

Report of the Head of Development Management and Building Control

Address: 579-583 UXBRIDGE ROAD HAYES

Development: An application submitted under Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 (Approved Drawings) and 3 (General Compliance with Supporting Documentation) of planning permission reference 72470/APP/2016/4648, dated 02-10-2019, for the demolition of 3 dwellinghouses and redevelopment of the site to provide residential accommodation within 2 new buildings with associated access, parking, landscaping and amenity space. The amendment sought is to increase the number of dwellings by two, amendments to the vehicle and cycle parking provision.

LBH Ref Nos: 72470/APP/2023/747

Drawing Nos: PL-493
PL-260 Rev A
PL-250 (Mar 2022)
FVA Appendix 1- Signed S106 Agreement (30-09-19)
FVA Appendix 2 - Schedule of Accommodation Comparison
FVA Appendix 3 - DVS Development Appraisal 1658265/AM 25/05/18
FVA Appendix 4 - Extant Plans
FVA Appendix 5 - HCA Development Appraisal Model (08-03-23)
FVA Appendix 6 - Proposed Sales Comparables
FVA Appendix 7 - Costs
Transport Statement 10231 Rev C
WD 100 Rev. G
WD 190 Rev. F
PL-490
PL-491
PL-492
FVA Appendix 9 - HCA DAT
Tomkins Davis Market Report
Viability Report and Financial Viability Assessment March 2023
Planning Statement 22-03-2023
PL-210B (July 2017)

Date Plans received:	13-03-2023	Date(s) of Amendments(s):	22-03-2023
Date Application valid	24-04-2023		14-03-2023

1. SUMMARY

Hillingdon Planning Committee - 1st November 2023

PART 1 - MEMBERS, PUBLIC & PRESS

The application seeks a variation to Condition 2 (Approved Drawings) and Condition 3 (General Compliance with Supporting Documents) of planning application reference 72470/APP/2016/4648, dated 2-10-19, which granted consent for 'Demolition of 3 dwellinghouses and redevelopment of the site to provide residential accommodation within 2 new buildings with associated access, parking, landscaping and amenity space'. The consented scheme was for 21 flats (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) within two blocks. The Blocks were named Block H, which is located to the rear of the site, and Block A3 located adjacent to Uxbridge Road.

The above consent has been previously amended by s73 application reference 72470/APP/2022/114, dated 23-12-22, which approved alterations to the external appearance and internal arrangement of Block A3. No change to the unit number or mix was proposed as part of those amendments.

The purpose of the current application is to amend the scheme to introduce 2 additional 1 bed units on the ground floor of Block A3. Minor amendments to the layout of the car park and cycle parking are also proposed. To facilitate the increase in units, the proposed floor plans would be amended to reduce the internal floor space of two of the 3 bed units currently consented on the ground floor of Block A3. This cumulatively creates adequate internal space for 2 x 1 bed units, whilst retaining the 3 bed units.

The proposed amendments to the internal layout and the introduction of additional housing units are considered to be minor in scale and nature and as such, this application is recommended for approval. The proposed changes to the layout of the car park as submitted are not deemed to be acceptable as set out in the report, and therefore these elements are proposed to be secured by condition.

2. RECOMMENDATION

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

The original application secured the following obligations, a Deed of Variation is required to update the planning consent reference which the agreement is to be attached to. However there are no additional HOT's:

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:

i) Highways Works S278/S38 as required by the highways engineer and to be completed prior to occupation (including reinstatement of footway and crossover);

ii) Car parking allocation and management scheme for this development site and the adjoining Kingswood Place (land edged blue on Drawing no PL-100). The scheme shall secure no net loss of car parking across both development sites and a car parking management scheme for all future residents within the developments;

iii) Prohibit future residents of the development from obtaining parking permits, season tickets or car park permits within existing or future Parking Management Schemes (excluding blue badge holders).

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

v) Construction Training: either a contribution equal to the formula (£2,500.00 for every £1m build cost + Coordinator Costs £9,600.00 or an in kind scheme) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered.

vi) Affordable Housing Review Mechanism.

vii) Pedestrian Access into Rosedale Park.

Monetary contributions:

viii) Air Quality Mitigation Contribution: £22,859;

ix) Local Park Improvements £6,111;

x) Affordable Housing Contribution of £151,600;

xi) Carbon offsetting contribution of £27,900, or an amended contribution as required resulting from the revised Energy Assessment; and

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

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

C) If the Legal Agreements have not been finalised within 6 months (or such other time frame as may be agreed by the Director of Planning, Regeneration and Environment), delegated authority be given to the Director of Planning, Regeneration and Environment to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of highways, car parking, travel plan, construction training, affordable housing, air quality and carbon offset). The proposal therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); the adopted Planning Obligations Supplementary Planning Document (July 2014); Policy DF1 of the London Plan (2021); and paragraphs 54-57 of the National Planning Policy Framework (July 2021).'

D) That subject to the above, the application be deferred for determination by the Director of Planning, Regeneration and Environment under delegated powers, subject to completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate

powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to changes negotiated by the Director of Planning, Regeneration and Environment prior to issuing the decision.

1. COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans referenced below and shall thereafter be retained/maintained for as long as the development remains in existence:

PL-100A Location Plan
PL-260 Rev A Block A3 - Proposed Ground Floor Plan
PL-251 Rev A Block A3 - Proposed First Floor Plan
PL-252 Block A3 - Proposed Second Floor Plan
PL-490 Block A3 - Proposed North Elevation
PL-491 Block A3 - Proposed Side (East) Elevation
PL-492 Block A3 Proposed Rear (South) Elevation
PL-493 Block A3 - Proposed Side (West) Elevation
PL-412A Block H - Elevations
PL-213 Block H Proposed Plans

REASON

In the interests of proper planning, and to ensure the approved development complies with the provisions of the London Plan (2021), the Hillingdon Local Plan: Strategic Policies (2012), and the Hillingdon Local Plan: Development Management Policies (2020).

2. COM5 General compliance with supporting documentation

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

Ground Investigation Desk Study Report
Planning Design and Access Statement August 2017
Planning Statement 22-03-2023
Transport Statement 10231 Rev C
Accommodation Schedule - 28-06-2018 (part replaced by FVA Appendix 2 - Schedule of Accommodation Comparison 14-03-23)

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

REASON

In the interests of proper planning, and to ensure the approved development complies with the provisions of the London Plan (2021), the Hillingdon Local Plan: Strategic Policies (2012), and the Hillingdon Local Plan: Development Management Policies (2020).

3. COM7 Materials (Submission)

The proposed development hereby permitted shall be constructed in accordance with the material

details approved application reference 72470/APP/2021/379, dated 06-12-21.

REASON

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

4. RES9 Landscaping (including refuse/cycle storage)

Prior to the occupation of Block A3, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage (to be covered and secure)

2.b Parking:

- Up to 78 cars (two visitor spaces; up to 21 spaces for Blocks A3 and H hereby approved; 55 spaces for Kingswood Place)
- demonstration that parking spaces are served by 4 active electric vehicle charging points and 4 passive electric vehicle charging points
- 2 disabled parking spaces
- 1 motorcycle/scooter parking space
- 43 cycle parking spaces

2.c Hard Surfacing Materials

2.d External Lighting

2.e Refuse storage and management plan

3. Details of Landscape Maintenance

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

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

Thereafter the approved details shall be implemented prior to first occupation of the flats in full accordance with the approved details and shall be retained thereafter.

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, DMT 5 and DMT 6 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies SI 7, T6 and T6.1 of the London Plan (2021).

5. NONSC Means of enclosure/boundary treatments

The development hereby permitted shall be constructed in accordance with the boundary treatment details approved under planning application reference 72470/APP/2021/379, dated 06-12-21.

REASON

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

6. NONSC Non Standard Condition

The development hereby permitted shall be constructed in accordance with the balustrade details approved under planning application reference 72470/APP/2021/379, dated 06-12-21.

REASON

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

7. NONSC Overlooking

The development hereby permitted shall be constructed in accordance with the privacy details approved under planning application reference 72470/APP/2021/379, dated 06-12-21.

REASON

To safeguard the amenity of future occupiers in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Development Management Policies (2020).

8. NONSC Non Standard Condition

Prior to the occupation of Block A3, a revised and appropriately detailed energy assessment for the 23 units shall be submitted to and approved by the Local Planning Authority. The assessment shall set out the annual baseline regulated energy demand (kwhr) as per 2021 Building Regulations (or subsequent amendments) and associated carbon emissions (kgCO₂ and tCO₂). The assessment shall then set out the measures and technology required to achieve at least the 35% carbon reduction in the CO₂ 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 (tCO₂) of the zero carbon standard. The development must proceed in accordance with the approved updated Energy Assessment.

REASON

To ensure the development achieves zero carbon in accordance with Policy SI2 of the London Plan (2021).

9. NONSC Protection from Ingress of Polluted Air

Prior to the occupation of Block A3, a scheme designed to minimise the ingress of polluted air shall be submitted for approval in writing by the Local planning Authority. The design must take into account climate change pollutants. Any suitable ventilation systems will need to address the following:

- Take air from a clean location or treat the air and remove pollutants;
- Be designed to minimise energy usage;
- Be sufficient to prevent summer overheating;
- Have robust arrangements for maintenance.

Thereafter and prior to occupation, the scheme shall be completed in strict accordance with the

approved details and thereafter maintained for the life of the development.

REASON

In order to safeguard the amenity of the occupiers of the proposed development, in accordance with Policy SI 1 of the London Plan 2021).

10. NONSC Accessibility

Prior to the occupation of Block A3, details of the following shall be submitted for approval in writing by the Local planning Authority:

1. A drop-off point for door-to-door service providers, to include large Dial-A-Ride vehicles;
2. The design of accessible parking spaces, for residents and visitors, should cater for high sided vehicles with side and rear wheelchair access;
3. A fire strategy which demonstrates adequate means of escape for wheelchair users, and other persons unable to escape using the staircase;
4. Details of at least one ensuite bathroom connected to the largest bedroom which includes a level access shower shall to be provided onsite.

The development must proceed in accordance with the approved details and retained thereafter.

REASON

To ensure that an appropriate standard of housing stock, in accordance with Policies D5 and D6 of the London Plan (2021).

11. OM19 Construction Management Plan

The development hereby permitted shall be constructed in accordance with the construction management details approved under planning application reference 72470/APP/2021/379, dated 06-12-21.

REASON

To safeguard the amenity of surrounding areas in accordance with Policies DMHB 11 and DMT 2 of the Hillingdon Local Plan: Development Management Policies (2020).

12. DIS2 Access to Buildings for People with Disabilities

The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwellings, with all remaining units designed to the standards for Category 2 M4(2) dwellings, 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 Policies D5 and D6 of the London Plan (2021).

13. RES15 Sustainable Water Management

The development hereby permitted shall be constructed in accordance with the SUDS details approved under planning application reference 72470/APP/2021/379, dated 06-12-21.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policies DMEI 10 of the Hillingdon Local Plan: Development Management Policies (2020) and Policy SI 13 of the London Plan (2021).

14. RES26 Contaminated Land

If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Development Management Policies (2020).

15. COM28 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Development Management Policies (2020).

16. RES22 Parking Allocation

Block A3 shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the life-time of the development.

REASON

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

To ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan: Development Management Policies (2020) and Policy D11 of the London Plan (2021).

18. NONSC Imported Soils

No soils shall be imported to the site until information on their source, the results of any soil analysis, and an assessment of their suitability for use has been submitted to and agreed in writing by the Local Planning Authority.

Prior to their import onto site, a suitable methodology for testing soils following their import and placement on the site should be submitted to and agreed in writing by the Local Planning Authority.

The methodology should include:

- (i). The sampling frequency
- (ii). Testing schedules
- (iii). Criteria against which the analytical results will be assessed (as determined by the risk assessment) The agreed methodology shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Development Management Policies (2020).

19. NONSC Noise

The development hereby permitted shall be constructed in accordance with the details approved under planning application reference 72470/APP/2021/379, dated 06-12-21. In addition, the two additional units hereby approved shall be constructed to the same standards as those which are subject to the details approved under planning reference 72470/APP/2021/379.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with Policy D14 of the London Plan (2021).

20. NONSC Noise

The development hereby permitted shall be constructed in accordance with the details approved under planning application reference 72470/APP/2021/379, dated 06-12-21.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic noise in accordance with Policy D14 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. I58 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

3. I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4. 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 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.

5. I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

6. I21 Street Naming and Numbering

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

7. I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

8. I45 Discharge of Conditions

Your attention is drawn to the prior to occupation conditions which must be discharged prior to the occupation of the development. You will be in breach of planning control should you allow occupation prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

9.

You are advised that the planting zone at the front boundary is not wide enough to accommodate pleached trees.

10. I48 Refuse/Storage Areas

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

11. I60 Cranes

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

12.

You are encouraged to ensure that facilities are provided to enable the easy watering of the roof garden, including any allotment facilities which might feature in the final landscaping details, and to ensure such facilities maximise opportunities for the re-use of rainwater.

13.

You are advised that no doors or gates should be installed which open out of the public highways as these may contravene The Highways Act 1980 (as amended).

14. I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

15.

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

16.

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 'Saved' UDP 2007, Local Plan Part 1, 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.

I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 2	Reducing Carbon Emissions
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm

DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP D11	(2021) Safety, security and resilience to emergency
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
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 G5	(2021) Urban greening
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 H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP H7	(2021) Monitoring of affordable housing
LPP H8	(2021) Loss of existing housing and estate redevelopment
LPP SI1	(2021) Improving air quality
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI5	(2021) Water infrastructure
LPP SI7	(2021) Reducing waste and supporting the circular economy
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T9	(2021) Funding transport infrastructure through planning
NPPF12	NPPF 2021 - Achieving well-designed places

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a partially-completed residential development on the south side of Uxbridge Road, within a predominantly residential area characterised by a mixture of contemporary flatted development, detached and semi-detached residential dwellings in large plots fronting directly towards Uxbridge Road.

3.2 Proposed Scheme

On the 2nd of October 2019 planning permission was granted for the demolition of 3 existing houses and replacement with 21 flats located within two blocks (Blocks A3 and H). The flats would comprise of 3 studio units, 4 one-bed units, 10 two-bed units and 4 three-bed units.

The proposal seeks permission for an additional 2 x 1 bedroom flats by reducing the internal space of two of the consented 3 bedroom units on the ground floor of Block A3. Although the internal space of the two 3 bed units would be reduced these units would still comply with the minimum space standard requirements.

Minor amendments are proposed to the layout of the car park, though the quantum of car parking would remain the same. Cycle parking would be increased from 36 to 43, which would bring the proposed level up to the London Plan (2021) standards.

3.3 Relevant Planning History

72470/APP/2016/4648 579-583 Uxbridge Road Hayes

Demolition of 3 dwellinghouses and redevelopment of site to provide 21 (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) units within 2 new buildings with associated access, parking, landscaping and amenity space

Decision: 12-09-2018 Approved

72470/APP/2019/3360 579-583 Uxbridge Road Hayes

Details pursuant to Conditions 4 (levels), 5 (Materials), 6 (Landscaping), 8 (Position, height and materials for balustrades), 9 (Overlooking), 10 (Protection from Ingress of Polluted Air), 11(Accessibility), 12 (Construction Management Plan), Condition 13 (Access to Buildings for People with Disabilities), Condition 14 (Sustainable Water Management), Condition 15 (Contaminated Land), Condition 17 (Parking Allocation Scheme), Condition 18 (Secured by Design), Condition 19 (Importing of Soils), Condition 20 (External Noise) and Condition 21 (Sound Insulation) of planning ref: 72470/APP/2016/4648 dated 02.10.19 for demolition of 3 dwelling houses and redevelopment of site to provide 21 dwellings within 2 new buildings with associated access, parking, landscaping and amenity space

Decision: 06-12-2019 Refused

72470/APP/2020/474 579-583 Uxbridge Road Hayes

Details pursuant to Conditions 5 (External Materials), 6 (Landscaping), 7 (means of enclosure), 8 (balustrades), 9 (overlooking), 12 (construction management plan), 14 (sustainable water management), 17 (car parking allocation), 20 (external noise) and 21 (sound insulation) of planning ref: 72470/APP/2016/4648 dated 04-09-17 for the demolition of 3 dwelling houses and redevelopment of site to provide 21 residential units within 2 new buildings with associated access parking, landscaping and amenity space.

Decision: 14-04-2020 Refused

72470/APP/2021/379 579-583 Uxbridge Road Hayes

Details pursuant to Condition 5 (Materials), 7 (Means of Enclosure), 8 (Position and Materials of Balustrade), 9 (Overlooking), 12 (CMP), 14 (sustainable drainage) 17 (parking allocation), 20 (External Noise), 21 (Sound insulation) of planning permission ref: 72470/APP/2016/4648 dated 02-10-2019 for the demolition of 3 dwellinghouses and redevelopment of site to provide 21 (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) units within 2 new buildings with associated access, parking, landscaping and amenity space).

Decision: 06-12-2021 Approved

72470/APP/2022/102 579-583 Uxbridge Road Hayes

Non-Material Amendment Application submitted under Section 96A of the Town and Country Planning Act 1990 (as amended), to application reference 72470/APP/2016/4648, dated 02-10-2019, for the demolition of 3 houses and redevelopment of the site to provide 21 flats, with associated access, parking, landscaping and amenity space. The amendments sought are the removal of the false gable and its replacement with a gable wall and roof on the south elevation, changes to window units, and changes to the roof ridge height of Block A3.

Decision: 10-05-2022 Refused

72470/APP/2022/114 579-583 Uxbridge Road Hayes

An application submitted under Section 73 of the Town and Country Planning Act 1990 to vary condition 2 (Approved Drawings) of planning permission reference 72470/APP/2016/4648, dated 02-10-19, for the demolition of 3 dwellinghouses and redevelopment of site to provide 21 (3x studio, 4x1bed, 10x2 bed and 4x3 bed) units with associated access, parking, landscaping and amenity space.

Decision: 23-12-2022 Approved

72470/APP/2022/369 579-583 Uxbridge Road Hayes

Details pursuant to condition 5 (Materials) of planning permission reference 72470/APP/2016/4648, dated 2-10-19, for the demolition of 3 dwellinghouses and redevelopment of the site to provide 21 (3x studio, 4x1bed, 10x2 bed and 4x3 bed) units with associated access, parking, landscaping and amenity space.

Decision: 10-05-2022 Refused

72470/APP/2022/370 579-583 Uxbridge Road Hayes

Details pursuant to condition 6 (Landscaping) of planning permission reference 72470/APP/2016/4648, dated 2-10-19, for the demolition of 3 dwellinghouses and redevelopment of the site to provide 21 (3x studio, 4x1bed, 10x2 bed and 4x3 bed) units with associated access, parking, landscaping and amenity space.

Decision: 10-06-2022 Approved

72470/APP/2023/285 579-583 Uxbridge Road Hayes

Non-Material Amendment Application submitted under Section 96A of the Town and Country Planning Act 1990 (as amended), to amend application reference 72470/APP/2016/4648, dated 02-10-2019, so that the description of development changes from "Demolition of 3 dwellinghouses and redevelopment of the site to provide 21 (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) units within 2 new buildings with associated access, parking, landscaping and amenity space" to "Demolition of 3 dwellinghouses and redevelopment of the site to provide residential accommodation within 2 new buildings with associated access, parking, landscaping and amenity space."

Decision: 08-03-2023 Approved

Comment on Relevant Planning History

72470/APP/2016/4648 - Demolition of 3 dwellinghouses and redevelopment of site to provide 21 (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) units within 2 new buildings with associated access, parking, landscaping and amenity space. Approved 12.09.18

72470/APP/2022/114 - An application submitted under Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 (Approved Drawings) of planning permission reference 72470/APP/2016/4648, dated 02-10-19, for the demolition of 3 dwellinghouses and redevelopment of site to provide 21 (3x studio, 4x1bed, 10x2 bed and 4x3 bed) units with associated access, parking, landscaping and amenity space, for alterations to the external appearance and internal arrangement of Block A3. Approved 23-12-22

72470/APP/2023/285 - Non-Material Amendment Application submitted under Section 96A of the Town and Country Planning Act 1990 (as amended), to amend application reference 72470/APP/2016/4648, dated 02-10-2019, so that the description of development changes from "Demolition of 3 dwellinghouses and redevelopment of the site to provide 21 (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) units within 2 new buildings with associated access, parking, landscaping and amenity space" to "Demolition of 3 dwellinghouses and redevelopment of the site to provide residential accommodation within 2 new buildings with associated access, parking, landscaping and amenity space." Approved 08-03-23

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:

Hillingdon Planning Committee - 1st November 2023

PART 1 - MEMBERS, PUBLIC & PRESS

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The London Plan (2021)
The West London Waste Plan (2015)

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.BE1 (2012) Built Environment
PT1.CI1 (2012) Community Infrastructure Provision
PT1.E5 (2012) Town and Local Centres
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM1 (2012) Sustainable Waste Management
1
PT1.EM6 (2012) Flood Risk Management
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.H1 (2012) Housing Growth
PT1.H2 (2012) Affordable Housing

Part 2 Policies:

DMT 1 Managing Transport Impacts
DMT 2 Highways Impacts
DMT 5 Pedestrians and Cyclists
DMT 6 Vehicle Parking
DMHB 11 Design of New Development
DMHB 12 Streets and Public Realm

Hillingdon Planning Committee - 1st November 2023

PART 1 - MEMBERS, PUBLIC & PRESS

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMH 7 Provision of Affordable Housing

DMEI 2 Reducing Carbon Emissions

DMEI 10 Water Management, Efficiency and Quality

DMEI 11 Protection of Ground Water Resources

DMEI 12 Development of Land Affected by Contamination

DMCI 7 Planning Obligations and Community Infrastructure Levy

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

LPP GG4 (2021) Delivering the homes Londoners needs

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 D11 (2021) Safety, security and resilience to emergency

LPP D13 (2021) Agent of change

LPP D14 (2021) Noise

LPP H1 (2021) Increasing housing supply

LPP H4 (2021) Delivering affordable housing

LPP H5 (2021) Threshold approach to applications

LPP H6 (2021) Affordable housing tenure

Hillingdon Planning Committee - 1st November 2023

PART 1 - MEMBERS, PUBLIC & PRESS

- LPP H7 (2021) Monitoring of affordable housing
- LPP H8 (2021) Loss of existing housing and estate redevelopment
- LPP H10 (2021) Housing size mix
- LPP G5 (2021) Urban greening
- LPP G7 (2021) Trees and woodlands
- LPP SI1 (2021) Improving air quality
- LPP SI2 (2021) Minimising greenhouse gas emissions
- LPP SI5 (2021) Water infrastructure
- LPP SI7 (2021) Reducing waste and supporting the circular economy
- LPP SI13 (2021) Sustainable drainage
- LPP T4 (2021) Assessing and mitigating transport impacts
- LPP T5 (2021) Cycling
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking
- LPP T9 (2021) Funding transport infrastructure through planning
- NPPF12 NPPF 2021 - Achieving well-designed places
- NPPF5 NPPF 2021 - Delivering a sufficient supply of homes

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: 25th May 2023

5.2 Site Notice Expiry Date: 19th September 2023

6. Consultations

External Consultees

PUBLIC CONSULTATION

Letters dated the 24-04-23 were sent to 61 neighbouring properties, a site notice was displayed outside the site on the for a period of 21 days and a press notice was advertised in a local newspaper. A further consultation was issued following a minor change to the description of development.

All methods of consultation expired 19-09-23 and no responses were received.

Transport for London (TfL)

Further to Planning permission being granted in 2016 for 21 dwelling houses following the demolition of 3 dwelling houses, the applicant seeks to amend the ground floor accommodation of Block A3 to provide 23 dwellings. A Ratio of 1:1 car parking spaces to dwelling is proposed to be retained. The site is currently under construction.

The application site is situated on A4020 Uxbridge Road, which forms part of the Strategic Road Network (SRN). The site has a PTAL of 3. There is a segregated cycleway traversing the Uxbridge Road frontage.

TfL offers the following comments:

As highlighted in our response to the previous application (72470/APP/2016/4648), the proposed car parking ratio of 1:1 is excessive and not in line with London Plan standards; it is unclear if the ratio includes visitor parking spaces. The London Plan car parking standards under Policy T6 has set out clearly units with 1-2 beds should be provided with less than 1 space per unit. Therefore, the applicant should reduce parking provision at this site. As a minimum, the applicant should not be seeking to provide any additional parking as part of this proposal and removing the three visitor parking spaces indicated. This level of parking provision coupled with the under provision of cycle parking as referred to below, appears to be encouraging the continued use of car over that of sustainable and active modes, as such not supporting a strategic modal shift in line with Policy T1. It is noted that the existing associated development have already been provided with visitor spaces, therefore no further visitors spaces should be provided as part of this planning application. As highlighted above, the preference is for the existing visitor parking spaces to be removed. As requested within our previous response to the planning application at this site, a permit-free agreement should be secured through the appropriate mechanism.

Electric vehicle charging points should be provided for the site, with 20% active and 80% passive provision from the on-set, this should be secured by condition.

All future residents shall be excluded eligibility for local car parking permits, this should be secured by appropriate legal agreement.

The proposed provision of 36 cycle parking spaces is below the minimum London Plan cycle parking standards identified in Policy T5, which requires all units with 2 beds or above be provided with at least 2 spaces. Consequently, the proposed development MUST include a minimum of 43 long term residential cycle spaces. The cycle storage should be secured, covered and be located conveniently for cyclists access in line with London Cycle Design Standards, also referred to in Policy T5. At least 20% of spaces must be "Sheffield" type.

A travel plan should be secured to promote the use of active travel, this should be secured planning obligation.

A delivery & servicing plan should be implemented and be submitted for Council's approval prior to first occupation.

A construction management and logistics plan (CMLP) shall be produced in accordance with TfL's CLP guidance and be submitted for Council's approval prior to construction commences on site. The CMLP shall include but not limited to measures to rationalise construction vehicles activities, minimise risks of conflicts between other road users on the highway network as well as on site, in particular pedestrians and cyclists in accordance with London Plan Policy T7.

In summary, TfL objects to the proposal as it currently stands. As highlighted above, the proposal includes an over provision of car parking and under-provision of cycle parking as such not complying with Policies T1, T5 and T6 of the London Plan. Therefore the applicant must revise the proposal to address the above issues satisfactorily to ensure the proposal is acceptable in highway and transport planning terms.

Case Officer comment:

The comments received from TfL have been received and taken into consideration. With regards to the parking provision, the scheme would result in no additional parking for the 2 new units and in fact would result in a reduction in the overall parking ratio. It would be unreasonable to expect the applicant to remove parking which already benefits from planning consent. In response to the cycle parking comment, the applicant has submitted a set of revised plans which increase the number cycle spaces to 43, which now meets the London Plan standards in terms of the number of spaces required.

The original application contained a head of term which precluded future occupants from joining the local parking management scheme, if minded to approve the application a deed of variation will be required to tie the legal agreement to the most recent permission, therefore the two new units would be subject to the same obligations as those which already benefit from consent.

With regards to the request for a Construction Management Plan condition, a CMP was submitted and discharged as part of details application reference 72470/APP/2021/379. Therefore no further condition is required.

Internal Consultees

ACCESS OFFICER

This Section 73 application has been reviewed with no objections raised at this stage, provided Conditions 11 and 13 attached to the original consent are applied to any subsequent approval.

Case Officer comment:

The above conditions (now numbered Conditions 10 and 12 due to the time limit for commencement condition falling away) are recommended to be attached to any grant of planning consent.

HIGHWAYS

The Highway Authority has reviewed the application and have no objections to this proposal.

Case Officer comment:

Notwithstanding the above, concerns are raised with regards to the proposed parking layout and therefore these details are recommended to be secured by condition.

POLICY

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 proposed housing mix would include:

- 3 x studio units (13%)
- 6 x one bed units (26%)
- 10 x two bed units (44%)
- 4 x three bed units (17%)

It should be noted that the one person, one bedroom flat on the ground floor is referenced as a studio within the viability assessment and the schedule of accommodation comparison. On the basis that the unit contains one bedroom, the policy team has marked it as a one-bedroom unit when considering the overall housing mix. 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". The site has a PTAL rating of 2 and is located in close proximity to open spaces and green spaces including allotments. Overall, whilst the introduction more one bed units is considered unfortunate in this location, this is not considered sufficient to warrant an objection to the proposal solely on this basis.

Affordable Housing

The Local Plan Part 2 Policy DMH7 and London Plan Policy H5, sets out that subject to viability and if appropriate in all circumstances, a minimum of 35% of all new homes on sites of 10 or more units should be delivered as affordable housing, with the tenure split 70% Social/Affordable Rent and 30% Intermediate as set out in Policy H2: Affordable Housing of the Local Plan Part 1. The applicant has submitted a viability assessment stating that they are unable to provide any affordable housing on the site and that they are unable to provide any contributions towards off-site affordable housing. It is therefore necessary that the viability assessment is tested by a third-party consultant.

Case Officer comment:

A Financial Viability Assessment (FVA) was submitted for assessment as part of the main application. This document has been reviewed by the same independent consultant who reviewed the original FVA for consistency. The consultant has agreed with the variables set out in the report and its conclusion. As such it has been confirmed that the scheme cannot viably deliver any additional affordable housing contribution.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site benefits from planning consent (72470/APP/2016/4648) for the demolition of 3 dwellinghouses and redevelopment of site to provide 21 (3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed) units within 2 new buildings with associated access, parking, landscaping and amenity space.

This application seeks to amend the conditions to allow for an increase in the number units from 21 to

23 units. Whilst the changes are considered to be minor the principle of development remains the same. As such the principle of development is established as acceptable through the original permission.

Unit Mix

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need. Policy DMH 2 of Hillingdon 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.

Family housing is defined within the glossary of the London Plan (2021) and outlines it must generally be of a size that has three or more bedrooms. It is worth noting that the Secretary of State directed changes to Policy H10, in order address the need for new family housing, to prevent families from being forced to move outside of London. These changes were incorporated into the final version of the London Plan (2021).

In terms of factors specific to a site, Policy H10 also includes a need to consider, the mix of uses in the scheme, the range of tenures in the scheme and 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.

The original consent proposed 21 units comprising of 3 x studio, 4 x 1 bed, 10 x 2 bed and 4 x 3 bed resulting in a scheme which delivered approximately 19% family sized units. Whilst the proposal would increase the number of units by 2, these would be 1 bed units resulting in a decrease in the percentage of family sized units to approximately 17%. This change is considered acceptable and no objection from the Council's Policy Team has been received. It should be noted that the approved 4no. family sized units have been retained. As such the proposed unit mix is considered to be acceptable.

7.02 Density of the proposed development

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2.

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

Policy D3 (Optimising Site Capacity through the Design-led Approach) of the London Plan (March 2021) further requires all development to make the best use of land following a design-led approach that optimises the capacity of sites, including site allocations and offers no density matrix figures. The policy further states that 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.

Although the site does appear to be located within a PTAL 2 area, it is directly bounded by 2 areas of PTAL 3 which increases the sustainability of the site from low to moderate.

The proposal seeks to increase the number of units by 2, this results in a slight increase in density from 91 units per hectare to 100 units per hectare. For flatted developments within areas of PTAL 2-3 the guideline density is 50-110 units, the proposed minor density increase would therefore still be in accordance with the Policy DMHB 17 of the Hillingdon Local Plan: Part 2 (2020).

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

The application site is not located within a Conservation Area or an Area of Special Character and does not accommodate a Listed Building.

7.04 Airport safeguarding

The proposal seeks permission for internal arrangements only, as such no airport safeguarding concerns are raised.

7.05 Impact on the green belt

The application site is not located within or adjacent to Green Belt land.

7.06 Environmental Impact

See Section 7.16 of this report.

7.07 Impact on the character & appearance of the area

The only facade change proposed is the introduction of a new door from kitchen/dining room to serve unit A3/04. This minor alteration would be considered non-material and as such the amendment would comply with Policy BE1 of the Local Plan (Part 1) (2012) and Policy DMHB 11 of the Local Plan : Part Two - Development Management Policies with respect to issues concerning the character and appearance of an area.

7.08 Impact on neighbours

The NPPF includes as a core planning principle that planning should always seek to secure a high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.

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

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

As this application seeks to amend the internal layout to increase the provision of units by 2 within the approved internal spaces. It is only the impact these units would have in terms of overlooking which is subject to assessment. The proposed two new units would face the front elevation of Block H which forms part of the original development application. The habitable room windows would be located in excess of 21 metres from the ground floor windows which serve the units in Block H therefore no overlooking concerns are raised.

With regards to daylight and sunlight, given the separation distance between the two blocks and that the application does not propose any increase in built form closer Block H, the proposal would not give rise to overshadowing concerns.

Taking the above points into consideration the application would comply with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.09 Living conditions for future occupiers

LIVING CONDITIONS OF FUTURE OCCUPIERS

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

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

Table 3.1 of London Plan (2021) Policy D6 requires the following:

- One storey 1-bed 1 person units should provide a minimum of 39 square metres
- One storey 1-bed 2 person units should provide a minimum of 50 square metres
- One storey 3-bed 4 person units should provide a minimum of 74 square metres

The proposed ground floor plan indicates that the 2 x 3 bed units subject to a reduction in internal floor space would measure 75 sqm thus meeting the minimum space standard for 3 bed units. The proposed 1 bed 1 person unit would measure 44 sqm and the 1 bed 2 person unit would measure 56.8 sqm thus both meeting the requirement minimum space standard.

PRIVATE AMENITY SPACE AND PUBLIC OPEN SPACE

Policy EM4 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will safeguard, enhance and extend the network of open spaces, informal recreational and environmental opportunities that operate as carbon sinks and that meet local community needs and facilitate active lifestyles by providing spaces within walking distance of homes. Provision should be made as close as possible to the community it will serve. There will be a presumption against any net loss of open space in the Borough. The Council will identify new opportunities for open space through an Open Space Strategy. Major developments will be expected to make appropriate contributions to the delivery of new opportunities, or to the improvement and enhancements of existing facilities.

Policy DMCI 4 of the Hillingdon Local Plan: Part 2 (2020) states:

- A) Proposals for major new residential development will be supported where they make provision for new open space, or enhancements to existing open space, which meets the needs of the occupiers of the development and contributes to the mitigation of identified deficiencies in the quantity, quality and accessibility of open space. Regard will be had to Hillingdon's local recommended standards of provision for all relevant typologies of open space.
- B) The provision of major new pieces of open space should contribute positively to Hillingdon's existing networks of green spaces. In major town centre developments, new civic space may be required as an alternative to green open space.
- C) Proposals for major new residential development that fail to make provision for new or enhanced open space, or which would result in open space that is inappropriate in type, quality or location, will be resisted.

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) states:

- A) All new residential development and conversions will be required to provide good quality and

useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2.

B) Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres.

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

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

Table 5.2 of the Hillingdon Local Plan: Part 2 (2020) states that studio and 1-bedroom flats should provide a minimum of 20 square metres.

With the 2 additional units the proposal would provide 550 sqm of private, usable amenity space. The application proposes no additional amenity space above that which was secured as part of the original consent, which equalled 370 sqm. As such the proposal would now result in shortfall of 220 sqm. It is noted that the applicant agreed to a financial contribution of £5000 to offset the lack of on site open space and private amenity space for the previous shortfall of 180 sqm. Given the increase in the number of units and taking a pro-rata approach to the previous shortfall secured, a revised contribution of £6,111 is required to offset the lack of on site open space and private amenity space. The limited scale of the contribution results from the site's close proximity to 3 areas of public open space, including Park Road Green on the opposite side of Uxbridge Road.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy DMT 1 of the Hillingdon Local Plan: Part 2 (2020) states:

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

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

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

Policy DMT 2 of the Hillingdon Local Plan: Part 2 (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 pedestrian 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 6 of the Hillingdon Local Plan: Part 2 (2020)

A) 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.

B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The original proposal included the provision of 21 car parking spaces and the replacement and reconfiguration of 10 car parking spaces related to the development at the Former Pronto site which resulted in a parking ratio of 1:1. The original application was submitted in 2016 and determined in 2018 meaning it would have been assessed against superseded policies and supplementary planning guidance. There have been significant policy changes since the determination of the application which include the adoption of the most recent NPPF and London Plan in 2021 and the adoption of the new Local Plan in 2020. The London Plan 2021 is the relevant document referred to for parking considerations for this application and seeks to reduce parking rather than retain high parking ratios such as 1:1.

It is proposed by the applicant in the revised Transport Assessment that the proposed 2 new units would be car free, thus there would be no change to the overall quantum of parking or its allocation. This would appear to be supported by TFL who raised an objection on the basis of an over-provision of car parking. It should be noted that whilst a s73 application should be assessed against the most up to date policy, it would be unreasonable to expect an applicant to remove consented parking for an already approved scheme. The provision of 2 car free units is considered a reasonable effort to reduce the overall parking ratio. Notwithstanding this, the submitted proposed site plan raises concerns with regards to the proposed parking layout. In particular one proposed space (labelled A6) appears to partially block the access to the parking area. It is therefore recommended that the submitted plans are not approved and a revised landscaping and car parking layout be secured by condition, with the potential outcome that the number of parking spaces may be nominally reduced.

In terms of cycle parking the applicant has added a further 7 spaces to the proposed plans which amount to a total of 43 spaces, in order to conform with the new standards set out in T6.1 of the London Plan (2021).

Taking the above points into consideration the proposed development accords with Policies DMT 1,2 & 6 of the Hillingdon Local Plan: Part 2 - Development Management policies (2020) and Policy T6 of the London Plan (2021).

7.11 Urban design, access and security

Urban design and security were assessed as part of the main permission and remain unchanged.

7.12 Disabled access

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design. They should:

- 1) be designed taking into account London's diverse population;
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion;
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment;
- 4) be able to be entered, used and exited safely, easily and with dignity for all; and
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

Policy D7 of the London Plan (2021) states that in order to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:

- 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
- 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

The proposal has been reviewed by the Council's Accessibility Officer who has raised no objection subject to the imposition of the access related conditions attached to the original permission.

7.13 Provision of affordable & special needs housing

Policy H5 of the London Plan (2021) requires a minimum of 50% affordable housing where the application is to redevelop a former industrial site. To follow the fast track route and not be required to submit a financial viability assessment, applicants must meet the following criteria:

- Meet or exceed the relevant threshold level of affordable housing on site (50%) without public subsidy
- Be consistent with the relevant tenure split (70/30 social rent/intermediate).

Policy H2 of the Local Plan: Part One (2012) requires sites with a capacity of 10 or more units, to provide an affordable housing mix to reflect the housing needs in the borough, particularly the need for larger family units.

Policy DMH 7 of the Local Plan: Part Two (2020) requires major residential developments to maximise the delivery of affordable housing on site. A minimum of 35% of all new homes should be delivered as affordable housing with a tenure split of 70% Social/Affordable Rent and 30% Intermediate.

A financial viability assessment (FVA) was submitted for assessment as part of the original application. This was reviewed by an independent consultant on behalf of the Council who agreed that the proposed development could viably deliver an off-site contribution of £151,600. The applicant subsequently agreed with the outcome of the Council's review and the off-site contribution formed part of the Heads of Terms secured by a s106 legal agreement. In addition to the financial contribution the applicant also agreed to the inclusion of an early stage review mechanism to ensure any additional surplus generated by the development was appropriately distributed.

The applicant has provided an updated FVA as part of the s73 application, which states that due to current market conditions the proposal cannot viably provide any additional affordable housing contribution. In addition, it provides evidence to discharge the early stage review obligation. This documentation has been reviewed by the same independent consultant who reviewed the original FVA for consistency. The consultant has agreed with the variables set out in the report and its conclusions. As such it has been confirmed that the scheme cannot viably deliver any additional affordable housing contribution and the early stage review obligation can be discharged. As such the proposals are considered to be acceptable in terms of Affordable Housing.

7.14 Trees, Landscaping and Ecology

These matters were assessed as part of the main application where a condition pertaining to the submission of additional landscaping details was attached to the decision notice. Subsequently the landscaping details were submitted and discharged as part of application reference 72470/APP/2022/370. However the changes to the layout of the car park proposed as part of the current submission are not deemed to be acceptable and a change to the level of cycle parking is now proposed. Therefore, it is proposed that the above condition be required to be re-discharged with appropriate details.

7.15 Sustainable waste management

These matters were assessed as part of the main application and remain unchanged. The application has been reviewed by the Councils Waste Strategy Officer who has raised no objection.

7.16 Renewable energy / Sustainability

The development is required to be compliant with the London Plan (2021) CO2 reduction targets. The original consent required a carbon offset contribution of £27,900 in order to achieve this. No updated Energy Assessment has been submitted as part of the current application to determine if this contribution remains appropriate to ensure the scheme is policy compliant. It is therefore recommended that a new condition is attached to any grant of planning consent to require that a revised Energy Assessment is submitted and approved by the Local Planning Authority. It is also recommended that the relevant Head of Term for the legal agreement is also amended to enable any carbon offset payment determined to be required as a result of the revised Energy Assessment to be secured.

7.17 Flooding or Drainage Issues

The application site does not fall within a designated Flood Zone and upon reviewing the main application the Councils Flood Water Management Officer raised no objection subject to a condition pertaining to the submission of a SUDS strategy. Application reference 72470/APP/2022/114 carried forward this condition and it is suggested that the condition be attached to this current application given that it is yet to be discharged.

7.18 Noise or Air Quality Issues

NOISE

The Councils Noise Officer reviewed the main application and raised no concern over the potential noise exposure in this development subject to a condition pertaining to the submission of noise mitigation measure details. These details have been submitted and approved as part of details application 72470/APP/2021/379. As such a compliance condition is proposed to ensure that the proposed 2 new units are constructed to the same standard as the rest of the units in terms of noise mitigation.

AIR QUALITY

The proposed development would not result in additional trips above those reported and agreed within assessment of the original planning application as there is no increase on parking proposed and the two additional units are proposed as car free. As such no further mitigation is required in respect of Air Quality.

7.19 Comments on Public Consultations

As stated in section 5 of this report, there were no responses to the public consultation.

7.20 Planning Obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

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

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

- i) to secure the provision of affordable housing in relation to residential development schemes;
- ii) where a development has infrastructure needs that are not addressed through CIL; and
- iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

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

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

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

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

The agreed HoT's from the previous permission are to be carried forward into a Deed of Variation (DOV) should this application be approved. The full list of HoT's is copied below, with amendments to 'ix' and 'xi' as set out within this report:

- i) Highways Works S278/S38 as required by the highways engineer and to be completed prior to occupation (including reinstatement of footway and crossover);
- ii) Car parking allocation and management scheme for this development site and the adjoining Kingswood Place (land edged blue on Drawing no PL-100). The scheme shall secure no net loss of car parking across both development sites and a car parking management scheme for all future

residents within the developments;

iii) Prohibit future residents of the development from obtaining parking permits, season tickets or car park permits within existing or future Parking Management Schemes (excluding blue badge holders).

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

v) Construction Training: either a contribution equal to the formula (£2,500.00 for every £1m build cost + Coordinator Costs £9,600.00 or an in kind scheme) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered.

vi) Affordable Housing Review Mechanism.

vii) Pedestrian Access into Rosedale Park.

Monetary contributions:

viii) Air Quality Mitigation Contribution: £22,859;

ix) Local Park Improvements £6,111;

x) Affordable Housing Contribution of £151,600;

xi) Carbon offsetting contribution of £27,900, or an amended contribution as required resulting from the revised Energy Assessment; and

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

Community Infrastructure Levy

With regards to CIL, as the proposal does not result in additional floorspace no amendments to the CIL figures are required.

7.21 Expediency of enforcement action

Not applicable

7.22 Other Issues

Not applicable

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

The application proposes internal and external minor material amendments which will facilitate the increase in the number of units from 21 to 23 (a net increase of 2 units). The amendments include the reduction in internal floor space of the 2 consented 3 bed units on the ground floor and minor facade amendments to alter the elevations to provide adequate daylight, sunlight and outlook to the units. This report concludes that the development would not result in potential harm upon neighbouring amenity, the character and appearance of the area or the local highway network.

Furthermore, whilst there is an increase in the number of units, an FVA has been submitted and assessed by an independent consultant on behalf of the Council who has agreed that the development cannot viably provide an additional affordable housing contribution. For these reasons and those set out within the body of this report, the application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

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

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

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

Accessible Hillingdon Supplementary Planning Document (September 2017)

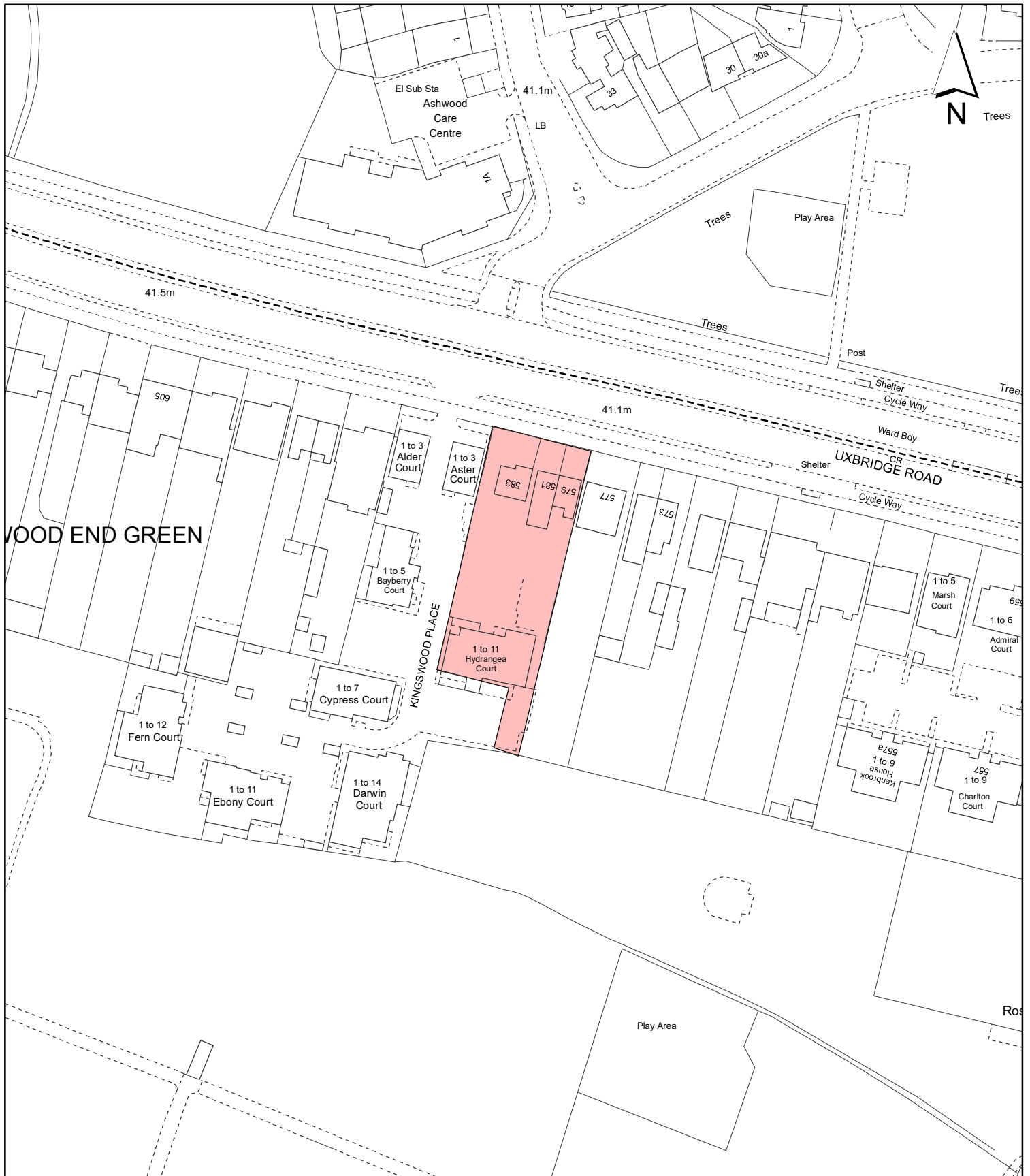
Planning Obligations Supplementary Planning Document (July 2014)



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<p>Planning Application Ref:</p> <p>72470/APP/2023/747</p>	<p>Scale:</p> <p>1:1,250</p>	 <p>HILLINGDON LONDON</p>	
<p>Planning Committee:</p> <p>Majors</p>	<p>Date:</p> <p>November 2023</p>		