

Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: **Chris Brady**

4482/APP/2022/213

Date Application Valid:	24-01-22	Statutory / Agreed Determination Deadline:	12/08/24
Application Type:	Full	Ward:	Belmore

Applicant: Sivakumaran, Yoganathan & Jeyakumar
Site Address: **152-154 Uxbridge Road, Hayes, UB4 OJH**

Proposal: **Erection of three storey mixed use retail and 9 residential apartments with ancillary parking, amendments to dropped kerbs, refuse and bicycle storage, following the demolition of existing buildings.**

Summary of Recommendation: **GRANT planning permission subject to section 106 legal agreement and conditions**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



Summary of Recommendation:

GRANT planning permission subject to the conditions set out in Appendix 1.

That delegated powers be given to the Director for Planning, Regeneration and Public Realm to GRANT planning permission subject to the following:

A) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

1. Restriction upon future residents preventing them from obtaining an on-street parking permit within the existing adjoining Parking Management Scheme and any future expanded Scheme.

2. Air Quality Offsetting Contribution of £28,088.

3. Amendment to the traffic order to facilitate servicing and delivery to be undertaken on street funded by the applicant.

4. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the review and preparation of the legal agreement and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreements have not been finalised within 6 months of 02/10/24, delegated authority be given to the Director of Planning, Regeneration and Public Realm to refuse the application for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development in relation to the highway network and air quality as a consequence of demands created by the proposed development. The proposal therefore conflicts with the Town and Country Planning (General Permitted Development) (England) Order 2015, Policies DMEI 7, DMEI 14, DMT 6 and of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the Council's Planning Obligations SPD and the Hillingdon

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Local Plan: Part 1 - Strategic Policies (November 2012), the London Plan (2021) and the NPPF.'

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

1 Executive Summary

- 1.1 Planning permission has been sought for the erection of a three-storey mixed use building following the demolition of existing buildings on the site. The proposed building would comprise a retail unit at ground floor with 9 residential apartments above. The proposal also includes ancillary parking, amendments to dropped kerbs and the provision of refuse and bicycle storage.
- 1.2 In terms of the principle of the development, the proposal includes a net increase of 8 additional dwellings on the site, 4 of which would be family sized units therefore contributing towards addressing an identified need within the Borough. The provision of additional housing at the site is therefore supported. The development would also include an enlarged retail space at ground floor. The enlarged space would cater for a broader range of occupiers and would provide them with a contemporary shop, with private service yard. The enlarged and improved retail space would support the local economy as well as the vitality and viability of the local shopping parade.
- 1.3 Turning to design, during the processing of the application, concerns were raised regarding the design of the proposed new building. To address the design concerns revised plans have been submitted which illustrate detailing has been added to the gable ends and the external finishes of the building have been altered to break up the bulk of its side elevation and to simplify its design. The design of the building is now considered to be acceptable. The building has also been carefully designed to imitate the existing building's appearance when viewed from Uxbridge Road, it would therefore have an acceptable impact on the appearance of the terrace in which it is sited. Furthermore, the building would replace the unsightly rear service yard, fencing and signage that currently exist at the site, cluttering and harming the area's appearance. The development is therefore considered to enhance the appearance of the area.
- 1.4 Conditions (requiring obscure glazing and privacy screens in appropriate locations) are recommended to ensure that the development causes no harm to neighbouring amenities and that future occupiers of the building have acceptable levels of privacy.
- 1.5 Adequate parking would be provided for the development and conditions are recommended to ensure that the new and altered accesses meet the council's standards.
- 1.6 In the event, that the application is approved a legal agreement will be secured securing air quality contributions and parking restrictions for future residents.

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- 1.7 Overall, it is considered that subject to the recommended conditions the proposed development would cause no harm to the character and appearance of the area or the host building, nor would it cause significant harm to neighbouring amenities or the local highways network. Residents of the new flats would be provided with an acceptable standard of internal and external living accommodation. Additionally, the development would provide family sized housing on previously developed land, which is supported by the Local Plan and London Plan.
- 1.8 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

2 The Site and Locality

- 2.1 The development site is located on the corner of Uxbridge Road and Brookside Road.
- 2.2 At present the site comprises a three-storey end of terrace building. The ground floor of the building is in retail use and its upper floors are in residential use as 1 x 5-bedroom apartment. The building is finished in a mixture of brick and tiling and has high level gabled features. It is set back from Brookside Road and Uxbridge Road and forms part of small parade of three storey buildings (No's 124 -154 Uxbridge Road) which are of similar use, size and design. The development site projects beyond the side elevation of the parade to the back edge of Brookside Road and along this road frontage forms a yard area.
- 2.3 The area surrounding the development site is of mixed use. To the north are pairs of two storey semi-detached dwellings. To the south is Uxbridge Road and beyond that Hyatt Place Hotel and Springfield Road Retail Park. To the west of the site are two storey semi-detached properties and terraces and to the east (beyond the parade) are two storey terraces.
- 2.4 The site forms part of the 124 - 152 Uxbridge Road Local Parade, as designated in the Local Plan: Part 2 (2020). It also forms part of Hillingdon's Air Quality Management Area and is located within an Air Quality Focus Area. The site is within a 250-metre buffer zone of a former landfill site and a gas pipeline runs along Brookside Road.

Figure 1: Location Plan (application site edged red)

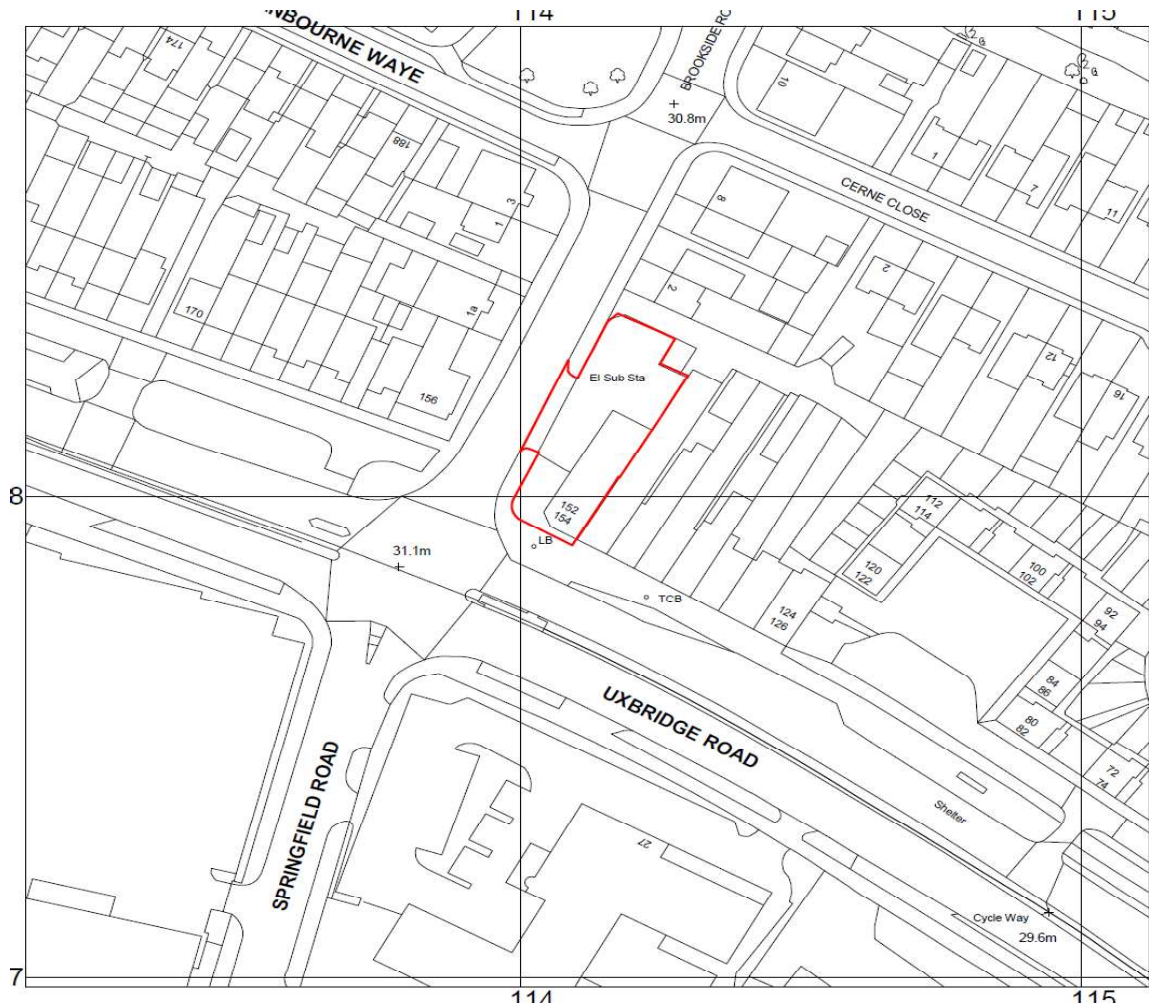


Figure 2: Street View Image of the Application Property



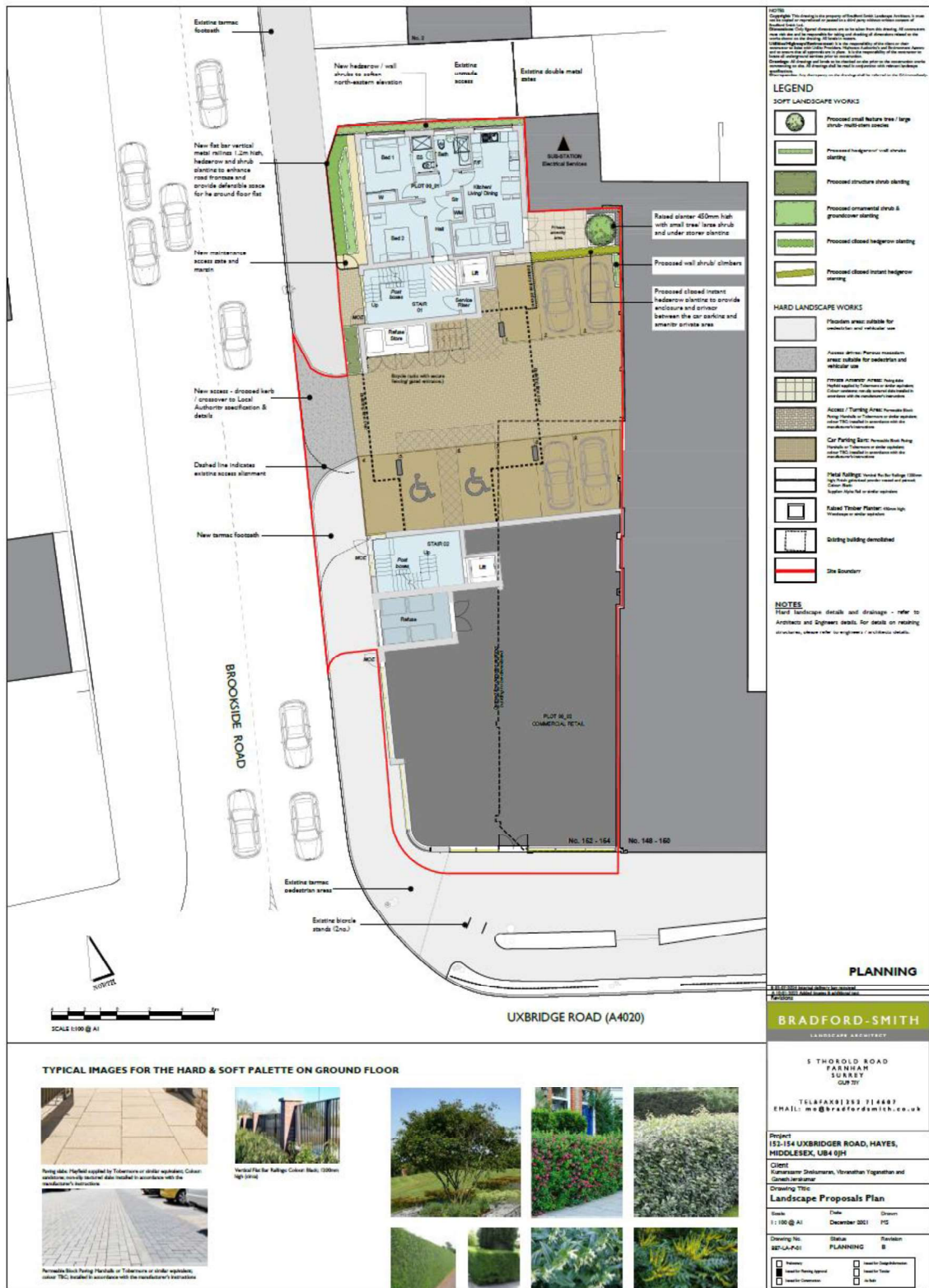
Proposed Roof Plan



Proposed Ground Floor Landscaping Plan

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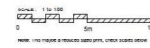
Proposed Front and Side Elevation



Front Elevation
1:100



Side Elevation (Left)
1:100



SCALE: 1 to 100
NOTE: THIS INCLUDES A PAVED SIDE DRIVE, CHECK ELEVATE SHEET

Directions to be checked on site before fabrication.
Contractors must verify all dimensions on site before setting out. Commencing work, or making any other drawings.
- All settings shall be checked on site.
- All work shall be checked on site and then signed confirmed.
- This drawing must be used for construction with the relevant 100% final contract.
- This drawing must not be used for any other purposes.

- MATERIALS LEGEND
1. Facing Bricks - Red or light colored
 2. Cladding Bricks - Cladding
 3. Zinc Cladding - Zinc
 4. Aluminium window - UPVC
 5. Aluminium window - Dark Grey
 6. Concrete kerbs/curbs and low wall - Grey
 7. Aluminium window - Dark Grey
 8. Cladding Bricks/curbs and low wall - Grey
 9. Cladding Bricks/curbs and low wall - Grey
 10. Cladding Bricks/curbs and low wall - Grey
 11. Cladding Bricks/curbs and low wall - Grey
 12. Cladding Bricks/curbs and low wall - Grey
 13. Cladding Bricks/curbs and low wall - Grey
 14. Cladding Bricks/curbs and low wall - Grey
 15. Cladding Bricks/curbs and low wall - Grey
 16. Cladding Bricks/curbs and low wall - Grey
 17. Cladding Bricks/curbs and low wall - Grey
 18. Cladding Bricks/curbs and low wall - Grey
 19. Cladding Bricks/curbs and low wall - Grey
 20. Cladding Bricks/curbs and low wall - Grey

Item	Description	Quantity	Unit	Value
1	Brickwork	1000	m ²	1000
2	Cladding	500	m ²	500
3	Window	10	nos	1000
4	Door	5	nos	500
5	Roofing	100	m ²	1000
6	Paint	100	litres	1000
7	Plumbing	100	m	1000
8	Electrical	100	m	1000
9	Landscaping	100	m ²	1000
10	Other	100	m ²	1000

Client Name
Kumarasamy Sankaranarayanan
Vignarathnam Vignarathnam
Ganesh Jayakumar
Site No
152-154 Uxbridge Road, Hayes
Drawing No
Proposed Elevations - Sheet 1

Scale
1:100 @A1
Drawing No
5005 400
Title
PLANNING SUBMISSION P8

MS4
Architects
207 Uxbridge Road
Hayes, Middlesex
UB8 3PH
T: +44 (0)1895 403 403
M: +44 (0)773 081 080
E: info@ms4architects.com

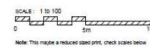
Proposed Rear and Side Elevation



Rear Elevation
1:100



Side Elevation (Right)
1:100



SCALE: 1 to 100
NOTE: THIS INCLUDES A PAVED SIDE DRIVE, CHECK ELEVATE SHEET

NOTE: Report all errors and omissions to the architect. All dimensions to be checked on site before fabrication.
Contractors must verify all dimensions on site before setting out. Commencing work, or making any other drawings.
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- All settings shall be checked on site and then signed confirmed.
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2	Cladding	500	m ²	500
3	Window	10	nos	1000
4	Door	5	nos	500
5	Roofing	100	m ²	1000
6	Paint	100	litres	1000
7	Plumbing	100	m	1000
8	Electrical	100	m	1000
9	Landscaping	100	m ²	1000
10	Other	100	m ²	1000

Client Name
Kumarasamy Sankaranarayanan
Vignarathnam Vignarathnam
Ganesh Jayakumar
Site No
152-154 Uxbridge Road, Hayes
Drawing No
Proposed Elevations - Sheet 2

Scale
1:100 @A1
Drawing No
5005 401
Title
PLANNING SUBMISSION P8

MS4
Architects
207 Uxbridge Road
Hayes, Middlesex
UB8 3PH
T: +44 (0)1895 403 403
M: +44 (0)773 081 080
E: info@ms4architects.com

4 Relevant Planning History

4.1 There is no relevant planning history for the development site.
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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 19 neighbouring properties were directly notified of the proposal on 09/02/22.

6.2 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
A petition of 28 signatures from a total of 16 different households has been received against the application	1. Traffic/congestion	Discussed in section 7 paragraph 7.72
	2. Noise pollution	Discussed in section paragraphs 7.52 and 7.53
	3. Late night disturbances from the shop's gym and nearby hotel	Disturbances from other properties are not material to the assessment of this application
8 Individual letters of objection have been received.	I. Traffic	Discussed in section 7 paragraph 7.72
	II. Noise	Discussed in section paragraphs 7.52 and 7.53
	III. Out of character	Discussed in section 7 paragraphs 7.17 to 7.26

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Statutory Consultation	
Thames Water: No objection subject to a standard informative to ensure that the developer applies for a permit should any ground water or surface water be proposed to be discharged into the public sewer network and a	Noted

condition pertaining to the submission of a pilling method statement.	
Cadent Gas: No objection	Noted
Scottish Southern Electric: No comments received	
Internal Consultation	
<p>Highway Officer:</p> <p>The Highway Authority is aware that this planning application has generated several objections, with regards highway matters this concerns traffic congestion and vehicular noise. The Highway Authority anticipates that the amount of road traffic generated by the proposal would not be insignificant and not have any noticeable impact upon the free flow of traffic or road noise.</p> <p>A total of 9 parking spaces, including 2 disabled accessible spaces are proposed which is below the maximum standards set out within the London Plan. The parking proposed is therefore acceptable.</p> <p>The proposal would include the carrying out of alterations to a vehicular access. On page 12 of the Design and Access Statement plan Ref: 5005_DAS V1.0 (Design + Access Statement) shows that the vehicle crossover would extend across the entrance to the residents parking.</p> <p>The initial proposal included a new servicing and delivery bay within the site boundary which would have required the construction of an additional access. This has now been removed and deliveries will take place on street. The applicant will be required to apply to the Local Highway Authority for an amendment to the traffic order to permit deliveries to take place on street.</p> <p>The Highway Authority requires a planning condition that prohibits the occupiers of the new dwellings from applying to join any car parking management scheme in operation within the vicinity of the site.</p> <p>The proposal provides a minimum of 2no. long-stay cycle parking spaces per dwelling or 18no. in total as well as 2no. short-stay cycle parking spaces. The</p>	The relevant conditions have been added

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<p>10no. proposed is significantly below this standard and as submitted is unacceptable. However, the Highway Authority considers that there is scope to increase cycle parking provision thereby allowing this issue to be resolved by way of a planning condition. The long-stay cycle parking spaces should be provided in accordance with the London Cycle Design Standards for the short-stay parking Sheffield stands are considered suitable.</p>	
<p>Access Officer:</p> <p>No objection subject to conditions pertaining to the requirements to conform to the relevant M4(2) and the provision of an evacuation lift in order to accord with D5, D7 and D12 of the London Plan (2021).</p>	<p>The relevant conditions have been added</p>
<p>Tree Officer:</p> <p>There are no TPO's or Conservation Area designations affecting the site. No trees or landscape features of merit will be affected by the proposal. The proposals include a hard and soft landscape strategy and layout plans by Bradford-Smith Landscape Consultants. The scheme introduces planting at ground level and on green roofs - including an intensive green roof providing amenity space for residents and an extensive roof with wildflower meadow. No objection subject to a condition to secure more comprehensive landscaping details.</p>	<p>The relevant conditions have been added</p>
<p>Noise Officer:</p> <p>The noise assessment report ref Rep: 112421 / 152 - 154 Uxbridge Road, Hayes by Sonic Element dated 24 Nov 2021 has been reviewed. This characterises the existing noise environment that would likely affect the proposed development, in particular the residential use. Existing noise levels during the night/day periods are reported as around 60/63 dB(A) respectively and have been adjusted upwards using the BS4142 approach. An attempt was made to consider the noise from the existing electricity sub-station, but this was not apparent, indicating that its enclosure has been effective in mitigating any noise it produces. This is a relatively noisy area affected by traffic on the main roads, it is adjacent to a busy road junction, and local commercial activity. The report recommends a corresponding noise insulation and ventilation design to mitigate the effects of noise within the residential units to levels consistent with</p>	

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<p>relevant guidance following recognised methods. No objection subject to a condition to restrict noise levels to a specific level above background noise levels.</p>	<p>The relevant conditions have been added</p>
<p>Air Quality Officer:</p> <p>The proposed development is located within the LBH Air Quality Management area (AQMA), and within the Ossie Garvin LBH Focus Area (FA), bringing additional traffic emissions which will add to current poor air quality. Developments in these areas need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of air pollutant emissions in these sensitive locations.</p> <p>The application is supported by an Air Quality Assessment which has been reviewed. In this case the level of mitigation does not result in an Air Quality positive development, as such a damage contribution of £28,088 will need to be secured by way of a s106 legal agreement. Subject to the agreement of the damage cost and conditions to secure an exposure reduction strategy, implementation of a mechanical ventilation system and submission of a low emissions plan, no objection is raised.</p>	<p>The relevant conditions have been added and heads of term proposed for approval by committee.</p>
<p>Urban Design Officer:</p> <p>The design is now accepted; however, I am against the demolition of the existing building. Demolition runs contrary to sustainability principles.</p>	<p>The existing building is not considered to be of any architectural merit and whilst the demolition of the existing building may be regrettable it is not a listed heritage asset.</p>

7 Planning Assessment

7.1 Principle of Development

7.2 *Retail Impact*

7.3 Policy SD7 and E9 of the London Plan and Policy DMTC 3 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) recognise the contribution that retail properties make to local communities and infrastructure. Furthermore, that seek to safeguard retail floor space within designated areas such as town centres and local shopping parades. The policies require new retail space to be designed to be flexible to enhance long term occupation.

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- 7.4 The application site is not located within a local town centre, or a local shopping parade designated within the local plan. However, the site does form part of a non-designated parade which fronts the Uxbridge Road and comprises of ground floor commercial uses with residential above. As such the retention of the commercial space is not only supported in principle but it's enhancement is considered to be a benefit which weighs in favour of the proposal.
- 7.5 At present the site comprises approximately 180m² of retail space at ground floor. The application proposes 226m² of retail space at ground floor level therefore resulting in a net increase of 46m². The existing frontage comprises of an unattractive shop front which extends around the corner junction between Uxbridge Road and Brookside Road. The existing retail unit occupies the entire frontage with what appears to be storage to the rear in the form of a white painted brick building which would have been active in terms of views across the service yard at some point, but the windows have been boarded up adding to the poorly maintained and decayed elevations which front Brookside Road.
- 7.6 In comparison, the proposal would result in an enlarged retail space with a consistent fascia for signage, increased glazing thus making a more attractive and active shop frontage. As referred to above the development would also replace unsightly advertisements and an open service yard which is used for storage. Above the enlarged retail space would be new residential units bringing new customers to the local shopping parade. It is therefore considered that the proposal would enhance and support the viability and attractiveness of the local parade. Policy SD7 and E9 of the London Plan (2021) support the redevelopment of out of centre retail space for mixed uses and the proposal would achieve this.
- 7.7 *Housing Provision*
- 7.8 The site comprises a building in mixed use (retail at ground floor with 1x 5 bed maisonette above). The site would remain in mixed used post development but would be of higher density, comprising a larger retail unit and 9 dwellings (resulting in a net increase of 8 dwellings at the site). Mixed used development is supported in this location as mentioned in the retail impact assessment above. Furthermore, new residential development is supported, subject to compliance with other material planning considerations.
- 7.9 *Housing Mix*
- 7.10 The proposed residential mix is as follows:
- 1 x 2 bed, 4 person apartment at ground floor
- 2 x 2 bed, 4 person apartments and 2 x 3 bed, 5 person apartments at first floor
- 2 x 2 bed, 4 person and 2 x 3 bed, 5 person apartments at second floor
- 7.11 The Councils Strategic Housing Marketing Assessment states there to be an underlying need for family sized units which are 3-bed units and above in accordance with the London Plan 2021 glossary definition.

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Four of the nine proposed dwellings would be family sized (3 bedrooms or more), therefore, not only would the proposal conform with DMH 1 and DMH 2 in terms of providing a broad mix of unit sizes, but it would also contribute towards addressing the identified need for family sized units within Hillingdon. As such the proposed housing mix is therefore considered to be acceptable.

7.12 *Density of Development*

7.13 Numerical densities are more appropriate to larger sites and what is considered of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the area, and would respect residential amenity considerations, rather than the consideration of the numerical density of the proposal.

7.14 Design / Impact on the Character and Appearance of the Area

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

7.16 Policies BE1 of the Hillingdon Local Plan Part 1 – Strategic Policies (2012), DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) in summary seek to secure a high quality of design that enhances and contributes to the area in terms of form, scale and materials, is appropriate to the identity and context of the townscape and would improve the quality of the public realm and respect local character. These aims are also supported by Chapter 12 of the NPPF (2023).

7.17 At present the site comprises a three-storey end of terrace building with associated yard to the rear fronting Brookside Road. The ground floor of the building is in retail use and its upper floors are in residential use as 1 x 5-bedroom apartment. The building is finished in a mixture of brick and tiling and has high level gabled features. It is set back from Brookside Road and Uxbridge Road and forms part of small parade of three storey buildings (Nos. 124 -154 Uxbridge Road) which are of similar use, size and design. The development site projects beyond the side elevation of the parade to the back edge of Brookside Road and along this road frontage forms a yard area.

7.18 The area surrounding the development site is of mixed use. To the north are pairs of two storey semi-detached dwellings. To the south is Uxbridge Road and beyond that Hyatt Place Hotel and Springfield Road Retail Park. To the west of the site are two storey semi-detached properties and terraces and to the east (beyond the parade) are two storey terraces.

7.19 The proposal seeks to demolish the existing building and to rebuild a sympathetic more contemporary replacement building. The ridge height of the replacement building would be of similar height to the existing building and to

other properties in the terrace where it would be sited. Its height is therefore considered to be acceptable.

- 7.20 The frontage of the replacement building (facing Uxbridge Road) would comprise a large gable end and dormer at roof level with a balanced first floor fenestration below, finished with shopfront at ground floor. The new building would not extend beyond the frontages of its neighbours; thus, retaining the areas building line. Front elevation dormers are common features within the terrace, as such those proposed would be in keeping with the appearance of the terrace and neighbouring buildings. Furthermore, large gables exist on the existing building and at either end of the terrace, the replacement building would have a similar feature, retaining the visual symmetry of the terrace. The larger shop frontage would be somewhat out of character with other shops in the terrace, however the existing shopfront is out of character as it wraps around the building, unlike others in the terrace. The new shopfront is therefore not considered to be significantly harmful when compared with the existing situation at the site and in fact any potential harm would be outweighed by the contribution the new building would make to removing the existing shop front which is cluttered with signage, some of which is no longer relevant to the use of the site and the poorly maintained structure. The limited visual impact of the replacement building on Uxbridge Road and the neighbouring terraces is therefore considered to be acceptable.
- 7.21 The side and rear elevation of the building (facing Brookside Road) would be of more contemporary design. The ridge height of the side and rear would be consistent with the rest of the terrace and existing building. The lift shafts would extend above the height of the terrace; however, they would be well set back to reduce their visual impact from the street. The height and scale of the building's side elevation is therefore considered to be acceptable.
- 7.22 During the processing of the application concerns were raised regarding the complex material palette of the building's side elevation. To address these concerns the zinc cladding window surrounds have been omitted and replaced with glazed bricks, which are present within the upper floor feature panels of the proposed building. This would bring continuity to the material palette of the building, whilst also breaking up the visual bulk of the buildings side elevation by having bricks of different colours. Mock Tudor beaming and render detailing have been added to the side and front gable ends of the building to ensure that it better matches the existing building and terrace.
- 7.23 A more active frontage would be introduced along Brookside due to the new ground floor residential development and shopfront, improving the buildings relationship with the road. Although the side elevation which would be prominently viewed within Brookside Road particularly when travelling towards the Uxbridge Road, the high-level windows would provide a reasonable degree of articulation. The material pallet is indicated on the submitted drawings and the external brick finish is welcomed. It is considered that this elevation is broadly acceptable and a condition to secure high quality materials is to be attached to the decision notice and this will include further improvements to this elevation.

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- 7.24 Furthermore, the existing site comprises no meaningful soft landscaping and is dominated by hardstanding. Due to its set back along Brookside Road, the proposed development allows for improved soft landscaping at the site, which would be secured via condition, improving the areas appearance.
- 7.25 Additionally, the development would result in the removal of the unsightly raised signage, including that which advertised services which are not relevant to the uses of the actual site, the cages to the front of the commercial unit and exposed service yard which are visible from Uxbridge Road and Brookside Road, further improving the appearance of the area.
- 7.26 Overall and for the reasons outlined above, the proposal is considered to have an acceptable impact on the visual amenities of the area and would therefore comply with Policies D1, D3 and D4 of the London Plan (2021), Local Plan Part 1: Strategic Policies (2012) Policy BE1, Policies DMHB 11 and DMHB 12 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Paragraph 135 of the NPPF (2023).
- 7.27 Residential Amenity
- 7.28 Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure a satisfactory relationship with adjacent dwellings with no unacceptable loss of outlook, amenity, daylight and sunlight to neighbouring occupiers.
- 7.29 Policy D14 of the London Plan (2021) requires that proposals minimise noise pollution and Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) promotes the maximum possible reduction in noise levels and seeks to ensure that noise impacts can be adequately controlled and mitigated.
- 7.30 Paragraph 135 of the NPPF (2023) states 'Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'
- 7.31 *Privacy*
- 7.32 Due to their separation distance from the properties on the other side of Uxbridge Road, the south facing windows of the proposed development would cause no loss of privacy to neighbouring properties.
- 7.33 The site is bounded by 156 Uxbridge Road, which is in use as a business referred to as DHOOT HGV LGV Training London. Although it has a residential appearance, it is unclear whether the property is in use as a form of floorspace to support a commercial operation or a residential property. Notwithstanding this point, the first and second floor windows proposed would provide views into the side facing windows of this property at a distance of approximately 19.5m. As set

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out above, Policy DMHB 11 and the pre-text to the policy set a guideline of 21 metres as an adequate separation distance between habitable neighbouring windows. The proposal would fall 1.5 metres short of this separation distance, however it is important to note that existing windows of the building look toward the neighbouring property and that the second-floor windows would look downward, toward the mentioned windows therefore increasing their distance from the proposed second floor windows. Taking this into consideration and the minor shortfall when measures as the crow flies, it is not considered that a reason for refusal on this basis would be upheld at appeal.

- 7.34 The remaining west facing windows would look toward other properties on Brookside Road at a distance well over 21m where they would cause no harmful overlooking or adverse privacy impacts.
- 7.35 The proposed development includes north facing windows which would look toward the side elevation windows of No.2 Brookside Road at approximately 5.5m. It is important to note that the principles of DMHB 11 which refer to retaining adequate levels of privacy between new and existing residential properties, applies to habitable room windows. Photos of the site, as well as evidence submitted by the applicant suggest that the 3 side windows serve a hallway, bathroom and toilet, with the latter two being obscure glazed. Nevertheless, all north facing windows proposed are secondary windows which are recommended to be conditioned to be obscure glazed, therefore preventing any overlooking. The development is therefore considered to have an acceptable impact on the privacy of No.2 Brookside Road.
- 7.36 The proposed east facing windows (serving the bedroom and living rooms of Flat 01_02 at first floor and Flat 02_02 at second floor) would face toward the rear service yard areas and would provide some views toward the rear elevations of the flats above the shopping parade. Notably, the nearest habitable room window (of the proposed development) would be 17m away from the rear habitable room windows of No.148-150 Uxbridge Road. However the angle of the windows is such that any overlooking would be very minimal. Therefore due to the separation distance and fact that the habitable room windows do not directly face each other the development would cause no loss of privacy to its occupiers. The east facing windows of the development would therefore cause no unacceptable loss of privacy to the flats above the shopping parade.
- 7.37 Furthermore, many of the first-floor windows of the shopping parade already have limited privacy, as a roof garden exists at the development site, providing existing views into these windows.
- 7.38 Conditions would be added to ensure that privacy screening is installed around upper floor walkways and the terraces of Flats 1.04 and 2.04, to protect the amenities of the flats above the shopping parade.
- 7.39 The roof level gardens would provide similar views and would therefore cause no harmful loss of privacy to neighbouring properties. Revised plans have been submitted which include a wildflower area on roof level which will be secured and

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inaccessible in order to provide a set back from the roof margins to reduce the potential impacts from overlooking from the roof garden. Therefore the overlooking of any gardens would be no different to the general overlooking of gardens which most residential properties which have a direct neighbour to the east and or west would experience.

7.40 Taking into consideration these points the development would cause no harmful loss of privacy to neighbours.

7.41 *Light and Outlook*

7.42 A Day and Sunlight Assessment has been submitted in support of the proposal (215516DAY-Rev1). The specialist report assesses the daylight and sunlight impact of the proposed development on No.2 Brookside Rd, No.156 Brookside Rd, and 148-150 Uxbridge Road, which are the nearest neighbours and therefore would be the most likely to be affected.

7.43 The report provides an assessment in accordance with the most recent BRE Guidance which was adopted in 2022. It should be noted that in terms of Vertical Sky Component (VSC) which is a key indicator in the assessment of daylight and sunlight impact, a proposed development should retain at least 80% of the existing pre-development light values.

7.44 The assessment reviews 17 neighbouring windows across the properties mentioned above and refers to them as receptors. Receptors 1-5 are windows located within the rear elevation of No.156, the report concludes that the windows tested would retain at least 80% of the existing light values therefore this property would not be unduly affected by the development.

7.45 Receptors 6-10 are located at the front of No.1 Brookside Road; these would also retain at least 80% of the existing light values therefore would not be unduly affected by the proposed development.

7.46 Turning to receptors 11-13 these are located to the side elevation of No.2 Brookside Road; these windows would be subject to a reduction in light levels below 80% (68-75%) therefore these windows would be subject to a negligible to minor impact in terms of daylight.

7.47 Finally, receptors 14-17 are located to the rear of 148-150 Uxbridge Road which adjoins the existing building on the site. These windows would retain at least 80% of the existing light values therefore would not be unduly affected by the proposed development.

7.48 Whilst the proposal would result in a minor loss of light below the guideline set out in the BRE guidance 2022, the window which is subject to the minor loss is in the side elevation of No.2 Brookside. Having considered the location of the window, it is likely to serve either as a secondary window or a stairwell therefore would not result in a detrimental loss of outlook or daylight/sunlight such as to warrant a recommendation for refusal.

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- 7.49 In terms of outlook, the upper floors of the building would be set away from the upper floor windows of No.148-50 Uxbridge Road (nearest flat above shopping parade), by approximately 5m. Due to the separation distance as well as the fact that the upper floor flats windows would still have direct views, north and east. The ground floor west facing windows of No.148-150 Uxbridge Road are obscure glazed and receive limited light. They would be unaffected by the development and still openable into the sites new parking area. The development would cause no harmful loss of outlook to its nearest neighbour.
- 7.50 The habitable windows of No.156 and No.2 Brookside Rd (other nearest neighbours) are a considerable distance from the new building and would therefore not be subjected to any adverse loss of outlook.
- 7.51 *Noise, Activity and Disturbance*
- 7.52 The development site is located within a dense, busy, mixed-use area next to a busy road where activity and noise levels within the area are high. The addition of 9 additional dwellings and a larger retail unit is therefore unlikely to cause any significant increase in activity or noise at the site which would be harmful to neighbouring amenities. The opening hours of the commercial unit would be secured via condition. In terms of noise mitigation, a condition relating to materials will be imposed however the detailed design stage which will be submitted for building regulations review will include details to ensure the units appropriately noise insulated. Additionally, a construction management plan will be secured via condition to minimise construction disturbance.
- 7.53 Overall, when considering the proposal, it is clear the scheme has been designed to fit the constraints of the site. The proposal would not lead to a significant loss of outlook, daylight, or sunlight to neighbouring habitable rooms. Furthermore, the development would not involve a significant increase in noise disturbance in an area which is bounded by a busy road and a large retail/commercial park on the opposite side of the road that generate significant levels of background noise. Taking into consideration the above and subject to conditions the development would have an acceptable impact on neighbouring amenities.
- 7.54 Quality of Residential Accommodation (Internal and External)
- 7.55 *Internal*
- 7.56 Policy D6 of the London Plan (2021) requires that all housing should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of all Londoners without differentiating between tenures.
- 7.57 Policy DMHB 16 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) requires that all housing developments should have an adequate provision of internal space in order to provide an appropriate living environment.

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7.58 The proposed development comprises the following internal accommodation:

Ground Level:

Plot 00_01 (2b4p) 70m²

First Level:

Plot 01_01 (2b4p) 70m²

Plot 01_02 (3b5p) 87m²

Plot 01_03 (2b4p) 70m²

Plot 01_04 (3b5p) 91m²

Second Level:

Plot 02_01 (2b4p) 70m²

Plot 02_02 (3b5p) 87m²

Plot 02_03 (2b4p) 70m²

Plot 02_04 (3b5p) 86m²

7.59 The dwellings would therefore comply with or exceed required internal floor space standards.

7.60 The ground floor flat would be set back from the street, creating a privacy buffer for its future residents. Its northern windows would be obscure glazed, again ensuring privacy. The habitable rooms within the ground floor flat that will have obscure glazed windows, will have other windows providing light and outlook for future residents. The development would provide future residents of the ground floor flat with acceptable living conditions. The other new dwellings would also have habitable rooms with good access to light and privacy.

7.61 In reviewing the internal spaces, it is noted that there are two bedrooms out of the 20 to be provided across the entire development which would feature partially obstructed primary windows. The windows of bedrooms 2 of Flats 02_03 and 01_03 would be partially obscured by a privacy screen which is located 2m from the window and would obscure views of the bedrooms from the external walkway which runs along the outer wall of the unit. The principle of DMHB 11 which refers to separation distances and DMHB 16 is to ensure that adequate levels of privacy are reflected in the design. When assessing privacy officers consider the overlooking which could potentially occur between habitable room windows. This is due to the fact that these areas would be subject to longer timeframes of occupation than an external non habitable area such as an external walkway which provides access to a unit. Taking this into consideration it would not be necessary to place a privacy screen to obscure views from the walkway into the bedrooms. However, given that they are proposed and would only partially obscure the views out of the windows and users of the flats would not be confined to their rooms, but would have the entirety of the flat, where access to light and outlook would be gained from numerous windows, the level of overall outlook to these bedrooms is acceptable.

7.62 Overall, it is therefore considered that the new dwellings would provide future residents with an acceptable level of internal living accommodation.

7.63 *External Amenity*

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- 7.64 Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) requires all new residential developments to provide good quality and usable private outdoor amenity space. 25m² of amenity space is required for 2bed flats and 30m² for 3 bed flats.
- 7.65 The proposed amenity space provisions are as follows:
Ground Level:
Plot 00_01 (2b4p) 16.5m²
First Level:
Plot 01_01 (2b4p) 8.4m²
Plot 01_02 (3b5p) 16m²
Plot 01_03 (2b4p) 6.5m²
Plot 01_04 (3b5p) 9.4m²
Second Level:
Plot 02_01 (2b4p) 8.4m²
Plot 02_02 (3b5p) 16m²
Plot 02_03 (2b4p) 5.5m²
Plot 02_04 (3b5p) 3.4m²
Third Level:
Rooftop Communal Amenity Gardens - 155m²
- 7.66 Taking into consideration the proposed unit mix, 245sqm of amenity space is required in total. The proposal would provide approximately 245sqm which complies with Policy DMHB 18. Whilst the bulk of the amenity space is provided at roof level, the units would also be provided with modest private individual amenity areas. The proposed amenity space provisions are therefore considered to be acceptable and to provide residents with a good standard of external living accommodation.
- 7.67 Highways and Parking
- 7.68 Policies T4, T6, T6.2 of the London Plan (2021), DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposed development. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to deliver development which is sustainable in transport terms and safeguards highway and pedestrian safety.
- 7.69 These aims are also supported by the NPPF (2023) at Chapter 9, which 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.
- 7.70 *Car Parking*
- 7.71 The development site is located within PTAL 3, on the border of PTAL 2.
- 7.72 The London Plan (2021) advises that for residential development in this location the maximum amount of car parking that should be provided is 0.75 spaces per

two-bed unit and 1no. space per three-bed unit. A maximum of 9 parking spaces are therefore required for the proposed development. 9 parking spaces would be provided, as such the proposed parking provisions are acceptable. Each of these car parking spaces would be allocated to a specific unit which is supported. The objections which have been received during the public consultation have raised concerns regarding congestion, however the Highway Authority anticipates that the amount of road traffic generated by the proposal would not be significant and would therefore not have any noticeable impact upon the free flow of traffic or road noise.

7.73 *Electrical Charging Points*

7.74 Part G) of Policy T6 and part C) of Policy T6.1 of the London Plan (2021) state that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. A condition has been recommended to secure electric vehicle charging points for the new properties, in the event of approval.

7.75 *Bicycle Parking*

7.76 Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of cycle parking facilities for new residential units.

7.78 The London Plan (2021) would require that a minimum of 2no. long-stay cycle parking spaces be provided per dwelling. 18 spaces should therefore be provided, as well as 2no. short-stay cycle parking spaces. 10 spaces are proposed, and 8 additional spaces will be secured via condition. Space exists within amenity spaces to secure these.

7.79 *Refuse/Recycling Collection*

7.80 Policy DMHB 11-part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling, and organic waste, with suitable access for collection. Waste storage for the residential building will be sited within the under-croft section of the car park. Refuse storage for the retail unit will be located within the service yard. Full details of the residential waste storage facilities will be secured through condition in the event of an approval.

7.81 *Access*

7.82 The existing access would be altered and repositioned to create an access for the new parking area. The works required to the public highway would be secured by a separate application made to the Local Highway Authority. In terms of servicing and deliveries for the retail unit, initially a delivery bay was proposed with a new access set to be provided to allow vehicles to pull up to the delivery bay and unload. However, this would have resulted in vehicles crossing the footway and possibly obstructing pedestrian movement. As such an amendment has been

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made to the plans to show no new access for vehicles to the delivery bay and vehicles will now stop on street. Given the limited number of deliveries required to service the retail space, this is not considered to give rise to a significant increase in congestion and therefore subject to the applicant agreeing to fund the necessary amendment to the traffic order, the proposal is acceptable.

7.83 *Construction*

7.84 A condition has been recommended for inclusion requiring a Construction Management Plan. This would ensure that the development would have no significant adverse impact on traffic and pedestrian safety during construction, given the constraints of the site.

7.85 Overall, subject to the conditions, it is concluded that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies DMT 1, DMT 2 and DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

7.86 Noise

7.87 Policy D14 of the London Plan (2021) requires that proposals minimise noise pollution and Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) promotes the maximum possible reduction in noise levels and seeks to ensure that noise impacts can be adequately controlled and mitigated.

7.88 The provision of 9 additional residential units is not considered to lead to such a significant change in the local noise environment as to warrant a refusal of planning permission on this ground. The necessity to comply with Building Regulation standards would ensure that the development is appropriately noise insulated.

7.89 Air Quality

7.90 Local Plan Policy DMEI 14 states:
Policies SI 1 of the London Plan (2021), EM8 of the Hillingdon Local Plan: Part 1 (2012) and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) are all directly relevant to the proposal. These policies can be read in full in the Committee Report Part 3 - Policy Appendix, and in summary, seek to safeguard and improve air quality in order to protect existing and new sensitive receptors. These aims are also supported by the NPPF (2023) at chapter 15.

7.91 The development site is located within an Air Quality Management Area and Air Quality Focus Area, as such the development should not only provide evidence to demonstrate it would be air quality neutral, but it is required to demonstrate it would be air quality positive. The applicant has submitted an Air Quality Assessment which indicates the proposal would be air quality neutral but not air quality positive in terms of onsite mitigation. The Borough's Air Quality Officer has advised that if the application is recommended for approval, conditions and a legal agreement

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securing a £28,088 damage cost to offset the on-site mitigation. The conditions and damage cost are to ensure that the development causes no harm to its future residents and that adverse air quality impacts are mitigated for.

7.92 The applicant has confirmed agreement to pay the damage cost, and this will be secured via a legal agreement should planning permission be granted and the recommended conditions will also be added.

7.93 Accessibility

7.94 Policy D5 and Policy D7 of the London Plan (2021) aims to provide suitable housing for London's diverse population including disabled people, older people and families with young children.

7.96 The proposal has been reviewed by the Council's Access Officer who has raised no objection to the principle of either uses or the overall design of the development. As such subject to conditions to secure the implementation of an evacuation lift the requirement for the units to meet the M4(2) accessible standards in accordance with Policies D7, D5 and D12 of the London Plan (2021).

7.97 Security

7.98 The proposed development is not considered to compromise the security of the application site or adjoining sites.

7.99 Trees and Landscaping

7.1.1 Policy D5 of the London Plan (2021) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

7.1.2 Policy DMHB 14 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) requires that all development retains or enhances existing landscaping, trees, and biodiversity.

7.1.3 The proposed development would result in no loss of trees and would therefore have no adverse tree impact.

7.1.4 A good mix of soft and hard landscaping is proposed in and around the site, as well as on the roof of the building. The landscaping would ensure that the proposal integrates with its surroundings. To ensure that an appropriate level of greenery is provided at the site, a landscaping condition is recommended for inclusion on the decision - if the application is approved.

7.1.5 With regards to Urban Greening as set out above, Policy G5 of the London Plan relates to developments of a major scale only. As this is a minor scale development the applicant is not required to provide an Urban Green Factor assessment or achieve the 0.4 score applicable to major developments.

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- 7.1.6 The proposal is therefore considered to be acceptable.
- 7.1.7 Ecology
- 7.1.8 Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.
- 7.1.9 The site comprises buildings and hard surfacing. It does not contain any trees, ponds, open woodland, dense scrub, or shrubbery. There are no protected sites of ecological interest adjacent to or near to the site. It is therefore considered that the likelihood of protected species being present at the site is low.
- 7.1.10 The ecological value of the site would be enhanced by greenery on the roof off the building as well as around the periphery of the site. A condition requiring a landscaping plan would aid in ensuring that the proposed greenery is appropriate and supportive of ecology. With regards to Biodiversity Net Gain (BNG), this policy was formally adopted for the development on small sites in April 2024. The submission of this application pre-dates the adoption of the BNG small sites policy therefore a BNG on this site is not required to be formally demonstrated. Notwithstanding this point, the submission of a landscaping scheme which provides an increase in soft landscaping above the existing as shown on the landscaping strategy drawing, would lead to a reasonable increase in ecological value.
- 7.1.11 In the event of an approval, an informative would be secured advising that should protected species be found at the site, the applicant(s) must fulfil their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.
- 7.1.12 The proposal is therefore considered to be acceptable.
- 7.1.13 Sustainability
- 7.1.14 Policy SI 2 of the London Plan (2021) states residential development should achieve at least a 10% improvement beyond Building Regulations 2013.
- 7.1.15 Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets
- 7.1.16 The proposed development is of a minor scale therefore whilst the principle of SI 2 (carbon reduction) is applicable, the London Plan Policy applies more specifically to major scale applications. The applicant is therefore not required to

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submit an energy statement with the application or demonstrate a policy level of on-site savings.

- 7.1.17 Notwithstanding this point, the modern construction of the development would be considered as providing sufficient energy savings itself and therefore the development would comply with the principles of the carbon saving development plan policies.
- 7.1.18 The proposal would therefore be compliant with Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).
- 7.1.19 Flooding and Drainage
- 7.1.20 Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. Policy DMEI 10 states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.
- 7.1.21 Policy SI12 and SI13 of the London Plan (2021) require, in summary, that flood risk is minimised and mitigated, and that surface water runoff is managed close to source.
- 7.1.22 The application site is located in Flood Zone 1 where there is a low probability of risk of fluvial flooding. As such, all forms of development including residential development (which is classified as a 'more vulnerable use') is acceptable in this location, in terms of fluvial flood risk.
- 7.1.23 In the event that the development is approved, a comprehensive drainage strategy will be secured via condition. The strategy will ensure that surface water run-off and grey water is appropriately managed in line with the drainage hierarchy set out in the London Plan.
- 7.1.24 The proposals are therefore considered to be in compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).
- 7.1.25 Airport Safeguarding
- 7.1.26 The development would have no impact on airport safeguarding.
- 7.1.27 Land Contamination
- 7.1.28 The is identified as being located within an area potentially at risk of land contamination according to the Council's mapping system. Having consulted the Councils Contaminated Land specialist the historical data indicates that the site is subject to a very low risk and therefore no objection has been raised subject to a

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condition restricting the importation of soils and other materials unless they are clean and free of contamination. Subject to this condition the development is acceptable.

7.1.29 Electricity Infrastructure

7.1.30 It is noted that the development is to be constructed close to the boundary of an electricity substation located to the rear of the site. A consultation letter was issued to the electricity provider (SSE) dated 15-05-24 after undertaking a land register search to identify the owner of the asset. No comments have been received therefore it is not considered that there would be an objection to the construction of the development.

8 **Other Matters**

8.1 Human Rights

8.2 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.

8.3 Equality

8.4 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.

8.5 Local Finance Considerations and CIL

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

8.7 The proposal involves the creation of residential units and is CIL liable

9 **Conclusion / Planning Balance**

9.1 Planning permission has been sought for the erection of a three-storey mixed use building following the demolition of existing buildings on the site. The proposed building would comprise a retail unit at ground floor with 9 residential apartments above. The proposal also includes ancillary parking, amendments to dropped kerbs and the provision of refuse and bicycle storage.

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- 9.2 The proposed new building is considered to improve the appearance of this deteriorating corner plot. The scale bulk and mass are appropriate and from a policy perspective the optimisation of a brownfield site to provide additional housing stock is supported. Furthermore, the unit mix which includes the provision of new family sized housing is considered to be a public benefit which weighs in favour of the development.
- 9.3 Overall, it is considered that the proposal would provide adequate levels of living accommodation for the occupants of the development whilst retaining the levels of living accommodation for existing properties.
- 9.4 The proposed development would not result harm to the character and appearance of the area or the local highway network.
- 9.5 Where required mitigation has been agreed and secured via a legal agreement and the suggested conditions to be attached to the decision notice. As such the proposal is considered to bring forward public benefits which would outweigh any potential harm identified, which as set out in this report would be limited.
- 9.6 It is therefore recommended that the committee grant planning permission for the proposed development subject to conditions and a legal agreement.

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

4482/APP/2022/213

Appendix 1: Recommended Conditions and Informatives

Conditions

1. RES3 **Time Limit**

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

REASON

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

2. RES4 **Accordance with Approved Plans**

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

5005_200 Rev P7
5005_201 Rev P8
5005_202 Rev P8
5005_203 Rev P7
887- LA-P-01 REV B
887- LA-P-02 REV C
5005_402 Rev P2
5005_400 Rev P8
5005_401 Rev P8
5005_101 Rev P3

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

REASON

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

3. RES5 **General compliance with supporting documentation**

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

Air Quality Assessment - 215516AQA
241121 Noise impact assessment
215516DRA FRA and SUDs Report
215516TRA Transport Assessment
Landscape Strategy January 2022
21CLR5516NH Land contamination assessment

87 - REV B Urban Greening Statement

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

REASON

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

4. OM19 Construction Management Plan

No development shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- a) The phasing of development works
- b) Types of vehicles accessing the site, including their ability to enter the shared driveway without affecting neighbouring properties
- c) The hours during which development works will occur
- d) How vehicles will access the site whilst protecting neighbouring sites
- e) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities)
- f) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours)
- g) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process
- h) The storage of demolition/construction materials on site

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

REASON

To ensure the development causes no harm to the local highways network or pedestrian and road user safety and to safeguard the amenity of surrounding areas in accordance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 (2020), as well as Policies D3 and T6 of the London Plan (2021).

5. D2 Obscure Glazing

The south facing ground floor window of Flat 00_01 (facing the communal car park) and all north facing windows of Flats 00_01, 01_01 and 02_01 (facing No.2 Brookside Road) shall be glazed with obscure glass to at least scale 4 on the Pilkington scale and be non-opening except at top vent level for so long as the development remains in existence.

REASON

To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

6. NONSC Lift Access

The development hereby approved shall accord with London Plan policy D5(B5) and D12(A) to include an evacuation lift designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, as shown on the approved plans.

REASON

To ensure the development provides reliable, convenient and dignified means of escape for all building uses in accordance with London Plan Policies D5 and D12.

7. NONSC Accessibility Compliance M4(2)

The dwellings hereby approved shall accord with the requirements of Policy D7 of the London Plan, and shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

REASON

To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with Policy D7 of the London Plan (2021).

8. RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter, the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

9. RES7 Materials (Submission)

No development above ground level shall take place until details of all materials and external surfaces (associated with the proposed development) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and

photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

10. RES9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100)

1.b Written specification of planting and cultivation works to be undertaken

1.c Schedule of plants giving species (including pollution absorbing plants), plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage (including dimensions and material finishes)

2.b Secure and enclosed cycle Storage units capable of storing 18 long stay cycles (including dimensions and material finishes), details of 2 short stay cycles spaces to be provided on site

2.c Means of enclosure/boundary treatments

2.d Hard Surfacing Materials and Car Parking Layouts (including the provision of 2 active electric vehicle charging points and 7 passive electrical vehicle charging points)

2.e External Lighting

2.f Other structures

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

4. Details of Landscape Maintenance

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

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

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

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

REASON

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

11. NONSC Thames Water Piling Condition

No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON

To ensure that the proposed works, in close proximity to underground sewerage utility infrastructure, will not adversely impact / cause failure of local underground sewerage utility infrastructure in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

12. NONSC Retail Operation and hours

The hereby approved retail premises shall only be used for retail purposes (Use Class E(a)) between the hours of:

0800 to 2300 Monday - Friday
0800 to 2300 Sundays
1000 to 2200 on Public or Bank Holidays

REASON

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

13. NONSC Privacy Screens and Balconies

Notwithstanding the approved drawings, prior to the occupation of the hereby approved dwellings, details of the siting, design and materials of all privacy screens to balconies and external walkways shall be submitted to and approved in writing by the Local Planning Authority. Furthermore design and material finish details of privacy screens to be installed on all external balconies situated on the north facing elevation of the building shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the screens shall be installed as per the consented details prior to the first occupation of the development here by approved and the privacy screens shall be retained

on site for so long as the development remains in existence.

REASON

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

14. NONSC Noise

For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs 0700-2300 and 30 dB LAeq 8 hrs 2300-0700 measured inside any habitable room of any permitted dwelling having regard to the guidance set out in British Standards 8233: 2014 and 4142: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.'

REASON

To protect adjoining properties from adverse noise impacts in accordance with Policy D14 of the London Plan (2021) and paragraph 135 of the NPPF (2023).

15. NONSC Soil Testing

Before any part of the development is occupied, site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policies DMEI 11 and DMEI 12 of The Local Plan: Part 2 - Development Management Policies (2020).

16. NONSC Mechanical Ventilation

No development shall commence until proof that the mechanical ventilation approved by the LA (in condition above) has been installed at the premises with the systems / filters required to extract NOx/NO2 from outdoor ambient air and secure indoor NO2 levels below 36ug/m3 has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out before the use/operation commences and be thereafter maintained.

REASON

As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012),

Policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, London Plan (2021) Policy S11 and T4, and the National Planning Policy Framework (2023).

17. NONSC Dust Control

A. No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

B. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

REASON

To reduce the developments impact on air quality in accordance with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, Policy EM8 of the Local Plan: Part 1 (November 2012), Policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, and London Plan (2021) Policies S11 and T4.

18. NONSC Accesses, Footways and Crossovers

Notwithstanding any of the hereby approved plans and prior to the commencement of the hereby approved development, a plan should be submitted which demonstrates that the new vehicle accesses (as well as crossovers) would comply with the London Borough of Hillingdon Domestic Vehicle Crossover Policy 2022. Furthermore details of how all redundant crossovers will be reinstated as footpaths shall be submitted.

Thereafter the accesses and footpaths shall be constructed in accordance with the approved plans and maintained throughout the life time of the development.

REASON

To ensure that the local highways network is protected from adverse impacts in compliance with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2 (2020) and Policy T6 of the London Plan (2021).

19. NONSC SUDS and Drainage

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management and water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a timetable for its implementation; and
- iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- iv. Provide details of water collection facilities to capture excess rainwater;
- v. Provide details of how rain and grey water will be recycled and reused in the development;
- vi. Provide details of how the dwellings will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption.

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

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DME1 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

20. NONSC Fire Strategy

Prior to above ground level works, an updated Fire Strategy shall be submitted to and approved in writing by the Local Planning Authority. The updated Fire Strategy shall include details of the materials to be used to construct the development. The development shall thereafter be completed in accordance with the approved updated Fire Strategy.

REASON

To ensure that the development meets Fire Safety Standards in accordance with Policy D12 of the London Plan (2021).

Informatives

1. I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant

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

2. I73 Community Infrastructure Levy (CIL) (Granting Consent)

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

3. I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise 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.

4. I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the installation 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.

5. I52 Asbestos informative

Appropriate testing, demolition and/or removal of any asbestos containing material (ACM) should be carried out strictly in accordance with guidance from the Health and Safety Executive.

6.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team and application forms should be completed on line.

I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
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
DMTC 3	Maintaining the Viability of Local Centres and Local Parades
DMTC 4	Amenity and Town Centre Uses
LPP D1	(2021) London's form, character and capacity for growth
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 E9	(2021) Retail, markets and hot food takeaways
LPP H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SD7	(2021) Town centres: development principles and Development Plan Documents
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

Appendix 2: Relevant Planning History

4482/A/82/1130 152 Uxbridge Road Hayes

New shopfront garages and internal alterations.

Decision: 02-11-1982 Approved

4482/B/82/9074 152 Uxbridge Road Hayes

Erection of two internally illuminated fascia signs and one illuminated box sign.

Decision: 02-11-1982 Approved

4482/C/92/3532 152 Uxbridge Road Hayes

Erection of an advertisement hoarding (retrospective application)

Decision: 05-05-1992 Refused **Appeal:** 24-11-1992 Dismissed

4482/PRC/2021/60 152-154 Uxbridge Road Hayes

Demolition of existing building and erection of a 3 storey building containing 9 x 2 bed apartments, 1 no retail unit, car and cycle parking, bin stores and associated development thereto

Decision: 19-07-2021 Objection

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

DMH 2 Housing Mix

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

LPP E9 (2021) Retail, markets and hot food takeaways

LPP SD7	(2021) Town centres: development principles and Development Plan Documents
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF9 -23	NPPF9 23 - Promoting sustainable transport
LPP D1	(2021) London's form, character and capacity for growth
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 H1	(2021) Increasing housing supply
LPP H2	(2021) Small sites
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
DMTC 3	Maintaining the Viability of Local Centres and Local Parades
DMTC 4	Amenity and Town Centre Uses