

MADDOX PLANNING

**PLANNING  
STATEMENT**

**LONDON & MANCHESTER**  
**0345 121 1706**

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**PLANNING STATEMENT**

**40 STATION APPROACH, RUISLIP**  
**JANUARY 2023**

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## **Description of development**

Section 73 application to vary condition 2 (approved plans) of planning permission ref. 27354/APP/2021/1291 dated 30 March 2022 for erection of a three storey building comprising a dental surgery and 6 residential units (3 x 1- bed units, 1 x 3-bed unit and 2 x 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.

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## **Type of application**

Minor material amendment (Section 73)

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## **Applicant**

The Brienz Group

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## **List of supporting documents**

1. Planning Statement by Maddox Planning
2. 221220\_Section 73 Supporting Document by Studio Yume
3. Section 73 Proposed Planning Drawings by Studio Yume

## **Development plan**

The adopted development plan comprises:

1. The London Plan (2021)
2. Hillingdon Local Plan: Part 1 – Strategic Policies (2012)
3. Hillingdon Local Plan: Part 2 – Development Management Policies (2020)
4. Hillingdon Local Plan: Part 2 – Site Allocations and Designations (2020)

According to the Council's website, there has been a delay to the preparation of the Regulation 18 Partial Review Local Plan, which was due to be published by the end of 2022.

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## **Policies map**

The following designations on the policies map are particularly relevant:

1. Site is within South Ruislip Local Centre

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## **Planning policies**

The following adopted and emerging planning policies are particularly relevant:

Document	Policy number	Policy title
London Plan 2021	D4	Delivering good design
	D6	Housing quality and standards
	D7	Accessible housing
	D8	Public realm
	D14	Noise
	H1	Increasing housing supply
	SI12	Flood risk management
	SI13	Sustainable drainage
	T5	Cycling
	T6	Car parking
Local Plan Part 2 Development Management Policies	DMCI 2	New Community Infrastructure
	DMH 2	Housing Mix
	DME 1	Employment Uses in Designated Sites
	DMEI 14	Air Quality
	DMHB 11	Design of New Development
	DMHB 12	Streets and Public Realm
	DMHB 14	Trees and Landscaping
	DMHB 16	Housing Standards
	DMHB 18	Private Outdoor Amenity Space
	DMT 1	Managing Transport Impacts
	DMT 2	Highways Impacts
	DMT 6	Vehicle Parking
	DMEI 9	Management of Flood Risk

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## Other material considerations

Other material considerations include:

1. National Planning Policy Framework (NPPF) 2021
2. National Technical Housing Standards 2015
3. National Design Guide 2019

## Relevant planning decisions

Reference/address	Description	Status/decision date
27354/APP/2020/4256 40 Station Approach	Erection of a three storey building comprising a dental surgery and 7 residential units (6 no. 1- bed units and 1 no. 2-bed unit), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.	Refused 11 March 2021
27354/APP/2021/1291 40 Station Approach	Erection of a three storey building comprising a dental surgery and 6 residential units (3 x 1-bed units, 1 x 3-bed unit and 2 x 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.	Approved 1 September 2021
27354/APP/2022/1510 40 Station Approach	Details pursuant to the discharge of Condition 4 (Materials) of planning permission ref. 27354/APP/2021/1291	Refused 10 May 2022
27354/APP/2022/1511 40 Station Approach	Details pursuant to the Discharge of Condition 9 (Step Free Access) of planning permission ref. 27354/APP/2021/1291	Approved 10 May 2022
27354/APP/2022/1370 40 Station Approach	Details pursuant to the discharge of Condition 5 (Landscape Scheme) of planning permission ref. 27354/APP/2021/1291	Refused 26 April 2022
27354/APP/2022/619 40 Station Approach	Details pursuant to the discharge of Condition 4i (External Materials) of planning permission ref. 27354/APP/2021/1291	Refused 24 February 2022
27354/APP/2022/4599 40 Station Approach	Details pursuant to the discharge of Condition 7 (Parking Allocation Scheme) of planning permission ref. 27354/APP/2021/1291	Approved 21 December 2021
27354/APP/2022/4572 40 Station Approach	Details pursuant to Condition 12 (Construction Management and Logistics Plan) of Planning Permission Reference 27354/APP/2021/1291	Approved 17 December 2021

The Decision Notice and Officer's Report for permission reference 27354/APP/2021/1291 are appended to this statement at Appendix A and B respectively.

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## Contents of this statement

1. Site and area description
2. Site background and proposed development

3. Considerations
4. Conclusions

## **Appendices**

- A. Decision Notice ref.27354/APP/2021/1291
- B. Officers Report ref.27354/APP/2021/1291

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## 1.0 Site and area description

- 1.1 The site address is 40 Station Approach, South Ruislip, Middlesex HA4 6RZ.
- 1.2 The site is located in South Ruislip, within the South Ruislip Local Centre. The site is a rectangular shaped corner plot bound by Station Approach to the north and Northolt Avenue to the west. Within the southern part of the site, a two storey modular building provides the space for a dental practice, which was previously located within a two storey brick building on the site. To the south, the site adjoins a single access lane that runs from Northolt Avenue to Deane Avenue. There are no trees or soft landscaping on site with no notable ecological or environmental features.
- 1.3 The site is currently cleared and vacant (bar the temporary modular building occupied by the dentist). The building was demolished by the previous owners following the grant of planning permission 27354/APP/2021/1291..
- 1.4 The site is accessible via Station Approach and Northolt Avenue. There is no vehicle or cycle parking on site. The site has a PTAL rating of 3, providing a good level of accessibility to public transport. Situated approximately 230m east of the site is South Ruislip underground and overground station. The closest bus stop is located approximately 300m to southwest providing services from Ruislip to Ealing Broadway Station.
- 1.5 The site is located in Flood Zone 1 as defined by the Environment Agency Flood Maps and therefore is at low risk of flooding. The site is not located within a conservation area and there are no listed buildings in the locality of the site.
- 1.6 The existing site is enclosed with temporary fencing with the temporary modular building located on the southern boundary. Building heights in the area generally range from two to three storeys with a single storey bungalow with a high pitched roof neighbouring the site to the south.
- 1.7 Double yellow lines extend along the front of the site on Station Approach and partly down Northolt Avenue where they change to form an on street parking bay to accommodate approximately three vehicles.

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## 2.0 Site background and proposed development

- 2.1 This application proposes amendments to the permission ref. 27354/APP/2021/1291 approved on 1 September 2021.
- 2.2 Following a review of the approved drawings, amendments are required as the approved plans cannot deliver a scheme that is compliant with Building Regulations and National House-Building Council (NHBC) technical standards. As such, amendments to the consented plans, elevations, and sections are proposed, which are discussed in detail below.
- 2.3 The proposed description of development is:

*Section 73 application to vary condition 2 (approved plans) of planning permission ref. 27354/APP/2021/1291 dated 1 September 2022 for erection of a three storey building comprising a dental surgery and 6 residential units (3 x 1- bed units, 1 x 3-bed unit and 2 x 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.*

### **Proposed development**

- 2.4 The proposed development incorporates alterations to an existing planning permission. It is not proposed to change the consented use of the building, amend the number of approved residential units, or amend the description of development. It is considered that the proposals are minor and do not amount to a material change to the consented development as a whole. As such, a Section 73 application is the appropriate route to secure the changes.
- 2.5 The changes are mostly internal however in order to comply with relevant Building Regulations the building envelope is proposed to be extended slightly on the first and second floor levels at the southern elevation. The footprint of the ground floor remains the same as consented. The number of residential units, their location within the building, and the unit mix approved through 27354/APP/2021/1291 also remains the same.
- 2.6 The proposed amendments are set out in the accompanying Explanation Document however are summarised below:

### **Ground floor**

- 2.7
  - Ground floor residential unit has been reduced by 5sqm, so is now a 3 bed 5 person unit, previously a 3 bed 6 person unit.
  - Cycle storage relocated west of dental practice entrance to allow sufficient space for when stands are in use and for access and use of dental waste bin.
  - Free standing planter added outside dental practice door to prevent door opening onto pedestrians.
  - External wall thickness increased from 300mm to 508 mm to meet NBHC and Part B standards
  - Staircase and lift to shift further south so flats on the upper floor can meet minimum space standards.
  - Staircase increased in width and length to comply with Part K of the Building Regulations.
  - Party wall shifted to allow stacking with wall above.
  - Risers in the communal area and flats added and stacked.
  - Minimum in-built storage space requirements included.
  - 1500mm x 1500mm space in front of lift doors on all floors to meet the relevant accessibility standards.

- Flat layout revised to provide protected routes out in the event of a fire without the need of sprinklers.
- Plant room not required, and so space added to both the dental surgery and the 3-bedroom flat to comply with minimum space standards.
- Balcony increased to 8 sqm to meet minimum space standards for 3b5p.
- Entrance door shifted inwards to avoid adding a 'clip on' canopy.
- Raised planter replaced with gravel and balustrade.
- Paving and surface finishes to front and rear areas clarified.
- Residential bin and cycle stores shown with a sedum roof (2990-LA-02).
- Lighting bollards included.
- Ramp to residential access revised to have a shallower gradient.
- Residential cycle store walls increased in height to allow for double stacking product and a roof. A wall has also replaced a section of railing. The increase in height is from circa 2.3m at bin store to 3m.

### ***First floor***

2.8

- External wall thickness increased from 300mm to 508 mm to meet NBHC and Part B standards.
- To comply with minimum space standards the core has to shift to the south and the building slightly increased to the east so that every 1 bedroom flat has a minimum NIA of 50 sqm.
- Balcony sizes increased to meet minimum space standards.
- Staircase increased in width and length to comply with Part K of the Building Regulations.
- 1500mm x 1500mm space required in front of lift doors on all floors.
- Protected corridors in all flats as open plan layouts are only possible with a mist or sprinkler system.
- Minimum storage space requirements included.
- Risers in the communal area and the flats been added and stacked.
- Roof light and sedum roof above the communal corridor removed.
- Sedum roof replaced with pebble roof at lower level above residential entrance.

### ***Second floor***

2.9

- External wall thickness increased from 300mm to 508 mm to meet NBHC and Part B standards.
- Staircase increased in width and length to comply with Part K of the Building Regulations.
- Balcony size increased to meet minimum space standards.
- Position of bathrooms on all floors had to shift in order to be able to stack risers.
- Internal built-in storage has been included as per the minimum space standard requirements.
- Terrace is extended as the proposed sedum roof cannot be maintained efficiently.
- Risers in the communal area and the flats have been added and stacked.
- Envelope of the building has increased in order to comply with minimum space standards for each flat.
- Terrace extended to provide bedroom with access to external amenity space.

### ***Roof***

2.10

- Increase to the size of the communal terrace.
- Lighting added.
- Integrated benches rationalised to maximise planting space.
- Balustrade relocated to parapet.
- Zone between parapet and balustrade changed to gravel margin to provide a safer and simpler maintenance strategy.

### ***Sections***

2.11

- Height of the parapet has remained the same, however the balustrade is raised by 450mm.
- Removal of skylights above the residential flats.
- The height of the staircase and lift overrun above roof level increased to provide sufficient head height to accommodate the chairlift leading up to the roof, allow for the lift overrun, and compliance with Part K of the Building Regulations along the eastern edge.

***Elevations***

2.12

- Overall height of the parapet has been retained.
- The height of the metal balustrade has increased to comply with Part K of the Building Regulations.
- A sill and ventilation louvres above and below the window frame have been incorporated to allow for ventilation of the flats and the dental surgery.
- The window transoms have been adjusted to comply with Part K and Part M of the Building Regulations.
- The entrance door has shifted and the swing has changed to comply with Building Regulations (Part M4(2)).

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## 3.0 Considerations

3.1 Section 38(6) of the Planning Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. This section therefore assesses the proposal against the development plan policies outlined above and examines relevant material considerations where appropriate. The assessment draws upon the application document listed at Section 1 of this statement. The main planning considerations are:

- Unit mix
- Design scale and massing
- Quality of accommodation

### **Unit mix**

3.2 Policy DMH2 of the Local Plan Part 2 states that the Council will seek a housing mix which reflects the needs identified in the most up to date housing needs assessment.

3.3 Policy H10 of the London Plan states that when determining the appropriate mix of unit sizes applicants and decision makers should have regard to the nature and location of the Site, with a higher proportion of one and two bed units more appropriate in locations closer to a town centre or station or with higher public transport access and connectivity.

3.4 The proposed unit mix will remain as approved through permission reference 27354/APP/2021/1291, comprising three one-bed units, two two-bed units and one three-bed unit. However, due to the structural changes required to increase the thickness of the walls the residential floor space has been amended at ground, first and second floor resulting in the ground floor unit changing from a three bed, six-person unit to a three bed, five-person unit. All other units have the same number of bedrooms and provide the same number of future occupants.

3.5 The minor reduction to the proposed number of future occupants in the three-bed unit is not considered to materially impact the proposed development as the overall unit mix will remain as approved, and importantly, the approved family unit will be retained. As such the proposed minor change to the size of one unit is considered acceptable in line with Local Plan Part 2 Policy DMH2 and London Plan Policy H10.

### **Design, scale, and massing**

3.6 Part A of Policy DMHB 11 of the Local Plan Part 2 states all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding:
  - scale of development, considering the height, mass and bulk of adjacent structures;
  - building plot sizes and widths, plot coverage and established street patterns;
  - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
  - architectural composition and quality of detailing;
  - local topography, views both from and to the site; and
  - impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

3.7 The proposed amendments to the internal layout deliver a more efficient floorplan whilst ensuring the development delivers high quality units that are compliant with Building Regulations and the relevant space standards. With regards to the external amendments, the footprint of building at ground floor will remain as approved and the overall parapet height will not change, however the envelope of the building at first and second floor is proposed to be extended by approximately 30sqm GEA in total. The minor increase in massing is concentrated at the south-east corner at first floor and along the south elevation at second floor to align with the ground floor and so this small change will not impact the streetscene of Station Approach or Northolt Avenue.

3.8 With regards to the associated impacts on the adjacent neighbouring properties to the east and south, these are considered to be minimal given the minor extent of the increase in massing. Furthermore, the change does not introduce any additional windows from what have already been consented and as such the opportunity for any overlooking between habitable windows will not materially change. Importantly the staggered approach to the massing at the south-east corner as approved through permission ref. 27354/APP/2021/1291 will be retained across the upper levels. It is considered, through retaining the staggered massing at the south-east corner and the associated gap adjacent to the neighbouring building to the east, the minor increase to the massing does not result in a dominant, overbearing, or unacceptable relationship for this town centre site.

3.9 Minor alterations to the elevations are proposed such as increasing the size of the balconies, adding louvres to windows, and shifting the swing of the entrance door, however the overall design approach is proposed to remain as approved. In this regard, the design is still considered acceptable, in keeping with the overall character of the area, and will not be of detriment to the appearance or visual amenities of the site. Overall, the proposed amendments to the massing to the south-east corner of the upper floors ensures the proposed development is delivered in accordance with Building Regulations and space standards and is considered acceptable in line with Part A of Policy DMHB 11 of the Local Plan Part 2.

### **Quality of accommodation**

3.10 Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants.

3.11 Local Plan policy Policy DMHB 11 part D sets out 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. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

3.12 Policy DMHB 16 of the Hillingdon Local Plan Part 2 states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. Policy DMHB 18 requires all new residential development to provide good quality and usable private outdoor amenity space.

3.13 The proposed development incorporates some internal rationalisation and amendments to ensure compliance with Building Regulations and national space standards. Internal changes include increasing the width of the stairs; increasing the size of internal storage space; incorporating protected corridors in all flats; and increasing the size of external amenity space.

3.14 The increase to the size of the private amenity space for units R1.3 and R2.2 will result in a higher standard of residential accommodation, providing good quality and usable private outdoor amenity space in line with Local Plan Policy DMHB 18. The inclusion of additional internal storage space will ensure the development is delivered with a high standard of residential accommodation in accordance with Local Plan policy DMHB 11 part D. Overall, the rationalisation of the communal areas and incorporation of risers will result in a

development that provides high quality accommodation, in accordance with fire safety requirements and Building Regulations.

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## 4.0 Conclusions

4.1 The proposed development proposes minor alterations to an existing planning permission to ensure the development is deliverable and compliant with relevant Building Regulations and technical standards. It is not proposed to change the use of the building, change the number of approved residential units, or amend the description of development. It is considered that the proposals are minor in nature and do not amount to a material change to the consented development as a whole. As such, a Section 73 application is the appropriate route to secure the changes and is overall acceptable.

### **Benefits of the proposal**

4.2 Benefits of the proposed amendments sought through this application include:

- Enabling the delivery of six residential units to be delivered in accordance with housing standards and Building Regulations;
- Ensuring the communal spaces within the residential development adhere to fire safety standards and Building Regulations; and
- The proposed amendments will increase the size of external amenity spaces in line with London Plan minimum standards.

4.3 This Planning Statement demonstrates that the proposed development is in accordance with key policies contained within the development plan and should be approved without delay.

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## **Appendix A**

Decision Notice ref.27354/APP/2021/1291



Elizabeth Osborne  
Montagu Evans  
70 St Mary Axe  
London  
W1J 8BA

Application Ref:  
27354/APP/2021/1291

## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

### **GRANT OF PLANNING PERMISSION**

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

**Description of development:**

Erection of a three storey building comprising a dental surgery and 6 residential units (3 x 1-bed units, 1 x 3-bed unit and 2 x 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery

**Location of development:** 40 Station Approach South Ruislip

**Date of application:** 30 March 2021

**Plan Numbers:** See attached Schedule of plans

**Permission is subject to the condition(s) listed on the attached schedule:-**

A handwritten signature in black ink that reads 'James Rodger'.

**Head of Planning, Transportation and Regeneration**

**Date: 1 September 2021**

**NOTES:**

- (i) Please also see the informatics included in the Schedule of Conditions.
- (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
- (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

# **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

## **GRANT OF PLANNING PERMISSION**

Application Ref: 27354/APP/2021/1291

### **SCHEDULE OF 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

001\_2000 Rev. 03  
001\_2001 Rev. 02  
001\_2002 Rev. 02  
001\_2003 Rev. 02  
001\_2005 Rev. 03  
001\_2006 Rev. 02  
001\_2020 Rev. 03  
001\_2021 Rev. 04  
001\_2022 Rev. 03  
001\_2023 Rev. 03  
001\_2030 Rev. 03  
001\_2031 Rev. 03  
001\_2040 Rev. 01  
001\_2041 Rev. 01  
001\_2042 Rev. 01  
001\_2050 Rev. 00  
001\_0105 Rev. 02  
GE0001 Rev. X

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 · No above ground 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 relates satisfactorily to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## **SCHEDULE OF CONDITIONS**

4 · No development shall take place until details of all materials and external surfaces, including the following design details, have been submitted to and approved in writing by the Local Planning Authority:

- (i) Details of parapets, brickwork surrounds and panels;
- (ii) Elevational drawings at a scale of 1:20 and plan and vertical sectional drawings at a scale of 1:20 of the proposed windows and doors shall be submitted to and approved in writing by the local planning authority; and
- (iii) Details of balustrades.

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

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

### **REASON**

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

## SCHEDULE OF CONDITIONS

5 · 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 (demonstrating that all of the car parking spaces are served by electric vehicle charging points, include 1 'active' space and 3 'passive' spaces)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
3. Living Walls and Roofs
  - 3.a Details of the inclusion of living walls and roofs
  - 3.b Justification as to why no part of the development can include 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 14, DMEI 1 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020)

## SCHEDULE OF CONDITIONS

6 · No above ground development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy SI 13 of the London Plan (2021) and will:

- 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.

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 DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policy SI 13 of the London Plan (2021).

7 · The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme subsequently approved shall remain in such a manner for the life-time of the development.

### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T6 of the London Plan (2021).

## SCHEDULE OF CONDITIONS

8 · No contaminated soils or other materials (e.g. subsoils, loose hardstanding surfacings etc) shall be imported to the site. All imported soils and/or other materials for landscaping purposes etc. shall be independently tested for chemical contamination and the results of this testing shall demonstrate the materials are clean and free of contaminants. The report/s shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

### 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.

9 · Prior to above ground works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

### REASON

To ensure that an appropriate standard of housing stock is achieved and maintained, in accordance with the Policy D7 of the London Plan (2021).

10 · The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

### REASON

To ensure that an appropriate standard of housing stock is achieved and maintained, in accordance with the Policy D7 of the London Plan (2021).

11 · Prior to commencement of above ground works for the development hereby approved, details of an enhanced sound insulation scheme for the floor/ceiling/wall structures separating the Dental Surgery from the residential flats above to ensure that the noise level in the residential flats shall meet the noise standard specified in BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings for internal rooms shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

### REASON

To ensure that the amenity of future occupiers of the development is not adversely affected by noise in accordance with Policy DMTC 4 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

## SCHEDULE OF CONDITIONS

12 . Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall detail:

- (i) The phasing of the works;
- (ii) The hours of work;
- (iii) On-site plant and equipment;
- (iv) Measures to mitigate noise and vibration;
- (v) Measures to mitigate impact on air quality;
- (vi) Waste management;
- (vii) Site transportation and traffic management, including:
  - (a) Routing;
  - (b) Signage;
  - (c) Vehicle types and sizes;
  - (d) Hours of arrivals and departures of deliveries (avoiding peaks times of day);
  - (e) Frequency of visits;
  - (f) Parking of site operative vehicles;
  - (g) On-site loading/unloading arrangements; and
  - (h) Use of an onsite banksman (if applicable).
- (viii) The arrangement for monitoring and responding to complaints relating to demolition and construction.

This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document).

The construction works shall be carried out in strict accordance with the approved plan.

### REASON

To safeguard the amenity of surrounding areas and to ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and local air quality, in accordance with Policies DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies D14, SI 1, T4 and T7 of the London Plan (March 2021)

### INFORMATIVES:

- 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 . 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.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

## SCHEDULE OF CONDITIONS

### Part 2 Policies

DMCI 2	New Community Infrastructure
DMH 2	Housing Mix
DME 1	Employment Uses in Designated Sites
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMEI 9	Management of Flood Risk
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D14	(2021) Noise
LPP H1	(2021) Increasing housing supply
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking

3 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16th January 2020.

4 . The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall; build on the boundary with a neighbouring property; in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall

## SCHEDULE OF CONDITIONS

Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

- 5 . Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 6 . Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-
  - A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
  - B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
  - C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
  - D. No bonfires that create dark smoke or nuisance to local residents.

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

- 7 . The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or

## **SCHEDULE OF CONDITIONS**

cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

- 8 . The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.
- 9 . Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

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

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

## **END OF SCHEDULE**

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

## GRANT OF PLANNING PERMISSION

Application Ref.No.: 27354/APP/2021/1291

### SCHEDULE OF PLANS

001\_2022 Rev. 03 - received 09 Jun 2021  
001\_2031 Rev. 03 - received 09 Jun 2021  
001\_0023 Rev. 03 - received 09 Jun 2021  
001\_2007 Rev. 03 - received 09 Jun 2021  
001\_2020 Rev. 03 - received 09 Jun 2021  
001\_2042 Rev. 01 - received 30 Mar 2021  
001\_2050 Rev. 00 - received 30 Mar 2021  
001\_0006 Rev. 00 - received 30 Mar 2021  
001\_0005 Rev. 02 - received 30 Mar 2021  
001\_2005 Rev. 03 - received 19 Jul 2021  
22466-01 Rev. A - received 30 Mar 2021  
001\_0000 Rev. 02 - received 30 Mar 2021  
001\_0001 Rev. 02 - received 30 Mar 2021  
001\_0020 Rev. 02 - received 30 Mar 2021  
001\_0105 Rev. 02 - received 30 Mar 2021  
GE0001 Rev. X - received 30 Mar 2021  
001\_2001 Rev. 02 - received 03 Jun 2021  
001\_2002 Rev. 02 - received 03 Jun 2021  
001\_2003 Rev. 02 - received 03 Jun 2021  
001\_2006 Rev. 02 - received 03 Jun 2021  
001\_2021 Rev. 04 - received 19 Jul 2021  
001\_2040 Rev. 01 - received 30 Mar 2021  
001\_2041 Rev. 01 - received 30 Mar 2021  
001\_2000 Rev. 03 - received 19 Jul 2021  
001\_2030 Rev. 03 - received 19 Jul 2021  
001\_2023 Rev. 03 - received 09 Jun 2021

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate's website at [www.Planning-inspectorate.gov.uk](http://www.Planning-inspectorate.gov.uk)

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal.

Further details are available at [www.gov.uk/government/collections/casework-dealt-with-by-inquiries](http://www.gov.uk/government/collections/casework-dealt-with-by-inquiries)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**Purchase Notices.**

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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## **Appendix B**

Officers Report ref.27354/APP/2021/1291

**APPLICATION FOR: 27354/APP/2021/1291**

40 STATION APPROACH SOUTH RUISLIP

**COMMITTEE:** Minor Apps PC

**DATE:** 4th August 2021

I confirm:-

- All consultations have been completed
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- \_\_\_\_\_  
Case Officer

Signed:- \_\_\_\_\_  
Team Manager

Signed:- \_\_\_\_\_  
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- \_\_\_\_\_  
DC Tech Admin

<b>Item No.</b>	<b>Report of the Head of Planning, Transportation and Regeneration</b>
<b>Address</b>	40 STATION APPROACH SOUTH RUISLIP
<b>Development:</b>	Erection of a three storey building comprising a dental surgery and 6 residential units (3 x 1-bed units, 1 x 3-bed unit and 2 x 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery
<b>LBH Ref Nos:</b>	27354/APP/2021/1291
<b>Drawing Nos:</b>	001_2022 Rev. 03 001_2031 Rev. 03 001_0023 Rev. 03 001_2007 Rev. 03 001_2020 Rev. 03 001_2042 Rev. 01 001_2050 Rev. 00 001_0006 Rev. 00 001_0005 Rev. 02 001_2005 Rev. 03 22466-01 Rev. A 001_0000 Rev. 02 001_0001 Rev. 02 001_0020 Rev. 02 001_0105 Rev. 02 GE0001 Rev. X 001_2001 Rev. 02 001_2002 Rev. 02 001_2003 Rev. 02 001_2006 Rev. 02 001_2021 Rev. 04 001_2040 Rev. 01 001_2041 Rev. 01 001_2000 Rev. 03 001_2030 Rev. 03 001_2023 Rev. 03

**Date Plans Recieved:** 30/03/2021      **Date(s) of Amendment(s):** 30/03/2021

**Date Application Valid:** 30/03/2021

## 1. **SUMMARY**

The application seeks planning permission for the erection of a three storey building comprising a dental surgery and 6 residential units (3 no. 1-bed units, 1 no. 3-bed unit and 2 no. 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the

proposed dental surgery.

The proposed development is revised from the scheme that was refused under application 27354/APP/2020/4256. That scheme was for seven units and had no family sized units. The revised scheme has six units, including a ground floor 3 bed family unit. The amended scheme also has two significant design changes.

The rear of the proposed building has been amended stepping back the third floor to help reduce the bulk of the building and provide more of a transition to the bungalows and two-storey houses to the south within Northolt Avenue.

The other change that has been made is the removal of the fourth storey roof access enclosure and lift over run, which resulted in an intrusive and incongruous roof addition that added visual clutter and detracted from the appearance of the building and wider street scene. The removal of the intrusive enclosure is welcomed and has reduced the visual impact of the development and improved the skyline.

Taking into account the above design changes, inclusion of a family unit and upgraded dental facilities, the application is now considered to be acceptable and recommended for approval.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

**1 RES3 Time Limit**

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

**REASON**

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

**2 RES4 Accordance with Approved Plans**

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

001\_2000 Rev. 03  
001\_2001 Rev. 02  
001\_2002 Rev. 02  
001\_2003 Rev. 02  
001\_2005 Rev. 03  
001\_2006 Rev. 02  
001\_2020 Rev. 03  
001\_2021 Rev. 04  
001\_2022 Rev. 03  
001\_2023 Rev. 03  
001\_2030 Rev. 03  
001\_2031 Rev. 03  
001\_2040 Rev. 01  
001\_2041 Rev. 01  
001\_2042 Rev. 01  
001\_2050 Rev. 00  
001\_0105 Rev. 02  
GE0001 Rev. X

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 RES6 Levels**

No above ground 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 relates satisfactorily to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

**4 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, including the following design details, have been submitted to and approved in writing by the Local Planning Authority:

- (i) Details of parapets, brickwork surrounds and panels;
- (ii) Elevational drawings at a scale of 1:20 and plan and vertical sectional drawings at a scale of 1:20 of the proposed windows and doors shall be submitted to and approved in writing by the local planning authority; and
- (iii) Details of balustrades.

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

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

**REASON**

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

**5 RES9 Landscaping (car parking & refuse/cycle storage)**

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

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (demonstrating that all of the car parking spaces are served by electric vehicle charging points, include 1 'active' space and 3 'passive' spaces)  
2.e Hard Surfacing Materials  
2.f External Lighting  
2.g Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs  
3.b Justification as to why no part of the development can include 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 14, DMEI 1 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020)

**6 RES15 Sustainable Water Management (changed from SUDS)**

No above ground development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy SI 13 of the London Plan (2021) and will:

- 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.

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 DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policy SI 13 of the London Plan (2021).

**7 NONSC Non Standard Condition**

No contaminated soils or other materials (e.g. subsoils, loose hardstanding surfacings etc) shall be imported to the site. All imported soils and/or other materials for landscaping purposes etc. shall be independently tested for chemical contamination and the results of this testing shall demonstrate the materials are clean and free of contaminants. The report/s shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

**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.

**8 NONSC Non Standard Condition**

Prior to above ground works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

**REASON**

To ensure that an appropriate standard of housing stock is achieved and maintained, in accordance with the Policy D7 of the London Plan (2021).

**9 NONSC Non Standard Condition**

The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

**REASON**

To ensure that an appropriate standard of housing stock is achieved and maintained, in accordance with the Policy D7 of the London Plan (2021).

**10 NONSC Non Standard Condition**

Prior to commencement of above ground works for the development hereby approved, details of an enhanced sound insulation scheme for the floor/ceiling/wall structures separating the Dental Surgery from the residential flats above to ensure that the noise level in the residential flats shall meet the noise standard specified in BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings for internal rooms shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

## REASON

To ensure that the amenity of future occupiers of the development is not adversely affected by noise in accordance with Policy DMTC 4 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

### 11 NONSC Non Standard Condition

Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall detail:

- (i) The phasing of the works;
- (ii) The hours of work;
- (iii) On-site plant and equipment;
- (iv) Measures to mitigate noise and vibration;
- (v) Measures to mitigate impact on air quality;
- (vi) Waste management;
- (vii) Site transportation and traffic management, including:
  - (a) Routing;
  - (b) Signage;
  - (c) Vehicle types and sizes;
  - (d) Hours of arrivals and departures of deliveries (avoiding peaks times of day);
  - (e) Frequency of visits;
  - (f) Parking of site operative vehicles;
  - (g) On-site loading/unloading arrangements; and
  - (h) Use of an onsite banksman (if applicable).
- (viii) The arrangement for monitoring and responding to complaints relating to demolition and construction.

This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document). The construction works shall be carried out in strict accordance with the approved plan.

## REASON

To safeguard the amenity of surrounding areas and to ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and local air quality, in accordance with Policies DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies D14, SI 1, T4 and T7 of the London Plan (March 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 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 2	New Community Infrastructure
DMH 2	Housing Mix
DME 1	Employment Uses in Designated Sites
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMEI 9	Management of Flood Risk
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards
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LPP H1	(2021) Increasing housing supply
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking

### **3 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16th January 2020.

### **4 I5 Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

### **5 I6 Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override

property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

## **6 I15 Control of Environmental Nuisance from Construction Work**

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

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

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

## **7 I47 Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

## **8**

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable

adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

## **9 I73 Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

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

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

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site is located on the prominent corner of Station Approach and Northolt Avenue. The site is rectangular in shape totalling approx. 396 metres square. The premises is a 2-storey brick building that is currently occupied by a dental practice on ground floor and used as a residential dwelling on first floor. The front elevation of the site is set back from its adjoining neighbour on the north-east, No. 42B Station Approach. The front hardstanding area faces onto Station Approach and is used as parking for the dental surgery while the rear of the property is also hardstanding with access onto Northolt Avenue.

The application site is located approx. 230 m south-west of South Ruislip station and has a PTAL score of 3. The property is within the South Ruislip Local Centre, Hillingdon Air Quality Management Area and Air Quality Focus Areas: A40/ South Ruislip Focus Area.

The surrounding area comprises mainly of residential dwellings up to 3 storeys high including, residential flats, semi-detached houses, bungalows and mix use buildings (commercial at ground level with residential above).

### **3.2 Proposed Scheme**

The application seeks planning permission for the erection of a three storey building comprising a dental surgery and 6 residential units (3 no. 1-bed units, 1 no. 3-bed unit and 2 no. 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during

the demolition of the existing dental surgery and construction of the proposed dental surgery.

The proposed development is largely the same as the scheme that was refused under application 27354/APP/2020/4256 except for an amended housing mix and two significant design changes.

The rear of the proposed building has been amended stepping back the third floor to help reduce the bulk of the building. The other change that has been made is the removal of the fourth storey roof access enclosure and lift over run which resulted in an intrusive and incongruous roof addition that added visual clutter and detracted from the appearance of the building and wider street scene.

### 3.3 Relevant Planning History

27354/ADV/2000/59 40 Station Approach South Ruislip

INSTALLATION OF 2 WALL MOUNTED ILLUMINATED BOX SIGNS AND ONE NON-ILLUMINATED FREE STANDING SIGN

**Decision:** 11-10-2000 Approved

27354/APP/2020/4256 40 Station Approach South Ruislip

Erection of a three storey building comprising a dental surgery and 7 residential units (6 no. 1-bed units and 1 no. 2-bed unit), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.

**Decision:** 11-03-2021 Refused

27354/D/90/1464 40 Station Approach South Ruislip

Use of part of residential property as dental surgery

**Decision:** 11-12-1990 Approved

27354/PRC/2020/181 40 Station Approach South Ruislip

Proposed demolition of existing buildings and erection of a four storey building comprising a dental surgery and eight residential units

**Decision:** 16-10-2020 OBJ

### Comment on Relevant Planning History

27354/APP/2020/4256 - Erection of a three storey building comprising a dental surgery and 7 residential units (6 no. 1-bed units and 1 no. 2-bed unit), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery. Refused for the following reasons:

1. The proposed development, by reason of the overall size and scale of the building would result in an incongruous and overly dominant form of development that would be detrimental to the character, appearance and visual amenities of the site, the street scene and the wider area. Furthermore the proposed roof access enclosure and lift over run by reason of its size, scale, bulk and design would result in an intrusive and incongruous roof addition that adds visual clutter and detracts from the appearance of the building and

wider streetscape. As such the proposal would be contrary to Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D4 of the London Plan (2021) and the NPPF (2019).

2. The proposed development leads to the loss of a family sized residential unit and by reason of the unit mix fails to provide sufficient family sized units, as required by the latest information on housing need. The proposed development fails to contribute towards mixed and balanced communities and the range of housing types required within the Borough contrary to Policy DMH 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy H10 of the London Plan (2021) and the NPPF (2019).

An advertisement consent under planning reference 27354/ADV/2000/59 was granted on 12-10-00 for the installation of 2 wall mounted illuminated box signs and one non-illuminated free standing sign.

A planning application under planning reference 27354/D/90/1464 was granted on 11-12-90 for additional use of part of residential property as dental surgery.

A planning application under planning reference 27354/A/86/1182 was granted on 27-08-86 for a Householder development - residential extension(P).

A planning application under planning reference 27354/79/1638 was granted on 30-10-79 for a Householder development - residential extension(P).

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

##### Development Plan

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

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

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

##### Material Considerations

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

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

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

##### Part 1 Policies:

PT1.BE1 (2012) Built Environment

## Part 2 Policies:

- DMCI 2      New Community Infrastructure
- DMH 2      Housing Mix
- DME 1      Employment Uses in Designated Sites
- DMEI 14      Air Quality
- DMHB 11      Design of New Development
- DMHB 12      Streets and Public Realm
- DMHB 14      Trees and Landscaping
- DMHB 16      Housing Standards
- DMHB 18      Private Outdoor Amenity Space
- DMT 1      Managing Transport Impacts
- DMT 2      Highways Impacts
- DMT 6      Vehicle Parking
- DMEI 9      Management of Flood Risk
- LPP D4      (2021) Delivering good design
- LPP D6      (2021) Housing quality and standards
- LPP D7      (2021) Accessible housing
- LPP D8      (2021) Public realm
- LPP D14      (2021) Noise
- LPP H1      (2021) Increasing housing supply
- LPP SI12      (2021) Flood risk management
- LPP SI13      (2021) Sustainable drainage
- LPP T5      (2021) Cycling
- LPP T6      (2021) Car parking

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

- 5.1**      Advertisement Expiry Date:- Not applicable
- 5.2**      Site Notice Expiry Date:-      Not applicable

## 6. **Consultations**

### **External Consultees**

54 neighbouring properties and South Ruislip Residents Association were notified of the proposed development on 7th April 2021.

By the close of the consultation period 3 neighbouring residents had objected and 1 neighbouring resident had supported the proposed development and a petition with 24 signatures was received which objects to the proposal and asks for it to be refused. The comment in support is listed first below.

i. We are a long-standing dental practice that are located currently on the ground floor of this site. The proposed development would provide a valuable purpose-built surgery that would equip us in proving much needed NHS dental care to the constantly growing local population. The current set up is restrictive in terms of size and currently hinders our ability to provide valuable NHS dental

services to the local area and beyond. The new surgery would have a larger footprint that would allow for more patients to be seen and hence improve the oral health of the population in this area.

ii. This constant construction is destroying the area. There is already a plethora of new builds in the area.

iii. More new builds so close bring down the value and competitiveness to sell older flats.

iv. Affect house prices.

v. Affect views and make it difficult to see the sky from room.

vi. The height impact on the character of the surrounding area given the proposed development is on a prominent corner plot.

vii. Overlooking and loss of privacy to neighbouring residents on Northolt Avenue.

viii. Additional parking stress.

ix. The development is not in keeping with the street scene.

x. Insufficient amenity space.

**Case Officer Comments:** These above concerns will be considered in the main body of the report. Issues regarding construction matters, loss of views or property prices are not material planning considerations.

### **Internal Consultees**

#### **FLOOD AND WATER MANAGEMENT OFFICER:**

No objection based on the submitted information. The drainage system should be installed in line with the submitted strategy.

#### **ACCESS OFFICER:**

The additional details shown on drawing no. 001\_2000 rev 02, have been reviewed, and the details shown are now satisfactory for the purposes of development control. However, given that an indicative layout for the proposed dental surgery has not been submitted, the following informative should be attached to any planning permission: The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people. In addition, the following conditions should be attached to any approval:

1. Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building. **REASON:** To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

2. The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building. **REASON:** To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

#### **HIGHWAYS OFFICER:**

No objections.

#### **CONSERVATION OFFICER:**

## Background

The application seeks planning permission to erect a three-storey building comprising a dental surgery and 6 residential units (3 no. 1-bed units, 1 no. 3-bed unit and 2 no. 2-bed unit), car and cycle parking and associated works. It also seeks the temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.

A previous application was refused for a similar scheme for 7 residential units under application 27354/APP/2020/4256 refusal reason one of which related to design by reason of the overall size and scale of the building that would result in an incongruous and overly dominant form of development that would be detrimental to the character, appearance and visual amenities of the site, the street scene and the wider area.

## Site and Surrounds

40 Station Approach is located on a prominent corner site where Northolt Avenue meets Station Approach. It is situated within a primarily residential area which is interspersed with some shops/commercial buildings along Station Approach eastwards towards South Ruislip Station.

The buildings are primarily two to three-storeys in height on the south side of the street. Third storeys, where they exist, are contained within the roof respecting the domestic scale of the surrounding streets. The buildings on the north side of the street have a different character with larger blocks of three full storeys.

## The proposed development

The existing building frontage is set back from the street on a similar alignment to the residential properties to the west of Northolt Avenue. There would be no objection to the proposed new front building line that corresponds to the buildings directly to the east in which the development would have a more direct visual relationship.

The proposed development is largely the same as the scheme that was refused under application 27354/APP/2020/4256 except for two significant changes.

The rear of the proposed building has been amended stepping back the third floor to help reduce the bulk of the building and provide more of a transition to the bungalows and two-storey houses to the south within Northolt Avenue.

The other change that has been made is the removal of the fourth storey roof access enclosure and lift over run which resulted in an intrusive and incongruous roof addition that added visual clutter and detracted from the appearance of the building and wider street scene. The removal of the intrusive enclosure is welcomed and has reduced the visual impact of the development and improved the skyline.

The scheme proposes roof top railings but these are not shown on the drawings. Given the undulating parapet line, which would dip well below 1.1 metres in places, this could be a highly visible addition that could add visual clutter and interfere with the profile of the roof parapet. It is suggested that the balustrade be shown on the elevations so that its full impact can be assessed. It is suggested that the balustrade be set back from the parapet so that it is not visible from street level.

The use of brick as the primary construction material would be supported in principle and would

respect the palette of materials in the area subject to an appropriate colour, tone, texture and mortar being chosen.

The proposed amendments have improved the development and the building sits more quietly within the streetscape. The success of the scheme would be dependent of the quality of the detailed design of the elements and in particular the choice of materials and workmanship in the buildings construction.

Should the application be minded for approval then I would suggest the following conditions:

- Samples of all external finishing materials
- Details of hard and soft landscaping
- Details of parapets, brickwork surrounds and panels.
- Elevational drawings at a scale of 1:20 and plan and vertical sectional drawings at a scale of 1:20 of the proposed windows and doors shall be submitted to and approved in writing by the local planning authority.
- Details of balustrades
- Details of boundary treatments

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The proposal seeks the demolition of the existing two storey building comprising a dentist's surgery on the ground floor and the erection of a replacement three storey building comprising a dental surgery and 6 residential units (3 no. 1-bed units, 1 no. 3-bed unit and 2 no. 2-bed units), car and cycle parking and associated works, temporary permission for the siting of a modular building to the rear of the site for use as a dental surgery during the demolition of the existing dental surgery and construction of the proposed dental surgery.

Policy S1 of the London Plan (2021) states that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported. It also states that new facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres. This second policy requirement is mentioned again in reference to health and social care facilities in Policy S2. The site is located within a local centre and close to South Ruislip tube station and it is relatively well connected. The proposal includes the demolition but also re-provision of a dentist's surgery. This aspect of the proposal is overall considered to be policy compliant and supported.

The proposed development also includes 6 residential units. The applicant is proposing 3 no. 1-bed units, 1 no. 3-bed unit and 2 no. 2-bed units. The principle of residential development on site is established through the existing residential unit and a residential use on site in general would be considered to be policy compliant. Policy DMH 2 of the LPP2 states that the Council will seek a housing mix which reflects the needs identified in the most up to date housing needs assessment.

The Council's current information on housing need indicates a substantial borough-wide

requirement for larger affordable and private market units, particularly three bedroom properties. The applicant does not need to provide affordable housing as the proposed development falls under the threshold for provision of affordable housing. That said, given the site's location and particular constraints due to site size and the fact that sufficient parking and private amenity space can be provided, it is considered that the principle of the current scheme is acceptable.

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

It should be noted that the density matrix found in the 2016 London Plan does not form part of the new London Plan (2021). Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 150-330 habitable rooms per hectare or 50-110 units per hectare for mostly flatted schemes on sites within a suburban / urban setting and that have a Public Transport Accessibility Level of 2 to 3.

Notwithstanding the above, it is considered that the what is of greater significance to the determination of this application is the local contextual factors. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal. It has already been established that the principle of residential development is acceptable. The following section of this report will discuss the impact on the character and appearance of the area.

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

Not applicable to this application.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

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

- A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:
  - i) harmonising with the local context by taking into account the surrounding:
    - scale of development, considering the height, mass and bulk of adjacent structures;
    - building plot sizes and widths, plot coverage and established street patterns;
    - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
    - architectural composition and quality of detailing;
    - local topography, views both from and to the site; and
    - impact on neighbouring open spaces and their environment.
  - ii) ensuring the use of high quality building materials and finishes;
  - iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
  - iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
  - v) landscaping and tree planting to protect and enhance amenity, biodiversity and green

infrastructure.

- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.
- D) 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. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

A previous application was refused for a similar scheme for 7 residential units under application 27354/APP/2020/4256 refusal reason one of which related to design by reason of the overall size and scale of the building that would result in an incongruous and overly dominant form of development that would be detrimental to the character, appearance and visual amenities of the site, the street scene and the wider area.

#### Site and Surrounds

40 Station Approach is located on a prominent corner site where Northolt Avenue meets Station Approach. It is situated within a primarily residential area which is interspersed with some shops/ commercial buildings along Station Approach eastwards towards South Ruislip Station.

The buildings are primarily two to three-storeys in height on the south side of the street. Third storeys, where they exist, are contained within the roof respecting the domestic scale of the surrounding streets. The buildings on the north side of the street have a different character with larger blocks of three full storeys.

#### The proposed development

The existing building frontage is set back from the street on a similar alignment to the residential properties to the west of Northolt Avenue. There would be no objection to the proposed new front building line that corresponds to the buildings directly to the east in which the development would have a more direct visual relationship.

The proposed development is largely the same as the scheme that was refused under application 27354/APP/2020/4256 except for an amended housing mix and two significant design changes.

The rear of the proposed building has been amended stepping back the third floor to help reduce the bulk of the building and provide more of a transition to the bungalows and two-storey houses to the south within Northolt Avenue.

The other change that has been made is the removal of the fourth storey roof access enclosure and lift over run which resulted in an intrusive and incongruous roof addition that added visual clutter and detracted from the appearance of the building and wider street scene. The removal of the intrusive enclosure is welcomed and has reduced the visual impact of the development and improved the skyline.

The scheme proposes roof top railings, which are shown on the amended drawings. Given the undulating parapet line, which would dip well below 1.1 metres in places, this could be a highly visible addition that could add visual clutter and interfere with the profile of the roof parapet.

An amended plan shows the metal balustrade set behind the parapet wall and planting, which would not be visible from street level.

The use of brick as the primary construction material would be supported in principle and would respect the palette of materials in the area subject to an appropriate colour, tone, texture and mortar being chosen.

The amended plans have improved the development and the building sits more quietly within the streetscape. The success of the scheme would be dependent of the quality of the detailed design of the elements and in particular the choice of materials and workmanship in the buildings construction.

#### **7.08 Impact on neighbours**

Policy DMHB 11 of the Local Plan: Part Two (2020) notes development should not adversely impact upon the amenity, daylight and sunlight of adjacent properties and open space.

The proposed building would be set further forward on the site than the existing building and would be in line with the front building line of the neighbouring property to the north east at 42B Station Approach. In addition, it would not extend beyond this property's rear wall. Consequently it is considered that the proposal would not significantly impact on the amenity of the neighbouring occupiers by virtue of visual amenity, overbearing or loss of light. The principal windows serving the proposed units would face front and rear.

The side elevation windows would serve both habitable and non habitable rooms however, these together with the balconies on this south west elevation would face onto the public highway known as Northolt Avenue. The separation distance to the property on the opposite corner would be approximately 18 metres however, as this neighbouring property at 38 Station Approach has one first floor flank elevation window which serves a non habitable room there would be no adverse affect on this property's residential amenity.

The proposal also includes the siting of a temporary outbuilding which would be located to the rear of the site. The outbuilding would have a maximum height of 2.5 m and it is not considered that this would have any detrimental affect on the residential amenities of the 42B Station Approach. In addition, the outbuilding or modular 'Portakabin' would be a temporary structure that would be removed after the development is completed should planning permission be forthcoming.

As such the proposal is considered to comply with Policy DMHB 11 of the Local Plan: Part Two (2020).

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

##### **INTERNAL AMENITY SPACE:**

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

The proposed flats measure:

3 bed, 6 person flat = 93.7 sq.m

2 bed, 4 person flat = 62.9 sq.m, 67.1 sq.m

1 bed, 2 person flat = 51 sq.m, 51.1 sq.m, 54.8 sq.m

The proposed flats would meet the minimum floor space requirements set out in Policy D6 of the London Plan (2021). All of the proposed bedrooms would exceed the minimum floor area standards set out in the Technical housing standards - nationally described space standard (2015).

The proposed 3 and 2 bed flats would be dual aspect, thus providing an adequate level of natural light. The flats would all have an outlook of Northolt Avenue, Station Approach or the car park.

The ground floor flat has recessed bedroom windows with small planted areas in front of the windows, which will ensure both an attractive appearance and ensure an acceptable level of privacy to habitable room windows in the ground floor flat.

It is therefore considered that this would result in a satisfactory form of living accommodation for future occupiers, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D6 and SI2 of the London Plan (2021).

#### EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18 of The Local Plan: Part 2 - Development Management Policies (2020) requires all new residential development to provide good quality and usable private outdoor amenity space. Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres. Any ground floor and/or basement floor unit that is non-street facing should have a defensible space of not less than 3 metres in depth in front of any window to a bedroom or habitable room. All new residential development should provide good quality and usable private outdoor amenity space. Amenity standards should be provided in accordance with the standards set out in table 5.3 of the Local Plan: Part Two (2020).

The minimum amenity space provision required:

- Flats - 1 bedroom, requires 20 square metres
- Flats - 2 bedroom, requires 25 square metres
- Flats - 3 bedroom, requires 30 square metres

Each residential unit is provided with its own private balcony ranging from 5.8 - 11.7 sqm, which is below the minimum space provision required. That said, the proposal includes a communal roof terrace which would provide a further 145 sqm of usable external amenity space.

It is considered that an argument that the amenity space is substandard may be hard to

sustain on appeal given the relatively small scale of the development and the availability of Stonefield Park, a few hundred metres to the south of the site. Albeit there are concerns as regards to how practicable the roof-space amenity area will be.

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

Policy 111 of the NPPF (2021) 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.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the Council to consider whether the traffic generated by proposed developments is acceptable.

The address is situated in South Ruislip on the corner of Station Approach and Northolt Avenue. The existing building comprises of a dental surgery at the ground floor with a residential unit on the 1st floor. There are areas of hardstanding to the front (a private forecourt) and rear which are currently used for parking purposes and accessed via established vehicular crossovers from both Station Approach and Northolt Avenue respectively.

It is proposed to demolish the existing building with a 4-storey replacement build incorporating a new Dental surgery (GIFA -78m<sup>2</sup>) on the ground floor with 6 flats above (3x1,2x2 & 1x3 bedroom units). The surgery would continue operation throughout the build programme with a temporary modular facility provided to the rear of the site. 5 parking spaces are proposed with one allocated to the surgery located on the frontage and 4 spaces (including 1 disabled compliant bay) positioned to the rear. Existing carriageway crossings would remain to serve the spaces.

During construction, a temporary Dental surgery (two surgery rooms - GIFA 35.8m<sup>2</sup>) acting as a decant facility would be positioned to the rear of the site where the final on-plot residential parking provisions are proposed.

The Public Transport Accessibility Level (PTAL) is rated at a level of 3 and the immediate highway is generally covered by extensive parking controls which include double yellow lines and a CPZ operating from 9am to 5pm - Monday to Friday.

A comparable application for 7 flats & a Dental Surgery (27354/APP/2020/4256) with 5 on-plot parking spaces was recently refused but not on highway related grounds.

#### **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.

#### **Residential**

The maximum parking provision for each of the 6 flatted units requires 1-1.5 on-plot spaces to be provided for the 1 & 2-bedroom units with 2 spaces for the 3-bedroom flat to comply with the adopted parking standard. This would equate to 7-10 on-plot spaces. 4 spaces are proposed which falls significantly below the standard. Conversely for a PTAL rating of 3, the London Plan (2021) parking standard demands up to 0.75 spaces per unit (up to 2 bedrooms) and up to 1 space per unit for the 3 bedroom flat which would result in a total requirement of 4-5 spaces.

It is noted that the surrounding residential catchment and road network exhibits certain characteristics which arguably support a lower quantum of on-plot parking provision. To expand - the local area is covered by extensive daytime parking controls in the vicinity of the address which consist of a controlled parking zone (CPZ) which operates between 9am to 5pm - Monday to Friday. Double yellow lines are also present at key junction locations. Also, there are relatively generous off-street parking facilities for most of the surrounding residential properties in the area such as Northolt Avenue which assists in reducing general on-street parking demand.

The applicant has also undertaken parking stress surveys within the locality in order to catalogue the levels of parking demand in all roads within a walking distance of 200m of the site. Industry recognised methodology has been applied and the findings indicate that during the recommended surveyed periods there appears to be in the region of 35% spare parking capacity which can be legitimately used on the surrounding roadways. As there is no evidence to the contrary as confirmed by random checks by Council officers, the findings are considered robust and relevant and therefore supportive of a lower on-plot parking quantum.

#### **Disabled Compliant Parking**

In accord with Hillingdon's Local Plan: Part 2 standard - 10% of parking spaces should be disabled compliant. 1 space is proposed which conforms to the standard in the context of the quantum of spaces proposed.

#### **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. This equates to 1 'active' and 3 'passive' spaces which is proposed hence there are no further observations made.

#### **Cycling Provision**

In terms of cycle parking there should be a provision of 1 secure and accessible space for each 1 and 2-bedroom residential unit with 2 spaces for the 3-bedroom flat to conform to the adopted borough cycle parking standard. 8 spaces are proposed within 'two-tier' racks located to the rear of the site envelope which broadly conforms to the standard.

#### **Dental Surgery**

The proposal indicates a single on-plot parking provision on the private forecourt on the frontage. The parking standard requires two spaces per consulting room. Hence given the proposed GIFA, there is a deficit in provision.

It is however acknowledged that there is little convenient 'free of charge' parking availability in the local area as it is extensively covered by parking restrictions throughout the working week which inherently assists in deterring any potential extraneous parking and traffic generated by the proposal. It is also possible that a proportion of patients would attend the surgery on a 'linked-trip' principle on-route to other destinations by, for example, being 'dropped off & picked up' which would further reduce potential new 'single destination' vehicular trips and resultant impacts generated by the proposal. This has, in fact, been demonstrated by the applicant who undertook a travel survey which indicated a high percentage attendance by way of sustainable travel modes. The findings are considered robust and relevant and therefore supportive of a lower on-plot parking quantum.

### Cycling Provision

In terms of cycle parking there should be a provision of 1 secure and accessible space for staff with 1 space per 10 patients. 3 'Sheffield' stands are proposed on the frontage which satisfies the requirement.

### Temporary Dental Surgery

During construction, a temporary Dental surgery (two surgery rooms - GIFA 35.8m<sup>2</sup>) acting as a decant facility would be positioned to the rear of the site where the final on-plot parking provisions are proposed. This aspect of the proposal does not give rise for concern given current activities linked to the established Dental surgery use and its physical separation from the main construction site.

### Vehicular Access Arrangements (Residential & Dental Practice)

In highway impact terms, there is no objection in principle to the parking layouts depicted on the frontage and to the rear of the site envelope and the access points are considered fit for purpose as demonstrated by the submitted vehicle swept path analysis.

### Operational Refuse Requirements (Residential)

Refuse collection would occur from Northolt Avenue and a bin storage area is shown to the rear of the site. 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 or bin store, arrangements should ensure that waste is positioned at a collection point within this set distance. With the arrangement as presented, the above parameter is met. There are no further observations.

### Construction Management Plan (CMP)

The above will be a requirement given the constraints and sensitivities of the local road network in order to avoid/minimise potential detriment to the public realm. It will need to be secured under planning condition.

### Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

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

Secured by Design is now covered by Part Q of the Building Regulations which the development will be required to accord with.

## **7.12 Disabled access**

The additional details shown on drawing no. 001\_2000 rev 02, have been reviewed, and the details shown are now satisfactory for the purposes of development control. However, given that an indicative layout for the proposed dental surgery has not been submitted, the following informative should be attached to any planning permission:

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

In addition, the following conditions should be attached to any approval:

1. Prior to works commencing, details of step free access via the principal private entrance shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

2. The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure that an appropriate standard of housing stock, in accordance with the 2021 London Plan policy D7 is achieved and maintained.

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

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) states that housing provision is expected to include a range of housing to meet the needs of all types of households, and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Local Plan. For sites with a capacity of 10 or more units the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units. This is supported by Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

The proposal is for less than 10 residential units and does not meet the threshold in order to require affordable housing provision. As such, the proposal is not contrary to Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.14 Trees, Landscaping and Ecology**

##### **TREES & LANDSCAPE**

Policy DMHB 14 of The Local Plan: Part 2 - Development Management Policies (2020) states that:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

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

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

An area of hard-standing to the front is currently used for parking and there is a rear service road which provides access to additional parking to the rear of the building.

According to Google Streetview there are two small trees to the rear of the building, however, there are no TPO's or Conservation Area designations affecting the site.

The two trees will be removed to facilitate car parking and bin / bike stores to the rear. The D&AS refers to secure and enclosed cycle storage and bin storage. It also refers to landscaping to the front of the building to enhance the public realm. Modest areas of soft landscape and green roofs are indicated on the landscape plan. There is an annotation referring to the use of native species. Where the soft landscape is part of the visual amenity for residents, it is unlikely that the use of native species will be suitable, however, there are ornamental plants which are also nectar-bearing species which will encourage biodiversity. Private outdoor amenity space is to be provided in front of private balconies. These should be of sufficient size to be accessible and functional. The provision of soft landscape enhancement in front of the building for the benefit of the public realm is welcome, subject to detail. Its success will depend on the quality of design, implementation and future maintenance.

The Council's Trees and Landscaping Officer has raised no objection.

#### **7.15 Sustainable waste management**

Refuse collection would occur from Northolt Avenue and a bin storage area is shown to the rear of the site. 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 or bin store, arrangements should ensure that waste is positioned at a collection point within this set distance. With the arrangement as presented, the above parameter is met.

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

Not applicable to this application.

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

The Council's Flood and Water Management Officer has raised no objection based on the submitted information.

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

##### **AIR QUALITY**

The following policy context is taken into consideration:

Paragraph 186 of the National Planning Policy Framework (2021) states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Policy 7.14 of the London Plan (March 2016) further supports this.

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(January 2020) states:

- A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
- B) Development proposals should, as a minimum: i) be at least "air quality neutral"; ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The application site is within the declared Hillingdon Air Quality Management Area and Air Quality Focus Areas: A40/ South Ruislip Focus Area. Focus Areas are where the pollution levels are already elevated and improvements are required to be made.

## NOISE

Policy D14 Noise of the London Plan (2021) states:

A In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials - in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

B Boroughs, and others with relevant responsibilities, should identify and nominate new Quiet Areas and protect existing Quiet Areas in line with the procedure in Defra's Noise Action Plan for Agglomerations.

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to ensure that noise sensitive development and noise generating development are only permitted if noise impacts can be adequately controlled and mitigated.

The ground floor level of the site comprises a dental surgery and as such, the level of noise is considered to be minimal.

## CONTAMINATED LAND

Policy DME1 12 of The Local Plan: Part 2 - Development Management Policies (2020) states:

- A) Proposals for development on potentially contaminated sites will be expected to be

accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The Council's Contaminated Land Officer has provided the following comments on the previously refused scheme:

The report represents a Phase 1 study which includes a conceptual site model and preliminary risk assessment of the ground conditions (including environmental, geological, hydrological and hydrogeological conditions) at the site.

The assessed risks range from "Negligible to Moderate/Low" with regards to potential land contamination.

Details within the report are considered to be suitable and sufficient and acceptable to justify its conclusion that "intrusive investigation is not deemed necessary to further assess contamination risks."

However, I am recommending that if planning consent is granted then the following condition should be imposed:

No contaminated soils or other materials (e.g. subsoils, loose hardstanding surfacings etc) shall be imported to the site. All imported soils and/or other materials for landscaping purposes etc. shall be independently tested for chemical contamination and the results of this testing shall demonstrate the materials are clean and free of contaminants. The report/s shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

**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.

**Observations:**

The report indicates that:

- A Moderate/Low risk to human health has been identified, which can be reduced to Low through use of PPE on site and the use of appropriate construction methods to reduce

dust during groundworks and construction

- Site workers should have undertaken asbestos awareness training and have access to appropriate PPE including P3 masks, if required. If ACM is identified on site, an appropriately qualified person should attend site to inspect and advise.

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

The issues raised are covered in the main body of the report.

#### **7.20 Planning Obligations**

##### **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floor space for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £60 per sq metre.

The existing floor area to be demolished is 141.6 sqm.

The proposed total additional floor area as advised in the CIL application form is 380.6 (residential) and 60 (non residential) equalling 440.6 sqm.

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

Not applicable to this application.

#### **7.22 Other Issues**

No other issues.

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

#### **General**

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

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

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

#### **Planning Conditions**

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

#### **Planning Obligations**

Members must be satisfied that any planning obligations to be secured by way of an

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

#### Equalities and Human Rights

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

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

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

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

Not applicable to this application.

#### **10. CONCLUSION**

The development, in terms of its size, scale and design, impact on adjoining occupiers and provision of adequate facilities for future occupiers, is considered to be in accordance with national, regional and local policies and is recommended for approval.

The proposed development has an amended housing mix, including 1-3 bed unit, and significant design changes which are considered to fully address the reasons for refusing application ref. 27354/APP/2020/4256 in March 2021. The application is therefore recommended for approval.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)  
The London Plan (March 2021)  
Technical Housing Standards - Nationally Described Space Standard (March 2015)  
Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document (September 2017)  
National Planning Policy Framework (July 2021)  
Manual for Streets (2007)

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