

Report of the Head of Development Management and Building Control Committee Report – Application Report

Case Officer: **Alan Corcoran**

585/APP/2024/1558

Date Application Valid:	11.06.24	Statutory / Agreed Determination Deadline:	11.09.24
Application Type:	Full	Ward:	Hillingdon West

Applicant: **Anchor Hanover Group**

Site Address: **Land off Thompson Road and St Luke's Road**

Proposal: **Change of use of site containing 72 assisted living units (Use Class C2) with ancillary communal facilities, parking, and landscaped areas, to residential accommodation for primary occupiers aged over 55 (Use Class C3)**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 1 of the Planning Scheme of Delegation (Major application recommended for approval)**



Summary of Recommendation:

GRANT planning permission subject to the completion of a satisfactory section 106 legal agreement to secure the heads of terms set out below, and subject to the conditions as set out in Appendix 1.

Section 106 Heads of Terms are as follows:

1. 100 per cent affordable housing provision (72 Social Rent Units).
2. Occupation restrictions to ensure the primary resident of each unit is over 55 years old.

1 Executive Summary

- 1.1 This proposal seeks to change the use of the consented, constructed, and unoccupied development previously approved under planning application reference 585/APP/2019/829.
- 1.2 The applicant proposes changing the use of the building from 72 assisted living apartments (Use Class C2) to 72 residential units for primary occupiers aged over 55 (Use Class C3), together with communal facilities. All units are proposed to be Social Rented affordable housing units.
- 1.3 The building and development of the broader site have been completed under previous approvals, and no physical works are proposed to the site through this application, except for the provision of additional cycle parking to respond to the proposed C3 use.
- 1.4 The Council's Housing Team has reviewed and fully supports the proposal, stating it is 'critical to meeting the borough's housing needs.' The Council's Planning Policy Team raise no objection, subject to a condition restricting primary occupiers to being over 55 years old. This would be included within a S106 legal agreement. The Council's Highways Team raise no objection subject to conditions, which have been attached.
- 1.5 No public comments have been received.
- 1.6 The proposed change of use from 72 assisted living apartments (Use Class C2) to 72 residential units for primary occupiers aged over 55 (Use Class C3) to include 100 per cent affordable housing is considered appropriate.
- 1.7 Therefore, approval is recommended subject to the conditions in Appendix 1.

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

2 The Site and Locality

- 2.1 The 0.62-hectare application site forms part of St Andrew's Park (the former RAF Uxbridge Site), located within Uxbridge Town Centre. The site is bounded by St Andrew's Road to the south and west, by St Luke's Road to the north, and by Thompson Road to the east.
- 2.2 The site is designated within a Hotel and Office Growth Location (Uxbridge Town Centre), as 'New Homes: St Andrews Park (Formerly RAF Uxbridge),' and within a Developed Area as identified in Hillingdon Local Plan Part 1 Strategic Policies (2012).
- 2.3 The Council granted planning permission in 2020 (reference 585/APP/2019/829) for the following development on the site:
- 2.4 'Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping.'
- 2.5 Following the discharge of the relevant conditions and several Council-approved minor amendments, the planning permission was implemented, and the building is now complete, though it remains unoccupied.
- 2.6 The existing development contains 16 one-bedroom and 56 two-bedroom units (72 units). The building is arranged in an 'L' shape along the southern and eastern site boundaries, with car parking and landscaping to the north. The building ranges from seven storeys in height at the southwestern corner, stepping down to five storeys to the north and east along the boundary with St Andrew's Road. Undercroft car, motorcycle, and cycle parking, refuse storage, and a plant area are located at the lower ground floor level. There are communal facilities such as a café, lounge, and hair salon on the ground floor.
- 2.7 The site is not located within a Conservation Area, and there are no Listed Buildings within or adjacent to the subject site. The application site lies within Flood Zone 1, the area least at risk from flooding. It is not within a Critical Drainage Area or impacted by surface water flooding.
- 2.8 The area north of the site comprises unoccupied and semi-derelict former RAF accommodation, which is likely to be redeveloped in the future. To the east and south of the site is the Dowding Public Park and new residential development.

Figure 1: Location Plan (application site edged red)

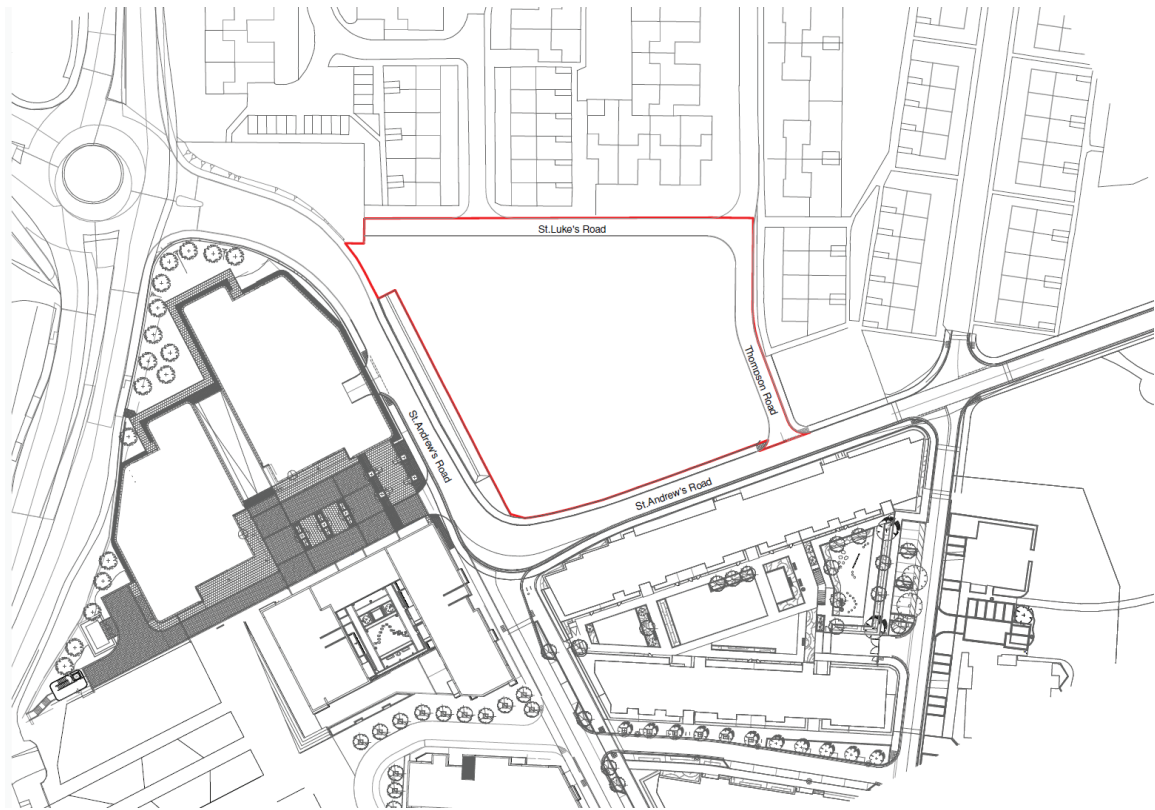


Figure 2: Street View Image of the Application Property



3 Proposal

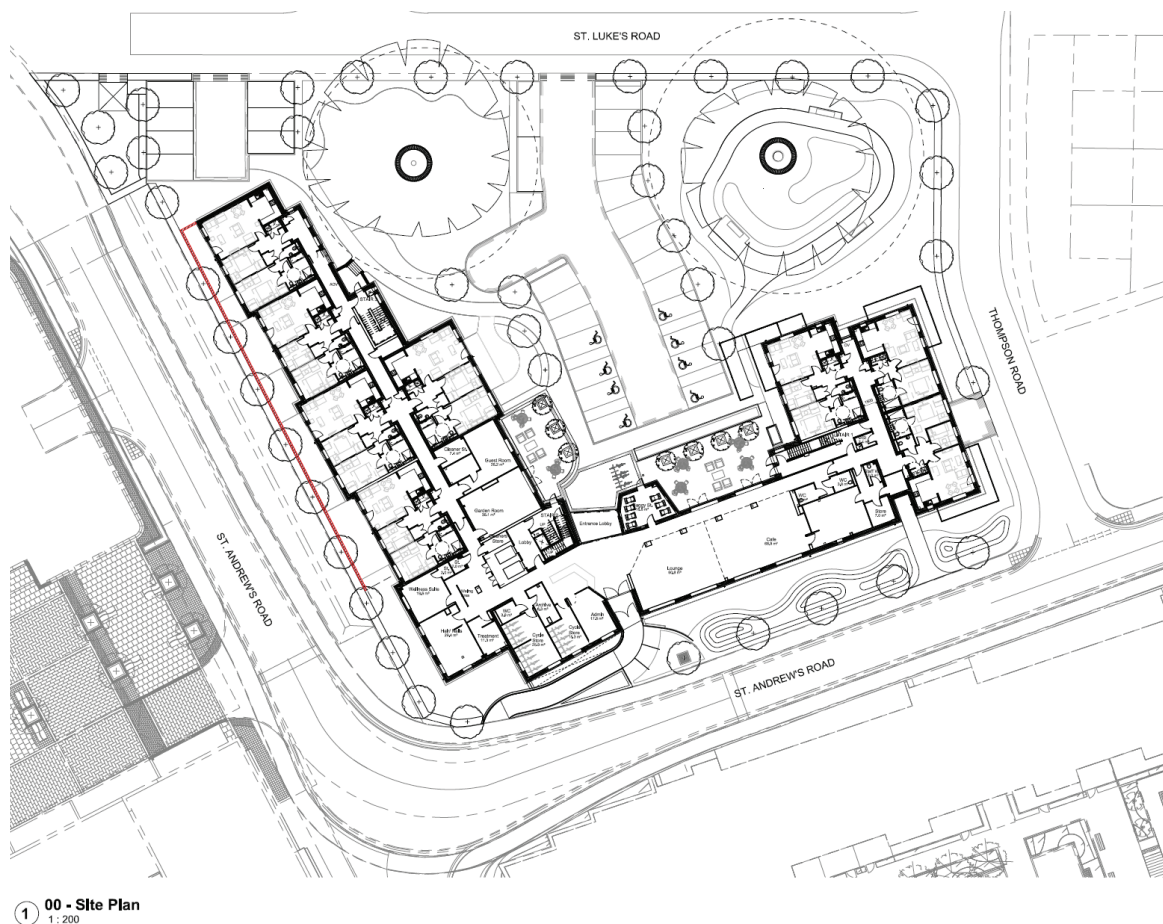
3.1 The applicant seeks to change the use of the unoccupied 9,225 sq. m. (gross internal floor area) building from 72 one- and two-bedroom assisted-living apartments (Use Class C2) to 72 age-restricted residential accommodation (Use Class C3) for primary residents over 55 years old.

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

- 3.2 The proposed scheme would provide 100 per cent affordable housing, all Social Rent apartments.
- 3.3 Use Class C2, which is for care home accommodation, provides both personal care and accommodation as a single package. In contrast, Use Class C3, with a restriction for people over 55, is 'specialist older persons housing,' specifically designed and managed for older people, with no element of care provided.
- 3.4 The application does not propose physical changes to the building or broader site, except for additional cycle parking, electric vehicle charging infrastructure, mobility scooter storage and charging facilities, and landscaping.
- 3.5 The ancillary communal areas comprising the café, lobby, and hairdressers would be retained as previously approved.

Figure 3: Proposed Plan (please note – larger version of plan can be found in the Committee Plan Pack)



① 00 - Site Plan
1: 200

4 Relevant Planning History

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 The Council granted planning permission for 585/APP/2019/829 on 18 February 2020 for the following development:
- 4.3 'Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping.'
- 4.4 This permission granted a Class C2 use subject to a S106 Agreement specifying a range of occupancy restrictions and requirements for the ongoing occupation of the development to ensure that the site is occupied in a Class C2 use.
- 4.5 No affordable housing or CIL contributions were secured through this application due to the nature of the C2 Use Class accommodation.
- 4.6 Following the approval of this application, all details reserved by condition have been approved by the Council. These include the landscaping, external materials, and site management.
- 4.7 Slight amendments have been made to the previously approved scheme through non-material amendments (NMA). The Council granted permission for NMA reference 585/APP/2022/131 for changes to the internal layout, changes to the external elevations, and the introduction of roof terraces. Following this, the specific requirements for parking at the site were amended through an NMA (reference 585/APP/2023/1204) to alter the wording of condition 6, which specifies the number of parking spaces and provision for disabled bays and EV charging. The Council approved this on 24 April 2023. The Council also granted planning permission on 22 May 2023 under planning application reference 585/APP/2023/811 for the installation of rooftop plant and acoustic enclosures on the approved building.

5 Planning Policy

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

6 Consultations and Representations

- 6.1 The Council sent consultation letters to 366 local residents as well as The Mall Pavilions Shopping Centre on 27-06-24. The Council also advertised the application with a site notice and press notice on 10-07-24.
- 6.2 The consultation period expired on 31-07-24. No comments have been received from the public.

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

6.3 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
N/A	N/A	N/A

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
<p><u>External Consultee Comments</u></p> <p>London Fire Brigade: No Comments.</p> <p>Metropolitan Police Designing Out Crime Group: No Comments.</p> <p>Thames Water Utilities: No Comments.</p> <p><u>Internal Consultee Comments</u></p> <p>Housing Team: Fully support this proposal that is critical to meeting the borough's housing needs.</p> <p>Urban Design Officer Comments: No objection.</p> <p>Economic Development Officer: No objection.</p> <p>Accessibility Officer Comments:</p>	Noted

<p>No objection.</p> <p>Refuse Recycling Officer Comments:</p> <p>No objection.</p> <p>Planning Policy Officer Comments:</p> <p>No objection subject to the 100 per cent Social Rent affordable housing provision being secured within a Section 106 legal agreement and restricting occupation to those aged over 55 years to ensure that no new on-site child play facilities would be required.</p> <p>Highways Officer Comments:</p> <p>No objection subject to conditions regarding cycle parking provision, car parking lease, delivery and servicing plan, parking design and management plan, and electric vehicle charging points.</p> <p>Air Quality Officer Comments:</p> <p>No objection.</p> <p>Noise Pollution Officer Comments:</p> <p>No objection.</p> <p>Environmental Health Officer (Contamination) Comments:</p> <p>No objection.</p> <p>Environmental Specialist (Energy and Biodiversity) Comments:</p> <p>No objection.</p>	<p>The affordable housing provision and age restriction are to be included within the S106 legal agreement.</p> <p>Appropriate highways planning conditions are attached.</p>
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7 Planning Assessment

Principle of Development

- 7.1 The application site forms part of St Andrew's Park (the former RAF Uxbridge Site), located within Uxbridge Town Centre. The site is designated within a Hotel and Office Growth Location (Uxbridge Town Centre), as 'New Homes: St Andrews Park

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

(Formerly RAF Uxbridge),' and within a Developed Area as identified in Hillingdon Local Plan Part 1 Strategic Policies (2012).

- 7.2 Policy H13 of The London Plan (2021) states that research has identified a potential demand in London across all tenures for just over 4,000 specialist older persons units a year between 2017 and 2029. Table 4.3 states that Hillingdon's annual borough benchmarks for specialist older persons housing 2017-2029 are 180 units per annum. The policy further states that these benchmarks are designed to inform local-level assessments of specialist housing needs. Boroughs should plan proactively to meet the identified need for older persons' accommodation.
- 7.3 Policy H13 continues that boroughs should work positively and collaboratively with providers to identify sites which may be suitable for specialist older persons housing, taking account of:
- 1) local housing needs information including data on the local type and tenure of demand, and the indicative benchmarks set out in Table 4.3.
 - 2) the need for sites to be well-connected in terms of contributing to an inclusive neighbourhood, having access to relevant facilities, social infrastructure, and health care, and being well served by public transport.
 - 3) the increasing need for accommodation suitable for people with dementia.
- 7.4 Specialist older persons housing provision should deliver:
- 1) affordable housing in accordance with Policy H4 Delivering affordable housing, and Policy H5 Threshold approach to applications
 - 2) accessible housing in accordance with Policy D7 Accessible housing
 - 3) the highest standards of accessible and inclusive design in accordance with Policy D5 Inclusive design
 - 4) suitable levels of safe storage and charging facilities for residents' mobility scooters
 - 5) pick up and drop off facilities close to the principal entrance suitable for taxis (with appropriate kerbs), minibuses and ambulances.
- 7.5 Paragraph 4.13.5 of The London Plan (2021) states that specialist older persons housing does not provide an element of care but is specifically designed and managed for older people (minimum age of 55 years). Paragraph 4.13.6 states that the requirements of Policy H13 also cover specialist older persons housing that has the following attributes:
- i. where care is provided or available;
 - a. there are separate contracts/agreements in place for the personal care and accommodation elements, and/or
 - b. residents have a choice as to who provides their personal care
 - ii. housing is occupied under a long lease or freehold, or a tenancy agreement, licensing agreement, license to occupy premises or a leasehold agreement
 - iii. housing provided is specifically designed and managed for older people (minimum age of 55 years)
 - iv. likely CQC-regulated activity will be 'personal care'

- 7.6 Policy DMTC 1 of the Hillingdon Local Plan Part 2 Development Management Policies (2020) states that the Council will support 'main town centre uses' where the development proposal is consistent with the scale and function of the centre.
- 7.7 Policy DMH 1 of the Hillingdon Local Plan Part 2 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.
- 7.8 Policy DMH 8 of the Hillingdon Local Plan Part 2 Development Management Policies (2020) details the circumstances in which sheltered housing and care homes will be permitted. Notably, it does not seek to protect existing care facilities from changes of use.
- 7.9 Policy SA 28 of Hillingdon Council's Local Plan Part 2 Site Allocations and Designations (2020) covers St Andrews Park, Uxbridge, including the application site. It states that in accordance with the approved planning permission (585/APP/2009/2752), the Council will support the following development on the site of 1,340 residential units; 14,000 sq. m. of office floorspace; a 90-bedroom hotel; associated commercial uses; education facilities; and associated landscaping, car parking, and amenity space provision. The Council will seek to secure the development of the site in accordance with this permission.
- 7.10 Paragraph 5.25 of RAF Uxbridge Supplementary Planning Document (2009) states that 'as part of the affordable housing requirements, provision will be required for specialist housing for extra care housing for older people...further liaison will be required with the Development Team in the Council's Social Services and Housing Department as specialist housing priorities may change over time.'
- 7.11 The provision of specialist retirement accommodation on this site was established through the outline planning consent for the wider site (585/APP/2009/2752). The decision notice permitted the 'Creation of up to 77 one-bedroom assisted living retirement accommodation of between 3 to 4 storeys.' The Council granted full planning permission in 2020 (585/APP/2019/829) for 72 assisted living apartments (Use Class C2), which has been completed on the site but remains unoccupied. These permissions established the principle of supported/extra care housing for older people (Use Class C2). The proposal is similar to the 585/APP/2009/2752 outline consent and full planning consent (585/APP/2019/829) as it would also accommodate older residents over the age of 55, though the proposed use would not provide care. C3-Use Residents could purchase care packages as needed, allowing for a tailored approach to support. There would be no net loss of housing as all 72 units would be retained as previously approved. The RAF Uxbridge Supplementary Planning Document (2009), stating 'specialist housing priorities may change over time', did account for specialist housing priorities changing over time and flexibility. Additionally, there is no policy protection against the loss of specialist housing, or Class C2 uses.
- 7.12 The Council's Housing Team has reviewed the proposed change of use from assisted living apartments (Use Class C2) to residential accommodation for primary

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

occupiers aged over 55 (Use Class C3) and have stated that they fully support the proposal as they state that it is 'critical to meeting the borough's housing needs.'

- 7.13 The Council's Planning Policy Team has been consulted and raised no objection subject to the affordable housing provision being secured within a Section 106 legal agreement and a condition to restrict occupation to those aged over 55 years. These would be secured within a Section 106 legal agreement.
- 7.14 The proposed development caters for an identified need for specialist older person accommodation and broadly complies with the site designations to accommodate older residents over the age of 55 in accordance with the aims of Policy H13 of The London Plan (2021), Policy DMTC 1 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), Policy SA 28 of Hillingdon Council's Local Plan Part 2 Site Allocations and Designations (2020), and RAF Uxbridge Supplementary Planning Document (2009).

Affordable Housing

- 7.15 Paragraph 66 of the NPPF (2023) states where major development involving the provision of housing is proposed, planning policies and decisions should expect at least ten per cent of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
- 7.16 Policy H5 of The London Plan (2021) outlines that development that provides 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor where relevant. Policy H6 states that affordable residential development products should be split a minimum of 30 per cent low-cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes, a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership, and the remaining 40 per cent to be determined by the borough as low-cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need.
- 7.17 Policy H2 of Hillingdon Council's Local Plan Part 1 Strategic Policies (2012) states that housing provision is expected to include a range of housing to meet the needs of all types of households, and the Council will seek to maximise the delivery of affordable housing from all sites. For sites with a capacity of ten or more units, the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units.
- 7.18 Policy DMH 7 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020) states that developments with a capacity to provide ten or more units will be required to maximise the delivery of on-site affordable housing. Subject to viability and if appropriate in all circumstances, a minimum of 35 per cent of all new homes on sites of ten or more units should be delivered as affordable housing,

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

with the tenure split 70 per cent Social or Affordable Rent and 30 per cent Intermediate.

- 7.19 As detailed in the submitted Affordable Housing Statement, the applicant proposes that 100 per cent of the apartments would be delivered as affordable housing. This far exceeds the number of affordable dwellings required by policy and would be a significant public benefit to be weighed in favour of the proposed development.
- 7.20 The Council's Housing Team has been consulted and stated they fully support the proposal and provision of all units on this site being socially rented dwellings. They further stated that the proposal is 'critical to meeting the borough's housing needs.'
- 7.21 The Council's Policy Team has been consulted and stated that the C2 to C3 use change requires affordable housing provision. The submitted affordable housing statement clarifies that it is proposed to be a 100 per cent Social Rent Scheme. Social Rent is a tenure acceptable by the borough, and therefore, this would be accepted, subject to it being secured via a Section 106 legal agreement.
- 7.22 Whilst this would be a departure from the housing mix detailed in planning policy, it responds appropriately to the Council's housing needs. The Council will secure the proposed 100 per cent affordable Social Rent units within a Section 106 legal agreement.
- 7.23 The proposal is in accordance with the aims of the NPPF (2023), Policies H5 and H6 of The London Plan (2021), Policy H2 of Hillingdon Council's Local Plan Part 1 Strategic Policies (2012), and DMH 7 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020).

Pedestrian Safety, Cycle and Car Parking, and Traffic Impact

- 7.24 Paragraph 115 of the NPPF (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 7.25 Policy T4 of The London Plan (2021) states that development proposals should not increase road danger. Policy T5 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. Policy T6 states that new residential development should not exceed the maximum parking standards detailed in Table 10.3. Car-free development should be the starting point for all development proposed in places that are well-connected by public transport or that are planned to be. 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. Disabled person parking should be provided for new residential developments in accordance with Policy T6. Policy T7 states that development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage, and

deliveries should be made off-street, with on-street loading bays only used where this is not possible.

- 7.26 Policies DMT 1 and DMT 2 of Hillingdon Council's Local Plan: Part 2 Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows, and conditions of general highway or pedestrian safety. Policy DMT 5 states that development proposals will be required to meet the Council's cycle parking standards as set out in Appendix C Table 1. Policy DMT 6 requires that proposals comply with the Council's parking standards to facilitate sustainable development and address issues relating to congestion and amenity.
- 7.27 The Council's highways team has reviewed the proposal and raised no concerns or objections subject to conditions regarding cycle parking provision, car parking leasing, delivery and servicing plan, parking design and management plan, and electric vehicle charging points.
- 7.28 The site is situated in Uxbridge Town Centre and has a Public Transport Accessibility Level (PTAL) of 3, where a score of 0 indicates very poor access to public transport and 6b indicates excellent access. Whilst the site has a PTAL of 3, PTAL 4 is within 50 metres of the site, PTAL 5 is within 275 metres, and PTAL 6a is within 400 metres, indicating very good public transport access.
- 7.29 The completed and unoccupied 72-unit development in C2 use comprises 16 one-bedroom and 56 two-bedroom units with 53 car parking spaces and two motorcycle spaces. Ten car parking spaces are designated disabled parking bays.
- 7.30 Under The London Plan (2021), up to 108 car parking spaces could be permitted for the proposed C3 use and unit mix. The applicant proposes to retain the previously approved 53 car parking spaces. This level of provision is supported by the Council's highways team, who advise that it is policy-compliant and acceptable. In accordance with Policy T6.1, a condition is attached to ensure communal car parking (including basement parking) would be leased and not sold.
- 7.31 In accordance with Policy T6.1 of The London Plan (2021), the Council's highways team requires that at least 20 per cent of the car parking spaces (ten car parking spaces) shall have active electric vehicle charging facilities, with passive electric vehicle charging facilities for all remaining 43 car parking spaces. This requirement is secured by condition.
- 7.32 Ten disabled person parking spaces are proposed on-site to serve the 72 residential units. This level of provision adheres to the requirements of The London Plan (2021) and is accepted. A condition is attached to ensure they are available upon occupation and retained.
- 7.34 A condition is attached to secure the submission and approval of an appropriate Delivery and Servicing Plan to ensure compliance with Policy T7 of The London Plan (2021).

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

- 7.35 The previously approved and as-built C2-use development includes eight cycle parking spaces. The applicant proposes an uplift in on-site cycle parking provision with eight more spaces proposed to be provided at lower ground level, fourteen more spaces provided at ground level, and two further Sheffield stands providing four cycle parking spaces proposed at the entrance. This would be a total of 34 cycle parking spaces (including the eight existing spaces). Given that the development would be specialist housing for older persons, the Council's highways team considers the proposed increase in cycle parking provision to be acceptable.
- 7.36 Policy T6 of The London Plan (2021) requires the submission of a Parking Design and Management Plan alongside all applications, which include car parking provision. This is secured by a planning condition to ensure London Plan compliance.
- 7.37 The proposed development complies with Paragraph 115 of the NPPF (2023), Policies T4, T5, T6, and T7 of The London Plan (2021), and Policies DMT 1, DMT 5, DMT 6, and DMT 2 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020).

Disabled Persons Access

- 7.38 Policy D7 of The London Plan (2021) states that residential development must ensure that at least ten 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' and 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.' These requirements seek to ensure suitable housing and genuine choice for London's diverse population, including disabled people, older people, and families with young children.
- 7.39 Policy H13 of The London Plan (2021) states that boroughs should work positively and collaboratively with providers to identify sites which may be suitable for specialist older persons housing taking account of suitable levels of safe storage and charging facilities for residents' mobility scooters.
- 7.40 The supporting Design and Access Statement confirms that all 72 units would comply with M4(2) standards, and the developer would provide seven mobility scooter storage spaces on the ground floor.
- 7.41 The Council's Accessibility Officer has reviewed the proposed development and stated that the proposal meeting M4(2) standards is acceptable for this change of use application. They support the provision of on-site mobility scooter storage. Both are secured by condition.
- 7.42 Whilst not strictly in accordance with Policy D7 of The London Plan (2021), as the building has already been constructed as per its recent planning permission (585/APP/2019/829), reconfiguring the building's internal layout to incorporate the M4(3) standards at the expense of a second bedroom would not be considered

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

appropriate on balance. In this instance, the existing level of accessibility is considered acceptable.

Play Space Provision

- 7.43 Policy S4 of The London Plan (2021) states that residential development proposals likely to be used by children and young people should incorporate good-quality, accessible play facilities for all ages. At least ten square metres of playspace should be provided per child.
- 7.44 Policy DMCI 5 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020) states that for all major development proposals, the Council will apply Hillingdon's child yields and the London Plan SPG; 'Providing for Children and Young Peoples Play and Informal Recreation', which specifies that ten square metres of play space should be provided for each child and an accessibility standard of 400 metres to equipped playgrounds. In areas of deficiency, there will be a requirement for new provision to be made to meet the benchmark standards for accessibility to play provision.
- 7.45 The proposed residential development would be restricted so that the primary resident of each unit would be over 55 years old. As such, it is not a typical residential development, and there would be a much-diminished need for on-site child play space. On balance, in this instance, the lack of proposed playspace is considered to be acceptable when the adjacent existing play facilities in Dowding Park are taken into consideration.
- 7.46 The Council's Planning Policy Officer has been consulted and has agreed that in the context of the existing use for assisted living and the proposed use for primary residents over 55 years old, no additional on-site play space is required subject to ensuring primary residents would be over 55 years old. This stipulation would be secured in the S106 legal agreement.
- 7.47 Whilst the proposal would be contrary to Policy S4 of The London Plan (2021) and Policy DMCI 5 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020), it is considered acceptable in this instance, given the proposed use of all residential units as specialist older persons' accommodation.

Living Conditions of Future Occupiers

- 7.48 Policy D6 of The London Plan (2021) sets out the requirements for new dwellings' gross internal floor area at a defined occupancy level. Housing development should maximise the provision of dual-aspect dwellings and avoid the provision of single-aspect dwellings. A minimum of five sq. m. of private outdoor space should be provided for one-two person dwellings. It must achieve a minimum depth and width of 1.5 metre.
- 7.49 The Mayor's Housing Design Standards LPG further states that 'deep, narrow, single-aspect studios will not provide a suitable quality of accommodation; homes

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

are, therefore, expected to be dual-aspect unless there are compelling reasons why that cannot be achieved.'

- 7.50 Policy DMHB 15 of the Local Plan Part 2 Development Management Policies (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles.
- 7.51 Policy DMHB 16 of the Local Plan Part 2 Development Management Policies (2020) states that all housing developments should provide adequate internal space to provide an appropriate living environment.
- 7.52 The proposed development is considered to create an acceptable environment for future C3 use occupiers. The apartments have been designed provide acceptable levels of outlook with no purely north facing flats. No concerns are raised in terms of internal privacy levels. The apartments are generously proportioned and meet the minimum space standards required for residential developments.
- 7.53 The external amenity space remains over 1,720 sq. m., which is considered acceptable for the proposed C3 use.
- 7.54 Each unit would benefit from private external amenity space in the form of a large terrace or private balcony. This is acceptable for the proposed C3 use.
- 7.55 In terms of internal amenity space, the ancillary lounge, cafe, garden room, hair/nail salon, and wellness suite are retained within the development at ground level.
- 7.56 Dowding Park is also located 60 metres east of the site, providing significant additional levels of amenity for residents.
- 7.57 The Council's Urban Design Officer has been consulted and stated that the scheme incorporates good quality private amenity and high-quality outdoor communal amenity incorporating high-quality landscaping, greening, and mature trees.
- 7.58 It is therefore considered that the proposal would provide suitable accommodation for its residents and comply with Policy D6 of The London Plan (2021), The Mayor's Housing Design Standards LPG, and Policies DMHB 15 and DMHB 16 of the Local Plan Part 2 Development Management Policies (2020).

Biodiversity Net Gain

- 7.59 In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitats than there were before development.

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

- 7.60 Policy 15 of the National Planning Policy Framework (2023) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 7.61 Paragraph 8.6.6 of The London Plan (2021) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost due to development, the compensation provided should be of an overall greater biodiversity value than that which is lost. This approach does not change the fact that losses should be avoided, and biodiversity offsetting is the option of last resort.
- 7.62 Paragraph 6.28 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020) states that it is important that planning decisions are appropriately informed by the right level of survey and information on ecology features. Where appropriate, the Council will require the use of the approved DEFRA biodiversity impact calculator to inform decisions on no net loss and net gain.
- 7.63 The Council's Environmental Specialist (Energy and Biodiversity) has reviewed the scheme and raised no objections. The proposed development is not required to meet BNG standards as it would be below a de minimis threshold given the change of use would not impact an onsite priority habitat, would impact less than 25 sq. m. of onsite habitat that has biodiversity value greater than zero, and would impact less than five metres in length of onsite linear habitat.
- 7.64 The proposal complies with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021), Policy G6 of The London Plan (2021), Policy EM7 of the Hillingdon Local Plan Part 1 (2012), and Policies DMEI 7 and DMHB 14 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

Waste Management

- 7.65 Policy D6 of The London Plan (2021) states that developments should ensure that recycling and waste disposal, storage, and any on-site management facilities are convenient in operation and location, appropriately integrated, and designed to work effectively for residents, management, and collection services.
- 7.66 The development change of use would retain the same number of units and residents. The waste storage arrangement would remain as previously approved.
- 7.67 The Council's Refuse Recycling Officer was consulted and raised no objections to the proposed change of use. The scheme is therefore deemed to comply with Policy D6 of The London Plan (2021).

Renewable Energy and Sustainability

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

- 7.68 Policy SI 2 of the London Plan (2021) states that major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.
- 7.69 Policy DMEI 2 of the Hillingdon Local Plan Part 2 Development Management Policies (2020) states that all developments are required to make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets.
- 7.70 The Council's Environmental Specialist (Energy and Biodiversity) has reviewed the change of use proposal and raised no objections regarding energy and sustainability.
- 7.71 A condition is attached to ensure the development is implemented and retained/maintained in accordance with the Energy Assessment, plans, and specifications previously approved.
- 7.72 The proposal complies with Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

Flooding and Drainage

- 7.73 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.
- 7.74 Policy DMEI 10 of the Hillingdon Local Plan Part 2 Development Management Policies (2020) states that a SuDs system should drain developments and include appropriate methods to avoid polluting the water environment.
- 7.75 A condition is recommended to be attached to ensure the development is retained/maintained in accordance with the Sustainable Water Management scheme previously approved.
- 7.76 The proposed development complies with Policy SI 13 of The London Plan (2021) and DMEI 10 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

Air Quality

- 7.77 Policy SI 1 of The London Plan (2021) states that development proposals should ensure that where emissions need to be reduced to meet the requirements of Air Quality Neutral or to make the impact of development on local air quality acceptable, this is done on-site.
- 7.78 Policy DMEI 14 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020) states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

contribute towards meeting EU limit values and national air quality objectives for pollutants.

- 7.79 The Council's Air Quality Officer has reviewed the proposal and raised no objections.
- 7.80 The proposed development is located within an Air Quality Management Area and the Uxbridge Air Quality Focus Area. The proposal is not air quality neutral or positive. Therefore, the Council would expect further appropriate mitigation. However, an offsetting payment of £75,386 has already been paid based on the calculated excess emissions of the consented scheme (585/APP/2019/829). This amount previously paid to the Council exceeds the updated offsetting payment of £50,507.08. Therefore, no further payment is required.
- 7.81 The proposal complies with Policies SI 1 and D3 of The London Plan (2021) and Policy DMEI 14 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020).

Noise

- 7.82 Policy D3 of The London Plan (2021) states that development proposals should help prevent or mitigate noise impacts.
- 7.83 Policy DMHB 11 of the Hillingdon Local Plan Part 2 Development Management Policies (2020) states that development proposals should not adversely impact the amenity.
- 7.84 The Council's Noise Pollution Officer has reviewed the submitted details and confirmed they have no objections to the development.
- 7.85 The proposed C3 use of the building would be similar to the consented C2 use. Furthermore, the development site is not adjacent to any unusual activities or uses that would create additional noise attenuation measure requirements.
- 7.86 As per the original consent, a condition is attached to ensure the ancillary unaltered commercial premises shall operate during restricted opening times to protect residential amenity.
- 7.87 Subject to condition, the proposed development would comply with Policy D3 of The London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

Trees, Landscaping, and Urban Greening Factor

- 7.88 The trees, landscaping, and ecological enhancement measures have been implemented in accordance with the landscaping details approved by the Council on 10 September 2020 under the discharge of condition application reference 585/APP/2020/1229.

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

- 7.89 Subsequently, The London Plan (2021) was adopted and introduced Policy G5, which stipulates that major development proposals, should include urban greening as a fundamental element of site and building design by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls, and nature-based sustainable drainage.
- 7.90 The consented and constructed scheme incorporated the retention of two large mature oak trees that are covered by a Tree Preserved Order, which significantly constrained the developable area of the site. Despite this constraint the scheme incorporates high-quality landscaping and greening. Given the unique nature of the site and the fact that no physical alterations are proposed it is considered that the proposals are in compliance with Policy G5 of The London Plan (2021).

Fire Safety

- 7.91 Policy D12 of The London Plan (2021) states that all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
- 7.92 The applicant submitted a Fire Statement Form detailing how the proposal meets the intent of Building Regulations B1-B5. The report states that Hillingdon Council granted planning permission for the building's construction in 2020, confirming its compliance with the planning policies applicable at the time. The building was constructed under that planning permission and received Building Control sign off. There are no physical changes to the building proposed under this planning application, which proposes a change of use from one Use Class of one type of residential accommodation to another type of residential accommodation. According to the Fire Statement's author, the building has been assessed and constructed on the basis that it met the intent of Building Regulations B1-B5.
- 7.93 Based on the submitted Fire Statement Form, the proposal is considered to comply with Policy D12 of The London Plan (2021).

Development Density

- 7.92 There would be no increase in residential density following the change of 72 assisted living apartments (Use Class C2) to 72 residential units for primary occupiers aged over 55 (Use Class C3). The development's density remains acceptable.

Impact on Character and Appearance

- 7.93 The building has been built in accordance with the consented 2020 planning permission (585/APP/2019/829) and associated approvals of details. No alterations are proposed to the building's exterior. As such, its impact on character and appearance remains acceptable.

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

Impact on Neighbouring Amenity

- 7.94 The building has been built in accordance with the consented 2020 planning permission (585/APP/2019/829). Whilst the building's assisted living units (Use Class C2) would change to residential accommodation for primary occupiers aged over 55 (Use Class C3), this would not materially affect neighbouring amenity. As such, this aspect remains acceptable.

Planning Obligations

- 7.95 Policy DMCI 7 of the of the Hillingdon Local Plan Part 2 Development Management Policies (2020) states that 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). Planning obligations will be sought on a scheme-by-scheme basis to secure the provision of affordable housing in relation to residential development schemes; where a development has infrastructure needs that are not addressed through CIL; and to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.
- 7.96 Should the application be approved, planning obligations would be sought to mitigate the impact of the development, in accordance with Policy DMCI 7 of the of the Hillingdon Local Plan Part 2 Development Management Policies (2020).
- 7.97 The obligations sought are as follows:
1. To secure on-site affordable housing, to include the provision of 100% by habitable room being as social rented units.
 2. Occupation restrictions to ensure the primary resident of each unit is over 55 years old.

The Council has adopted its own Community Infrastructure Levy (CIL) with a charge of £95 per square metre of gross internal residential floor area. This application is CIL liable with respect to residential floorspace being created.

In addition to the London Borough of Hillingdon CIL, the Mayor of London's CIL has a charging system within Hillingdon of £60 per square metre (as of the 1st of April 2019) of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new residential floorspace being created.

It is expected that the proposed development will qualify for social housing relief from CIL.

8 Other Matters

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Local Finance Considerations and CIL

- 8.3 The Council has adopted its own Community Infrastructure Levy (CIL) with a charge of £95 per square metre of gross internal residential floor area. This application is CIL liable with respect to residential floorspace being created.

9 Conclusion / Planning Balance

- 9.1 The developer has completed the construction of their 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping that the Council granted planning permission for in 2020 (see planning application reference 585/APP/2019/829). The development is unoccupied. The applicant proposes to change the use of the development from assisted living accommodation (Use Class C2) to residential accommodation for primary occupiers aged over 55 (Use Class C3), with 100 per cent of the housing provided as affordable Social Rented units. Except for minor alterations to car and cycle parking provision, no further works are proposed as part of this change of use application.
- 9.2 The Council's Housing Team fully support the C2 to C3 change of use and provision of 100 per cent affordable Social Rented units (72 units), stating it is 'critical to meeting the borough's housing needs.'
- 9.3 The Council's Planning Policy Team raised no objections or concerns about the proposed change of use subject to ensuring primary occupiers would be aged over 55.
- 9.4 As a S106 agreement has already been completed in respect of the original permission (585/APP/2019/829), the obligations within that agreement will remain enforceable regardless of this change of use application. The original (585/APP/2019/829) S106 obligations will continue to run with the land. A new S106 is required for this change of use application to ensure it is secured for older people

Hillingdon Planning Committee – 05.09.2024

PART 1 – Members, Public & Press

and to secure the 72 residential units as 100 per cent affordable Social Rented units.

- 9.5 The provision of a Use Class C3 specialist older persons housing is supported in this location to meet the borough's housing needs.
- 9.6 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to a Section 106 legal agreement and the conditions set out in Appendix 1 (below).

10 Background Papers

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillingdon.gov.uk.

APPENDICES

Planning Application

585/APP/2024/1558

1. COM3 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. COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 5125-TFP-ZZ-B1-DR-A-2042-SO-Rev-P7; SAP-TFP-ZZ-00-DR-A-3009-Rev-C4-D3; 2-Rev-P; 5125-TFP-ZZ-ZZ-DR-A-2044-Rev-P03; 5125-TFP-ZZ-ZZ-DR-A-2045-Rev-P02; 5125-TFP-ZZ-ZZ-DR-A-2046-Rev-P03

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 London Plan (2021) and the Hillingdon Local Plan Parts 1 (2012) and 2 (2020).

3. COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents: Planning Statement-V1, Ref: P17-2203, prepared by Pegasus Group, dated June 2024; Travel Plan, ref: MT/6104/TP.2, prepared by Bellamy Roberts, dated 10.05.2024; Transport Statement, ref: MT/6104/TS.2, prepared by Bellamy Roberts, dated 10.05.2024; Design and Access Statement, ref: 5125-TF-ZZ-XX-RP-A-1101-DesignAndAccessStatement-P02, prepared by Tooley Foster, dated June 2024; Air Quality Assessment Update, ref: J10/15582A/10, prepared by Air Quality Consultants, dated June 2024; Fire Statement Form, ref: AFF_01_0123456789012345_FSR_01, prepared by J Ockenden, dated 17.07.24.

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

REASON

To ensure that the development complies with the objectives of The London Plan (2021) and the Hillingdon Local Plan Parts 1 (2012) and 2 (2020).

4. H15 Cycle Storage - In accordance with approved plans

Prior to the first occupation of the development hereby approved, at least 34 cycle parking spaces shall be installed in accordance with the approved plans and available for use. The

34 cycle parking spaces shall thereafter be permanently retained on site, maintained, and be kept available for use.

REASON

To ensure appropriate cycle parking provision in accordance with Policy T5 of The London Plan (2021) and Policies DMT 2 and DMT 5 of Hillingdon Council's Local Plan Part 2 Development Management Policies (2020).

5. NONSC Non Standard Condition - Car Parking Lease

All car parking spaces within communal car parking facilities (including basements) shall be leased and not sold.

REASON

To ensure residential car parking spaces shall be lease and not sold in accordance with Policy T6.1 of The London Plan (2021).

6. NONSC Non Standard Condition - Electric Vehicle Charging Points

(i) Prior to the first occupation of the development hereby approved, active electric vehicle charging facilities shall be installed and available for use at ten car parking spaces. The active electric vehicle charging infrastructure shall thereafter be permanently retained on site, maintained, and be kept available for use.

(ii) Prior to the first occupation of the development hereby approved, passive electric vehicle charging facilities shall be installed at 43 car parking spaces. The passive electric vehicle charging infrastructure shall thereafter be permanently retained on site and be available for upgrading to active electric vehicle charging.

REASON

To ensure an appropriate level of onsite electric vehicle charging facilities are provided in accordance with Policy T6.1 of The London Plan (2021).

7. NONSC Non Standard Condition - Disabled Person Parking Provision

Prior to the first occupation of the development hereby approved, ten disabled person parking spaces shall be provided in accordance with approved plans and available for use. The ten disabled person parking spaces shall thereafter be permanently retained on site and be kept available for their use.

REASON

To ensure an appropriate level of onsite disabled person parking is provided in accordance with Policy T6.1 of The London Plan (2021).

8. NONSC Non Standard Condition - DSP and Car Park Design and Mgmt

Prior to the first occupation of the development hereby approved, Delivery and Servicing

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Plan and Car Parking Design and Management Plan measures shall be implemented in accordance with the details approved under application reference 585/APP/2022/3311, dated 24.03.23. The approved Delivery and Servicing Plan and Car Parking Design and Management Plan measures shall be adhered to for as long as the development remains in existence.

REASON

To ensure the site is appropriately designed and managed in accordance with Policies T6 and T7 of The London Plan (2021).

9. NONSC Non Standard Condition - Mobility Scooter Storage and Charge

Prior to the first occupation of the development hereby approved, storage and charging facilities for seven residents' mobility scooters shall be provided in accordance with approved plans and available for use. The storage and charging facilities for seven residents' mobility scooters shall thereafter be permanently retained on site, maintained, and be kept available for use.

REASON

To ensure appropriately mobility scooter storage and charging facilities are provided on site in accordance with Policy H13 of The London Plan (2021).

10. NONSC Non Standard Condition - M4(2) Compliance

Prior to the first occupation of the development hereby approved, all residential units shall comply with Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and be retained in perpetuity.

REASON

To ensure appropriate levels of accessible and adaptable dwellings are provided in accordance with Policy D7 of The London Plan (2021).

11. COM15 Sustainable Water Management

Prior to the first occupation of the development hereby approved, it shall be implemented and retained/maintained in accordance with the Sustainable Water Management approved under application reference 585/APP/2020/1229, dated 10.09.20, for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to SI 13 of The London Plan (2021), Policy EM6 of the Hillingdon Local Plan Part 1 Strategic Policies (2012) and Policy DMEI 10 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

12. COM22 Operating Hours

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The ancillary commercial premises shall not be open for customers outside of the following hours:

0800 and 2300 Mondays-Fridays

0800 to 2300 Saturdays

1000 to 1800 Sundays and Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy D3 of The London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

13. NONSC Non Standard Condition - Ecology Compliance

Within the first planting season (1 October to 28 February inclusive) following the first occupation of the development hereby approved, the Ecological Enhancement Measures approved under application reference 585/APP/2020/1229, dated 10.09.20, shall be implemented and thereafter maintained for as long as the development remains in existence.

REASON

To ensure the development contributes to the protection and enhancement of the natural environment in accordance with Policy EM7 of the Local Plan Part 1 (2012) and Policy DMEI 7 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

14. NONSC Non Standard Condition - Internal Noise Compliance

The noise level in rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance Policy D3 of The London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

15. NONSC Non Standard Condition - Sound Insulation Compliance

The approved development shall have an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely living room, and kitchen above bedroom of separate dwelling. This standard shall be implemented prior to first occupation of the development and thereafter be permanently retained.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy D3 of The London Plan (2021) and Policy DMHB 11 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

16. NONSC Non Standard Condition - Energy Compliance

Prior to the first occupation, the development must be implemented and proceed in accordance with the Energy Assessment, plans, and specifications approved under application reference 585/APP/2023/886, dated 19.05.23.

REASON

To ensure the development contributes to the reduction of carbon emissions in accordance with Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

17. NONSC Non Standard Condition - Secured by Design

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions, to promote the well-being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with Policy D11 of The London Plan (2021).

Informatives

1. I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2. 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.

3. I43 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

5. 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

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Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

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

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), including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMCI 5	Childrens Play Area
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMH 8	Sheltered Housing and Care Homes
DMHB 11	Design of New Development
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking

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DMTC 1	Town Centre Development
LPP D12	(2021) Fire safety
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H13	(2021) Specialist older persons housing
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP S4	(2021) Play and informal recreation
LPP SI1	(2021) Improving air quality
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF7 -23	NPPF7 23 - Ensuring the vitality of town centres
NPPF8 -23	NPPF8 23 - Promoting healthy and safe communities
NPPF9 -23	NPPF9 23 - Promoting sustainable transport
SA 28	St Andrews Park, Uxbridge

Appendix 2: Relevant Planning History

585/APP/2019/829 Land Off Thompson Rd & St Luke'S Rd, Former Raf Uxbridge
Hillingdon Road Uxbridge

Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping.

Decision: 21-08-2019 Approved

585/APP/2020/1229 Land Off Thompson Road & St Luke'S Road, Fmr Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to the discharge of Conditions 4 (Materials), 5 (Arboricultural Method Statement), 6 (Landscaping), 10 (Sustainable Water Management) and 15 (Ecological Enhancement Plan) and the partial discharge of Condition 8 (Part i - Contaminated Land) of planning permission ref. 585/APP/2019/829 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping).

Decision: 10-09-2020 Approved

585/APP/2020/1830 Land Off Thompson Rd & St Luke'S Rd, Former Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to the discharge of Condition 14 (Energy Assessment) of planning application reference 585/APP/2019/829 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping).

Decision: 10-12-2020 Approved

585/APP/2020/1939 Land Off Thompson Road & St Luke'S Road, Former Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to Condition 11 (Construction Environmental Management Plan) of planning permission Ref: 585/APP/2019/829 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping)

Decision: 21-08-2020 Approved

585/APP/2022/131 Land Off Thompson Road & St Lukes Road Former Raf Uxbridge
Hillingdon Road Uxbridge

Non-material amendment to application reference 585/APP/2019/829 dated 18-02-2020 (Erection of a building containing 72 assisted living apartments and communal facilities

(Use Class C2) with associated parking and landscaping) to amend internal layouts, alter external elevations, introduce a stepped secondary access at ground floor level and roof terraces at 5th and 6th floor level.

Decision: 04-08-2022 Approved

585/APP/2022/3311 Land Off Thompson Road & St Luke'S Road Former Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to the discharge of Conditions 16 (Car Parking Allocation Scheme) and 18 (Servicing and Refuse Collection Strategy) of planning permission ref. 585/APP/2019/829 dated 18-02-2020 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping).

Decision: 24-03-2023 Approved

585/APP/2023/1204 Land Off Thompson Road & St Luke'S Road, Former Raf Uxbridge
Hillingdon Road Uxbridge

Application for a Non-Material Amendment to planning permission ref. 585/APP/2019/829 dated 18-02-20 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping) to amend the wording of part 2.d of Condition 6.

Decision: 18-05-2023 Approved

585/APP/2023/1551 Land Off Thompson Rd & St Luke'S Rd, Former Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to the partial discharge of Condition 8 (Parts (ii), (iii) and (iv) Contamination) of planning permission ref. 585/APP/2019/829 dated 18-02-2020 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping).

Decision: 22-06-2023 Approved

585/APP/2023/1655 St Andrews Park Hillingdon Road Uxbridge

Application for a Non-Material Amendment to planning permission ref. 585/APP/2016/4504 dated 18-03-2022 (Reserved matters (layout, scale, appearance and landscaping) for the erection of 294 dwellings and up to 469 sq.m of retail floorspace (use classes F.2, E and Public House/Takeaway (Sui Generis), formerly A1-5) development together with associated parking and landscaping within the Town Centre Extension (West) Phase of planning permission ref. 585/APP/2015/848 dated 21-12-2015) to amend the spine road to reduce junction width and rationalise carriageway.

Decision: 19-07-2023 Approved

585/APP/2023/1884 Land Off Thompson Road & St Luke'S Road Former Raf Uxbridge

Hillingdon Road Uxbridge

Details pursuant to the discharge of Condition 4 (Materials) of planning consent reference 585/APP/2023/811 dated 22-05-2023 (Installation of rooftop plant and enclosures).

Decision: 19-07-2023 Approved

585/APP/2023/205 Land Off Thompson Rd & St Luke'S Rd, Former Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to the partial discharge of Condition 6 (Part 2.e. Landscaping) of planning permission ref. 585/APP/2019/829 dated 18-02-2020 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping).

Decision: 29-03-2023 Approved

585/APP/2023/317 Land Off Thompson Rd & St Luke'S Rd, Former Raf Uxbridge
Hillingdon Road Uxbridge

Deed of Variation to Section 106 legal agreement associated with planning permission ref: 585/APP/2019/829 dated 18-02-2020 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping.) in order to amend the definition of the word "Cohabitee" to remove the word "dependent", and to incorporate a new defined term of "Carer".

Decision: 20-12-2023 Approved

585/APP/2023/811 Land Off Thompson Road & St Luke'S Road, Former Raf Uxbridge
Hillingdon Road Uxbridge

Installation of rooftop plant and enclosures

Decision: 22-05-2023 Approved

585/APP/2023/886 Land Off Thompson Road & St Luke'S Road, Former Raf Uxbridge
Hillingdon Road Uxbridge

Details pursuant to the discharge of Condition 14 (Energy Assessment) of planning permission ref. 585/APP/2019/829 dated 18-02-2020 (Erection of a building containing 72 assisted living apartments and communal facilities (Use Class C2) with associated parking and landscaping).

Decision: 19-05-2023 Approved

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

Part 2 Policies:

DMCI 5	Childrens Play Area
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMH 8	Sheltered Housing and Care Homes
DMHB 11	Design of New Development
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking

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DMTC 1	Town Centre Development
LPP D12	(2021) Fire safety
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP H13	(2021) Specialist older persons housing
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP S4	(2021) Play and informal recreation
LPP SI1	(2021) Improving air quality
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T7	(2021) Deliveries, servicing and construction
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development

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NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF7 -23	NPPF7 23 - Ensuring the vitality of town centres
NPPF8 -23	NPPF8 23 - Promoting healthy and safe communities
NPPF9 -23	NPPF9 23 - Promoting sustainable transport
SA 28	St Andrews Park, Uxbridge