

18 February 2016

Harefield Place, The Drive, Ickenham

in the London Borough of Hillingdon

planning application no.12571/APP/2015/3649

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Detailed application for the demolition of existing modern U-shaped extension. Conversion of existing Grade II listed building and erection of a replacement extension building to provide 25 self-contained apartments, with associated basement car, cycle and motorcycle parking, private and communal amenity spaces and landscape enhancement, retaining existing entrance piers, the main vehicular entrance on The Drive and existing secondary servicing access with ancillary outbuildings (planning and listed building consent application.)

The applicant

The applicant is **Manorgrove Homes (UK) LTD**, and the architect is **Willcox and Meilwes**.

Strategic issues

Outstanding strategic issues in relation to **principle of development, affordable housing, energy, and transport** have been resolved satisfactorily.

The Council's decision

In this instance Hillingdon Council has resolved to grant permission.

Recommendation

That Hillingdon Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

Context

1 On 16 October 2015 the Mayor of London received documents from Hillingdon Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 3D of the Schedule to the Order 2008: *"Development on land allocated as Green Belt...which would involve the construction of a building with a floor space of more than 1,000 square metres."*

2 On 24 November 2015 the Mayor considered planning report D&P/2595a/01, and subsequently advised Hillingdon Council that the application did not comply with the London Plan,

for the reasons set out in paragraph 68 of the above-mentioned report; but that the possible remedies set out in that paragraph of the report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's and borough concerns regarding the scheme (see below). On 20 January 2016 Hillingdon Council decided that it was minded to grant planning permission for the revised application, and on 5 February 2016 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged or direct the Council under Article 6 to refuse the application. The Mayor has until 18 February 2016 to notify the Council of his decision and to issue any direction.

4 The decision on this case and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

5 Amended documents were received on 21 December 2015. These amendments to the new build scheme include revised siting, removed terracing at ground and first floors, vertical elevational emphasis, amended roof, second floor material use and corner balconies to reduce appearance of scale and bulk.

6 At the consultation stage Hillingdon Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 68 of the above-mentioned report; but that the possible remedies set out in that paragraph of the report could address these deficiencies:

- **Principle of development: change of use - office use to residential on Green Belt:** The change of use from office to residential is acceptable. The restoration and redevelopment of the listed building is appropriate development as it complies with the exception in the NPPF. However, the very special circumstances provided for the inappropriate element of the proposal (the extension) do not fully justify the development on Green Belt. Further details in regard to parameters of proposed the built forms are required.
- **Heritage and design:** Whilst the restoration and improvement of the listed building is supported in principle, the proposed extension block to the north east of the listed building would have a greater impact upon the immediate setting of the historic house it requires further thought so as to accord with London Plan Policy 7.8 (D).
- **Housing mix, tenure split and space standards:** The residential space standards provided exceed the minimum space standard of the London Plan. Whilst the scheme offers a range of housing choices, the Council is encouraged to seek more family housing units.
- **Affordable housing:** The applicant has submitted a financial viability report in justification of 0% affordable housing. However, this report needs to be reviewed by independent consultants and the result should be shared with the GLA.
- **Inclusive access:** The redevelopment complies with inclusive access policies of the London Plan, all the measures proposed need to be conditioned.
- **Energy:** The scheme complies with energy policies of the London Plan, provided Sample SAP worksheets (both DER and TER sheets) for the development including efficiency measures are submitted to support the savings claimed. All the proposed measures should be conditioned.
- **Flooding:** The drainage aspects of the proposals comply with London Plan Policy 5:13. However, there is potential for more sustainable drainage measures, such as swales and green roofs to be incorporated into the designs, in line with the London Plan's drainage hierarchy.

- **Transport:** Car parking provision should be reduced. Further clarification is required on cycle parking facilities and shared path ways. Amendments to the electric vehicle charging points and necessary mitigations should be considered. The submission of travel plan, DSP and CSP is required and should be secured.

7 Taking each of the outstanding matters in turn, the following is noted:

Principle of development – Green Belt

8 As noted above, when considering the scheme at Stage 1 it was concluded that the applicant had not satisfactorily demonstrated the ‘very special circumstances’ for development on the Green Belt. Since that time, the application has been amended in an effort to address these concerns.

9 The cumulative effect of the amendments results in a reduced footprint (18%). The overall scale and massing of the new building is at the same height as the existing 1980s extension, and lower than the adjacent ‘host’ listed building. When combined with the de-coupling of the buildings, restoration of the former wing elevation and subordinate new building, GLA officers concur with the Council’s conclusion that the scheme is an appropriate replacement development in the Green Belt. Therefore, based on the revised scheme the extension element of the proposal is now considered to meet the exception of NPPF (para 89) – *‘the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.’* There are no outstanding issues in relation to Green Belt matters.

Heritage and design

10 When considering the initial scheme, the importance of the building as a heritage asset was noted and that it was in urgent need of a long-term solution for its restoration. However, concerns were raised about the proposed new block to the north east and that the approach should be reconsidered in order to achieve a more subsidiary new-build development that intrudes to a lesser degree upon the original house. At that stage, it was concluded that the applicant had not satisfactorily demonstrated that the harm to the setting of the listed building exerted by the proposed development would be outweighed by the benefit of bringing the site back into use.

11 To confirm, the tests in sections 66 of the Planning (Conservation Areas and Listed Buildings) Act 1990 which set out the duties for decision makers when they are considering developments which affect heritage assets need to be considered in this case. Considerable weight should be given in planning decisions to the preservation of listed buildings or their setting and to the preservation or enhancement of the character or appearance of conservation areas. If harm is caused to heritage assets the onus is on the applicant to demonstrate that there are sufficient material considerations to justify that harm.

12 The revised design results in a reduction in bulk to the extension and the choice of brick has been changed, which together makes the extension appear more subservient the listed building. The works to the listed building itself have also been revised following extensive negotiation between the Council and the agent/architect to retain the original layout and observe the original layout. The conclusion of the Council is that proposed development makes a positive contribution to the local character and distinctiveness of the area whilst safeguarding the fabric of the original listed building and its setting.

13 Having considered these modifications, it is concluded that they do limit the harm caused to the listed building so that they are less than substantial and result in an improvement to the existing situation. The benefits of the scheme therefore outweigh any harm and the proposal would therefore accord with the NPPF paragraphs 133 and 134 and London Plan policies 7.8 and 7.9.

Affordable housing

14 The financial viability report has been reviewed by independent consultants - DVS and the result was shared with the GLA. The independent consultants have stated that *“the scheme could provide a contribution in lieu of affordable units of up to £312,000, however, as there are a number*

of issues that need to be clarified this surplus could be reduced, particularly as the differences are relatively small in percentage terms.”

15 As a result, an in lieu financial contribution of £250,000 towards the provision of off-site affordable housing has been agreed between the applicant and the Council, which is accepted.

Sustainable development/energy

16 The applicant has provided an updated section in the energy statement which outlines the measures taken to reduce the overheating risk and also SAP sheets. Passive design measures include designing for cross ventilation and shading from balconies. The results show that units orientated south west are estimated to be at a ‘Medium’ risk of overheating under the Part L overheating check. It was noted that no solar control glazing is currently proposed and that the g-value used in the modelling is the SAP default. The applicant should therefore investigate at a later design stage the inclusion of the solar control glazing to reduce the risk assessed under Part L from ‘Medium’ to ‘Slight’.

17 A financial contribution of £18,000 towards the Council's Carbon Fund has been secured, which is welcomed.

Transport for London’s comments

18 At Stage 1, a number of issues were raised in relation to transport matters, specifically in relation to level of parking provision, electrical vehicle charging points, shared pathways, cycle parking provisions, construction logistics plan, construction management plan, delivery and servicing plan and travel plan.

19 Provision for 20% of parking spaces to be designated for active EVCPs and a further 20% passive for the future has now been agreed and secured. TfL is satisfied that this now complies with the latest London Plan car parking standards (Policy 6.13). However, the maximum provision of 30 car parking spaces has not been met by the applicant. Given the site’s very low level of public transport accessibility, this is disappointing and the parking spaces provision remains short of the London Plan standards.

20 TfL previously stressed that the shared pathways should have been designed to accommodate both cyclists and pedestrian flows. The plans now satisfactorily demonstrate sufficient space is provided for both users. In addition, 50 cycle parking spaces have now been provided, including wall-mounted stands. Those are both acceptable and welcomed.

21 A construction management plan (CMP) has been secured by condition. However, given the nature and location of the proposals, Hillingdon Council has not found necessary to secure a construction logistics plan (CLP), or a delivery and servicing plan (DSP), or a transport assessment (TA). That said, it is considered that a refusal on this ground alone would not be justified.

Response to consultation

22 The planning application was advertised in the local press, a site notice was displayed and consultation letters were sent to residents.

23 **Local residents’ response:** 16 neighbour responses have been received. 3 were in support, 1 neither supported nor objected to the proposal, whilst 12 were objections which raised a number of concerns. They are summarised as follows; Improvements should be made to the road surface of 'The Drive' following use by construction vehicles and to surrounding other roads which would unlock further development potential; the proposal would increase traffic on local roads and result in an increase of air pollution; safety issues regarding increased use of the historical entrance which is narrow, has poor visibility, and is positioned at an acute angle to 'The Drive'; the development will add pressure to the water and sewerage infrastructure; disruption during construction period including impact from construction vehicles which would harm the residential amenity of neighbouring properties; and adversely impacting the fabric and setting of the Listed Building.

24 Ickenham Resident's Association: The Association did not wish to object but asked for clarifications and careful considerations in regard to a) a construction traffic management plan, b) a site waste management plan, c) details on affordable housing provision, and d) details on the rationale for deviating from the London Plan policy on car parking space limits for new homes.

25 The Association of the Residents of The Drive: The Association stated that it is holding an emergency general meeting to further discuss its response but in the meantime objects to the development on the basis of the proposed retention of the vehicular access on the Drive South. The Association has one major concern in particular, (raised by a number of residents directly affected) namely, in regard to the proposed use of the old entrance of the Drive misleadingly described as the main entrance but in fact being the secondary access for the last 50 years. The Association let the developers know of the concerns of a number of members of the association living nearest to the old entrance, who would be directly affected and sought assurances that any application would not use this entrance but instead the developers would continue to use either the main staff entrance in the Drive North to form the main entrance for residential traffic or create an alternative entrance that would allow better visibility splays and access than at the old entrance. The Association also recognised that there could be benefits from a change of use from offices to residential in overall volumes of traffic using the site.

26 **Statutory consultees**: The following comments were received:

27 Historic England: Initially objected to the scheme, but in regard to the amended design commented the following - "Harefield Place is a grade II listed, mostly nineteenth century building with a late eighteenth century core. It has been undergone much alteration, but retains special interest in its facades, remaining plan form, and some internal and landscape features. We consider that the removal of the existing 1980s office extension, which does abut and conceal part of the listed facade, could be acceptable as long as the works result in an improved arrangement. Elements of the current design do limit the harm caused to the listed building; its built of complementary brickwork, makes a clear attempt at reflecting fenestration rhythms, and is designed to curve away from the building. Combined with the topography and planting of the site, its form reduces its visibility from the front and rear of the listed building. It is important to ensure that any replacement design does not cause greater harm to the listed building. We consider that the proposals in their current form would cause some degree of harm to the listed building, and would advise that revisions could be considered to elements of the proposals as outlined above to limit this harm. The harm should be weighed against the public benefits of these proposals."

28 Metropolitan Police Designing Out Crime Officer (DOCO): no objections to this development.

29 Natural England (Summarised): Statutory nature conservation sites - no objection. In regard to protected species and biodiversity enhancements, it advised the Council to ensure that it has sufficient information to fully understand the impact of the proposal and to secure measures to enhance the biodiversity of the site, if it is minded to grant permission for this application.

30 The objections which have strategic planning relevance have been dealt within this and the stage 1 GLA's reports, the Council's Committee report and the concerns have been addressed or resolved through appropriate conditions imposed by the Council in its draft decision notice.

Legal considerations

31 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic

planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice.

Financial considerations

32 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance emphasises that parties usually pay their own expenses arising from an appeal.

33 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

Conclusion

34 Amended plans have been received following stage 1 consultation. Outstanding issues in regard to principle of development, heritage and design, energy, and transport have been resolved satisfactorily. The proposed development complies with the current London Plan, national and local planning policies. The proposal is supported in terms of good strategic planning in Greater London.

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