

Appendix PV2

Council's Officer delegated report

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | <input type="checkbox"/> |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | <input type="checkbox"/> |
| 3. There is no Committee resolution for the enforcement action | <input type="checkbox"/> |
| 4. There is no effect on listed buildings or their settings | <input type="checkbox"/> |
| 5. The site is not in the Green Belt (but see 11 below) | <input type="checkbox"/> |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | <input type="checkbox"/> |
| 7. No petition of 20 or more signatures has been received | <input type="checkbox"/> |
| 8. Application has not been supported independently by a person/s | <input type="checkbox"/> |
| 9. The site is not in Green Belt (but see 11 below) | <input type="checkbox"/> |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | <input type="checkbox"/> |
| 11. Householder application in the Green Belt | <input type="checkbox"/> |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | <input type="checkbox"/> |
| 13. Refusal of change of use from retail class A1 to any other use | <input type="checkbox"/> |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | <input type="checkbox"/> |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | <input type="checkbox"/> |
| 16. Certificate of Lawfulness (for existing use or Development) | <input type="checkbox"/> |
| 17. Certificate of Appropriate Alternative Development | <input type="checkbox"/> |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | <input type="checkbox"/> |
| 19. PRIOR APPROVAL APPLICATION | <input type="checkbox"/> |
| 20. OUT-OF-BOROUGH OBSERVATIONS | <input type="checkbox"/> |
| 21. CIRCULAR 18/84 APPLICATION | <input type="checkbox"/> |
| 22. CORPSEWOOD COVENANT APPLICATION | <input type="checkbox"/> |
| 23. APPROVAL OF DETAILS | <input type="checkbox"/> |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | <input type="checkbox"/> |
| 25. WORKS TO TREES | <input type="checkbox"/> |
| 26. OTHER (please specify) | <input type="checkbox"/> |

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

Case Officer

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

| | |
|---------------------|--|
| Item No. | Report of the Head of Planning, Building Control, Sport & Green Spaces |
| Address | HEATHROW GARDEN CENTRE & LAND ADJ TO HEATHROW GARDEN CENTRE SIPSON ROAD SIPSON |
| Development: | Mixed use development comprising of 53 residential units (Use Class C3), 3 light industrial commercial units (maximum 450 sqm total) (Use Class B1), neighbourhood community centre (Use Class D1), and 2 retail units (150 sqm each) (Use Class A1), together with associated private and public open space, pedestrian and vehicular access and parking, including the demolition of existing garden centre (Application for outline planning permission with all matters reserved apart from access). |
| LBH Ref Nos: | 67666/APP/2013/1579 |
| Drawing Nos: | 004_TK04 Rev B 004_TK05 Rev B Drainage Strategy Rev A Green Belt Report Planning Statement Statement of Community Engagement Transport Assessment Community Consultation Flood Risk Assessment Heritage Statement Ecology Report Air Quality Assessment Addendum Note to Transport Assessment dated October 2013 APL_001 APL_002 APL_100 APL_101 APL_200 DESIGN AND ACCESS STATEMENT (JUNE 2013) BS5837 Survey - Map 1 BS5837 Survey - Map 2 (3) BS5837 Survey - Map 4 ENERGY STATEMENT TREE SURVEY |

| | | | |
|--------------------------------|------------|---------------------------------|------------|
| Date Plans received : | 15/07/2013 | Date(s) of Amendment(s): | 09/10/2013 |
| Date Application Valid: | 15/07/2013 | | 01/10/2013 |
| | | | 22/07/2013 |
| | | | 11/10/2013 |

1. SUMMARY

Outline planning permission is sought for a mixed use development comprising of 53 residential units (Use Class C3), 3 light industrial commercial units (maximum 450sqm total) (Use Class B1), 2 retail units (150sqm each) (Use Class A1) and multi-purpose community Centre (450sqm) (Use Class SuiGeneris), together with associated private and public open space, pedestrian and vehicular access and parking. The proposal includes the demolition of an existing buildings, structures and glasshouses associated

with the former Sipson Village Garden Centre.

128 surrounding occupiers were consulted. 5 representations have been received objecting to the scheme.

The scheme constitutes inappropriate development in the Green Belt and it has not been demonstrated that 'very special circumstances' exist to outweigh the the potential harm to the Green Belt by reason of inappropriateness, and any other harm.

It would not also result in a number of other fundamental planning concerns, including the unacceptable ecological impacts, noise issues and air quality.

The proposal has also failed to provide adequate detail of access and the applicant has failed to secure provision of planning obligations, commensurate to the nature and scale of the proposed development.

Accordingly, it is recommended that planning permission be refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development represents inappropriate development within the Green Belt and no very special circumstances have been provided or are evident which either singularly or cumulatively overcome the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to the aims of Policy OL1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy 7.16 of the London Plan (2011) and the NPPF.

1

2 NON2 Non Standard reason for refusal

The applicant has failed to provide, through an appropriate legal agreement, an appropriate provision of on site affordable housing. The proposal is therefore contrary to Saved Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations and policies Policies 3.10 -3.13 of the London Plan.

3 NON2 Non Standard reason for refusal

The submitted ecological assessment has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area. The proposal is therefore contrary to Policy EC1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the NPPF.

4 NON2 Non Standard reason for refusal

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of education, health, libraries, construction training, employment and training initiatives, project management and monitoring fee). Given that a legal agreement to address this issue has not at this stage been offered or secured, the proposal is considered to be contrary to Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

5 NON2 Non Standard reason for refusal

The application has failed to demonstrate that the development would not have a

significant impact on an Air Quality Management Area (AQMA). The uncertainty of the impacts is heightened by the lack of information to support the suitability of the development proceeding in this location. Accordingly, the proposal is contrary to Policy 7.14 of the London Plan and the Council's Supplementary Planning Guidance on Air Quality and the provisions set out in the National Planning Policy Framework.

6 NON2 Non Standard reason for refusal

In the absence of a Noise Assessment to establish that the residential use can be sited, designed or insulated from road and aircraft noise, the application has failed to demonstrate that the proposed development would not be subject to unacceptable levels of noise, detrimental to the residential amenities of future occupiers. This is contrary to Policy OE5 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7 NON2 Non Standard reason for refusal

The development as currently proposed would not ensure appropriate levels of vehicular and pedestrian safety and it has not been demonstrated that the unacceptable arrangements in relation to vehicle manoeuvring would not have adverse impacts on the operation of the highway network. The development is therefore contrary to Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

| | |
|------|---|
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| A7 | Developments likely to increase helicopter activity |
| AM14 | New development and car parking standards. |
| AM15 | Provision of reserved parking spaces for disabled persons |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |

| | |
|----------|---|
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| EC2 | Nature conservation considerations and ecological assessments |
| EC3 | Potential effects of development on sites of nature conservation importance |
| EC5 | Retention of ecological features and creation of new habitats |
| H4 | Mix of housing units |
| H5 | Dwellings suitable for large families |
| LE1 | Proposals for industry, warehousing and business development |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation measures |
| OE5 | Siting of noise-sensitive developments |
| OE7 | Development in areas likely to flooding - requirement for flood protection measures |
| OE8 | Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures |
| OL1 | Green Belt - acceptable open land uses and restrictions on new development |
| R17 | Use of planning obligations to supplement the provision of recreation, leisure and community facilities |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| LPP 3.11 | (2011) Affordable housing targets |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 5.1 | (2011) Climate Change Mitigation |
| LPP 5.12 | (2011) Flood risk management |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions |
| LPP 5.7 | (2011) Renewable energy |
| LPP 7.16 | (2011) Green Belt |
| LPP 7.19 | (2011) Biodiversity and access to nature |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 8.2 | (2011) Planning obligations |
| NPPF | |

3

The Local Planning Authority has actively engaged with the applicant both at the pre application and application stage of the planning process, in order to achieve an acceptable outcome. However, the scheme results in a number of fundamental planning concerns, including inappropriate development in the Green Belt, failure to demonstrate

unacceptable ecological impacts would not occur, failure to demonstrate compliance with noise and air quality policies, inadequate access arrangement, lack of an appropriate provision of on site affordable housing, and failure to provide planning obligations. Accordingly, the planning application has been refused.

3. CONSIDERATIONS

3.1 Site and Locality

The 6.7ha application site is designated Metropolitan Green Belt. It is located to the north of Sipson Village (south west of the M4 Heathrow access junction) and comprises the Sipson Village Garden Centre and an area of vegetated land to the south. The site is bounded by the London Heathrow Holiday Inn Hotel to the north, which is accessed off Sipson Road (A408). To the east the site is bounded by the M4 Spur (also known as the Heathrow Tunnel Road) with residential properties in Vineries Close to the south and more residential properties to the west on Sipson Road and Russell Gardens.

The site is accessed from the A408 Sipson Road via an existing give way controlled priority junction. The site records a low public transport accessibility level (PTAL) of 1b (on a scale from 1- 6, where 1 is poor and 6 is excellent).

An element of the application site is currently occupied by the buildings, structures and glasshouses associated with the former Sipson Village Garden Centre (which was closed in late 2011) and the remainder is undeveloped paddock land.

3.2 Proposed Scheme

Outline planning permission is sought for a mixed use development comprising of 53 residential units (Use Class C3), 3 light industrial commercial units (maximum 450sqm total) (Use Class B1), 2 retail units (150sqm each) (Use Class A1) and multi-purpose community Centre (450sqm) (Use Class SuiGeneris), together with associated private and public open space, pedestrian and vehicular access and parking, including the demolition of existing garden centre. All matters are reserved apart from access.

An indicative masterplan has been submitted , which illustrates the way the various elements of the scheme could be arranged on the site.

Access to the residential element would remain from Sipson Road. The houses would be arranged in two groups, 10 semi detached dwellings located in the northeast of the site, with the bulk of the residential development located centrally adjacent to the western boundary with existing properties in Sipson Road and Russell Gardens. The community centre ,retail and light industrial units would be located to the south of the site and be accessed off Sipson Lane.

The application is supported by a number of reports and documents that assess the impact of the proposal. A schedule and some key conclusions from these reports are provided below:

- Design and Access Statement -

This report outlines the context for the development and provides a justification for the number of units, layout, scale and access for the proposed development. The report also provides a summary of the proposals and assesses them against policy and planning guideline considerations.

- Flood Risk Assessment
- Ecological Report (January 2012)

- Transport Statement

Transport Assessment confirms that the residential element of the proposals will be accessed via Sipson Road, replacing the existing access to the former garden centre. The Assessment concludes that the additional traffic generated as a consequence of the development can be readily accommodated and as such, the primary site access onto Sipson Road will operate well within capacity.

- Energy Sustainability Statement
- Heritage Statement
- Statement of Community Involvement
- Air Quality Assessment
- Tree condition Survey
- Drainage Strategy Rev A

3.3 Relevant Planning History Comment on Planning History

None.

4. Advertisement and Site Notice

- 4.1** Advertisement Expiry Date:- 15th August 2013
- 4.2** Site Notice Expiry Date:- Not applicable

5. Comments on Public Consultation

EXTERNAL CONSULTEES

The application has been advertised under Article 13 of the Town and Country Planning General Development Management Order 2010 as a Major Development. 128 surrounding property owners/occupiers have been consulted. At the time of writing the report, 5 letters or internet representations have been received objecting on the following grounds:

- This company wants to build extensively on Green belt land which is highly undesirable in this locality as it is important to protect areas which provide a natural barrier to the industrialisation of the area.
 - 49 of the proposed properties would be considered to be family homes but the local infrastructure could not support this large number of families i.e. school places, GPs and dentists.
 - The Industrial Units are placed in close proximity to a Children's Nursery and Residential Properties it is therefore anticipated that these properties would be severely affected by noise of heavy traffic and would increase the risk of accidents due to the local road plan.
 - Industrial Units within this locality are being demolished because users cannot be found so why build more.
 - There is insufficient evidence to suggest that these properties would actually be attractive to buyers other than buy to let landlords.(not a planning issue)
- This community is already overly populated by transient residents who do not invest in the local economy or community so more people entering the village in this way would have a detrimental impact on the existing community.
- This development company is planning to create a Community Centre and Village Green but they are not proposing to take responsibility for their on going costs
 - A good idea to generate confidence in the housing market in Sipson Village - as long as the proposed housing stock is not 'Council Housing'
 - I am all for development of Sipson, to stop any threat of a third runway at Heathrow. But I strongly oppose parts of this development.
 - Invasion of private space to the rear of our property
 - Since 2003 when the consultation was first proposed the area has been blighted by the runway threat, people have taken the BAA bond, which has decimated the area of local people.
 - The proposed plan shows alteration to the road boundary to the front of these properties, with no provisions for the existing residents
 - At the moment parking provisions are inadequate
 - Sipson Village should be rejuvenated, especially the garden centre site, however I am very concerned with the number of houses proposed, particularly large houses.
 - An influx of such a large number of people with social housing needs will destroy Sipson's 'village' feel (the main selling point of your proposal) and compromise our security.
 - I do not want problem families on the doorstep and the potential of increased crime and anti-social behaviour
 - Our properties have been blighted by the threat of airport expansion for so long, I don't want this replaced with yet another blight
 - Privacy would be compromised
 - Noise disruption would be horrendous (This is covered by Environmental legislation)
 - Plans inconsistent
 - The Drainage Strategy appears to relate to a different scheme
 - The Drainage Strategy does not make it clear, whether the proposed discharge from the

site can be accommodated within the existing sewer along Sipson Road

- The application cannot currently be determined based on the information which has been provided as this does not facilitate the proper assessment of the impact on, and ongoing operation of the adjoining Holiday Inn.

GREATER LONDON AUTHORITY (GLA)

The Deputy Mayor considers that the application does not comply with the London Plan, for the reasons set out in paragraph 60 of the above-mentioned report. If your Council subsequently resolves to grant permission on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, a statement of any conditions the authority proposes to impose and (if » applicable) a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application without further reference to the GLA. However, you should still send a copy of the decision notice to the Mayor, pursuant to Article 5 (3) of the Order. V City Hall, London, SE12AA · london.gov.uk · 020 7983 4000

GLA STAGE 1 REPORT (SUMMARY)

London Plan policies on Principle of land use Green Belt, retail and office uses, housing/affordable housing, density, children play space, design, inclusive access, sustainable development/energy, noise and air quality, flood risk management and transport are relevant to this application. The proposed development does not comply with the London Plan. The reasons for this are set out below:

- Principle of land use - Green Belt: The proposed use on Green Belt is an inappropriate development. The very special circumstances presented do not justify the development on Green Belt.

- Housing/affordable housing: Additional information is required in regard to space standards, tenure split, and children play space. The provision of 50% affordable housing should be verified by viability appraisal. The proposed intermediate housing should be replaced by affordable rent.

- Urban design: Given the scale of the proposal it does not raise strategic design issues.

- Density: Additional information is required.

- Inclusive access: The design and access statement should demonstrate that inclusive design is incorporated in all the elements of the scheme providing scaled drawings and plans.

- Sustainable development/energy: The scheme complies with Policy 5.2 of the London Plan.

- Noise and air quality: Given the proximity of the site to Heathrow Airport and major road networks a detailed noise report should be provided. Additional information is required in regard to the air quality report.

- Flood risk management: The proposal is in line with the sustainable drainage hierarchy contained within London Plan policy 5.13. However, the surface water management measures should be secured.

- Transport: A reduction in the number of car parking spaces should be provided, an inclusion of EVCPs throughout the scheme and clarification regarding the number of blue badge parking spaces on site should be provided. A bus stop audit is required and if necessary, a contribution must be made towards upgrading the nearby stops. The preparation of Travel Plans for the residential and non residential uses, the provision of a

CLP alongside a DSP to support the London Plan and the London Freight Plan and some recognition of the Mayoral CIL must be provided.

TfL

Site Location & Context

The development site is that of the former Heathrow Garden Centre located within Sipson Village in the London Borough of Hillingdon. The site is accessed by the A408 Sipson Road. TfL is of the opinion that the development and likely traffic generation will not give rise to conditions that would affecting the operation of the A4, to the south of the site, which forms part of the Transport for London Road Network (TLRN).

Bus/Bus Infrastructure

The Number 222 bus currently operates a good service in the local area and provides 8 buses per hour running from Uxbridge station to Hounslow bus station. There is existing capacity on the current bus network to accommodate the likely number of bus trips generated from the proposed development. Nevertheless, the applicant should be requested to undertake an audit of the bus stops within 400m of the site to ensure that they meet the TfL guidance on accessible bus stop design. If required, an appropriate contribution should be sought through a s.106 agreement to upgrade the bus stops in order to improve the access by occupiers of the development to the bus network. The Transport Assessment (TA) also makes reference to comments made by LB Hillingdon that the borough are investigating the enhancement to bus service access in local villages however TfL is yet to be approached by the borough and / of applicant regarding this issue.

Cycling/Cycle Parking

Sipson Road forms part of London Cycle Network Route 89 which provides an excellent opportunity for encouraging cycling. TfL notes that cycle parking provision for the residential units meets the minimum requirements in respect of London Plan Policy 6.9. Cycle parking for the industrial units, commercial units and the community centre for both employees and visitors should also be provided which is well lit and secure to fully comply with the London Plan standards.

Car Parking

The proposed level of private car parking for the residential units is in excess of London Plan Policy 6.13 'Parking'. It is noted that 106 car parking spaces are proposed for the 53 residential units, which equates to 2 spaces per unit. To comply with the London Plan the development need only provide 75 spaces Electric vehicle charging points (EVCP) should also be and provided at a ratio of 1 in 5 spaces (both active and passive). There is no mention of car parking spaces for blue badge holders as part of the proposal which is required to comply with the London Plan.

Travel Planning

The applicant should provide a Travel Plan for both the residential and non residential elements of the development to encourage the use of the public transport network and promote opportunities for cycling. The submission of a Travel Plan would also be in accordance with London Plan policy 6.3 and secured via condition.

Construction and Servicing

A Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP) should be submitted and approved prior to construction commencing in order to comply with both the London Plan policy 6.14.

Community Infrastructure Levy(CIL)

The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help

implement the London Plan, particularly policies 6.5 'Funding Crossrail & Other Strategically Important Transport Infrastructure' and 8.3 'CIL'. The Mayoral CIL formally came into effect on 1st April, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail.

The Mayor has arranged boroughs into three charging bands. The rate for LB Hillingdon is £35 per square metre. The required CIL should be confirmed by the applicant and council once the components of the development or phase thereof have themselves been finalised.

Conclusion

In order to comply with the London Plan Policies, TfL recommends; A reduction in the number of private car parking spaces provided and an inclusion of EVCPs throughout the scheme. Provision and clarification regarding the number of blue badge parking spaces for disabled people on site. Bus stop audit and if necessary, a contribution towards upgrading the bus stops.

- Preparation of Travel Plans for the residential and non residential uses.
- Provision of a CLP alongside a DSP to support the London Plan and the London Freight Plan.
- Recognition of the Mayoral CIL

ENVIRONMENT AGENCY

(Officer Comment: The Environment Agency Objection is based on the original FRA and Drainage Assessment. The applicant has provided an amended Drainage Assessment, but this was provided too late in the day to enable formal re-consultation with the Environment Agency. The comments of the Council's Floodwater & Drainage Officer on the amended strategy are provided in the relevant section of this report.

We object to the application as submitted for the following reasons:

1. There is insufficient information regarding the maximum volumes each Sustainable Drainage System (SuDS) is intended to provide, or the intended locations.
2. It is proposed to use infiltrative techniques as part of the drainage strategy, however no infiltration testing has been undertaken.
3. There are some deficiencies in the volume calculations which do not appear to have taken climate change into consideration in determining the volume required.

Overcoming our objection

1. Drawing 120406/DS/01 does not indicate the position of the permeable paving or show the maximum volumes each SUDS system will attenuate. The applicant should submit a plan indicating the intended locations and extent of the permeable paving and provide the volumes each SuDS system will attenuate.

The use of Sustainable Drainage Systems within this application is good, with the proposed use of ponds, permeable paving and swales. We are also pleased to see the reduction to runoff rates to greenfield at 11.44 l/s for the entire site, as this meets the requirements of Policy 5.13 of the London Plan.

2. The applicant states that soakaways will be used if ground conditions allow which will be determined by infiltration testing at a later date. Infiltration tests should be undertaken prior to the determination of planning permission to demonstrate that the drainage scheme proposed will be achievable. If it is not possible to undertake testing at this stage the applicant should provide an alternative drainage strategy which could be implemented in the event that infiltration is shown not to be feasible.

3. The applicant should advise which calculation and/or programme has been used to determine the volumes of attenuation. Secondly, the calculations show a figure of 'Volume of Infiltration during Storm'. These volumes appear to be quite large, approximately 20% for the longest storm duration. As infiltration testing has not yet been done, the applicant

should confirm how these volumes have been determined.

As there is no mention of climate change within the calculations we are unsure as to whether a 30% increase in runoff rates been included to take into account climate change. If climate change has not been included, the applicant should update their calculations to determine the new volumes required.

Advice to Applicant

Please note that there may be other sources of flooding that affect this site (e.g. sewer, groundwater flooding) that are not within our direct remit, but nevertheless are important considerations for managing flood risk for this development. Under the Flood and Water Management Act, the Local Authority has the lead role in these matters and consideration of these other sources of flooding may be necessary to inform suitable mitigation measures to reduce the impact of flooding.

Advice to LPA

If you are minded to approve the application contrary to our objection, I would be grateful if you could re-notify the Environment Agency to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend the imposition of conditions to be included on any subsequent approval.

ENGLISH HERITAGE

The above planning application has been noted by the Greater London Archaeological Advisory Service (GLAAS) as affecting a heritage asset of archaeological interest or lying in an area where such assets are expected based on information held in the Greater London Historic Environment Record and/or made available in connection with this application.

The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

The site lies within the proposed Heathrow Archaeological Priority Zone. The applicant's desk-based assessment confirms that the site lies within an extensive multi-period archaeological landscape with important remains of prehistoric, Roman, Saxon and medieval date recorded in the surrounding area. The application site itself has been subject to a field evaluation (trial trenching) in 2001-2 which found a relatively low density of pre-modern features. Nevertheless despite the small sample a late Bronze Age/Early Iron Age ditch and possible Roman ditch were found. The proposed built development will only affect part of the site and there is no indication of remains of national significance.

The development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding of their significance. The archaeological interest should be conserved by attaching a condition as follows:

Reason Heritage assets of archaeological interest are expected to survive on the site.

The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results.

Condition A) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological

investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Informative: The written scheme of investigation will need to be prepared and implemented

by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.

I envisage that the archaeological mitigation would comprise the following:

Excavation for the roads and built development Archaeological excavation is a structured investigation with defined research objectives which normally takes place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-excavation assessment' will be prepared followed by an appropriate level of further analysis, publication and archiving.

Preservation in-situ for the open space areas

Where archaeological remains are to be preserved in-situ within a development there will normally be

a requirement to provide details of how this will be achieved. Typically this would involve a design and methods statement for groundworks. Where particularly important or vulnerable features are to be preserved there may also be a requirement to monitor their condition and take remedial action in the event of decay.

NATURAL ENGLAND

Statutory nature conservation sites - no objection.

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

From the information available to us, Natural England considers that there are suitable habitats on, or in the vicinity of the application site for bats. Detailed visual inspections have been carried out with potential foraging habitat found.

We advise that the transect surveys (carried out between April and September), continue to be undertaken in order to identify the status of the bat habitat or species to be affected. We advise that clarification on the survey work undertaken is required in accordance with the Bat mitigation guidelines, with further information to be requested from the applicant before determination of the application.

In the absence of the above information, Natural England is unable to advise the Council of the implications of this proposal for bats. Guidance on how protected species should be dealt with in the planning system. Natural England standing advice provides guidance on

how protected species should be dealt with in the planning system.

Specific advice on bats is provided within the detailed species sheets as part of our protected species standing advice.

The advice we are giving at the present time relates only to whether, in view of the consultation materials presently before us (including with reference to any proposed mitigation measures), the proposal is likely to be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range (i.e. Favourable Conservation Status test). We have not considered whether the proposal satisfies the three licensing tests or whether a licence would be issued for this proposal. This advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the protected species.

We have not assessed the survey for badgers, barn owls and breeding birds, water voles, white clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.

Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. S40 (3) states that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts. We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

HARMONDSWORTH AND SIPSON RESIDENTS ASSOCIATION

I object to this development because: - This company wants to build extensively on Green belt land which is highly undesirable in this locality as it is important to protect areas which provide a natural barrier to the industrialisation of the area. - 49 of the proposed properties would be considered to be family homes but the local infrastructure could not support this large number of families i.e. school places, GPs and dentists. - The Industrial Units are placed in close proximity to a Children's Nursery and Residential Properties it is therefore anticipated that these properties would be severely affected by noise of heavy traffic and would increase the risk of accidents due to the local road plan. - Industrial Units within this locality are being demolished because users cannot be found so why build more. - There is insufficient evidence to suggest that these properties would actually be attractive to buyers other than buy to let landlords. This community is already overly populated by transient residents who do not invest in the local economy or community so more people entering the village in this way would have a detrimental impact on the existing community. - This development company is planning to create a Community Centre and Village Green but they are not proposing to take responsibility for their on going costs

HEATHROW VILLAGES CONSERVATION AREA ADVISORY PANEL.

We object in principle to the development of Green Belt land and so hope that permission will not be granted for this application. We are particularly concerned with the proposed layout; it is very clear where the phase 2 development will be sited, and we are sure that a further application will be made were this development to be permitted. We disagree more or less strongly with all the six plus points that are made in the Conclusions in the design and access statement.

1: The statement that development will create 'a more positive Green belt benefit' is meaningless as it is not compared with anything else - more positive than what? If the intended benefit is to provide public access to part of the development area, this could be done better by NOT building on the site. The long-term benefit of Green Belt land is that it remains undeveloped. Were this site to be developed, the Green Belt land to the south of the M4, which at present runs continuously across the borough, would be bisected, removing the continuity that is vital in both visual and ecological terms.

2: This is the wrong place to attempt to make 'a new heart' for Sipson; it is right at one end of the village and the proposed community area is not visible from any of the existing village foci.

3: At present there is limited demand for housing in Sipson because of the continuing threat of airport expansion; this is not the place to build more homes.

4: The present shops in Sipson are finding it difficult to stay in business so new retail units are unlikely to find tenants, or would provide additional threats to existing businesses. Equally, new light industrial units are going to be difficult to let as there are already many in the locality that have been empty for lengthy periods.

5: The layout proposed for the site seems to be fitting in as much development as possible while leaving spaces that appear to only lack the label 'Reserved for Phase 2 development'.

6: We are not convinced that the expansion of Sipson is desirable in the present climate of uncertainty about possible expansion of Heathrow airport. As this proposed development is hidden away it will have little visible effect on the street scene, though the

additional traffic it would generate and the additional demands for places at the already-over subscribed village school are negatives, rather than plus.

INTERNAL CONSULTTEES

ENVIRONMENTAL PROTECTION UNIT

The air quality assessment is semi-qualitative and they have recommended carrying out air quality monitoring at the site to determine the air quality situation by condition, once planning permission has been given.

A proper air quality assessment is required to determine the likely air quality in the area given the sensitive nature of the use and its proximity to the M4 and M4 spur. We do not condition for monitoring to check the air quality after giving planning permission, by which point it is too late should the air quality be unacceptable for a residential development. If they wish to monitor, they can do this first and submit the information with a quantitative air quality assessment, that considers the impact from the development as well as the impact on the new receptors. This should take into consideration the transport impact on local roads of the mixed use development, as well as any emissions from an energy source. We would also recommend the assessment consider a with development worst case scenario where there is no drop in NO₂ by the development opening year.

There is an automatic background monitoring station at Harlington which is approximately 1 km to the east of the site, also approximately level with the southern boundary of the site. NO₂ for 2012 was recorded at 34 ug/m³. We also have modelling undertaken by CERC for Hilingdon for 2011 which indicated 55.7 ug/m³ at the north eastern corner and 38.8 ug/m³ at the south western corner, and for 2015 it indicated 52.1 ug/m³ at the north eastern corner and 36.4 ug/m³ at the south western corner which assumes a drop in NO₂.

Source apportionment undertaken by CERC for 2011 indicated Highways Agency roads did contribute to NO_x emissions for the Sipson Road although not to the same extent as at the AURN, but approximately to the same extent as local roads.

TREE AND LANDSCAPE OFFICER

LANDSCAPE CHARACTER / CONTEXT: The site is a approximately seven hectares and part of it was formerly occupied by a garden centre accessed from Sipson Road to the west. The M4 Heathrow Spur road (in cutting) defines the east boundary, with a large hotel to the north and a residential area, Russell Gardens to the south.

The site is currently vacant, comprising areas of concrete hard-standing amidst a large area of ruderal vegetation. There are a number of trees on the site, predominantly in the northern section and along the north boundary, with four trees in the south-east corner. None of the trees are protected by Tree Preservation Order or Conservation Area designation.

The site lies within designated Green Belt.

PROPOSAL: The proposal is to build a mixed use development comprising of 53 residential units (Use Class C3), 3 light industrial commercial units (maximum 450 sqm total) (Use Class B1), neighbourhood community centre (Use Class D1), and 2 retail units (150 sqm each) (Use Class A1), together with associated private and public open space, pedestrian and vehicular access and parking, including the demolition of existing garden centre (Application for outline planning permission with all matters reserved apart from

access).

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- A Tree Survey by Jonathan Hazell, dated July 2013, has been submitted in accordance with BS5837:2012. The survey assesses the quality and value of 38No. individual trees.
- The survey concludes that there are no 'A' grade (good) trees, 3No. 'B' grade trees (of moderate quality), 27No. 'C' (low quality) and 8No. 'U' (with a short useful life expectancy). There is no objection to this assessment.
- Tree protection is discussed in section 5 of the report. Only three trees are considered to be individually worthy of retention (T2, T3 and T36) albeit others have some landscape value in the short term. While it is unclear precisely which trees will be removed / retained as part of the development, the Masterplan indicates that much new structure planting in the form of new / replacement trees will be an integral part of the proposals.
- A Green Belt Report by Quartet Design has been submitted, which considers policy issues and sets out an assessment of the proposed development in response to the presumption against development within the Green Belt.
- This report confirms that the development would include a 'considered landscape structure' and include landscape improvements, the provision of extensive tree cover and the creation of wildlife habitat enhancements. It will also provide open space and connectivity for the wider community benefit, with a significant area of the site remaining as open Green Belt land.
- Section 5.07 of the Design & Access Statement sets out the Masterplan Landscape Strategy.
- The National Planning Policy Framework (NPPF) advises that the essential characteristics of Green Belts is their openness, thus the loss of openness, however limited, would harm the essential character of the Green Belt.
- The design and siting of the proposed dwellings would give the area a suburban appearance and be perceived as extending urbanisation outside, but close to the built up area. The proposal would fail to safeguard the countryside from development.

RECOMMENDATIONS: If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area: conditions RES2, RES6, RES8, RES9 (parts 1,2,5 and 6), RES10 and RES11.

FLOOD AND DRAINAGE OFFICER

The Council's Flood and Drainage Officer has reviewed the amended drainage information. While the level of information provided is not ideal, they consider that the information is adequate to demonstrate that an appropriate surface water management and drainage strategy could be implemented to ensure that the development complies with relevant planning policy.

Given the outline nature of the scheme it is considered that, in this case, this could be dealt with by way of an appropriate condition to secure such a scheme. The Flood and Drainage Officer therefore requests that the following condition be imposed should permission be granted.

Sustainable Water Management

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in the Drainage

Strategy, produced by Lanmor dated July 2012 , and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:

- a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
- b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
- c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.

ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate remediation and timescales for the resolving of issues.

iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

- .incorporate water saving measures and equipment.
- . provide details of water collection facilities to capture excess rainwater;
- . 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 that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

SUSTAINABILITY OFFICER

Ecology Observations

I object to the proposed development as insufficient information has been submitted regarding bats and reptiles. Planning applications should be determined in full knowledge of the impacts on protected species as set out in circular 2005/06. Bats (including their roosts and resting places) are particularly important given they carry European protection and recent case law. It is now widely accepted practice following the publication of Circular 05/06 and recent case law that where initial phase 1 habitat studies suggest more

detailed surveys, that these should accompany a planning submission. They should certainly be available to inform a planning decision.

In this instance, further reptile and bat surveys have been recommended but have not yet been submitted. Following Natural England standing advice the Council is left with little option but to refuse the application.

Bats

A phase 1 habitat walkover study was completed in May 2012 and concluded:

While the site appears to have few features of roosting value to bats (i.e. no suitable trees and one building of marginal bat roost potential), it does possess land that has bat foraging value i.e. scrub, grassland, and woodland.

The report then goes on to recommend further surveys to establish the importance of the site for bats. Natural England's standing advice suggests that where surveys are recommended but not submitted, then planning permission should be refused.

The implications of the Habitat Directive and in turn the Conservation Regulations must be considered when a development is considered or may have an impact on a European protected species (all bats fall into this category). The Council must be assured that the development is necessary, there are no alternatives, and that if it proceeds that the favourable status of European protect species is maintained. Prior to determining these three tests, the Council must be able to make an evidenced base decision on the likely impacts on bats. In this instance, the site is heavily vegetated, and covers a wide expanse and the applicant's submitted ecological appraisal recommends that further surveys are required.

Reptiles

The phase 1 habitat survey found that the site could be of some importance to reptiles, including protected species.

Although no reptiles or evidence of their presence were found during the survey visit, extensive areas of the site's habitats were judged to be suitable for reptiles and their presence could not be ruled out with confidence. Therefore a survey to assess the presence or likely absence of reptiles is recommended, prior to the removal of habitats likely to be suitable for them, such as scrub edge and tussocky grassland.

The Council needs to understand the implications for developing the site, and this includes determining the value of the site from an ecological perspective. The phase 1 survey acknowledges that it is difficult to determine the value of the site without further reptiles. This is a relatively large site which contains a wide range of features sufficient to sustain protected reptiles. The Council cannot be confident the development won't have an impact on protected species. Accordingly, it is unable to approve the application until the implications for protected species have been fully established and evidenced base decision can be made.

The development is therefore contrary to the NPPF, Policy 7.18 of the London Plan and EM7 of the Local Plan Part 1.

Should the above objection be overcome through the submission of suitable surveys and mitigation the following conditions are also necessary:

Energy

The submitted energy assessment shows the development can meet the relevant reduction targets set out in Policy 5.2 of the London Plan. However, it is necessary to consider the details further through the imposition of the following condition.

Condition

Prior to the commencement of development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall clearly show the final designs of the development and inclusion of the outline measures set out in the Energy Statement (CHB Sustainability,

CHBS-PB-13034-1, July 2013). The design of the development shall provide the specifications, size, and location of the chosen renewable energy technology. The development must proceed in accordance with the approved details.

Reason

To ensure appropriate carbon savings are delivered in accordance with London Plan Policy 5.2.

Water Efficiency

The Council is in a severely water stressed area and is therefore mindful of the additional burdens placed on water consumption by new development. The proposed development will have a significant water demand, with the hotel having a particularly high water consumption rate. The following condition is therefore necessary:

Condition

Prior to the commencement of development a scheme for the reduction in water use including the harvesting and recycling of grey water and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

Living Walls and Roofs

The development is within an air quality management area and will result in the loss of most vegetation on the site. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. The following condition is therefore necessary:

Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall provide details of the types of living material to be used and the locations. In particular, road facing facades should supporting living walls to aid improvements to air quality. The development should proceed in accordance with the approved plans.

Reason

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan.

Ecology

Further ecology conditions will be required depending on the results of further survey

work.

S106 OFFICER

I have taken a look at the following outline application and would like to advise of the following regarding planning obligations at this time. Firstly as this application is for outline permission, formula's will be inserted into any resulting s106 agreement. However for the purposes of informing the applicant and ourselves on the likely level of planning obligations arising from this scheme if approved and implemented I have assumed the following:

Assumed:

100% market scheme - houses

1 bed flats x 4 (@ 3 habitable rooms 2.37

2 bed flats x 10 @ 4 habitable rooms 2.34

3 bed flats x 34 @ 5 habitable rooms 3.01

4 bed flats x 5 @ 6 habitable rooms 3.20

total resulting population: 151.22

3 light industrial units

A neighbourhood community centre

2 retail units

Proposed Heads of Terms:

1. Highways: in line with the SPD and depending upon the views of the highways engineer any and all highways works will be required to be met by the applicant. Given the size of the scheme TfL may seek some form of public transport contribution, but this will be dependent upon the response received from them.

2. Affordable Housing: In line with the SPD and current planning policy 35% of the scheme is required to be delivered as affordable housing with the tenure and mix to be agreed by the council. In the event that 35% is not proposed to be delivered then the applicant must provide a financial viability appraisal to demonstrate the level of AH the scheme can afford to deliver, this will end to be independently validated the cost of which is to be met by the applicant.

3. Education: In line with the SPD a financial contribution towards education will be required as a result of this proposal. Given the application is for outline permission then the education formula will have to be inserted into any resulting s106 agreement. However for the purposes of bench marking at this time, I have calculated the level of the education contribution based on the above assumption to be £531,431.

4. Health: In line with the SPD a financial contribution towards health facilities will be required as a result of this proposal. Given the application is for outline permission then the health facilities formula of £216.67 per person, will have to be inserted into any resulting s106 agreement. However for the purposes of bench marking at this time, I have calculated the level of the health facilities contribution based on the above assumption to be £32,764.84

5. Libraries: In line with the SPD a financial contribution towards libraries will be required as a result of this proposal. Given the application is for outline permission then the libraries formula of £23 per person, will have to be inserted into any resulting s106 agreement. However for the purposes of bench marking at this time, I have calculated the level of the libraries contribution based on the above assumption to be £3,478.06.

6. Construction Training: In line with the SPD either, an in-kind scheme delivered during the construction phase equal to the financial contribution delivered or a financial contribution made equal to the following formula: $(£2,500 \text{ for every } £1\text{m build cost}) + (\text{number of units} / 160 \times £71,675) = \text{total contribution}.$

7. Recreational Open Space: in line with the SPD and given the scale of the development

it is considered that some form of play and open space should be provided for on the site. I note that the current proposals do allow for a reasonable amount of useable and passive open space and as such it is unlikely that we would seek a contribution towards open space as a result of this proposal.

8. Air Quality: in line with the SPD and if a contribution is sought by the Environmental Protection Unit (EPU) then a contribution in the sum of £25,000 could be sought. This will however, be dependent upon advice received from our EPU team.

9. Project Management and Monitoring Fee: In line with the formula a contribution equal to 5% of the total financial amount secured from this scheme is sought to enable the management and monitoring of the resulting agreement.

HIGHWAYS OFFICER

Initial Comments:

Further to reviewing the Transport Assessment (TA) submitted in relation to the above, I would comment as follows.

1 When undertaking the trip assessment within the TA, it is noted that there are sample sites that are located outside of London. Therefore, in order to ensure comparability, further information is required to be provided in relation to individual sites, detailing the level of parking (within each site and on street), parking restrictions in proximity of sample sites, the availability and level of public transport facilities that serve individual sites and the details of associated catchments areas.

In addition, the applicant is encouraged to consider sample sites from within the TRAVL database, which are specific to London, in order to determine associated development trips. However, selected sample should be located adjacent to the M25 corridor or at least not within the inner/central area.

2 The accident assessment undertaken within the TA relies upon data over a five year period, up to September 2010. As a result, the assessment is out of date. Therefore, further assessment is required to be undertaken using up to date accident records.

3 As part of the development, it is proposed to provide a turning head adjacent to the secondary vehicular access off Sipson Road/Vineries Close that will be used by servicing vehicles. However, it is not acceptable to construct the turning head on the adopted highway at this location and all manoeuvring facilities are required to be provided within the site.

4 The swept paths provided within the TA are not legible and have not been provided to a suitable scale. In addition, due to the varying sizes of servicing vehicles and the nature of the proposed uses at the site, swept paths of a 12m ridged vehicle are required to be provided. Furthermore, all swept paths are required to include a 300mm margin of error.

5 A legible drawing to a suitable scale is required to be provided, clearly showing the proposed highway works/kerb realignment and associated visibility splays along the adjacent highway from each point of vehicular access to the site.

Further comment following the receipt of additional information:

Further to my memo (7/10/2013), I can confirm that the additional information submitted is acceptable apart from that relating to the vehicle swept paths. The swept paths provided are showing encroachment along the highway adjacent to the residential access and will not allow 2-way vehicle movements at the access to industrial/community and retail uses

at the site.

6. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

| | |
|---------|--|
| PT1.BE1 | (2012) Built Environment |
| PT1.CI1 | (2012) Community Infrastructure Provision |
| PT1.CI2 | (2012) Leisure and Recreation |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains |
| PT1.EM6 | (2012) Flood Risk Management |
| PT1.EM7 | (2012) Biodiversity and Geological Conservation |
| PT1.EM8 | (2012) Land, Water, Air and Noise |

Part 2 Policies:

| | |
|------|---|
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| A7 | Developments likely to increase helicopter activity |
| AM14 | New development and car parking standards. |
| AM15 | Provision of reserved parking spaces for disabled persons |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| EC2 | Nature conservation considerations and ecological assessments |
| EC3 | Potential effects of development on sites of nature conservation importance |
| EC5 | Retention of ecological features and creation of new habitats |
| H4 | Mix of housing units |
| H5 | Dwellings suitable for large families |
| LE1 | Proposals for industry, warehousing and business development |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation measures |
| OE5 | Siting of noise-sensitive developments |
| OE7 | Development in areas likely to flooding - requirement for flood protection measures |

| | |
|----------|---|
| OE8 | Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures |
| OL1 | Green Belt - acceptable open land uses and restrictions on new development |
| R17 | Use of planning obligations to supplement the provision of recreation, leisure and community facilities |
| HDAS-LAY | Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006 |
| LDF-AH | Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010 |
| LPP 3.11 | (2011) Affordable housing targets |
| LPP 3.4 | (2011) Optimising housing potential |
| LPP 3.5 | (2011) Quality and design of housing developments |
| LPP 5.1 | (2011) Climate Change Mitigation |
| LPP 5.12 | (2011) Flood risk management |
| LPP 5.13 | (2011) Sustainable drainage |
| LPP 5.2 | (2011) Minimising Carbon Dioxide Emissions |
| LPP 5.7 | (2011) Renewable energy |
| LPP 7.16 | (2011) Green Belt |
| LPP 7.19 | (2011) Biodiversity and access to nature |
| LPP 7.2 | (2011) An inclusive environment |
| LPP 8.2 | (2011) Planning obligations |
| NPPF | |

In addition:

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded. Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas. Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours.

The supporting text to Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states 'that while some proposals of substantial width, height and depth, may not cause loss of amenity by reason of daylight or sunlight, these may nonetheless still be over-dominant in relation to the adjoining property and/or its private amenity space. This in turn can result in a depressing outlook detracting from residential amenity'. The Council's Supplementary Planning Document 'Hillingdon Design and Access Statement' (HDAS) 'Residential Layouts' states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally 15m would be the minimum acceptable separation distance.

The scheme is in outline form only, with details of siting, appearance and scale to be determined at reserved matters stage. Nevertheless, the applicants have provided an indicative layout plan, showing the location of various elements of the scheme. The indicative layout shows some of the proposed dwelling units in relatively close proximity to the existing properties in Russell Gardens and Sipson Road, with back to back separation distances of only 17 metres at the closest point.

Whilst the indicative layout suggests that the scheme could be designed to ensure that the proposal would not result in an over dominant form of development which would detract from the amenities of neighbouring occupiers in terms of loss of outlook, the proposed buildings would not be sited a sufficient distance away from adjoining properties to ensure that overlooking and loss of privacy would not occur. Nevertheless it is considered there is sufficient scope for the scheme to be designed at reserved matters stage, to ensure that there would not be any loss of amenity to surrounding occupiers, in compliance with relevant Local Plan Policies and standards. As such, it is not considered that there is sufficient justification to refuse the scheme on this basis.

7.2 Impact on Street Scene

This is an outline application, in which all matters are reserved except access. Consequently limited information has been provided in terms of the nature of built form and layout, although an indicative master plan has been submitted, detailing a possible option for the layout of the proposed development. The site does not fall within a conservation area or area of special character.

Policies BE13 and BE19 of Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Saved Policy BE38 requires new development proposals to incorporate appropriate landscaping proposals.

The site is currently vacant, comprising areas of concrete hard-standing amidst a large area of ruderal vegetation. There are a number of dilapidated structures on the site, none of which are worthy of retention. There is therefore no objection to their demolition. In addition, there are a number of trees on the site, predominantly in the northern section and along the north boundary, with four trees in the south-east corner. None of the trees are protected by Tree Preservation Order or Conservation Area designation. However, the site lies within designated Green Belt.

A Tree Survey has been submitted which assesses the quality and value of 38 individual trees. Only three trees are considered to be individually worthy of retention, although others have some landscape value in the short term. While it is unclear precisely which trees will be removed / retained as part of the development, the Masterplan indicates that much new structure planting in the form of new / replacement trees will be an integral part of the proposals.

The Green Belt Report confirms that the development would include a considered landscape structure and include landscape improvements, the provision of extensive tree cover and the creation of wildlife habitat enhancements. It will also provide open space and connectivity for the wider community benefit, with a significant area of the site remaining as open Green Belt land. However, the design and siting of the proposed buildings would give the area a suburban appearance and would be perceived as

extending urbanisation outside, but close to the built up area. The proposal would therefore fail to safeguard the rural character of the site.

Given the scale of the proposal, the Mayor does not consider that the proposals raise strategic design issues.

The impact on the visual amenities of the Green Belt are dealt with elsewhere in this report.

7.3 Traffic Impact / Pedestrian Safety

Of particular relevance to this application are Policies AM7 and AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). Policy AM7 requires developments not to prejudice the free flow of traffic or conditions of highway/ pedestrian safety whilst AM14 set out the Council standards for car parking.

The car-parking standard for flats/housing without curtilage parking is 1.5 spaces per dwelling maximum. For housing with curtilage parking the maximum standard is 2 spaces per dwelling.

A Transport Assessment has been submitted as part of the application dealing with access, parking, traffic generation and public transport issues. The site has a Public Transport Accessibility Level (PTAL) score of 1a (on a scale of 1 to 6 where 6 is excellent).

It is important to bear in mind that details of access are not reserved and it is therefore necessary to consider in full the access arrangements contained within the current application. In this respect it is noted the definition of the reserved matter of access is defined as follows within the Town and Country Planning (General Development Procedure) Order 1995 and Circular 01/06:

'Access - this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.'

Access

Access to the residential element would remain from Sipson Road. The houses would be arranged in two groups, 10 semi detached dwelling located in the northeast of the site, with the bulk of the residential development located centrally adjacent to the western boundary with existing properties in Sipson Road and Russell Gardens. The community Centre retail and light industrial units would be located to the south of the site and be accessed off Sipson Lane.

The Council's Highways Officer has reviewed the proposals and has advised that the swept paths provided demonstrated that vehicles would encroach along the highway adjacent to the residential access and will not allow 2-way vehicle movements at the access to industrial/community and retail uses at the site.

Accordingly, the development as currently proposed would not ensure appropriate levels of vehicular and pedestrian safety and it has not been demonstrated that the unacceptable arrangements in relation to vehicle manoeuvring would not have adverse impacts on the operation of the highway network. The development is therefore contrary to Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Traffic Generation

Considering the nature and scale of the proposals, TfL is of the opinion that the development and likely associated traffic generation will not give rise to conditions that would affect the operation of the A4 either the existing junction access.

The Council's Highway Engineer and raises no objection to the scheme with respect to traffic generation. However, this does not outweigh the concerns identified above with regard to highways matters.

Parking

The Council's standards allow for a maximum provision of 2 spaces per dwelling and 1.5 spaces per flat, a total of 84 spaces in this case. The application proposes a total of 100 parking spaces for the residential element which exceeds Council and London Plan standards. TfL has called for a reduction in car parking spaces. This exceeds the maximum London Plan and Council standards and TfL requires that the applicants reduce the number of car parking space provision by at least 25, as the current proposals do not comply with the London Plan policy 6.13.

TfL also requires the applicant to provide Electric Vehicle Charging Points (EVCPs), in order to be compliant with London Plan Policy 6.13. 20% of parking spaces should be active and a further 20% should be passive provision. Had the application been acceptable in other respects, these matters could be controlled by condition and it is therefore not considered that the application be refused on this basis.

In terms of disabled parking, had the application been acceptable in other respects, the number of accessible units/spaces could be controlled by conditions in the event of an approval.

Cycle Parking:

No details of cycle parking spaces are provided. Had the development been acceptable in other respects, this could have been secured by condition in order to be compliant with London Plan policy 6.9. The lack of detail is therefore not considered to be a sustainable reason to refuse the application.

Public Transport

Given the characteristics of the local area TfL accepts that sufficient capacity exists on the current bus network to accommodate the likely number of additional trips generated from the proposed development would not require any increase in public transport provision.

Travel Plan

TfL has indicated the need for a travel plan for both the residential and non residential elements of the development to encourage the use of the public transport network and promote the opportunities for cycling and walking in the local area. This requirement could be addressed by condition in the event of an approval.

Conclusion

The development as currently proposed would not ensure appropriate levels of vehicular and pedestrian safety and it has not been demonstrated that the unacceptable arrangements in relation to vehicle manoeuvring would not have adverse impacts on the operation of the highway network. The development is therefore contrary to Policy AM7 of

the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.4 Carparking & Layout

The provision of parking, including blue badge parking would need to be incorporated into the proposals and detailed information could be provided regarding the proposed level and location of these parking spaces at reserved matters stage.

7.5 Urban Design, Access and Security Considerations

LIVING CONDITIONS FOR FUTURE OCCUPIERS

Amenity Space

Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

It should be noted that in the event of an approval, the precise provision towards amenity space could be finalised as part of future reserved matters applications and aligned to the final agreed mix. Nevertheless, the indicative layout plan shows each of the dwellings with individual gardens and it is considered that there is enough scope to ensure that external amenity space could meet the Council's adopted standards, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Children play space

Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." As the tenure split between the market and the affordable units and within the affordable element is unknown, it is difficult to calculate how many children the proposals can accommodate. However, a total resulting population of approximately 151.22 is anticipated, although this figure will be finalised as part of future reserved matters applications and aligned to the final agreed mix. It is therefore likely that an on site childrens play space will be required to serve the residential element of the scheme. Had the development been acceptable in other respects, this could be dealt with at reserved matters stage.

Floor Space

Planning policy requires that all new housing should be built to Lifetime Homes standards, with 10% of new housing designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

Although the applicant stated that all residential units will be designed to meet requirements of Lifetime Home and that 10% of these will be wheelchair accessible, there are no plans and drawings demonstrating the provision of these. Therefore, the applicant would be required to provide layouts in this regard at reserved matters stage. Furthermore, the design and access statement would need to demonstrate inclusive design is incorporated into all the elements of the proposal, including the residential, industrial and commercial units and the multi purpose community Centre.

Although insufficient information has been provided to demonstrate that the proposal complies with inclusive design policy 7.2 of the London Plan, it is considered that had the

proposal been acceptable in other respects, the scheme could achieve lifetime homes and wheel chair standards at reserved matters stage, in accordance with London Plan Policies 3.8 and 7.2, and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

Outlook and Light

It should be noted that in the event of an approval, the internal layout and fenestration would be finalised as part of future reserved matters applications and aligned to the final agreed mix.

As such it is considered that each of the units could be designed to benefit from a reasonable level of privacy, outlook and light, in compliance with Policies BE20 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), HDAS: Residential Layouts and the provisions of the London Plan.

7.6 Other Issues

PRINCIPLE OF LAND USE

The application site is part of a larger area identified as Green Belt. The National Planning Policy Framework (paragraph 67) and the London Plan (policy 7.16) set out that only development associated with agriculture, forestry, outdoor sport and recreation is appropriate in the Green Belt. Of particular relevance is Local Plan Part 2 Policy policy OL1 which states that agriculture, horticulture, natureconservation, open air recreation and cemeteries are the only open land uses which are acceptable in the Green Belt. All other forms of development are, by definition, 'inappropriate'. In order for 'inappropriate' development to be acceptable in the Green Belt, very special circumstances must apply.

The NPPF in Para 87 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The application for a mixed use development comprising residential, light industrial commercial units, retail units and a community Centre on Green Belt land and as such it constitutes inappropriate development. In light of paragraph 87 of the NPPF and Policy 7.16 of the London Plan, the onus is therefore placed on the applicant to demonstrate the very special circumstances under which planning permission should be granted for the development and that: "the very special circumstances will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations."

Given the Green Belt designation of the site, it is considered reasonable in accordance with national, local and London Plan policies to prevent its development, unless it was proven absolutely necessary to do so. The following assessment represents the views of both Council officers and the Mayor, in his Stage 1 Report.

The applicant has put forward the following very special circumstances:

- Protection and provision of new open space and recreational space and provision of a clear break in the urban function;
- Serving the needs of Londoners and providing enhanced local access; and
- Affordable housing and other community benefits;

Protection and provision of new open space and recreational space and provision of a clear break in the urban function:

A Green Belt Report has been submitted, which considers policy issues and sets out an assessment of the proposed development in response to the presumption against development within the Green Belt. This report confirms that the development would include a 'considered landscape structure' and include landscape improvements, the provision of extensive tree cover and the creation of wildlife habitat enhancements. It will also provide open space and connectivity for the wider community benefit, with a significant area of the site remaining as open Green Belt land.

The applicant has stated that, whilst the site is located in the designated Green Belt, it is not designated by any statutory or non statutory wildlife designation and is located within an urban fringe environment that is isolated from open countryside by major roads and other urban development. Furthermore, the applicant's Green Belt report states that the site is isolated from the village of Sipson with very limited physical and visual connections and that it is separated from the adjacent open land designated as Green Belt by existing road networks.

However, it should be noted roads, railways and motorways are a common feature in London's Green Belt, and beyond, as the designation washes over these infrastructure features. It does not follow that land surrounded by such features no longer meets a Green Belt function. In addition, the Council has not identified the need for additional recreational/public open space in this area. This lack of support significantly reduces the weight that could be attached to the benefit of such provision, together with the fact that given its location very few people are expected to benefit from it. Therefore, the above issue cannot be considered as a very special circumstance.

Serving the needs of London and providing enhanced local access:

The applicant has stated that members of the local public will also be afforded enhanced local access to the site at all times, thereby enhancing the current situation. This involves the planting of new trees and shrubs; hard landscaping works and the introduction of some 1.39 hectares of accessible public open space that will be linked to a multi purpose community facility. However, it should be noted that providing public access to members of the local public does not outweigh the harm that may be caused to the Green Belt, particularly given there is no identified need for this provision. Therefore, it is not considered that the above issue can be considered as a very special circumstance.

Affordable housing and other community benefits:

The applicant has identified the benefits of provision of 50% of affordable housing on site, new multi purpose community facility, the three new industrial/commercial units providing valuable employment opportunities and the two small retail units as a very special circumstance. However the provision of these elements as part of a mixed use proposal is only to be expected of a development of this nature and is common to many developments of this scale in London. As such it is not considered to be a very special circumstance. The provision of 50% affordable housing is more than is currently being achieved on comparably sized schemes, but this in itself cannot be accepted as a very special circumstance. To do so would result in swathes of Green Belt being developed, as the need for affordable housing is always present.

Employment - retail and office use

Notwithstanding the in principle objection to the scheme, and noting their relatively small scale, the need for commercial and retail uses in this location is questioned.

IMPACT ON THE GREEN BELT

The most important attribute of Green Belts is their openness and the aim of preserving the openness of Green Belt land is reiterated in the NPPF, Local Plan Part 2 Policy OL1. There would be changes to the character and appearance of the vegetation, even without delineation of individual space, and also the introduction of hard areas, leading to the appearance being removed from its current historic and rural character. After dark there would be lit windows and during the day these features would appear to dominate and will inevitably have an urbanising influence on this Green Belt site.

The separation of the Green Belt by road/rail networks and the presence of the Garden Centre (Glass Houses) on the site is not unexpected; whereas it is considered that replacement with houses, offices and retail and internal roads would significantly harm the openness of the Green Belt, introduce an extensive range of inappropriate uses that would narrow the gap in the built form area and therefore conflict with policies of the Green Belt as set out in the London Plan and the NPPF.

It is considered that the proposed development would give the site a suburban appearance, which would effectively extend the existing urban conurbation. The finished effect of developing this open, rural site for residential led mixed use purposes would be of an extension of the residential ribbon of development along Sipson Road, projecting urban development into the surrounding Green Belt. In effect, the development would result in residential sprawl encroaching into the surrounding open land and would be alien to the rural character of the site

It is considered that notwithstanding any tree screen that might remain, or the proposed tree planting, the dispersal of the proposed buildings, together with the enclosed gardens and other paraphernalia associated with residential and commercial development would result in a significant urbanising effect, and result in a reduction in the openness of the Green Belt. While there is scope for soft landscape enhancement and restoration, in the form of new and / or replacement planting within the proposed layout, little detail has been provided and it is not considered that this would mitigate against the built development, which will be visually prominent. The proposal would seriously and permanently diminish the intrinsic character of this Green Belt land, by transforming the open rural nature of the area to a harder, urban character, fragmenting the existing, spacious green landscape and influencing important views and vistas to and from the Green Belt.

It is not considered that management regimes to prevent domestic paraphernalia and conditions could be used to effectively limit further changes to the character and appearance of the land. It is therefore considered that the new buildings would result in a significant increase in the built up appearance of the site, and result in a reduction in the openness of the Green Belt. Therefore, the proposals are not considered acceptable on this basis.

In conclusion, should the proposed development be implemented, part of this Green Belt land would no longer effectively fulfil its function of checking unrestricted urban sprawl, assist in safeguarding the countryside from encroachment, or preserve the setting and special character of historic importance, contrary to Policy OL1 of Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan Policy 7.16 and the provisions of the NPPF.

HOUSING

Housing quality space standards: London Plan Policy 3.5 promotes quality in new

housing provision and sets out minimum space standards at Table 3.3. The Mayor has produced a new Housing SPG, on the implementation of Policy 3.5 for all housing tenures, drawing on his London Housing Design Guide, paragraphs 3.37 -3.39 provides further guidance on indicators of quality that the SPG will cover.

Housing choice:

London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. The London Housing Strategy sets out strategic housing requirements and Policy 1.1 C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms.

For the 43 new residential homes proposed the following indicative unit mix is proposed:

1 bed flats x 4; 2 bed houses x 10 ; 3 bed houses x 24; 4 bed houses x 5

Overall the provision of larger units would be supported, although the applicant would need to demonstrate the unit size split by tenure, to ensure that the Mayor's objectives for family sized affordable units is met.

Density:

The site has a suburban character with a PTAL rating of 1b. The London Plan therefore provides for a density range between 50-75u/ha or 50-200hr/ha for sites with a PTAL of 1 in a suburban location and with an indicative average unit size of 2.7hr - 3.0hr/unit.

The scheme would result in 43 dwelling units. However, the site area for the residential element is not clearly defined. It is therefore difficult to calculate the density of the proposed development. Nevertheless, the location of the scheme in the Green Belt would result in higher density development being inappropriate. Had the principle of residential development been acceptable on this site, no objections would be raised to the proposed density, given site specific issue,(designation as Green belt land).

AFFORDABLE HOUSING

London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan Policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale. The Mayor has published an early minor alteration to the London Plan to address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be included within the 60%.

While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes.

Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision.

Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation.

The application includes provision for 50% on site affordable housing of which 60% will be provided as social rented housing and 40% intermediate.

It should be noted that there is an objection to the principle of the proposed scheme as it is unacceptable in terms of its land use on Green Belt. However, should the scheme be approved the following issues need to be resolved:

- Whilst onsite provision of 50 % affordable housing may be acceptable, this should be verified by a viability assessment that this is the maximum amount that can be provided.
- Consideration needs to be given to the provision of affordable rent, having regard to the needs to local RSLs.

FLOODING

Policy EM6 (Flood Risk Management) of the Local Plan Part 1 Strategic Policies (Adopted Nov 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated. Saved Policies OE7 and OE8 of the Local Plan Part 2 seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

The application is not located within a zone at risk of flooding, however due to the size of the development, it is necessary for it to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding, in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF.

A Flood Risk Assessment (FRA) and Drainage Strategy has been submitted as part of the application, taking into consideration the principles of the NPPF and other relevant regional and local policies. The FRA shows the site as being within Flood Zone 1. As such the principle of the development is acceptable. However, the Flood Risk Assessment and Drainage Strategy relates to a previous scheme which was withdrawn. These reports have not been updated to reflect the current scheme.

The FRA states that there has been surface water flooding in nearby areas. This is backed up by surface water modelling undertaken by the Environmental agency and by the Drain London project, that indicates surface water flood risk to some adjoining areas and notably to southern parts of the M4 Heathrow Spur. The FRA goes on to state that surface water will be managed to greenfield run off rates through the use of swales, water features and attenuation tanks.

Although the principle is in line with the sustainable drainage hierarchy contained within London Plan policy 5.13, the detail of these is not stated. The Environment Agency has objected to the application as submitted for the following reasons:

1. There is insufficient information regarding the maximum volumes each Sustainable Drainage System (SuDS) is intended to provide, or the intended locations.
2. It is proposed to use infiltrative techniques as part of the drainage strategy, however no infiltration testing has been undertaken.
3. There are some deficiencies in the volume calculations which do not appear to have taken climate change into consideration in determining the volume required.

Since receipt of the Environment Agency Objection the applicant has submitted an amended drainage strategy. This has been reviewed by the Council's Flood and Drainage Officer who is of the view that the information provided is adequate to demonstrate that an

appropriate drainage system could be implemented within the development. Further, given the outline nature of the development the Council's Flood and Drainage Officer is of the view that this could be appropriately secured by way of condition.

Accordingly, subject to appropriate conditions the proposal would comply with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policies OE7 and OE8 of the Local Plan Part 2 Saved UDP Policies (Nov 2012), Policies 5.12 and 5.13 of the London Plan (July 2011) and the NPPF.

NOISE

The Government's National Planning Policy Framework (NPPF) which replaces PPG24 (Planning and Noise) gives the Government's guidance on noise issues. NPPF paragraph 123 states that planning decisions should (i) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (ii) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions. According to the Government's Noise Policy Statement for England (NPSE) of March 2010, these aims should be achieved within the context of Government policy on sustainable development.

Saved Policies OE1 and OE3 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. Saved Policy OE3 seeks to ensure that uses which have the potential to cause noise be permitted only where the impact is appropriately mitigated. Saved Policy OE5 seeks to ensure that noise sensitive developments such as the application proposal can be sited, designed, insulated or otherwise protected from external noise or vibration sources, to appropriate standards.

Given the proximity of the site to Heathrow Airport and major road networks, a detailed noise report should be provided. A Noise Assessment has been referred to in the Planning Statement. Indeed the Planning Statement confirms that a noise assessment has been carried out for the master plan proposals and provides a summary of the conclusions and proposed mitigation. However, the noise assessment was not provided even though the applicant was advised to submit this as part of the application during the determination process.

In the absence of a Noise Assessment to establish that the residential use can be sited, designed or insulated from road and aircraft noise, the application has failed to demonstrate that the proposed development would not be subject to unacceptable levels of noise, detrimental to the residential amenities of future occupiers. This is contrary to Policy OE5 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

AIR QUALITY

An air quality assessment has been submitted in support of the application. However, the Council's Environmental Protection Unit (EPU) notes that this document is inadequate, as it is semi-qualitative and recommends carrying out air quality monitoring at the site to determine the air quality situation by condition, once planning permission has been given. This approach is not considered appropriate, as it is necessary to determine the likely air quality in the area prior to the determination of the application, given the sensitive nature of the use and its proximity to Heathrow Airport, the M4 and M4 spur. EPU object to

monitoring to check the air quality after giving planning permission, by which point it would be too late should the air quality be unacceptable for a residential development.

EPU therefore advise that a quantitative air quality assessment with the monitoring information that considers the impact from the development as well as the impact on the new receptors should be submitted, prior to determination. This should take into consideration the transport impact on local roads of the mixed use development, as well as any emissions from proposed energy sources.

The concerns of the EPU are shared by the Mayor, who considers that additional information is required as the air quality assessment has not included the impact of the development during construction and the impact of traffic from the proposed development is scoped out. Monitoring across the site or modelling is recommended.

In light of the above mentioned considerations, it is considered that the application has failed to demonstrate that the development would not have a significant impact on an Air Quality Management Area (AQMA). The uncertainty of the impacts is heightened by the lack of information to support the suitability of the development proceeding in this location. Accordingly, the proposal is contrary to Policy 7.14 of the London Plan and the Council's Supplementary Planning Guidance on Air Quality and the provisions set out in the National Planning Policy Framework. Refusal is recommended on this basis.

ECOLOGY

Saved Policy EC1 states that the local planning authority will not permit development which would be unacceptably detrimental to designated local nature reserves and other nature reserves. If development is proposed on or in the near vicinity of such sites, applicants must submit an ecological assessment where considered appropriate by the local planning authority to demonstrate that the proposed development will not have unacceptable ecological effects.

Saved Policy EC3 requires proposals for development in the vicinity of sites of nature conservation importance to have regard to the potential effects on such sites on changes in the water table and of air, water, soil and other effects, which may arise from the development. Regarding the creation of new habitats.

Saved Policy EC5 of the plan seeks the retention of certain on-site ecological features enhancement of the nature conservation.

Bats

A phase 1 habitat walkover study was completed in May 2012 and concluded that whilst the site appears to have few features of roosting value to bats, it does possess land that has bat foraging value. The report then goes on to recommend further surveys to establish the importance of the site for bats. Natural England's standing advice suggests that where surveys are recommended but not submitted, then planning permission should be refused.

The Council's Sustainability Officer notes that the implications of the Habitat Directive and in turn the Conservation Regulations must be considered when a development is considered or may have an impact on a European protected species (in this case bats). The Council must be assured that the development is necessary, there are no alternatives, and that if it proceeds that the favourable status of European protect species

is maintained. Prior to determining these three tests, the Council must be able to make an evidenced base decision on the likely impacts on bats. In this instance, the site is heavily vegetated, and covers a wide expanse and the applicant's submitted ecological appraisal recommends that further surveys are required.

Reptiles

The phase 1 habitat survey found that the site could be of some importance to reptiles, including protected species. Although no reptiles or evidence of their presence were found during the survey visit, extensive areas of the site's habitats were judged to be suitable for reptiles and their presence could not be ruled out with confidence. Therefore a survey to assess the presence or likely absence of reptiles is recommended, prior to the removal of habitats likely to be suitable for them, such as scrub edge and tussocky grassland.

The Sustainability Officer notes that the Council needs to understand the implications for developing the site, and this includes determining the value of the site from an ecological perspective. The phase 1 survey acknowledges that it is difficult to determine the value of the site without further surveys. This is a relatively large site which contains a wide range of features sufficient to sustain protected reptiles. Officers cannot be confident the development would not have an impact on protected species. Accordingly, officers are unable to recommend the application for approval until the implications for protected species have been fully established and evidenced base decision can be made.

In light of the above mentioned considerations, the Sustainability Officer objects to the proposed development, as insufficient information has been submitted regarding bats and reptiles. Planning applications should be determined in full knowledge of the impacts on protected species as set out in circular 2005/06. Bats (including their roosts and resting places) are particularly important, given they carry European protection and recent case law. It is now widely accepted practice following the publication of Circular 05/06 and recent case law that where initial phase 1 habitat studies suggest more detailed surveys, that these should accompany a planning submission. In this instance, further reptile and bat surveys have been recommended but have not yet been submitted. Following Natural England standing advice, the application is therefore recommended for refusal on this basis.

In conclusion, it is considered that the application has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area. The proposal is therefore contrary to Policy EC1 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policy EM7 of the Local Plan Part 1, Policy 7.18 of the London Plan and the NPPF.

RENEWABLE ENERGY/SUSTAINABILITY

Policy is now set out in the London Plan (2011), at Policy 5.2. Part A of the policy requires development proposals to make the fullest contribution to minimising carbon dioxide emissions by employing the hierarchy of: using less energy; supplying energy efficiently; and using renewable technologies. Part B of the policy currently requires non domestic buildings to achieve a 25% improvement on building regulations. Parts C, D of the policy require proposals to include a detailed energy assessment. The 2011 London Plan requires major developments to demonstrate a 25% reduction from a 2010 Building Regulations compliant development.

A Sustainability Statement has been submitted in support of the application. The submitted energy assessment shows the development can meet the relevant reduction

targets set out in Policy 5.2 of the London Plan. However, it is necessary to consider the details further through the imposition of the following condition.

A number of sustainable features have been incorporated into the proposed development, including a range of passive design features and demand reduction measures to reduce carbon dioxide emissions. Both air permeability and heat loss parameters will be improved beyond Building Regulations compliant development, whilst mechanical ventilation with energy efficient lighting is also proposed. The Energy Statement details the proposals to reduce energy demand through a layout and orientation to maximise available daylight and beneficial solar gains and includes passive shading to reduce the cooling load.

The Energy Statement has described how energy efficient provision of energy through an existing heat network, site-wide CHP or communal heating systems was considered and found not to be feasible for the proposed development.

The Energy Statement demonstrates that the site emissions are proposed to be reduced by a further 14.1% through the specification of photovoltaic solar panels with a total site-wide capacity of 38.4 kWp in order to generate renewable electricity.

It is demonstrated that the Mayor's carbon reduction targets for new developments between 2010 and 2013 of a 25% reduction in regulated emissions over 2010 Building Regulations can be achieved and exceeded.

The Council's Sustainability Officer has reviewed the Energy Statement and confirms that the development can meet the relevant reduction targets set out in Policy 5.2 of the London Plan. However, it is necessary to consider the details further through the imposition of the following conditions, in the event of an approval.

- . A detailed energy assessment clearly showing the final designs of the development and inclusion of the outline measures set out in the Energy Statement.
- . A scheme for the reduction in water use including the harvesting and recycling of grey water and rain water
- . A scheme for the inclusion of living walls, roofs and screens

Conclusion

It is considered that had the proposal been acceptable in other respects, the scheme could achieve a 25% reduction in carbon dioxide emissions above Part L of the Building Regulations, in compliance with London Plan requirements. Notably, the Council's Sustainability Officer has raised no objections, subject to conditions. Subject to compliance with the afore mentioned conditions, it is considered that the scheme could satisfactorily address the issues relating to the mitigation and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with Policies 5.2, 5.13 and 5.15 of the London Plan, Policy PT1.EM1 of Hillingdon Local Plan Part 1 and the NPPF. As such it is not considered that refusal of the application on these grounds would not be justified.

ARCHAEOLOGY

Saved Part 2 Policy BE3 of the Local Plan states that the applicant will be expected to have properly assessed and planned for the archaeological implications of their proposal. Proposals which destroy important remains will not be permitted. The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process.

Paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.

The Greater London Archaeological Advisory Service (GLAAS) considers the proposal as affecting a heritage asset of archaeological interest or lying in an area where such assets are expected based on information held in the Greater London Historic Environment Record and/or made available in connection with this application.

An Archaeological Desk Based Assessment has been submitted in support of the application. The assessment considers the impact of the proposed redevelopment on archaeological assets. The site lies within the proposed Heathrow Archaeological Priority Zone. The applicant's desk-based assessment confirms that the site lies within an extensive multi-period archaeological landscape with important remains of prehistoric, Roman, Saxon and medieval date recorded in the surrounding area. The application site itself has been subject to a field evaluation (trial trenching) in 2001-2 which found a relatively low density of pre-modern features. Nevertheless despite the small sample a late Bronze Age/Early Iron Age ditch and possible Roman ditch were found. The proposed built development will only affect part of the site and there is no indication of remains of national significance.

English Heritage consider that the development would not cause sufficient harm to justify refusal of planning permission, provided that a condition is applied to require an investigation to be undertaken to advance understanding of their significance. This could be secured in the event of an approval by the imposition of an appropriately worded condition.

PLANNING OBLIGATIONS

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

As the application is being recommended for refusal, no negotiations have been entered into with the developer in respect of these contributions. However, if the application were to be considered for approval, the following heads of terms would have been pursued:

1. Highways: in line with the SPD and depending upon the views of the highways engineer any and all highways works will be required to be met by the applicant.
2. Affordable Housing: In line with the SPD and current planning policy 35% of the scheme is required to be delivered as affordable housing with the tenure and mix to be agreed by the Council. In this case the applicant has offered 50% to be delivered
3. Education: In line with the SPD a financial contribution towards education will be required as a result of this proposal. Given the application is for outline permission then the education formula would have to be inserted into any resulting s106 agreement. However for the purposes of bench marking at this time, the S106 Officer has calculated the level of the education contribution based on the indicative population yield to be £531,431.
4. Health: In line with the SPD a financial contribution towards health facilities will be required as a result of this proposal. Given the application is for outline permission then the health facilities formula of £216.67 per person, would have to be inserted into any resulting s106 agreement. However for the purposes of bench marking at this time, the

- S106 Officer has calculated the level of the health facilities contribution to be £32,764.84.
5. Libraries: In line with the SPD a financial contribution towards libraries will be required as a result of this proposal. Given the application is for outline permission then the libraries formula of £23 per person, will have to be inserted into any resulting s106 agreement. However for the purposes of bench marking at this time, the S106 Officer has calculated the level of the libraries contribution to be £3,478.06.
6. Construction Training: In line with the SPD either, an in-kind scheme delivered during the construction phase equal to the financial contribution delivered or a financial contribution made equal to the following formula: (£2,500 for every £1m build cost) + (number of units / 160 x £71,675) = total contribution.
7. Recreational Open Space: in line with the SPD and given the scale of the development it is considered that some form of play and open space should be provided for on the site. It is noted that the current proposals do allow for a reasonable amount of useable and passive open space and as such, it is unlikely that a contribution towards open space would be sought.
8. Air Quality: in line with the SPD and if a contribution is sought by the Environmental Protection Unit (EPU) then a contribution in the sum of £25,000 could be sought.
9. Project Management and Monitoring Fee: In line with the formula a contribution equal to 5% of the total financial amount secured from this scheme would be sought to enable the management and monitoring of the resulting agreement.

No legal agreement to address this issue has been offered. As such, the proposal fails to comply with Policy R17 of the UDP and it is recommended the application should be refused for the following reasons:

1. failure to provide for affordable housing.
2. failure to address impacts arising on education, health, libraries, construction training, air quality monitoring, project management and monitoring fee.

CONCLUSION

It is considered that the applicant has failed to provide a robust or satisfactory argument that there are specific circumstances, that justify the development of this site, which would lead to the loss of, or harm to the open character of the Green belt in this instance. There is no overriding need for this site to be developed to meet Borough housing targets, public open space or community facilities. The principle of a residential led development on this site cannot be supported, as it is contrary to local, London Plan and national policy.

Furthermore, the application has failed to demonstrate that the proposed development could be completed without detriment to the recognised ecological value of this area or that the development would not be contrary to the development plan with regard to noise or air quality.

The proposed access arrangements are unsatisfactory and the applicant has failed to secure provision of contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development in respect of off site highway improvements, environmental education, community facilities, affordable housing or health care, construction training, , project management and monitoring fee.

Refusal is recommended accordingly.

8. Reference Documents

- (a) The National Planning Policy Framework (March 2012)

- (b) The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 21012)
- (c) London Plan (2011)
- (d) Hillingdon Local Plan Part 2 Saved UDP Saved Policies (November 2012)
- (e) Supplementary Planning Document Accessible Hillingdon
- (f) Supplementary Planning Guidance Community Safety by Design

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