

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

Case Officer: **Haydon Richardson**

52803/APP/2025/1680

Date Application Valid:	17/06/2025	Statutory / Agreed Determination Deadline:	15/07/26
Application Type:	Full	Ward:	Hayes

Applicant: **Mr Richard Conroy**

Site Address: **Hayes Tuition Centre - 52 Coldharbour Lane**

Proposal: **Demolition of existing detached building and erection of 4 storey mixed use building comprising 9 residential units and Restaurant (Class E) with associated works and landscaping.**

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

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



Summary of Recommendation:

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

S106 Legal Agreement Heads of Terms

It is recommended that delegated powers be given to the Director of Planning and Sustainable Growth to grant planning permission subject to the following:

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

i. Residential Parking Permits restriction (excluding Blue Badge holders)

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparing the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

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

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Director of Planning and Sustainable Growth), delegated authority be given to the Director of Planning and Sustainable Growth to refuse planning permission for the following reason:

'The applicant has failed to mitigate the impacts posed by the proposed development (in respect of Highway Safety and Employment). The scheme therefore conflicts with Policies DMT 1, DMT 2, DMT 4, DMT 5, and DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); and Policies T2, T3, T4, E11 and DF1 of the London Plan (2021); and the National Planning Policy Framework (2026).'

E) That if the application is approved, that the permission is subject to the Conditions as set out in Appendix 1.

1 Executive Summary

- 1.1 Planning permission is sought for demolition of existing detached building and erection of 4 storey mixed use building comprising 9 residential units and restaurant (Class E) with associated works and landscaping.
- 1.2 Planning permission has previously been approved for the redevelopment of the site (52803/APP/2023/1188) to provide 5 new residential units through the conversion of the first floor and various extensions to the existing building. This consent carries significant weight in the determination of this planning application given that it sets position on design, land use and highway impacts.
- 1.3 The proposal results in a minor departure from local planning policy through the loss of the former tuition centre use. However, officers consider that this policy conflict attracts limited weight in the overall planning balance. The building has remained vacant since the Covid-19 pandemic and there is no realistic prospect of its reoccupation as a tuition centre. Significant changes in learning and working patterns, including the increased prevalence of online learning and remote working, have reduced demand for such accommodation. Furthermore, the physical condition of the existing building presents additional challenges to its re-use. Collectively, these factors are material considerations which are afforded reasonable weight in the assessment.
- 1.4 Importantly, the proposal would not result in the loss of town centre floorspace. The ground floor would remain in an active commercial use through the provision of flexible Class E accommodation, thereby maintaining and enhancing the site's contribution to the function and vitality of Hayes Town Centre. Officers consider that the proposed active frontage, together with areas of seating and improved public realm treatment, would provide a more positive relationship with the surrounding street scene than the existing vacant building and would deliver benefits which would be unlikely to arise should the site remain in its previous educational use.
- 1.5 The design of the scheme has evolved positively during the course of the application. Officers are satisfied that the revised proposals represent a marked improvement over the original submission and would provide an acceptable form of development. Any remaining detailed design matters, including final materials and architectural detailing, can be appropriately secured through planning conditions.
- 1.6 The application has been supported by technical assessments demonstrating that the development would not give rise to unacceptable impacts in terms of overlooking, loss of privacy, daylight, sunlight or overshadowing. Future occupiers would benefit from a high standard of residential accommodation and suitable living conditions.

- 1.7 The Council's Highway Authority has reviewed the proposal and raises no objection. The site's highly sustainable town centre location and the car-lite nature of the development are considered acceptable. Appropriate mitigation, including the restriction of future occupiers from obtaining parking permits within local Controlled Parking Zones, would be secured through a Section 106 Agreement.
- 1.8 Substantial weight is afforded to the delivery of new housing, particularly in circumstances where the Council is currently unable to demonstrate a five-year housing land supply. Officers also attach significant weight to the retention and enhancement of an active commercial use at ground floor level, which would support the continued vitality and viability of Hayes Town Centre and enable the residential development to come forward.
- 1.9 Having regard to the development plan, the National Planning Policy Framework 2026, and all other material considerations, officers conclude that the benefits of the proposal, including the delivery of new homes, the provision of flexible Class E floorspace, the enhancement of the town centre environment and the productive re-use of a long-vacant site, clearly outweigh the limited harm arising from the loss of the former tuition centre use. In the absence of any evidence of demonstrable harm that would significantly and demonstrably outweigh these benefits, the application is recommended for approval, subject to the conditions set out in this report and the completion of a Section 106 Legal Agreement.

2 The Site and Locality

- 2.1 The application site is known as 52 Coldharbour Lane. It is located at the corner of Coldharbour Lane and Fairdale Gardens and is occupied by a part two storey, part single storey building with a flat roof. The ground floor is in use as a tuition centre and the first floor as A2 Use Class.
- 2.2 The adjacent parade of shops to the north forms a terrace over three storeys with pitched roof with residential units at the upper levels. The frontage of the application building is set forward of the adjacent building frontage of the properties on Coldharbour Lane. The Fairdale Gardens frontage is slightly forward of the building line of the dwellings on Fairdale Gardens.
- 2.3 The site is located within the designated Hayes Town Shopping Centre and within the designated secondary shopping area. The site has a Public Transport Accessibility Level (PTAL) rating of 4.

Figure 2: View from Coldharbour Lane



Figure 3: View from Fairdale Gardens



Figure 4: View from junction of Fairdale Gardens and Coldharbour Lane



Figure 5: View between the site and nearest neighbour 1 Fairdale Gardens



Figure 6: View from Alleyway between the site



3 Proposal

- 3.1 Planning permission is sought for demolition of existing detached building and erection of 4 storey mixed use building comprising 9 residential units and Restaurant (Class E) with associated works and landscaping

Figure 7: Existing Block Plan (please note – larger version of plan(s) can be found in the Committee Plan Pack)



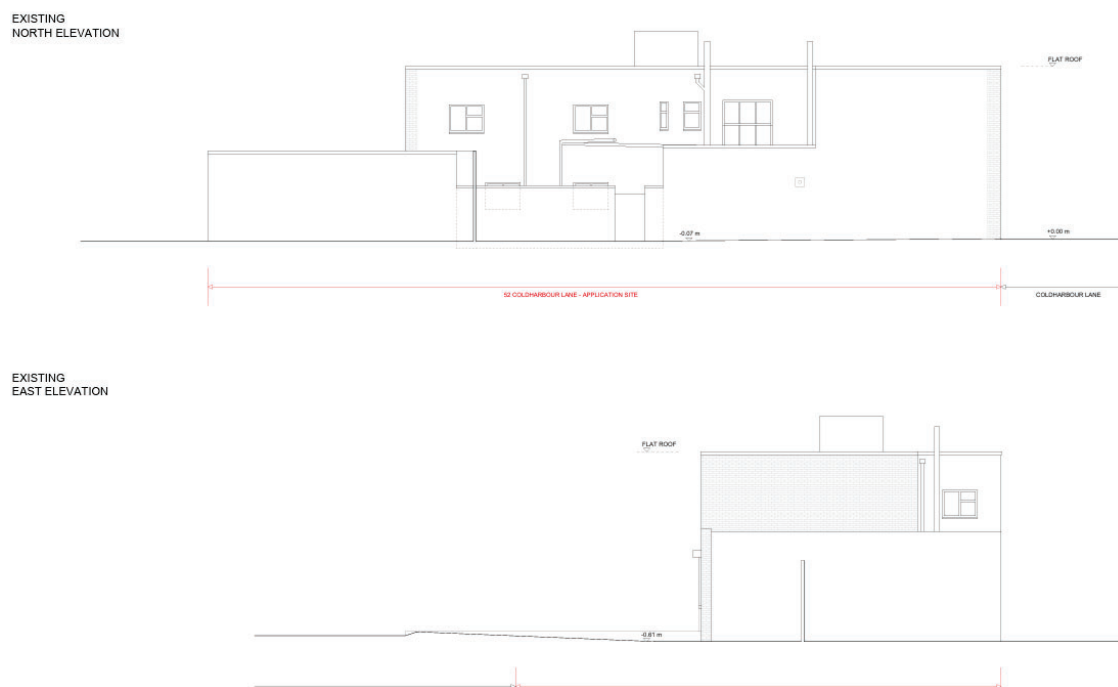
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Figure 8: Existing South and West Elevations



Figure 9: Existing North and East Elevations



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Figure 12: Proposed Block Plan



Figure 13: Proposed Ground Floor Plan

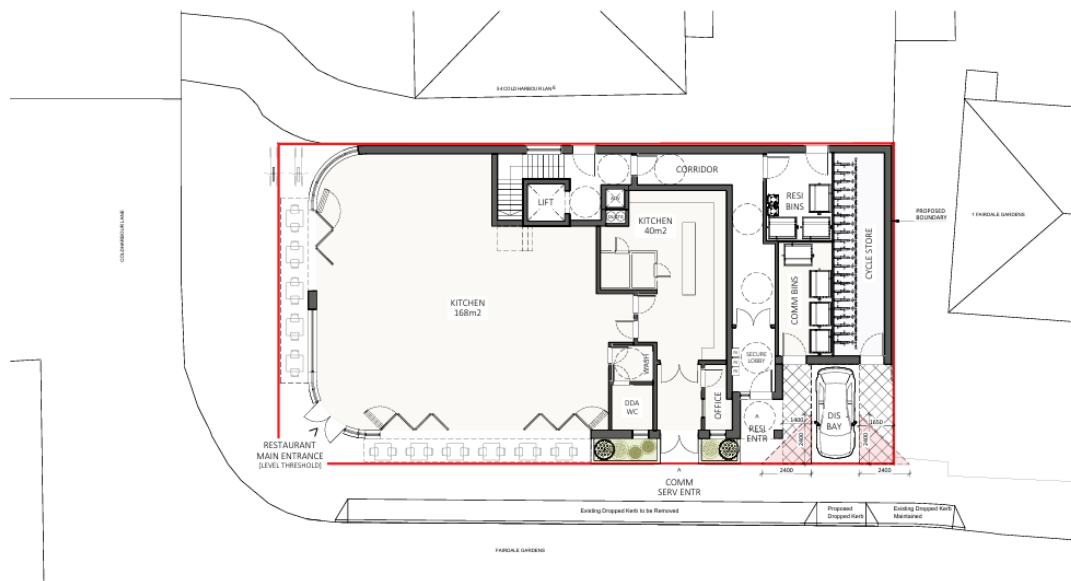


Figure 14: Proposed Front and Rear Elevations



Figure 15: Proposed Side Elevations



4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 It should be noted that the site has also been subject to complex enforcement investigations. It is understood that any unlawful use of the building has ceased.

5 Planning Policy

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

Emerging Planning Policies

- 5.2 Policy DM4, paragraph 1, of the National Planning Policy Framework (NPPF) 2026 states:

“1. When preparing and considering development proposals, relevant policies in emerging development plans may be given weight according to:
a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c. The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).”

Draft London Plan (July 2026)

- 5.3 The GLA are consulting on a draft new London Plan between 16th July and 15th October 2026 with the intention of replacing the previous version of the existing London Plan. Following the consultation, the draft London Plan will be subject to an independent Examination in Public before final adoption, expected in early 2028.
- 5.4 As the unresolved objections have not yet been submitted and published for decision-makers to review, limited weight can be afforded to the Draft London Plan (July 2026) at present.

6 Consultations and Representations

- 6.1 A site notice was placed at the site, neighbouring properties were consulted on the application by letter. Following the submission of revised plans a re-

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consultation was undertaken on 17-04-26 and expired on 09-05-26. During the course of the application a petition against the proposal was received containing 72 signatures. In addition 15 individual objections were received from members of the public and 1 representation from a local ward councillor who also raised concerns with the proposal.

- 6.2 Direct internal and external consultations were also issued. Representations received in response to those consultations are summarised in Tables 1 and 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of External Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
Valid petition containing 72 signatures	The reduction in the total number of car parking spaces caused by the Council's decision to close and sell the civic hall car park.	Discussed at paragraph 7.51 & 7.52 of this report.
	The effects on residents of Fairdale Gardens because of evening parking by restaurant users, visitors to the tuition centre, any flat occupants with cars bearing in mind that the parking zone operates only until 5pm.	Discussed at paragraph 7.52 of this report.
	Increase in unauthorised car parking at the entrance to Fairdale Gardens and the blocking of the rear access to the shops and the funeral directors.	This would be a matter for parking enforcement.
15 public representations of objection have been received.	Unsafe and unauthorised parking which will increase.	The development is proposed to be car free and unsafe parking is a matter for parking enforcement.
	Road safety concerns	Noted
	Sewage and drainage issues	Discussed at paragraph 7.59 of this report.
	Noise increase from the development and also during construction.	A construction management plan condition is recommended.
	Anti social and criminal behaviour hotspot.	Noted but this is a matter for ASB and the police.

	Overlooking of neighbouring properties.	Discussed at paragraph 7.38 of this report.
	Property has been used as an unauthorised HMO.	Although this does form part of the enforcement history, the existing property is vacant.
	The design of the development would compromise the character of the local area.	The design has been revised, and this is addressed in paragraphs 7.18 - 7.27 of this report.
	Provision of a new gambling shop is harmful to the local area.	The proposal does not include a new gambling shop.
A local Ward Councillor made raised the following concerns in objection (summarised)	Residents have already experienced significant disruption from non-residents parking in the road while visiting nearby shops. They also raise concerns about ongoing anti-social and criminal behaviour in the area. The representation requests that the committee consider the residential nature of the road and the need to protect residents' quality of life, arguing that the proposal could lead to further disturbance from construction activity and increased occupancy.	These matters are noted and responded to in Section 7 of the committee report.

Table 2: Summary of Internal Consultee Responses

Consultee and Summary of Comments	Planning Officer Response
Highways The Highway Authority accepts the reduced pedestrian visibility splay, as the shortfall is minor and, given the low traffic volumes and vehicle speeds on Fairdale Gardens, would not result in a severe highway safety impact. However, an objection is maintained as insufficient information has been provided in relation to cycle parking, including layout, dimensions, allocation of spaces, compliance with London Cycle Design Standards,	Discussed at paragraph 7.51 to 7.55 of this report. Conditions are recommended that the Applicant has agreed to restricting occupants future access to the local PMS via a legal agreement. A

and provision for accessible and non-standard cycles. The proposed vertical hanging system is also not considered suitable for residential use, with Sheffield stands preferred. In addition, the applicant has not confirmed that future occupiers would be excluded from obtaining permits within the HY1 Resident Parking Management Scheme. Further details are therefore required.	condition is also recommended to secure details of cycle parking.
Access No objection subject to conditions pertaining to compliance with M4 standards.	Discussed at paragraph 7.64 of this report and conditions recommended.
Policy No objection subject to the submission of a revised CIL form.	A revised CIL form has been submitted.
Urban Design Overall, the proposal represents a well-considered redevelopment of an underutilised site, delivering a high-quality mixed-use scheme that makes efficient use of the land while responding positively to the surrounding townscape and High Street context. The development is broadly supported, with the remaining matters relating primarily to detailed design and operational considerations rather than any fundamental concerns with the scheme itself. A number of minor amendments and conditions are recommended to further enhance the development, including refinements to parking and bin collection arrangements, materials, accessibility, signage, ventilation, cycle parking, boundary treatments, balcony privacy, and servicing arrangements, all of which would improve the functionality, appearance and long-term usability of the proposal without significantly altering its overall design or acceptability.	Discussed at paragraph 7.18 to 7.27 of this report and conditions recommended where required.
Contamination No objection subject to a condition pertaining to the submission of further detailed contamination, remediation and verification details.	Discussed at paragraph 7.60 of this report and conditions recommended.
Economic Development A contribution towards employment and construction skills training should be secured.	In accordance with the Councils SPD the development is not of a scale to require this

	contribution to be secured.
Waste Strategy Bin stores should be large enough to house 1x 1100L refuse, 1x 1100L recycling and 1x 140L food waste bin each. Path between bin stores and collection point should avoid parked cars, be at least 2 m wide and contain a dropped kerb at the collection point.	Noted, a waste management plan condition is recommended.

7 Planning Assessment

Principle of Development

Land Use

- 7.1 The application seeks the demolition of an existing mixed-use building comprising a ground floor Class F1 use and a first-floor Class E use, and its replacement with a mixed-use development comprising Class E floorspace at ground floor level and residential accommodation (Use Class C3) above.
- 7.2 The site is located within a designated District Centre where development proposals are expected to maintain and enhance the vitality and viability of the centre through the provision of town centre uses and a mix of complementary activities. Local Plan Part 2 Policy DMTC 1 supports town centre development where proposals contribute positively to the function, vitality and viability of centres, whilst Policy DMTC 4 seeks to retain appropriate town centre and community uses that serve local residents.
- 7.3 The existing Class F1 use constitutes a main town centre use and also performs a community function. Furthermore, the safeguarding of community facilities is supported through the Community Infrastructure section of the Local Plan Part 2, which recognises the importance of such facilities in meeting the needs of local communities. At the strategic level, Policy S1 of the (2021) seeks to protect social infrastructure and states that the loss of social infrastructure should only normally be permitted where there is replacement provision or where the loss forms part of a wider transformation of service delivery. The policy also recognises that social infrastructure should be located in accessible locations including town centres.
- 7.4 Application reference 52803/APP/2023/1188 approved 8 February 2024 stated within its accompanying report that *“The ground floor is in use as a tuition centre and the first floor as A2 Use Class.”* Use Class A2 was abolished on 1 September 2020 as part of the Government's reforms to the Town and Country Planning (Use Classes) Order in England and incorporated within Use Class E. As such it is accepted that both Use Class E and F1 exist on site at present.

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- 7.5 Notwithstanding the above policy position, the acceptability of the loss of the existing Class F1 floorspace must be assessed in the context of the specific circumstances of the site and proposal. In this regard, the existing F1 accommodation comprises a relatively limited proportion of the building and would be replaced by an active ground floor Class E unit, of which the site does not presently provide, the use itself falls within the definition of a main town centre use and would continue to contribute towards the vitality, viability and economic function of the District Centre. The proposal would therefore retain an active commercial frontage and would not result in the introduction of a wholly residential development that would undermine the role and function of the centre. Furthermore, the nature of the design of community use facilities such as tuition centres are predominantly non active in town centre locations in order to increase the privacy of classrooms and prevent distraction created by pedestrian footfall, servicing and general town centre activity.
- 7.6 The use of the building ceased in 2020 because of the Covid-19 pandemic which resulted in tuition lessons being moved to an online platform. Tuition lessons have not re-commenced on site and despite marketing there has been no interest in taking on the building to provide services within the current use classes and operations. It is accepted that this would partly be down to the change in the delivery of tuition and the increase in home learning and working from home but also the existing condition of the building which has fallen into a dilapidated state with a significant failing in the roof structure being recorded last year.
- 7.7 There is no evidence that there is a deficiency of F1 space within the local area, or evidence that the existing ground floor use of the building is viable to be retained. In essence a new owner would need to weigh up the taking on the purchasing cost of acquiring the building, the significant costs of repair work and the future operating costs associated with occupying the building, against the potential yield whilst working within the limitations of Class F1. The lack of interest in the building is broadly set out within the Planning Statement.
- 7.8 Having regard to the scale of the existing F1 use being limited to ground floor, the continued provision of active ground floor Class E floorspace, the site's location within a District Centre, and the significant public benefit arising from the delivery of additional housing in a highly accessible location, it is considered that, on balance, the proposal would not materially prejudice the overall vitality and viability of the centre or result in an unacceptable reduction in local service provision. The loss of the Class F1 floorspace is therefore considered acceptable in this instance and the proposal is judged to accord with the objectives of Policies DMTC 1 and DMTC 4 of the Local Plan Part 2 (2020), Policy S1 of the London Plan (2021) and the NPPF (2026)

Provision of new housing

- 7.9 There is a clear policy presumption in favour of redeveloping under-utilised land and buildings on brownfield sites to support new housing and retail developments, especially within existing built-up areas that have better supporting infrastructure

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and higher levels of public transport (in this instance a PTAL of 4). Recognising that the site is under-utilised and sustainably located within a designated Local Parade, it is considered that the principle of residential-led redevelopment (which re-provides a Class E ground floor frontage) is acceptable in principle, in accordance with the general policy position in the NPPF, the London Plan and Hillingdon Local Plan, which require local planning authorities to promote residential developments in suitable locations and make the most efficient use of previously developed land

- 7.10 It is acknowledged that the Council cannot currently demonstrate a five-year supply of deliverable housing sites, with the most recent position statement published on 01/04/26 confirming a 2.5-year supply. In these circumstances, substantial weight is afforded to the need to boost housing delivery and increase the supply of homes, having regard to the relevant housing supply provisions of the National Planning Policy Framework (2026). Policy S3 of the NPPF 2026 sets out the requirement for the presumption in favour of sustainable development and the replacement of the tilted balance which formed part of the now superseded NPPF 2024.
- 7.11 The application site is located within the established urban area of Hayes and therefore constitutes development within a settlement for the purposes of Policy S4 of the NPPF 2026. Policy S4 states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by adverse impacts identified within other parts of the development plan.
- 7.12 In assessing the proposal against the exceptions identified within Policy S4(2), it is noted that the development would not result in the loss of safeguarded or allocated land identified within the development plan, nor would it affect recreational land, Local Green Space, areas of particular importance for biodiversity or geodiversity, Protected Landscapes, or development within a residential curtilage. Furthermore, the proposal would not give rise to the loss of cemetery land, burial grounds, or land used for water storage or flood risk management.
- 7.13 The development must also be considered against those national decision-making policies which indicate that permission should be refused in specific circumstances. In this regard, the proposal has been assessed against all relevant material considerations, including design, residential amenity, transport impacts, environmental effects, and other site-specific constraints. Subject to compliance with these considerations, there is no conflict with any national policy which directs refusal.
- 7.14 The proposal would bring benefits associated with the continued and improved town centre use (Use Class E) and a ground level active frontage contributing to the vitality and functionality of the local area. Moreover, the addition of new housing at a time where the Council is unable to demonstrate a supply to meet minimum demand the provision of new housing to meet this need is afforded substantial weight. Having regard to Policy S4, officers consider that the identified

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benefits are not substantially outweighed by any adverse effects arising from the proposal. The principle of development is therefore considered acceptable and consistent with the presumption in favour of development within settlements set out in the NPPF 2026.

- 7.15 In terms of Affordable Housing, the development comprises of 9 residential units therefore does not meet the threshold for which affordable housing should be secured. Accordingly, it is recommended that planning permission is granted, subject to the proposed conditions.

Housing Mix

- 7.16 Policy H10 of the London Plan (Housing size mix) states that schemes should generally consist of a range of unit sizes, having regard to the requirement to deliver mixed and inclusive neighbourhoods, the need to provide a range of unit types at different price points, the mix of uses, the range of tenures, the nature and location of the site, PTAL, the need for additional family housing and the role of one and two-bed units in freeing up existing housing by providing an alternative to conversions and subdivisions, to optimise a site's potential. Policy DMH2 of the Local Plan seeks a mix of units that reflects the latest information on need. The 2025 Strategic Housing Market Assessment identifies an overwhelming need for family-sized homes.
- 7.17 The proposed development would comprise of 5 x 1 bed and 4 x 2 bed units on the upper floors of the new building. While there is an underlying need for family sized units evidenced within the Council's Strategic Housing Market Assessment (SHMA) and Policy DMH 2 of the Local Plan Part Two and London Plan advocate for higher density residential developments within town centre and sustainable locations. Owing to the site's PTAL rating of 4 and the site's designation within the secondary shopping area this site is in a sustainable location and therefore a higher density development is acceptable. Higher density schemes on small sites would mainly consist of smaller units. The unit mix proposed consists of 1 & 2 bed units which in this location is considered acceptable.

Design / Impact on the Character and Appearance of the Area

- 7.18 Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) re-emphasises the importance of good design in new development by requiring all new buildings to be designed to the highest standards, which incorporate principles of good design.
- 7.19 Policy DMHB 12 re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved. The proposal is an over development of the site that would result in a cramped form of development.
- 7.20 When considering design options, regard should be had to Policy GG2 and SD1 of the London Plan, which requires proposals to make the most effective use of land to help boroughs achieve their annual housing targets, which often requires more intensive development in sustainable locations.

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- 7.21 The existing building is two stories in height and forms the termination of the existing terraced block which extends 3 stories in height fronting Coldharbour Lane. The building is characterised by a flat roof with a brick and render external finish. The building extends forward to meet the pavement at the front but set away from the public highway to the side which creates a location for off street parking. As can be seen in figures 4,5 and 6 the existing building provides little, if any positive architectural value to the character of the area. Whilst not shown in the site photos, the roof has at least partially collapsed requiring significant repair along with other parts of the building making it unsafe for use.
- 7.22 The adjoining buildings extend up to three stories; the corner building opposite also extends to three stories, however towards the rear of the site is Fairdale Gardens which comprises of two storey residential properties.
- 7.23 In reviewing the initial set of drawings officers set out several design concerns to the Applicant. Subsequently a set of revised drawings which are shown above, have been submitted and reviewed by officers. Whilst they do not address all the concerns raised during the initial review by the Urban Design Officer, the revised submission is considered to present an improved design and to a degree where a recommendation for approval can be made to committee. The remaining design points relate to minor alterations and the fundamental points regarding bulk, mass, roof form and façade design have been positively responded to.
- 7.24 Based on the limited contribution the existing building makes to the character and appearance of the area and its current state of disrepair, there is no objection to the demolition of the existing building.
- 7.25 The replacement building would extend up to 4 stories in height and would occupy almost the entire area of the site. The height would step down towards the rear of the site creating the impression of a transition in height between the two storey properties on Fairdale Gardens and the four storey tallest point of the proposed building. The proposed building would be set in from the pavement around the entire extent of the site with a deeper set in applied to the section of the building which adjoins the boundary with 1 Fairdale Gardens.
- 7.26 The transition and step in heights breaks up the bulk and massing of the building along with the provision of balconies, various openings across the facades and the transition of materials between the ground floor middle two floors and the upper floor. Furthermore, according to the elevations, the proposed building would not extend beyond the ridgeline of the neighbouring terrace building. As such the proposed building in terms of scale, bulk, massing and design is acceptable and would result in an enhancement to the character of the area particularly when compared to the existing building.
- 7.27 Overall, the proposed development is considered to cause no harm to character and appearance of the area subject to conditions.

Residential Amenity

Daylight and Sunlight

- 7.28 The application site is bounded by a three-storey block comprising of commercial floorspace and frontage at ground floor level and residential within the upper floor levels. To the rear is No.1 Fairdale Gardens which is a two-storey residential property and opposite the site both to the south and east are three storey mixed use buildings. The Applicant has submitted a daylight and sunlight report, The report follows BRE 209 (2022) guidance and considers the effects on neighbouring properties in terms of daylight, sunlight, and overshadowing, as well as the quality of daylight and sunlight within the proposed flats.

No.84 Coldharbour Lane

- 7.29 Fourteen windows facing the development were assessed. The findings indicate that the overall impact on this property is negligible, although one first-floor side window (Window 05) is predicted to experience a noticeable reduction in daylight. Its Vertical Sky Component (VSC) would decrease from 25.8% to 15.1%, representing the most significant change among all assessed properties. However, the report notes that this window already fell below the BRE's ideal 27% daylight benchmark before development and may not serve a habitable room. Apart from this single window, all other windows experience only minor changes in daylight levels.
- 7.30 In relation to sunlight, almost all windows continue to meet BRE recommendations for both annual and winter sunlight hours. The same side window (Window 05) falls slightly short of the recommended sunlight targets, receiving approximately 315 annual sunlight hours and 71 winter sunlight hours, compared with BRE benchmarks of 371.5 and 74.3 hours respectively. Nevertheless, the remaining windows pass the assessment comfortably.
- 7.31 The rear garden was also assessed for overshadowing. The study found that more than 50% of the garden would continue to receive at least two hours of sunlight on 21 March, with approximately 2.6 hours of sunlight available, satisfying BRE guidance.

No.86 Coldharbour Lane

- 7.32 Thirteen windows were assessed at this neighbouring property. The report finds that the proposed development would have a minor to negligible impact on daylight levels. Small reductions are noted in a few ground-floor rear windows, but the changes are limited, generally less than one percentage point of VSC. Most windows retain VSC values above the BRE guideline, and upper-floor windows show virtually no change between existing and proposed conditions.
- 7.33 Sunlight performance remains strong, with all assessed windows achieving the BRE-recommended annual and winter sunlight targets after development. The report therefore concludes that the occupants of No. 86 Coldharbour Lane will

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continue to enjoy adequate levels of natural light, and no significant adverse effects are anticipated.

No.1 Fairdale Gardens

- 7.34 The height of the building has been staggered so that it steps down towards the two-storey height of No.1 Fairdale. The site boundary extends up to the midway point of the flank wall facing the rear of the application site therefore the proposal would not extend beyond the 45-degree line of sight drawn from the centreline of any rear facing habitable room windows. There is 1 upper floor level side facing window; however, the planning history indicates that this window serves a bathroom. window serves a bathroom. In accordance with the Local Plan guidance bathrooms are not included within the definition of habitable rooms therefore the outlook daylight and sunlight to this window does not need to be safeguarded.
- 7.35 Ten windows were assessed at No. 1 Fairdale Gardens. The assessment concludes that the proposal will have a negligible effect on daylight levels. Most windows experience either no measurable change or only very slight reductions. The greatest impact is observed at one side-facing window where the VSC falls from 17.2% to 16.2%, a change that is considered minor and not significant in planning terms. All other windows remain largely unaffected.
- 7.36 The sunlight assessment shows that every assessed window exceeds the recommended annual and winter sunlight standards following completion of the development. The report therefore concludes that the development would not materially affect sunlight availability to the property.
- 7.37 The neighbouring garden was assessed for overshadowing and performs particularly well, receiving approximately 6.7 hours of sunlight on 21 March. This substantially exceeds the BRE requirement of two hours and demonstrates that the garden would continue to receive generous levels of sunlight after the development is completed.
- 7.38 The public consultation has drawn an objection which references the potential overlooking concerns. It is presumed that these concerns relate to the potential overlooking of the units facing No.1 Fairdale Gardens and in particular the views from the balconies which face onto this property. The property is set back within its plot and is tilted slightly to the east which means that the majority of the views from the windows and balconies would face onto the flank elevation of the dwelling. The depth of the balconies is restricted to 1.5 metre and have a privacy screen which restricts views north and northeast significantly. No.1 does feature windows within the upper floor of the side elevation however these do not serve habitable rooms therefore in accordance with DMHB 11 are not required to be safeguarded. The proposed development would therefore not result in any overlooking or privacy concerns. A condition to secure the details of the privacy screens is to be imposed.

No.50 Coldharbour Lane

- 7.39 Eleven windows facing the proposed development were assessed. The report identifies a negligible impact on daylight levels across the building. VSC reductions are generally between 0% and 0.2%, meaning there is virtually no perceptible difference in the amount of daylight reaching the property after development. Several windows already sit just below the BRE's preferred 27% threshold, but the proposal has little influence on these baseline conditions.
- 7.40 The annual and winter sunlight assessments show that all windows continue to meet BRE recommendations. As a result, the report concludes that the proposed additional storeys at No. 52 Coldharbour Lane will not adversely affect daylight or sunlight conditions for occupants of No. 50 Coldharbour Lane.

Nos. 45,47,49 and 51 Coldharbour Lane

- 7.41 Twenty-four windows across these neighbouring properties were assessed. The findings show a negligible impact on daylight levels, with VSC reductions generally limited to between 0% and 0.4%. All assessed windows continue to achieve VSC values above the BRE guideline, indicating very limited loss of daylight as a result of the proposed development.
- 7.42 The sunlight assessment demonstrates that every assessed window comfortably meets the recommended annual and winter sunlight standards. No significant loss of sunlight is predicted at any floor level, and the report concludes that residents of these properties would experience no material deterioration in light conditions following completion of the scheme.

Noise

- 7.43 The Applicant has submitted Noise Impact Assessment which concludes that, although the site at 52 Coldharbour Lane is exposed to noise from surrounding road traffic and commercial activities, the proposed mixed-use redevelopment can provide an acceptable living environment for future residents. A 24-hour noise survey identified the front elevation as being more exposed to noise than the rear; however, detailed acoustic calculations demonstrate that the development can achieve the internal noise standards set out in BS8233:2014, ProPG Planning and Noise Guidance and WHO recommendations through the use of appropriate mitigation measures. These measures include acoustically rated glazing, acoustic background ventilation systems and enhanced sound insulation within the building fabric. The report also assesses potential noise transfer from the proposed ground-floor commercial units and recommends an enhanced airborne sound insulation standard of $DnT,w + Ctr 55dB$ between the commercial and residential elements. Subject to the implementation of these measures, the assessment concludes that future occupants will experience acceptable internal noise levels.

Living Conditions

Internal

- 7.44 The proposed development would provide 9 new residential units comprising of 5 x 1 bed and 4 x 2 bed units. In accordance with the London Plan 1 bed units should measure 50 sqm and 2 bed units should measure 70 sqm. The proposed plans illustrate conformity with these standards.
- 7.45 In terms of outlook, daylight and sunlight, 5 out of the 9 units are single aspect. Although the submission alludes to 7 out of 9 being dual aspect two of the units feature a window on the side elevation which serves a bathroom and this would be obscurely glazed and serve a non-habitable room. As such officers consider there to be 5 dual aspect and 4 single aspect units. Whilst this is a high proportion of the overall number of units (almost 50%) it should be noted that the application has been assessed having regard to the Mayor of London's recent emergency housebuilding measures and the associated *Support for Housebuilding London Plan Guidance (LPG)*, which were introduced in response to the significant decline in housing delivery across the capital. The measures are intended to improve development viability, increase housing output and support the delivery of affordable homes through a temporary relaxation of certain design requirements that have been identified as constraining density and scheme viability.
- 7.46 Of relevance to this proposal are the amendments to housing design guidance relating to dual-aspect dwellings, dwellings served by a single core, and other standards that have historically limited development capacity. The revised guidance moves away from the rigid application of a presumption in favour of dual-aspect units and recognises that, in appropriate circumstances, a greater proportion of single-aspect homes may be acceptable where this assists in optimising site capacity and improving scheme viability.
- 7.47 In this case, whilst the development includes single-aspect dwellings, officers are satisfied that these units achieve appropriate residential quality having regard to their orientation, outlook, access to daylight, and ventilation arrangements. The scheme has therefore been assessed against the objectives of the London Plan and the Mayor's Support for Housebuilding LPG, which recognises that a balanced approach to design standards may be necessary to support housing delivery whilst maintaining acceptable living conditions for future occupiers.
- 7.48 The submitted Daylight and Sunlight report also assessed the quality of daylight and sunlight within the nine proposed flats. A total of 23 habitable rooms were examined, including living rooms, kitchens and bedrooms. Every room achieved the minimum Target Daylight Factor required by BS EN 17037 and BRE guidance, resulting in a 100% pass rate.
- 7.49 All living rooms also satisfy the recommended sunlight criteria, achieving at least 27% annual probable sunlight hours and between 6% and 8% winter sunlight hours. The assessment concludes that future residents will benefit from good standards of natural light throughout the development.

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External

- 7.50 In accordance with the Hillingdon Local Plan Part 2 Policy DMHB 18, 1 bed units should be provided with a minimum of 20sqm and 2 bed units should be provided with 25sqm of private amenity space. The proposed plans illustrate that each of the units would be provided with private amenity space in the form of balconies or terraces. 64.83 sqm would be provided across the entire development resulting in a shortfall of 135.17 sqm. It should be noted that the London Plan requires a minimum of 53sqm. While the development does not conform with the Local Plan requirements it would conform with the London Plan. In addition, it is not uncommon for residential developments within town centre or highly urban locations to feature more modest levels of amenity space. There are parks within close proximity to the site such as Lake Farm Country Park and Botwell Leisure Centre which provide outdoor public space for the use of local residents. Given the context of the site, the compliance with the London Plan and local public open spaces the proposal is considered to provide adequate amenity space for future occupants.

Highways and Parking

- 7.51 Encouraging higher densities in appropriate locations means more people are within walking distance of local amenities and transport connections, which in turn reduces the need for private car ownership and supports the transition to a more sustainable city. Indeed, other than the provision of 1no disabled car parking spaces to the rear of the site, the development would be 'car-free' which is supported by the site's PTAL 4 rating and location within a Local Parade and proximity to nearby parks and recreational facilities.
- 7.52 There are parking restrictions within the immediate vicinity, the parade itself is subject to pay and display bays and Fairdale Gardens features double yellow lines around the opening of road where it meets the junction with Coldharbour Lane and also a residents parking permit restriction. To ensure that the development is car free except the 1 accessible space proposed, the Applicant has agreed to enter into a legal agreement to restrict future occupiers from joining the local parking management schemes. It is noted within the objections received during the public consultation that there is a concern raised regarding the potential for parking overspill onto the local highway network as the residential parking permit restrictions on surrounding roads are only enforceable between 9am and 5pm Monday to Friday. This is accepted by officers, however the proposed unit mix comprises of smaller units (1 and 2 bed units) in a highly sustainable area where according to the London Plan a car free development should be encouraged. As such a reason for refusal based on the under provision of car parking is unreasonable and could not be defended in the event of an appeal.
- 7.53 The servicing and delivery associated with the restaurant floor space at ground floor level would occur on street as it does for all other commercial units across the entirety of the parade. It is noted that some concerns regarding the management of serving associated with the ground floor restaurant has been

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raised in response to the public consultation. However, there is adequate and designated loading bays across the town centre and in the immediate vicinity. If commercial vehicles are choosing not to use these areas or they are obstructed by other non-servicing related vehicles then this would be a matter for parking enforcement.

- 7.54 Cycle storage is illustrated within the ground floor area adjacent to the bin store. The proposal has been reviewed by the Local Highway Authority who have raised some concerns with the cycle parking design. As part of the Mayor of London's special measures to boost house building there has also been a relaxation of design and cycle parking standards. This means that where residential developments can be brought forward, in particular those on brownfield sites, it is accepted that a flexible approach should be taken to cycle parking quantum and / or design. In this case Officers are confident that a scheme can be delivered along with cycle parking which would be required to absorb the car lite nature of the development. The final design details shall be secured by way of condition, and this is appropriate as the development would be able to facilitate adequate levels of cycle parking within the building. Officers do not consider a reason for refusal relating to the lack of acceptable cycle parking details at this stage as robust particularly in light of the Mayor's special measures.
- 7.55 Due to the nature of the development, its location within a busy urban and commercial area and the sites constraints a full detailed construction management plan shall be secured by way of condition, and this shall be discharged prior to the commencement of the development.

Landscaping

- 7.56 The landscaping proposed includes green roofs, green walls and planting at roof level. Indicative planting details are provided within the submitted Biodiversity Enhancement and Management Plan which are broadly considered to be acceptable. A full hard and soft landscaping scheme including a schedule of implementation and maintenance is recommended to be secured by condition in the event of an approval.

Biodiversity Net Gain

- 7.57 In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

- 7.58 The development would be occurring on previously developed land and no trees or hedgerows would be affected. Therefore, the development would not exceed the de minimis threshold and is considered BNG exempt and a biodiversity gain plan is not required.

Flood Risk and Drainage

- 7.59 The application site is located within Flood Zone 1 and is entirely covered by buildings and hardstanding. There is no history of fluvial or pluvial flooding within this area therefore the development would not give rise to an increase in flood risk. The proposal does incorporate a green roof which would form part of a SUDs strategy to improve sustainable urban drainage and move water generated by the development, including surface water runoff, away from the main sewer and rainwater drains. Although the proposal does present an improvement, full SUDs details are to be secured by condition to ensure that a suite of mitigation and enhancement measures have been considered and more specific details relating to the green roof are provided.

Contamination

- 7.60 The site is identified as being at risk of possible land contamination and a consultation has been undertaken with the Council's contamination specialist. In the absence of a contamination report, in the event of approval it is recommended that a condition be imposed to secure a full contamination report which sets out the potential risk and appropriate mitigation measures to address any identified contaminants. Subject to this condition the development is acceptable.

Air Quality

- 7.61 The application site is located within the Hillingdon Air Quality Management Area (AQMA). However, the proposal relates to a minor scale residential development comprising nine residential units and includes only a single accessible car parking space. Given the limited scale of development, the low level of vehicle movements likely to be generated, and the absence of any significant traffic or emission-generating uses, the proposal is not considered likely to give rise to any material impacts on local air quality.
- 7.62 In accordance with the Council's planning guidance and the scale of the development proposed, the scheme is not considered to constitute a development for which a detailed Air Quality Assessment would be required. The development is not expected to result in a significant increase in trip generation, congestion, or associated pollutant emissions that would adversely affect local air quality conditions within the AQMA.
- 7.63 Accordingly, it is considered that the proposed development would not have a significant effect on air quality and that sufficient information has been provided to demonstrate the acceptability of the proposal in air quality terms. As such, the submission of a standalone Air Quality Assessment is not considered necessary in this instance.

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Accessibility

- 7.64 The proposed drawings provide an illustration of the design and character and the elevations. However, no details demonstrating level access have been provided at this stage. Furthermore, there is a requirement to provide additional information to demonstrate compliance with the relevant M4(2) accessibility standards. The submission has been reviewed by officers and subject to the conditions, is acceptable.

Waste Management

- 7.65 The ground floor plan illustrates bin stores to serve the residential dwellings and the ground floor commercial use. The proposed collection arrangement is for the bins to be moved by the building management team through the internal communal route and presented at the front boundary on Fairdale Gardens on collection days. They would then be returned to the internal store following collection. The containers shown on the revised ground-floor plan are wheeled communal waste containers. The precise number, capacities and allocation between residual waste, recycling and food waste can be agreed with the Council's Waste Services team and secured through an appropriately worded refuse and recycling management condition. It is noted that this arrangement is the same as the ground floor plan approved under planning reference 52803/APP/2023/1188.

Energy & Sustainability

- 7.66 At this stage the Application is not supported by an Energy Strategy, however given the scale of the development does not breach the major threshold the higher levels of carbon savings do not need to be demonstrated at this stage. There is a building regulation required for the development to accord with the minimum 35% reduction in carbon emissions on site. Compliance with this standard will need to be evidenced during the building regulations phase of the construction is likely to be formed with sustainable construction methods and materials.

8 Other Matters

Human Rights

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

Equality

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

Local Finance Considerations and CIL

- 8.3 The proposed development is CIL Liabe.
- 8.4 The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014. The proposal is CIL Liabe and a CIL liability notice shall be issued upon commencement of the development. Please note, this commentary has been provided for the purpose of assisting in the determination of the planning application only. If approved, the final CIL liability would be set out in the CIL Liability Notice following determination of the application in line with the CIL Regulations. This would be issued following a full review of all the material available to the Council's Planning Obligations Team at that time.

9 Conclusion / Planning Balance

- 9.1 The proposal involves the optimisation of a brownfield site to deliver new housing. The scheme has been revised to ensure that the design of the building would contribute towards the character and appearance of the area. Officers do not consider the loss of the F1 space at ground floor level or the A2 space at first floor level as a matter for which an in-principal objection should be raised. The loss of the tuition space is regrettable however the provision of new Class E spaces within the Town Centre and secondary shopping area would contribute towards the vibrancy of these designated areas. Furthermore, the proposed development would provide a contribution towards local housing stock at a time where the Council is unable to demonstrate a 5-year supply of housing. As such the tilted balance is activated. While the objections and concerns raised within the petition are noted, in the absence of demonstrable harm, the application is recommended for approval.
- 9.2 Taking into consideration the above, the proposal is considered to comply with the Development Plan, and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to the conditions set out in Appendix 1.

10 Background Papers

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

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10.2 This report has been prepared with reference to the background papers listed below, which have been relied upon to a material extent in its preparation and are available for public inspection, subject to any necessary redaction for exempt or confidential information.

10.3 Internal consultee comments:

- Access Officer
- Highways
- Economic Development
- Policy Team
- Urban Design Officer
- Noise Specialist

APPENDICES

Planning Application

52803/APP/2025/1680

Appendix 1: Recommended Conditions and Informatives

Conditions

1. RES3 Time Limit

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

REASON

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

2. RES4 Accordance with Approved Plans

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

PL-01

260213 03 REV D

260213 04 REV D

260213 05 REV C

260213 06 REV C

260213 10 REV C

260213 11 REV C

260213-DWG-002 Rev A

Daylight and Sunlight Assessment July 2026

Thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

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

Prior to commencement of the hereby approved development (excluding demolition and site clearance), a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Hard and Soft Landscaping

1.a Means of enclosure/boundary treatments

1.b Car Parking Layout for 1 accessible space

1.c External Lighting

1.d Other structures (such as bollards or other furniture)

1.e Planting details such as species and soil depths

2. Details of Landscape Maintenance

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

3. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB5, DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

4. RES7 Materials (Submission)

Notwithstanding the approved drawings, save for site clearance works, no above ground works shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

REASON

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

5. NONSC Construction Logistics Plan

Prior to development commencing, a demolition and construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) Routing of construction vehicles to and from the site (supported with swept path drawings)
- (iv) Hours of HGV movements (to exclude local network peaks and school start/finish times)
- (v) On-site loading/unloading arrangements
- (vi) Banksman arrangements for all reversing and manoeuvring
- (vii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (viii) Temporary highway arrangements, including any hoardings, scaffolding or footway management

- (ix) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (x) Contact details for site logistics manager
- (xi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (xii) The storage of demolition/construction materials on site.

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

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and in the interests of highway safety and to minimise disruption to the local road network in accordance with Policies DMT1 and DMT2 of the Hillingdon Local Plan Part 2 (2020).

6. RES6 Levels

Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON

To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

7. NONSC Land Contamination

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

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

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

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

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

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

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

REASON

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

8. RES12 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

REASON

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

9. RES14 Outbuildings, extensions and roof alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with

or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) subject of this permission shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with Policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020).

10. NONSC M4(2) Compliance

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

REASON

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

11. NONSC Non Standard Condition

Prior to first occupation of the development, details of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate compliance with the requirements of Policy T5 of the London Plan and shall include 22 cycle spaces, the type of stands to be provided, dimensions, means of enclosure and evidence of usability (for example, entry and egress from the stands).

The approved cycle parking facilities shall be provided prior to first occupation of the development and thereafter retained, maintained and kept available for cycle parking purposes for the lifetime of the development.

REASON

To ensure that adequate, safe, secure and convenient cycle parking is provided in the interests of promoting sustainable modes of transport and reducing reliance on private motor vehicles, in accordance with Policies T4 and T5 of the London Plan (2021) and Policies DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

12. NONSC Non Standard Condition

Prior to first occupation of the development, a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include:

- (i) details of refuse and recycling storage facilities, including capacity, design and means of enclosure;
- (ii) arrangements for the storage and collection of refuse and recyclable materials;
- (iii) details of any collection points;
- (iv) a swept path analysis, where necessary, demonstrating that refuse collection can take place safely and efficiently; and
- (v) measures to ensure that refuse and recycling facilities are conveniently accessible to residents and collection operatives.

The approved Waste Management Strategy shall be implemented in full prior to the first occupation of the development and thereafter retained and maintained for the lifetime of the development.

REASON

To ensure that adequate refuse and recycling facilities are provided in the interests of residential amenity, public health, visual amenity and the efficient collection of waste, in accordance with Policies SI7 and D6 of the London Plan (2021) and Policies DMHB 11, DMHB 16 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

13. NONSC Non Standard Condition

Prior to the first occupation of the development, details of privacy screening to the balconies serving flats 1,5, 8 and 9 hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the position, height, design, materials and degree of obscurity of the screening and shall demonstrate that adequate privacy will be afforded to neighbouring residential occupiers.

The approved screening shall be installed prior to first occupation of the development and shall thereafter be permanently retained and maintained for the lifetime of the development.

REASON

To safeguard the privacy and residential amenity of neighbouring occupiers and to ensure a high standard of design, in accordance with Policies D3 and D6 of the London Plan (2021) and Policies DMHB 11 and DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Informatives

1.

The applicant is advised that the creation of the new vehicular access and any works to the adopted highway require a Section 278 of the Highways Act 1980. Early engagement with the Council's Highway Authority is strongly recommended.

2.

The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

3.

It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

4.

Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf.

5.

It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway

6.

The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to

the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

7. I52 Compulsory Informative (1)

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

8. I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

9. I47 Damage to Verge - For Council Roads:

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

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this

development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

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

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

10. 173 Community Infrastructure Levy (CIL) (Granting Consent)

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

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

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

153 Compulsory Informative (2)

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

DMAV 1	Safe Operation of Airports
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality

DMEI 12	Development of Land Affected by Contamination
DMEI 13	Importation of Material
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 13	Shopfronts
DMHB 13A	Advertisements and Shop Signage
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
LPP D1	(2021) London's form, character and capacity for growth
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP E11	(2021) Skills and opportunities for all
LPP E2	(2021) Providing suitable business space

LPP E9	(2021) Retail, markets and hot food takeaways
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG1	(2021) Building strong and inclusive communities
LPP GG2	(2021) Making the best use of land
LPP GG3	(2021) Creating a healthy city
LPP GG4	(2021) Delivering the homes Londoners needs
LPP GG5	(2021) Growing a good economy
LPP GG6	(2021) Increasing efficiency and resilience
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H5	(2021) Threshold approach to applications
LPP SD6	(2021) Town centres and high streets
LPP SD7	(2021) Town centres: development principles and Development Plan Documents
LPP SD8	(2021) Town centre network
LPP SD9	(2021) Town centres: Local partnerships and implementation
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI4	(2021) Managing heat risk
LPP SI5	(2021) Water infrastructure
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T6.3	(2021) Retail parking
LPP T7	(2021) Deliveries, servicing and construction
LPP T9	(2021) Funding transport infrastructure through planning

Appendix 2: Relevant Planning History

52803/APP/2023/1188 Hayes Tuition Centre 52 Coldharbour Lane Hayes

Change of use of first floor from tuition centre/offices to 2 x 2-bed and 3 x 1-bed self-contained flats, including addition of a second floor, a first floor side extension, formation of balconies to rear, new external stairs, refuse and recycle storage, bicycle parking and widening of crossovers.

Decision: 08-02-2024 Approved

Appendix 3: List of Relevant Planning Policies

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.E5	(2012) Town and Local Centres
PT1.E7	(2012) Raising Skills
PT1.EM4	(2012) Open Space and Informal Recreation
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.EM11	(2012) Sustainable Waste Management
PT1.CI1	(2012) Community Infrastructure Provision
PT1.H1	(2012) Housing Growth

Part 2 Policies:

DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
DMAV 1	Safe Operation of Airports
DMCI 7	Planning Obligations and Community Infrastructure Levy

DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 13	Importation of Material
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 13	Shopfronts
DMHB 13A	Advertisements and Shop Signage
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
LPP D1	(2021) London's form, character and capacity for growth
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D12	(2021) Fire safety

LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP E2	(2021) Providing suitable business space
LPP E9	(2021) Retail, markets and hot food takeaways
LPP E11	(2021) Skills and opportunities for all
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG1	(2021) Building strong and inclusive communities
LPP GG2	(2021) Making the best use of land
LPP GG5	(2021) Growing a good economy
LPP GG6	(2021) Increasing efficiency and resilience
LPP SD6	(2021) Town centres and high streets
LPP SD7	(2021) Town centres: development principles and Development Plan Documents
LPP SD8	(2021) Town centre network
LPP SD9	(2021) Town centres: Local partnerships and implementation
LPP GG3	(2021) Creating a healthy city
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H5	(2021) Threshold approach to applications
LPP H10	(2021) Housing size mix
LPP SI1	(2021) Improving air quality
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI4	(2021) Managing heat risk
LPP SI5	(2021) Water infrastructure
LPP SI12	(2021) Flood risk management

LPP SI13	(2021) Sustainable drainage
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T6.3	(2021) Retail parking
LPP T7	(2021) Deliveries, servicing and construction
LPP T9	(2021) Funding transport infrastructure through planning
LPP DF1	(2021) Delivery of the Plan and Planning Obligations