be structurally sound as a result of the proposed development;
- 9) Additional flats will increase the service charge for existing residents;
- 10) Construction of the proposed development , would cause noise and disturbance to 2nd floor residents, as well as reductions in air quality due to construction dust. Construction materials may also contaminate residential water supplies;
- 11) Approval of the proposed development at the site breaches a clause within our lease which states that 'without tenant's prior consent, the landlord may not make variations that will substantially alter the size, quality, appearance or value of the Property to the Tenant's prior consent'. We do not give our consent;
- 12) The proposed development would have an adverse visual impact on the building and appearance of the area;
- 13) The proposed development conflicts with the Party Wall Act and Human Rights Act.
- 14) The proposal would put additional pressure on essential utilities like water supply, water pressure, sewage, drainage issues and gas supply.
- 15) Existing flats were sold without any energy rating and are inefficient, resulting in high bills for residents. New resident would be subjected to the same issues, Roof development must have solar panels to solve this issue and excess energy should be provided to existing residents.
- 16) Top floor properties within the block of flats were sold and purchased as top floor penthouses, the sale of those properties was misleading.

A petition with 26 signatures has also been received against the proposed development. The petition raises the following summarised points:

- i) The proposal would have an adverse visual impact on the High Street and existing building.
- ii) Roof top construction works would be hazardous to pedestrians and the general public
- iii) The proposal would have an adverse noise impact on residents below the proposed flats
- iv) The proposal would put additional pressure on essential utilities like water supply, water pressure, sewage, drainage issues and gas supply.
- v) The proposed windows and balconies would overlook neighbouring properties harming their amenities
- vi) Construction of the proposed development , would cause noise and disturbance to 2nd floor residents, as well as reductions in air quality due to construction dust.

Thames Water: Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

#### **PLANNING OFFICER COMMENTS:**

In relation to point 1, the sale of existing flats at the site is not a material planning consideration.

In relation to point 3, the motivations behind the proposed development are not a material planning consideration nor are property values.

In relation to point 4, the development is for 8 residential units and therefore there is no planning requirement to provide any affordable housing.

In relation to point 5, a site notice was placed at the site on 23/03/2023 and all residents of the building were consulted on 26/04/23. The applicant has also stated that they served notice on residents of the building on 31/03/23 and 26/04/23, giving them 21 days to respond. Residents were consulted again 02/08/23 following the receipt of amended plans.

In relation to point 7, the condition of the existing building is not a material planning consideration.

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In relation to point 8, the structural stability of the building is a matter to be addressed under the Building Regulations.

In relation to point 9, the service charge implications of the proposed development are not a material planning consideration.

In relation to point 10 and vi, construction works are temporary and therefore so are the associated impacts. The Environmental Protection Act (1990) and Pollution Act (1974) are in place to ensure that construction works are carried out in an appropriate and environmentally friendly manner. Notwithstanding the above, a condition requiring a construction logistics plan and construction management plan to be agreed with the Council has been recommended, in order to minimise the impacts of construction on neighbouring residents and the environment as far as practicable.

In relation to point 11 and 13, issues regarding clauses in leases are legal matters, as are issues regarding the Human Rights and Party Wall Act and not material planning considerations.

In relation to point 14 and iv, should the application be approved a condition is included to ensure that the proposal has an acceptable drainage impact. Water and Gas supply to existing residents are not material planning considerations.

Issues relating to points 2, 6, 12, i, ii, iii, and v are considered in the main body of the report.

In relation to point 15, energy ratings are not a material planning consideration, there is no statutory planning requirement for a development of this nature to provide solar panels, or for energy from those solar panels to be distributed to new or existing residents.

In relation to point 16, whilst the point is noted, the sale and marketing of existing properties is not a material planning consideration.

### **Internal Consultees**

DESIGN OFFICER:

The applicant has worked proactively during a pre-application process to optimise density in this local centre location. The principle of creating separate dormer windows slotted in the roofscape was accepted at the 2021 pre-application and is supported.

This full application has demonstrated that the amenity issues that potentially may have arisen from this form of development have been considered, these include:

- Provision of private amenity space. The proposal has provided policy compliant levels of private external amenity space. For units 41-44 these are provided solely by roof terraces /balconies and for units 37 to 40 by a mixture of private balconies and communal ground floor garden space.
- Protection of privacy for the neighbouring properties and occupiers. It has been demonstrated that the 21m window to window distance has been observed with the adjacent Chiltern House. Additionally, the balconies facing Chiltern House have been designed to prevent overlooking.
- Daylight/Sunlight. The daylight/sunlight report demonstrate there will be no negative impacts on the neighbouring properties.

Appearance

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The proposed materiality includes dormer window extensions in light grey aluminium panel, aluminium glazed door and windows to match the existing windows with a metal staircase surround. It is considered that the dormer window should be a darker grey to be visually recessive. The other materials are accepted. I would recommend a Condition to provide a sample of the grey aluminium panel proposed for the dormer roof extensions.

#### PLANNING POLICY OFFICER:

##### Housing mix

Policy DMH 2 of the Local Plan: Part 2 - Development Management Policies (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties. The London Plan defines family housing as "A dwelling that by virtue of its size, layout and design is suitable for a family to live in and generally has three, four, five, or more bedrooms."

The application relates to 8 residential units, comprising of:

- 4 x 1-bedroom units; and
- 4 x 2-bedroom units.

The applicant argues that the proposal would improve the overall housing mix on the site, which mainly comprises of 1 bed units. In this regard it is considered that the overall housing mix would gain some improvement as a result of the 4 x 2-bedroom units proposed. In this regard it is noted that one of the units is a 1 bedroom, 1 person unit. Paragraph 4.10.4 of the London Plan sets out that "one-person and one-bed units are the least flexible unit type". As such it is considered that the introduction of this unit is not necessarily ideal, and a more flexible unit would have been preferred.

Policy H10 of the London Plan sets out that schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme. However, paragraph A.6 of Policy H10 of the London Plan recognises that "the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity". It should be noted that the applicant argues that West Drayton has a PTAL rating between 3-6 on page 10 of the Planning Statement, however it should be noted that the application site has a PTAL rating of 3. Furthermore it is also noted that the application site is located in the town centre and the primary shopping area of Yiewsley and West Drayton.

As such overall, given the location within the town centre and primary shopping area it is considered that the housing mix is deemed to be broadly acceptable in this instance.

#### ACCESS OFFICER:

This proposal for 8 residential dwellings in the existing loft space has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the conversion of this existing dwelling constructed prior to the application of accessible housing standards. Conclusion: no objections raised from an accessibility perspective.

#### WASTE STRATEGY OFFICER:

Calculation of waste provisions is based on 120 litres of waste per bedroom (60L general waste, 60L

recyclables). Based on the 36 existing apartments, plus 12 more, there should be a minimum of 5 x 1280L containers on site. Residents should have a 50/50 split of general waste and recycling containers available, plus an additional space for the installation of a communal food waste unit with a minimum size of 140L.

#### HIGHWAYS OFFICER:

Vehicle access for the existing units and those proposed is from St Stephen's Road. The development fronts onto Yiewsley High Street with a pedestrian crossing immediately outside. To the south of the site is St Mathew's C of E Primary School. Pedestrians and cyclists do have a separate entrance to enter the proposals car park, though this appears permanently locked with a padlock. The car park contains cycle parking and refuse bins. The proposal will see the reallocation of 6no. on-site spaces currently used by existing occupiers to the residents of the new dwellings and a further 2no. spaces reallocated to visitors. There would be 14no. on-site cycle parking bays. No electric vehicle charging points would be provided for the reallocated spaces. Parking on St Stephen's Road is controlled by a parking management scheme Y1 that restricts the parking to residents that are permit holders only between Monday to Saturday 09:00 and 18:00h, parking is further restricted with the addition of disabled parking bays near to the site. The proposal site has a PTAL rating of 3 indicating that its access to public transport is moderate when compared to London as a whole suggesting that there will be some reliance on the private car for trip-making. The proposal site has convenient access to shops, services, facilities and transport links, with West Drayton Station only being c. 4min bus ride, c 6min walk and c. 2min bike ride.

The published London Plan 2021 Policy T6.1 Residential Parking requires that development proposals must comply with the relevant parking standards. For a development of this type, a 1no. x one-bed (1 person), 3no. x one-bed (2 person) and 4no. x two-bed with a PTAL ranking of 3 the maximum number of car parking spaces permitted would be 6no., therefore the proposed 8no. spaces would not be in accordance with policy. However, the Highway Authority would require that the remaining 2no. parking spaces that are to be used for visitor parking be reallocated to the existing dwellings. In practice it is anticipated that these spaces would be used residents on a first come first served basis rather than friends and family visiting.

For a development of this type to comply with the London Plan 2021 14no. long-stay and 3no. short-stay cycle parking bays would need to be provided on-site. The Highway Authority finds the 14no. long stay inadequate provision for a development of this type. Therefore, this contradicts the published London Plan 2021 Policy T5 Cycle which requires developments 'provide the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located and be in accordance with the minimum standards'. This issue can be addressed with a planning condition as there appears scope for this number to be increased.

As mentioned above the development will not be providing any on-site electric vehicle charging points. As required by the Highway Authority the on-site parking for residents would be revised to 6no. on-site spaces, as the development will only need to support these spaces with 2no. active electric charging point, with passive provision for all remaining space comply with policy. This contradicts the published London Plan 2021 Policy T6.1 Residential Parking which requires that '20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces'. This issue can be addressed with a planning condition.

There are no highway objections to this proposal subject the following:

The applicant enters a 1990 Town and Country Planning Act s.106 legal agreement with the council that prohibits future residents of the new dwellings from applying for a permit to join any parking management scheme in the vicinity of the site of the new development.

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Subject to the condition that the developer sends the Highway Authority plans showing 6no. allocated spaces to the new dwellings and 38no. allocated to the existing dwellings for approval. REASON to be in accordance with the published London Plan Policy T6.1 Residential Parking.

Subject to the condition that the applicant sends the Highway Authority evidence detailing that none of the 6no. spaces to be allocated to the proposed units are not already allocated to existing dwellings. REASON to be in accordance with the published London Plan 2021 Policy T2 Healthy Streets.

Subject to condition requiring the provision of 2no. active single socket electric vehicle charging point to serve 2no. on-site parking spaces, with passive provision for the rest. REASON to be compliant with published London Plan 2021 Policy T6.1 Residential Parking.

Subject to condition requiring the developer to send the Highway Authority plans showing accessible; sheltered and secure cycle parking for 17no. bicycles and refuge for approval. REASON to be in accordance with the published London Plan 2021 Policy T5.

#### AIR QUALITY OFFICER:

Whilst this is a minor planning application the air quality policy states that all development must be at least air quality neutral. This is particularly important in sensitive areas such as Air Quality Focus Areas as is the case with this development.

The GLA guidance requires a check on both the building emissions and the transport emissions to be able to conclude whether an application is air quality neutral or not. I have read the planning document and the transport statement and can confirm the following:

The energy source is confirmed as electric therefore there are no associated local building emissions;

The GLA Air Quality Neutral guidance states that, with minor applications, where new development includes new parking it can be assumed that the transport emissions benchmarks are met if the London Plan maximum parking standards are met. With this development the additional dwellings will be utilising the existing parking spaces at the site and the utilisation rate is 0.75 which meets the London Plan maximum. In this regards the development can be classified as air quality neutral.

From the above it can be concluded the development is policy compliant.

## **7. MAIN PLANNING ISSUES**

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

#### PRINCIPLE OF DEVELOPMENT:

The NPPF has a requirement to encourage the utilisation of brownfield sites for future development. The site comprises an existing residential building within a town centre location. In this location there are no in principle objections to the provision of additional residential accommodation on this brownfield site, subject to the development being in compliance with the Local Plan and all other material planning considerations.

Importantly, the proposal includes the delivery of new housing in the Borough, with positive social and economic benefits, this is material and weighs in favour of the proposed development in the planning balance.

The proposed development would also intensify the use of a small site and increase density in an Outer London location, as promoted by London Plan policies in broad terms.

#### HOUSING MIX:

Policy H10 of the London Plan (2021) states that applicants and decision-makers should have regard to the need for additional family housing. Family housing is defined within the glossary of the London Plan (2021) and advises that it must generally be of a size that has three or more bedrooms.

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floorspace.

Policy DMH 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

It is agreed with the Council's Planning Policy Officer (see section 6 of this report) that due to its town centre location and roof top siting, the proposed mixture of 4x 1 bedroom and 4x two bedroom properties is acceptable and in this instance, the provision of family sized accommodation is not considered to be necessary for the proposed development.

#### HOUSING SUPPLY

The Council is currently able to demonstrate a five-year supply of deliverable housing sites. As such, the 'tilted balance' as set out in paragraph 11(d) of the NPPF (2021) is not engaged.

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

Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 of the London Plan (2021) which states that Boroughs should proactively support well-designed new homes on small sites below 0.25 hectares in size.

Numerical densities are considered to be more appropriate to larger sites and what is considered of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the area, and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal. These issues are discussed in detail at sections 7.07 and 7.08 of this report where significant issues are raised indicating an overdevelopment of the site.

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

Paragraph 130 of the NPPF (2021) states 'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.

Hillingdon Local Plan Part 1: Strategic Policies (2012) Policy BE1 states 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.'

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: '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, 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.'

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-

emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

The proposed dormers would be located within the roof of a 3 storey building. Due to their roof top location they would have limited impact on the character and appearance of the area, when viewed from the street and other public vantage points. Furthermore, roof extensions and dormer like features are visible within the wider High Street, the proposal would therefore not be out of character.

The proposed dormers have been broken up so that they are no longer excessively wide and fit better within the existing pitched roof of the building. Each dormer would be set down from the ridge of the building and up from its eaves, forming proportionate and subordinate additions to its roofscape. The proposed balconies and privacy screens would be set back behind the eaves line, limiting their visual impact.

The proposed stairwell would be replacing an existing open stairwell structure, whilst larger and extending up to roof level, it would be significantly set back from the main road. This being the case the extension would have an acceptable impact on the character and appearance of the street and building.

Landscaping surrounding the building would remain as existing,

Overall and for the reasons mentioned above the proposed development would have an acceptable visual impact on the host building and surrounding area.

## **7.08 Impact on neighbours**

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

Due to their separation distance from neighbouring properties and location within the roof of the existing building, the proposed roof works would cause no loss of light or outlook to neighbouring properties. A daylight/sunlight assessment has been submitted in support of the application demonstrating this.

To the north of the site is Chiltern House. Several of the proposed dormers and balconies would face the block of flats and the habitable room windows of its occupiers at a distance of approximately 21m. Due to the separation distance the proposal would cause no loss of privacy or overlooking which would be harmful to the occupiers of the Chiltern House. Furthermore, windows exist on the lower floors of the existing building which provide views toward Chiltern House at a similar distance to that proposed.

To the south of the site are St Matthews Church and St Matthews Primary School. Several of the proposed dormers and balconies would face toward the sites at a distance of 7-15m. Privacy screens are proposed around the rear facing balconies to limit views that new residents would have toward the Church and School. The height and position of the proposed south facing flats is such that only limited views down into the playground would be available. Given that the church and school are already overlooked to a greater extent by existing flats on the lower storeys of Kirk House, it is not considered that there would be a material change in the sense of overlooking.

To the west of the site is 1 St Stephens Road. Several of the proposed dormers and balconies would

face toward the site at a distance of approximately 15m. Privacy screens are proposed around the balconies to ensure that the occupiers of 1 St Stephens Road are not subjected to harmful levels of overlooking or privacy loss.

To the east of the site is 112-116 High Street and Key House (No.106). At ground floor the buildings are in commercial/retail use. Their upper floors are in residential use (accessible off of Parkview). Several of the proposed dormers and balconies would face the mentioned sites at a distance of approximately 21-25m. Due to the separation distance the proposal would cause no loss of privacy or overlooking which would be harmful to the occupiers of the those sites. Furthermore, windows exist on the lower floors of the existing building which provide views toward those properties.

The site is located within a busy mixed use area. The existing block of flats comprises 36 individual units. The addition of 8 additional flats is not considered to cause any harmful increase in noise or disturbance above that which already exists at the site and the surrounding area, nor would it cause any harmful intensification in activity at the site when compared with its existing use.

Should the application be approved a condition requiring a construction management plan would be added to limit the impacts of the development on residents of the existing dwellings and those neighbouring.

Overall it is therefore considered that the proposed development would have an acceptable impact on neighbouring amenities.

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

### **INTERNAL AMENITY:**

Policy DMHB 16: 'Housing Standards' of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:

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, as set out in Table 5.1. The proposed accommodation schedule is as follows:

Flat 37 1bed, 2person, 55m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 38 2bed, 3person, 62.7m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 39 2bed, 3person, 68m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 40 1bed, 1person, 42m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 41 2bed, 3person, 68.2m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 42 1bed, 2person, 55.3m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 43 1bed, 2person, 55.3m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage  
Flat 44 2bed, 3person, 70.9m<sup>2</sup> of floorspace proposed with 2m<sup>2</sup> of storage

All flats meet or exceed the minimum standards set out in Table 5.1 in accordance with the requirements of Policy DHMB 16 of the Hillingdon Local Plan and Policy D6 of the London Plan 2021. Habitable rooms within each of the proposed flats would have adequate access to natural light and outlook. In this town centre location users of the flats would also have good access to shops and services.

It is recommended that a privacy screens be erected along the terrace side boundaries of flats 44 and

43 to ensure that there is privacy for occupiers of each of the new flats. The submitted plans as amended demonstrate that residents of the south facing flats would have a reasonable level of outlook from their rear balconies, additionally privacy screens have been reduced in height during the process of the application, further improving outlook from these flats.

This would be secured via condition should the application be approved.

Further to the above, the obscure glazed window on flat TF40 has been removed so its occupant has adequate outlook. A section plan of the flat has also been submitted showing that it would have adequate internal head space (712-P-301).

#### EXTERNAL AMENITY:

Policy DMHB 18 requires all new residential developments to provide good quality and usable private outdoor amenity space. A minimum of 20sqm should be provided for a 1 bed flat and 25sqm for a 2 bed flat.

Flat 37 - 1bed, 2person, 7.4sqm amenity space  
Flat 38 - 2bed, 3person, 11.2sqm amenity space  
Flat 39 - 2bed, 3person, 12sqm amenity space  
Flat 40 - 1bed, 1person, 2.6 sqm amenity space  
Flat 41 - 2bed, 3person, 25 sqm amenity space  
Flat 42 - 1bed, 2person, 21 sqm amenity space  
Flat 43 - 1bed, 2person, 21 sqm amenity space  
Flat 44 - 2bed, 3person, 25 sqm of amenity space

Each of the proposed flats would be provided with private balconies. Flats 41-44 would be provided with policy compliant external amenity space. Flats 37-40 would not. The development would therefore fail to provide a policy compliant amount of external amenity space for all future residents. However, given the constraints of the site and its town centre location, on balance it is not considered that the shortfall of amenity space would be sufficient to warrant refusal of the application. It should also be noted that the Yiewsley Recreation Ground and the Grand Union Canal are both within 150m walking distance of the site and so outdoor space would be available close at hand for future residents.

It was initially proposed to create an external amenity space for residents where the building fronts onto High Street, replacing a space currently taken up by landscaping. However, given the proximity to existing ground floor flats and the High Street itself, it was considered that this would be poor quality amenity space. As such the applicant has agreed to retain the existing landscaping.

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

##### PARKING AND TRIP GENERATION:

Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states: 'Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrians are satisfactorily accommodated in the design of highway and traffic management schemes;

iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and  
v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.'

Policy DMT 5 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:

'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, including:  
i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;  
ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;  
iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and  
iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.'

Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states:

'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or  
ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

The Mayor of London adopted a new and revised London Plan in March 2021, consequently the car parking standards set out in the London Plan take precedence over those in the Local Development Plan, except where the Local Plan specifies lower local maximum standards.

#### **PARKING:**

44 parking spaces exist at the site for its existing 36x 1 bed flats. A surplus of 8 parking spaces therefore exists. Policy D6 of the London Plan (2021) advises that for a development of this type (1 x one-bed flat (1 person), 3x one-bed flat (2 person) and 4 x two-bed flat (3 person) in an area with a PTAL ranking of 3, the maximum number of car parking spaces permitted should be 6. The proposed development proposes to allocate 6 of the surplus 8 spaces which exist at the site for new residents. The remaining 2 would be for visitors and this is considered to be acceptable. A condition has been added requiring a parking allocation plan to ensure that new and existing residents have a parking space.

#### **ELECTRIC CHARGING POINTS:**

Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. If planning permission were to be granted, EVCP provision could be secured by condition.

#### **BICYCLE PARKING:**

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of cycle parking facilities for new residential units. 17 cycle parking spaces are required for a development of this nature (14 long stay and 3 short stay). 15 spaces are shown on the proposed plans. If planning permission were to be granted and additional 2 cycle storage spaces could be secured by condition, so that 17 are supplied for the proposed development.

#### REFUSE/RECYCLING COLLECTION:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. 4x 1280 ltr communal bins exist at the site for existing residents. An additional Bin for new residents could be secured via condition, alongside recycling and food waste facilities.

#### ACCESS AND INTERNAL ARRANGEMENTS:

The proposed parking arrangement and access to the site would remain as existing.

#### CONSTRUCTION:

Had the application been recommended for approval a condition would have been added requiring a construction management/logistics plan to ensure that the impact of constructing the proposed development on traffic as well as pedestrians, neighbours and road user safety is minimised.

Overall, subject to the aforementioned conditions, it is concluded that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

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

These issues are covered in other sections of the report.

### **7.12 Disabled access**

Policy D7 of the London Plan is not applicable to conversions/extensions and no objection has been raised by the Council's Access Officer.

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

Not applicable to this application.

### **7.14 Trees, landscaping and Ecology**

Policy DMHB 14: 'Trees and Landscaping' of the Hillingdon Local Plan Part 2: Development Management Policies (2020) requires:

- 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.
- C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.



D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

Sited within the roof of the building the proposed development would have no adverse impact upon any of the small trees located within or surrounding the site. Landscaping surrounding the site would remain as existing as such the development would have no adverse visual impact on the character and appearance of the area.

### **7.15 Sustainable waste management**

Discussed in other sections of this report.

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

Policy SI 2 of the London Plan (2021) states residential development should achieve at least a 10% improvement beyond Building Regulations 2013.

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets.

In the event of an approval, a condition would be secured requiring the proposed development to achieve an energy efficiency standard of 10% CO<sub>2</sub> improvement over Building Regulations requirements Part L 2013 (TER Baseline).

Also, a condition would be secured requiring the proposed development to achieve as a minimum, a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the option requirement defined within Approved Document G of the Building Regulations).

Subject to the above conditions, the proposal would be compliant with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy SI 2 of the London Plan (2021).

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

Policy SI12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. Policy DMEI 10 states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

The application site is located in Flood Zone 1 where there is a low probability of risk of flooding from rivers or seas. As such, all forms of development including residential development (which is classified as a 'more vulnerable use') is acceptable in this location, in terms of fluvial flood risk.

In the event of an approvable scheme, a sustainable water management scheme would be secured by condition to ensure compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

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

#### **NOISE:**

Issues regarding the developments noise impacts have been discussed in section 7.8 of this report.

Should the application be approved a condition requiring a construction management plan would be recommended, in order to ensure construction noise and disturbance during the construction phase is minimised as far as practicable.

Necessary compliance with Approved Document Part E1 'Resistance to the passage of sound' of the Building Regulations 2010 would ensure that adequate noise insulation is installed between existing flats and new flats. The proposed flats would therefore cause no significant adverse noise impacts to flats below.

#### **AIR QUALITY:**

The energy source is confirmed as electric therefore there are no associated local building emissions. The GLA Air Quality Neutral guidance states that, with minor applications, where new development includes new parking it can be assumed that the transport emissions benchmarks are met if the London Plan maximum parking standards are met. With this development the additional dwellings will be utilising the existing parking spaces at the site and the utilisation rate is 0.75 which meets the London Plan maximum. In this regards the development can be classified as air quality neutral. The proposed development would therefore be acceptable in terms of its air quality impacts. The councils Air Quality Officer has raised no objection to the proposed development.

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

The issues raised during the consultation process have been addressed in the sections above.

### **7.20 Planning obligations**

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre. The proposal involves the erection of new dwellings and is therefore CIL liable.

Should the application be recommended for approval a section 106 legal agreement is required to restrict future residents from applying for parking permits. The applicant has shown willingness to enter into the agreement and planning permission will not be granted until the agreement is in place.

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

Not applicable to this application.

### **7.22 Other Issues**

No other issues raised.

## **8. Observations of the Borough Solicitor**

### **General**

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

### **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

### **Planning Obligations**

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

### **Equalities and Human Rights**

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

## **9. Observations of the Director of Finance**

Not applicable.

## **10. CONCLUSION**

Subject to conditions and a legal agreement restricting future residents from applying for parking permits, it is considered that the proposed development would cause no harm to the character and appearance of the area or building, nor would it cause harm to neighbouring amenities, the local highways network or the amenities of future residents.

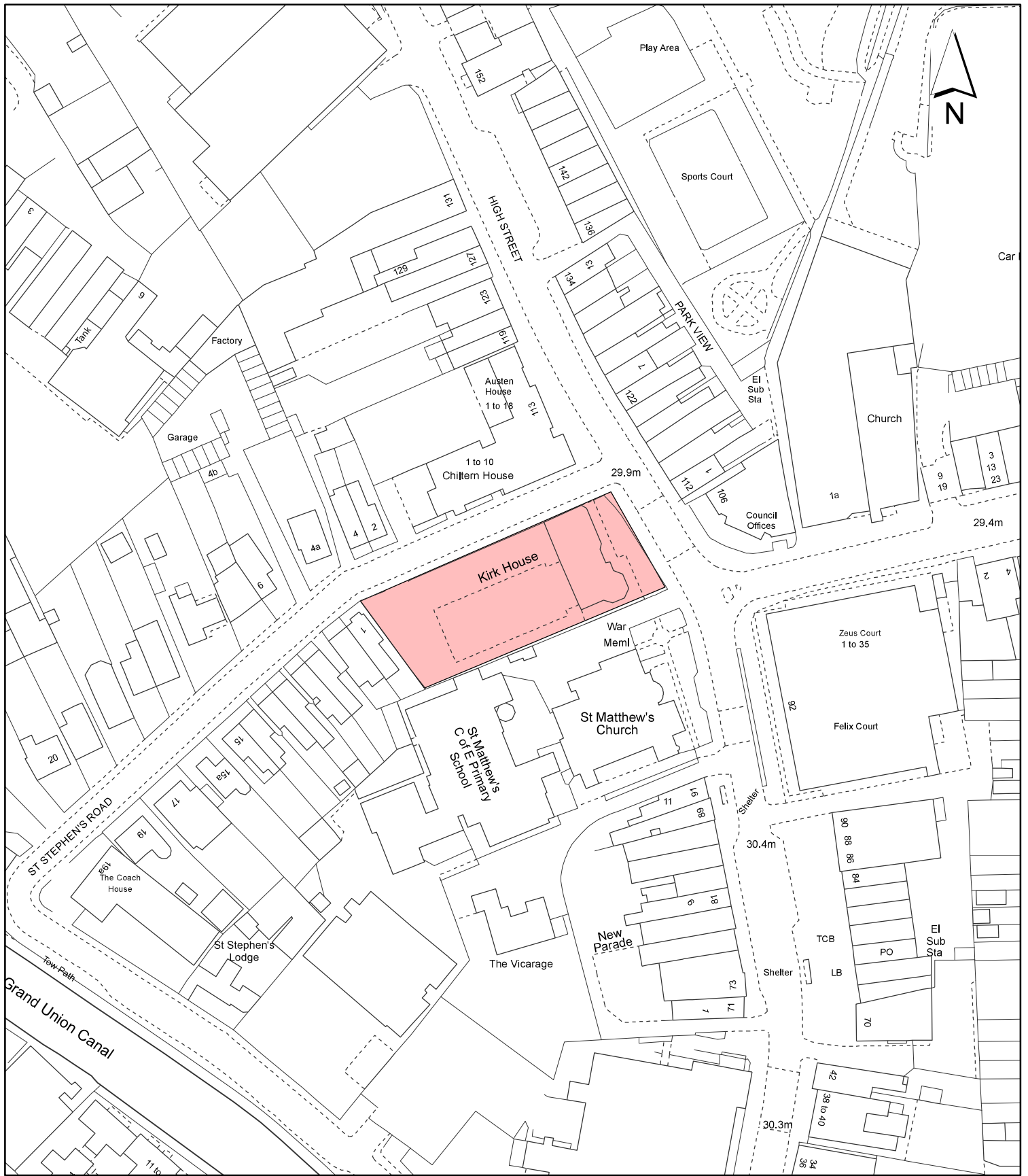
Whilst the development would fail to provide an adequate amount of external amenity space for the future residents of four of the flats. it would still provide some private amenity space for those residents. Furthermore, the benefits of the scheme (which include the provision of 8 additional dwellings, stimulation of the local economy and the intensification of use of a previously developed site in a town centre location, for additional residential development which is supported by the Local Plan, NPPF and London Plan) are considered to outweigh the minor policy departure.

On balance the development is therefore considered to be acceptable and is recommended for approval.

## **11. Reference 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)

**Contact Officer:** Haydon Richardson      **Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Kirk House,  
 97 High Street**

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

Planning Application Ref:  
**32928/APP/2023/753**

Scale:  
**1:1,250**

Planning Committee:  
**Borough**

Date:  
**September 2023**

