



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Landim Ltd

Proposal:
Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Appeal Site:
78 High Street
Northwood
HA6 1BJ

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant prior approval for : Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 1.2 The LPA refused prior approval on 28-04-2021 for the following reasons (as stated on the decision notice):
1. The applicant has demonstrated in Q.13 of the submitted application form that the gross internal floor area of the existing retail unit is 174 square metres. It is considered that the application submission constitutes development not permitted as the cumulative floorspace of the existing building changing use under Class M exceeds 150 square metres contrary to the provisions of Schedule 2, Part 3, Class M.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 2. The applicant has demonstrated in Q.12 and Q.13 of the submitted application form that the gross internal floor area for the proposed residential units would be 174 square metres. It is considered that the application submission constitutes development not permitted as the development would result in more than 150 square metres of floor space in the building having changed use under Class M contrary to the provisions of Schedule 2, Part 3, Class M.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 3. Having regard to the proximity of No.78 High Street to the adjoining Kate Fassnidge Community Hall, it is considered that insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition M.2-(1)(f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the provision of adequate natural light in the Bedroom Areas at Ground Floor Level and the Kitchen and Sitting Room Areas towards the rear of the property at Ground Floor Level.
 4. The proposed development, by reason of its siting within the Northwood High Street Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report is provided at Appendix 1. It is understood that copies of relevant planning policies have been sent to PINS with the Appeal Questionnaire.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The Council considers that the assessment of the documents originally submitted as part of the Prior Approval application have been addressed in the Planning Officer's Delegated Report.
- 2.2 The appellant in point 1 has requested that the description of the proposal should be changed to 2 x 1 bedroom dwellings, to reflect the submitted plans. Whilst the onus is on the applicant to provide accurate information, it is considered that this would not impact the reasons for refusal and no prejudice to any party would be incurred.
- 2.3 An assessment of the application form shows a number of inconsistencies with reference to the GIA at 174 sqm in Section 13 as well as the number of habitable rooms, GIA and bedrooms in Section 12.
- 2.4 With reference to points 9-12 made by the appellant and refusal reason 1, it should be highlighted that the onus is on the applicant to provide accurate information in their proposal to the Council.
- 2.5 The Town and Country Planning Act 1990 As Amended defines a Prior Approval Application under Section 69 (A) as: (2) A "prior approval application", in connection with planning permission granted by a development order, means an application made to a local planning authority for—
(a) any approval of the authority required under the order, or
(b) a determination from the authority as to whether such approval is required.
- 2.6 Under this definition, the Council has a duty to assess the information presented to them. It also requires that the applicant submits accurate information regarding their proposal, as inconsistencies from the application form to the existing/proposed form may lead to consents being invalid.
- 2.7 In this instance, there were a number of discrepancies between the documents submitted and the assessment was undertaken on the information provided on the Application Form, which is a detailed formal summary of the proposal. This assessment is in the Officers Delegated report, against the then relevant legislation.
- 2.8 The appellant has provided an internal daylight assessment as part of this appeal that was not submitted as part of the subject application.
- 2.9 Under Section 79 The Town and Country Planning Act 1990 states:
(1) On an appeal under section 78 the Secretary of State may—
(a) allow or dismiss the appeal, or
(b) reverse or vary any part of the decision of the local planning authority (whether the appeal relates to that part of it or not),
and may deal with the application as if it had been made to him in the first instance.
- 2.10 Annexe M of the NPPG Procedural Guide: Planning Appeals (2021) outlines the Wheatcroft Principles and when they are applicable, the relevant sections are below:

M.2.1 If an appeal is made, the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.

M.2.2 Where, exceptionally, amendments are proposed during the appeals process the Inspector will take account of the Wheatcroft Principles when deciding if the proposals can be formally amended. In the 'Wheatcroft' judgment the High Court considered the issue of amendments in the context of conditions and established that "the main, but not the only, criterion on which... judgment should be exercised is whether the development is so changed that to grant it would be to deprive those who should have been consulted on the changed development of the opportunity of such consultation" (Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]. This decision has since been confirmed in Wessex Regional Health Authority v SSE [1984] and Wadehurst Properties v SSE & Wychavon DC [1990] and Breckland DC v SSE and T. Hill [1992]). It has subsequently been established that the power to consider amendments is not limited to cases where the effect of a proposed amendment would be to reduce the development (See Breckland DC v. Secretary of State for the Environment (1992) 65 P&CR.34).

M.2.3 Whilst amendments to a scheme might be thought to be of little significance, in some cases even minor changes can materially alter the nature of an application and lead to possible prejudice to other interested people.

- 2.11 The additional information, although supplementary, would be a material consideration in this instance, to such an effect that it could be considered an amendment to the refused proposal. As per the legislation above, it was not included with the application and subsequently would have an impact on the original assessment. It is considered that it would not be appropriate for this to be assessed as part of this appeal, given the stage of submission.
- 2.12 The appellant asserts that "[t]he loss of No.78 would still result in 52.63% of [the] parade still being in a Class E use or previous A1 use"...and "[t]his would accord with [the] requirements of Policy DMTC 3 that at least 50% of the parade would still be Class E (A1) premises".
- 2.13 The policy supporting text makes it clear that the 50% threshold is to resist the loss of former Use Class A1 units. Nowhere within Policy DMTC 3 does it imply that the conversion of shops to residential units is acceptable, subject to the 50% threshold being met. It is therefore considered that the proposal would not accord with Policy DMTC 3 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).
- 2.14 Point 24 by the appellant points out that "there would be 2 other convenience stores/newsagents that would remain". However, it is considered that this in itself does not demonstrate that the loss of the existing retail unit at the site would not undermine the overall provision of services in the local area. Although the existing retail unit is currently operating as a convenience store, it has the ability to serve other uses such as a retail shop, or financial/professional services. This flexibility in its use currently contributes to the overall provision of retail and financial/professional services within

the Northwood High Street Local Parade. No marketing evidence has been provided to demonstrate that there is no demand for the existing ground floor unit as a shop.

3. Other Matters

- 3.1 It has come to the attention of the Local Planning Authority that representation has been presented to both the Planning Authority and Planning Inspectorate that the 'Warehouse' at the site has not been in use ancillary to the main building and Class E (previously A1) use.
- 3.2 This would result in the site being unable to be converted for residential use under Class M.

4. Conclusion

- 4.1 The proposal has been assessed against the relevant legislation and it has been deemed that the proposal does not constitute development permitted and that prior approval is refused on the basis of the information submitted. It is considered that the original Officer assessment covers the impact and assessment of the material considerations of the proposal against the relevant legislation with respect to Class M of The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 3. The Inspector is therefore respectfully requested to dismiss the appeal.
- 4.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions for both proposals is included at Appendix 2.

Appendices

Appendix 1 – Planning Officer's Delegated Report

Appendix 2 – The LPA's Recommended Conditions



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon
Appendix 1
Copy of Officers Delegated Report

Appeal By:
Landim Ltd

Proposal:
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DELEGATED DECISION

Town and Country Planning, England

The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions)(England) Order 2014 - Class IA

Permitted development

IA. Development consisting of -

(a) a change of use of a building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from

(i) a use falling with Class A1 (shops) or A2 (financial and professional services) of that Schedule; or

(ii) a mixed use combining use as a dwellinghouse with a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class F of this Part or otherwise); and

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Report of the Head of Planning, Sport and Green Spaces

Address 78 HIGH STREET NORTHWOOD

Development: Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

LBH Ref Nos: 32265/APP/2021/710

Drawing Nos: FLU.1441.02
FLU.1441.03
FLU.1441.04
FLU.1441.05
FLU.1441.01
CIL Form

Date Plans Received: 23/02/2021

Date(s) of Amendment(s):

Date Application Valid: 04/03/2021

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL REFUSED

REASONS FOR REFUSAL

The applicant has demonstrated in Q.13 of the submitted application form that the gross internal floor area of the existing retail unit is 174 square metres. It is considered that the application submission constitutes development not permitted as the cumulative floorspace of the existing building changing use under Class M exceeds 150 square metres contrary to the provisions of Schedule 2, Part 3, Class M.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The applicant has demonstrated in Q.12 and Q.13 of the submitted application form that the gross internal floor area for the proposed residential units would be 174 square metres. It is considered that the application submission constitutes development not permitted as the development would result in more than 150 square metres of floor space in the building having changed use under Class M contrary to the provisions of Schedule 2, Part 3, Class M.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Having regard to the proximity of No.78 High Street to the adjoining Kate Fassnidge Community Hall, it is considered that insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition M.2-(1)(f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the provision of adequate natural light in the Bedroom Areas at Ground Floor Level and the Kitchen and Sitting Room Areas towards the rear of the property at Ground Floor Level.

The proposed development, by reason of its siting within the Northwood High Street

Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2.0 Planning Considerations

Site and Locality

The existing building is a two storey building located with the Northwood Local Parade. The existing use of the building is classified as a retail unit (Use Class E).

Proposed Scheme

The applicant is proposing the conversion of the existing retail unit into 2 x 2 bedroom residential units at ground and first floor level.

Legislation

The development has been assessed having regard to the provisions of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It has been determined that the proposed development fails to comply with a number of statutory requirements set out within that legislative framework:

1. The applicant has demonstrated in Q.13 of the submitted application form that the gross internal floor area of the existing retail unit is 174 square metres. It is considered that the application submission constitutes development not permitted as the cumulative floorspace of the existing building changing use under Class M exceeds 150 square metres contrary to the provisions of Schedule 2, Part 3, Class M.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. The applicant has demonstrated in Q.12 and Q.13 of the submitted application form that the gross internal floor area for the proposed residential units would be 174 square metres. It is considered that the application submission constitutes development not permitted as the development would result in more than 150 square metres of floor space in the building having changed use under Class M contrary to the provisions of Schedule 2, Part 3, Class M.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
3. Having regard to the proximity of No.78 to the adjoining Kate Fassnidge Community Hall, it is considered that insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition M.2-(1)(f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the provision of adequate natural light in the Bedroom Areas at Ground Floor Level and the Kitchen and Sitting Room Areas towards the rear of the property at Ground Floor Level.
4. The proposed development, by reason of its siting within the Northwood High Street Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and

prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Other Considerations

Impact on the Design or external appearance of the building

Under Part M of the GPDO an assessment of the impact upon the external appearance of the property can also be made. The plans demonstrate that there would not be significant alterations to the exterior of the building as a result of the development. As such there are no objections to this aspect of the proposal.

Retail Impacts

The Council's Planning Policy Team have assessed the application and consider that the proposal is unacceptable in principle and have commented as follows:-

The site is located within the Northwood High Street Local Parade, which is designated in Table 3.2 of the Local Plan: Part 2 (2020). The building is therefore located in a key shopping area and the loss of a shop and its frontage in this location is likely to be harmful to the sustainability of this local parade. No information has been provided by the applicant which addresses the potential harm to the parade.

The proposed development, by reason of its siting within the Northwood High Street Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Traffic Impacts

Policy DMT 2 of the Local Plan Part 2 considers 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 6 of the Hillingdon Local Plan: Part 2 seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The Council's Highways Officer has commented as follows:-

'Site Characteristics & Background

This Prior Approval application is proposed under the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2015 (Class M - Part 3 of Schedule 2) (as amended).

The application site forms retail at ground floor and residential above (1x2 bedroom flat unit) located on the eastern side of the High Street in Northwood. It is proposed to convert the existing ground floor E(a) 'Retail' use class premises (formally class A1) to a 2x2 bedroom flats with 2 on-plot parking provisions located to the rear.

Most of the surrounding roadways exhibit stringent parking restrictions with Pay & Display facilities. The site is within walking distance of Northwood & Northwood Hills LU Stations but exhibits a relatively low public transport accessibility level (PTAL) rating of 1b however this

is not fully reflective of the good 'real world' public transport connectivity which is exemplified by the proximity of the LU stations and a plethora of available local bus routes. Sustainable travel choice to and from the address is therefore probable.

Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The applicant proposes two 2-bedroom flatted residential units. In accord with the Council's parking standard, the proposal would demand 2 to 3 on-plot spaces. The proposal is presented with 2 on-plot parking provisions hence there is conformity to the standard. A parking allocation plan should be secured by way of planning condition in order to secure the appropriate single space per dwelling.

The only parking requirement in this case is related to providing 1 secure and accessible cycle space per unit in order to conform to the Council's adopted cycle parking standard. The applicant has not indicated such provision hence this requirement should be secured via planning condition.

Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which in this case equates to 1 'active' and 1 'passive' space. This together with the parking allocation plan should be secured via planning condition in order to secure the appropriate level of EVCP and parking provision for each flat.

Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 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.

Given the current established E(a) 'Retail' use, the proposal is not anticipated to impose a discernible variation in traffic activity (in fact, a reduction in movements is anticipated) hence any related movement can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Operational Refuse & Servicing Requirements

In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste storage is positioned at a point within this set distance. No detail is shown hence this aspect should be secured via planning condition.

Conclusion

In accord with the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2015 (Class M - Part 3 of schedule 2) (as amended) there is broadly no objection to the conversion from use class E(a) to C3 residential use in transport and highways impact terms. To expand - the relatively minor scale of conversion to 2x2 bedroom residential units is highly unlikely to discernibly affect overall traffic generation to and from the site as compared to the prior demands of the 'baseline' E(a) use or indeed parking demand given the extensive surrounding on-street parking restraint mechanisms and on-plot provision.

Hence, on balance, in 'highway & transport' terms the proposal does not demand a

requirement for Prior Approval under Condition M.2 (1) (a) (transport and highway impacts of the development) of the Class M GPD (Amendment) Order 2015 (as amended).

As such there are no highways issues arising from the proposed development.

Flooding

The application site is not located within any Flood Zone and no flooding risks have been determined in relation to this building.

Consultation

Internal consultee comments as per the above.

10 letters of objection were received and a petition with 27 signatures, commenting as follows:-

- The development would lead to the unacceptable loss of an essential shop which has served the community for a number of years.
- The appearance of the proposed would not be suitable for a residential use.
- The development would cause harm to the character and appearance of the property.

Local representations have been noted, however there is a requirement to assess the merits of this proposal against the respective legislation and this application has been determined having regard to the provisions of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Relevant Planning History

32265/A/84/1825 78 High Street Northwood
Change of use to Retail use 56sq.m.(P)

Decision Date: 15-02-1985 Refused

32265/B/86/1495 78 High Street Northwood
Alterations to elevation (P)

Decision Date: 26-09-1986 Approved

Contact Officer: Kelly Sweeney

Telephone No: 01895 250230

DRAFT DECISION NOTICE

Elaine Kimber
Fluent A D S Ltd.
69-71 Windmill Road
Sunbury On Thames
TW16 7DT

32265/APP/2021/710

The Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2014 No. 564).

The Council of the London Borough of Hillingdon as the Local Planning Authority hereby confirm that their **PRIOR APPROVAL IS REFUSED** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority.

Address of the proposed development:

78 High Street Northwood

Description of proposed development:

Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Date of application:

04 March 2021

Plan Numbers:

FLU.1441.02 - received 23 Feb 0021
FLU.1441.03 - received 23 Feb 0021
FLU.1441.04 - received 23 Feb 0021
FLU.1441.05 - received 23 Feb 0021
FLU.1441.01 - received 23 Feb 0021
CIL Form - received 23 Feb 2021

Reason for Refusal:

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INFORMATIVES:

It is important that you read and understand all the following informatives

1. This written notice indicates that the proposed development will not comply with condition A.4 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No 2362 and SI 2013 No 1101). It is important to note that this written notice doesn't indicate whether or not the proposed development would comply with any of the other limitations or conditions of Schedule e Part 1 Class A.
2. Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

END OF SCHEDULE



James Rodger
Head of Planning, Transportation and Regeneration

Date Event DND Completed date will be entered here

Address:
Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon
Appendix 2
The LPA's Recommended Conditions

Appeal By:
Landim Ltd

Proposal:
Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Appeal Site:
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Appendix 2 –Recommended Conditions

1. 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. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers FLU.1441.05 and FLU.1441.04.

REASON: To ensure the development complies with the provisions of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(i) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(ii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation

works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iii) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority.

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination'.

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

1. Details of Soft Landscaping

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

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including demonstration of 1 active electrical charging point to serve the new dwelling)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture)

3. Schedule for Implementation

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) and Policy G5 of the London Plan (2021).