

Report of the Interim Director of Planning, Regeneration & Public Realm

Address	THE FORMER VICTORIA PUB AND REAR GARAGE COURT AREAS ACCESSED FROM SANDOW CRESCENT 32 NORTH HYDE ROAD HAYES
Development:	Demolition of existing buildings and erection of 2 blocks of flats comprising 38 units (7 x studio, 6 x 1-bed, 14 x 2-bed and 11 x 3-bed) with 2 disabled parking spaces and vehicular access off North Hyde Road and rear garage court areas accessed from Sandow Crescent.
LBH Ref Nos:	21432/APP/2021/4649
Drawing Nos:	637-CDA-XX-ZZ-DR-A-20-0200 Rev. 07 (Proposed South Block Elevations 000-CDA-DR-A-15-001 Rev. 02 (North Block Unit B2-0-01 Floor Plan 000-CDA-B1-01-DR-A-15-012 Rev. 01 (South Block Unit B1-01-04 Floor Plan) 000-CDA-A-00-DR-A-00-0100 (Location Plan, Aerial 3D Site Image and Existing Elevations) 637-CDA-A-ZZ-DR-A-01-0110 Rev. 01 (Existing Former Public House Plans) Air Quality Assessment, September 2022 (Ref. H3383-AQ-v3) Cover Letter dated 7/10/22 Daylight and Sunlight Report (Neighbouring Properties), dated 3 September 2022 Daylight and Sunlight Report (Within Development), dated 30 September 2022 London Plan Fire Safety Statement, 15 September 2022 Flood Risk Statement and Drainage Strategy, September 2022 (Report Ref 2106060-01A) 637-CDA-ZZ-XX-DR-A-90-0100 Rev. 01 Noise Assessment, September 2022 000-CDA-DR-A-15-005 Rev. 02 (North Block Unit B2-0-05 Floor Plan 637-CDA-XX-XX-DR-A-05-0400 Rev. 04 (Proposed Site Sections Sustainability and Energy Statement, dated 20th September 2022 Transport Statement Addendum, dated 22nd September 2022 Viability Appraisal & Report, dated 7th October 2022 Planning Statement Travel Plan Response to WFMO comments received 22/3/22 Viability Appraisal & Report received 31/3/22 Contaminated Land Risk Assessment, Phase 1 Desk Study Report, dated 3/12/21 Transport Statement, dated 17 December 2021 Urban Greening Factor Calculation Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated 13th December 2021 000-CDA-DR-A-15-002 Rev. 01 (North Block Unit B2-0-02 Floor Plan 000-CDA-DR-A-15-003 Rev. 01 (North Block Unit B2-0-03 Floor Plan 000-CDA-DR-A-15-004 Rev. 01 (North Block Unit B2-0-04 Floor Plan 000-CDA-DR-A-15-006 Rev. 01 (North Block Unit B2-0-06 Floor Plan 000-CDA-DR-A-15-007 Rev. 01 (North Block Unit B2-0-07 Floor Plan

000-CDA-DR-A-15-008 Rev. 01 (North Block Unit B2-01-01 Floor Plan
 000-CDA-DR-A-15-009 Rev. 01 (North Block Unit B2-01-02 Floor Plan
 000-CDA-DR-A-15-010 Rev. 01 (North Block Unit B2-01-03 Floor Plan
 000-CDA-DR-A-15-011 Rev. 01 (North Block Unit B2-01-04 Floor Plan
 000-CDA-DR-A-15-012 Rev. 01 (North Block Unit B2-01-05 Floor Plan
 000-CDA-DR-A-15-013 Rev. 01 (North Block Unit B2-01-06 Floor Plan
 000-CDA-DR-A-15-014 Rev. 01 (North Block Unit B2-01-07 Floor Plan
 000-CDA-DR-A-15-015 Rev. 01 (North Block Unit B2-03-02 Floor Plan
 637-CDA-XX-00-DR-A-00-0100 Rev. 09 (Proposed Site Plan
 637-CDA-XX-XX-DR-A-05-0200 Rev. 09 (Proposed Site Elevations
 000-CDA-DR-A-15-001 Rev. 01 (South Block Unit B1-0-01 Floor Plan
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 000-CDA-DR-A-15-003 Rev. 01 (South Block Unit B1-0-03 Floor Plan
 637-CDA-XX-ZZ-DR-A-20-0100 Rev. 09 (Proposed South Block Floor
 Plans)
 637-CDA-XX-03-DR-A-01-0103 Rev. 11 (Proposed Third Floor Site Wide
 Plan)
 Addendum 2 - Bin Store Calculator
 Addendum 3 - Bin Lorry Access to Refuse Store
 Agent's email dated 3.11.22 Re. Sunlight / Daylight Review
 000-CDA-DR-A-15-004 Rev. 01 (South Block Unit B1-0-04 Floor Plan
 000-CDA-DR-A-15-005 Rev. 01 (South Block Unit B1-01-01 Floor Plan
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 000-CDA-DR-A-15-011 Rev. 01 (South Block Unit B1-03-04 Floor Plan
 Design and Access Statement, January 2023
 637-CDA-XX-XX-DR-A-20-0200 Rev. 07 (Proposed North Block Elevations
 637-CDA-XX-XX-DR-A-20-0100 Rev. 08 (Proposed North Block Ground and
 First Floor Plans)
 637-CDA-XX-XX-DR-A-20-0101 Rev. 08 (Proposed North Block Second and
 Third Floor Plans)
 637-CDA-XX-00-DR-A-01-0100 Rev. 10 (Proposed Ground Floor Site Wide
 Plan)
 637-CDA-XX-01-DR-A-01-0101 Rev. 10 (Proposed First Floor Site Wide
 Plan)
 637-CDA-XX-02-DR-A-01-0102 Rev. 10 (Proposed Second Floor Site Wide
 Plan)
 637-CDA-XX-04-DR-A-01-0104 Rev. 10 (Proposed Roof Level Site Wide
 Plan)

Date Plans Received:	29/12/2021	Date(s) of Amendment(s):	31/03/2022
Date Application Valid:	29/12/2021		22/03/2022
			03/11/2022
			17/03/2023
			01/03/2023
			29/12/2021

1. SUMMARY

This application is for the demolition of the former Victoria Public House building and the garages / buildings in the garage courtyard areas to the rear and erection of 2, part three storey, part four storey residential blocks to provide a total of 38 residential units.

The principle of the development, including the loss of a small amount of industrial / commercial floor space within the garage courtyard areas and the residential use of the site is acceptable. The scheme is also considered to be of an acceptable scale and design, having regard to the need to ensure that efficient use is made of brownfield sites and the two residential blocks have a suitable siting that will ensure that their impact upon neighbouring residential properties is acceptable and that appropriate provision has been made to safeguard the re-development potential of adjoining sites.

The scheme will provide suitable residential accommodation that satisfies relevant standards and provides a good mix and quality of external amenity space. The scheme is acceptable in terms of its impact on trees and will involve the significant greening of the site.

The scheme would be car free, which is considered acceptable on the edge of Hayes town centre, close to the Hayes and Harlington Station.

It is recommended for approval, subject to the recommended S106 Agreement and conditions.

2. RECOMMENDATION

That delegated powers be given to the Interim Director of Planning, Regeneration and Public Realm 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) and Section 278, to secure the following Heads of Terms:

i) 6 Affordable Housing Units, comprising 22 habitable rooms, including 2 shared ownership ownership (8 habitable rooms) and 4 social rented units (14 habitable rooms) to include Review Mechanism (Early and Late Stage; GLA GLA standard wording)

ii) Carbon offset payment of up to £8,114* to secure the necessary CO2 savings required plus a clause ensuring that the applicant undertakes monitoring and reporting of the carbon performance of the buildings in line with the London Plan 'be seen' requirements. This shall also identify triggers and measures to ensure any shortfalls in performance are understood and mitigation is identifiable and deliverable to resolve failures to meet targets. The reporting shall be undertaken annually for 5 years.

*On commencement of development (excluding demolition), the shortfall (where applicable) identified in the Energy Assessment required by the Energy Condition shall form an in lieu contribution to the Council's carbon offset fund at £95/tCO2 annualised over 30 years (i.e. shortfall x 30 x 95 = £contribution).

iii) £33,509 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

iv) Highways: S278/S38 agreement to secure highway works:-

a) Resurfacing of the footway between Hayes Health Centre and the Esso petrol station just east of the site boundary which shall include the removal and reinstatement of the redundant vehicle crossover on the western side of the application site.

b) Residential Parking Permits

Restriction on future occupiers to obtain a parking permit to join any parking management scheme in the vicinity of the site.

v) Employment Strategy and Construction Training - either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is Council's priority. Financial Contribution will only be accepted in exceptional circumstances;

vi) Public Open Space contribution - £50,730

vii) Health Provision contribution - £14,789

viii) Project Management & Monitoring Fee: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 / 278 Agreements 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 Interim Director of Planning, Regeneration and Public Realm), delegated authority be given to the Interim Director of Planning, Regeneration and Public Realm to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development (in respect of highways, travel plan, carbon offsetting and air quality, construction training). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-58 of the National Planning Policy Framework (2021).'

E) That if the application is approved, the following conditions be imposed:

1 RES3 Time Limit

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

REASON

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

2 RES4 Accordance with Approved Plans

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

Sitewide Plans:-

637-CDA-XX-00-DR-A-00-0100 Rev. 09 (Proposed Site Plan)
637-CDA-XX-00-DR-A-01-0100 Rev. 10 (Proposed Ground Floor Site Wide Plan)
637-CDA-XX-01-DR-A-01-0101 Rev. 10 (Proposed First Floor Site Wide Plan)
637-CDA-XX-02-DR-A-01-0102 Rev. 10 (Proposed Second Floor Site Wide Plan)
637-CDA-XX-03-DR-A-01-0103 Rev. 11 (Proposed Third Floor Site Wide Plan)
637-CDA-XX-04-DR-A-01-0104 Rev. 10 (Proposed Roof Level Site Wide Plan)
637-CDA-XX-XX-DR-A-05-0200 Rev. 09 (Proposed Site Elevations)
637-CDA-XX-XX-DR-A-05-0400 Rev. 04 (Proposed Site Sections)
637-CDA-ZZ-XX-DR-A-90-0100 Rev. 07 (Landscape Plan)

South Block Plans:-

637-CDA-XX-ZZ-DR-A-20-0100 Rev. 09 (Proposed South Block Floor Plans)
637-CDA-XX-ZZ-DR-A-20-0200 Rev. 07 (Proposed South Block Elevations)

North Block Plans:-

637-CDA-XX-XX-DR-A-20-0100 Rev. 08 (Proposed North Block Ground and First Floor Plans)
637-CDA-XX-XX-DR-A-20-0101 Rev. 08 (Proposed North Block Second and Third Floor Plans)

Plans)

637-CDA-XX-XX-DR-A-20-0200 Rev. 07 (Proposed North Block Elevations)

Unit Layout Plans:-

South Block:-

000-CDA-DR-A-15-001 Rev. 01 (South Block Unit B1-0-01 Floor Plan)
000-CDA-DR-A-15-002 Rev. 01 (South Block Unit B1-0-02 Floor Plan)
000-CDA-DR-A-15-003 Rev. 01 (South Block Unit B1-0-03 Floor Plan)
000-CDA-DR-A-15-004 Rev. 01 (South Block Unit B1-0-04 Floor Plan)
000-CDA-DR-A-15-005 Rev. 01 (South Block Unit B1-01-01 Floor Plan)
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000-CDA-DR-A-15-010 Rev. 01 (South Block Unit B1-03-03 Floor Plan)
000-CDA-DR-A-15-011 Rev. 01 (South Block Unit B1-03-04 Floor Plan)

North Block:-

000-CDA-DR-A-15-001 Rev. 02 (North Block Unit B2-0-01 Floor Plan)
000-CDA-DR-A-15-002 Rev. 01 (North Block Unit B2-0-02 Floor Plan)
000-CDA-DR-A-15-003 Rev. 01 (North Block Unit B2-0-03 Floor Plan)
000-CDA-DR-A-15-004 Rev. 01 (North Block Unit B2-0-04 Floor Plan)
000-CDA-DR-A-15-005 Rev. 02 (North Block Unit B2-0-05 Floor Plan)
000-CDA-DR-A-15-006 Rev. 01 (North Block Unit B2-0-06 Floor Plan)
000-CDA-DR-A-15-007 Rev. 01 (North Block Unit B2-0-07 Floor Plan)
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000-CDA-DR-A-15-014 Rev. 01 (North Block Unit B2-01-07 Floor Plan)
000-CDA-DR-A-15-015 Rev. 01 (North Block Unit B2-03-02 Floor Plan)

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement, January 2023

Air Quality Assessment, September 2022 (Ref. H3383-AQ-v3)

Cover Letter dated 7/10/22

Daylight and Sunlight Report (Neighbouring Properties), dated 30 September 2022

Daylight and Sunlight Report (Within Development), dated 30 September 2022

London Plan Fire Safety Statement, 15 September 2022
 Flood Risk Statement and Drainage Strategy, September 2022 (Report Ref. 2106060-01A)
 Noise Assessment, September 2022
 Sustainability and Energy Statement, dated 20th September 2022
 Transport Statement Addendum, dated 22nd September 2022
 Viability Appraisal & Report, dated 7th October 2022
 Planning Statement
 Travel Plan Statement dated 17 December 2021
 Contaminated Land Risk Assessment, Phase 1 Desk Study Report, dated 3/12/21
 Transport Statement, dated 17 December 2021
 Urban Greening Factor Calculation
 Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated 13th December 2021
 Addendum 2 - Bin Store Calculation
 Addendum 3 - Bin Lorry Access to Refuse Store
 Right of Light email dated 2.11.22 Re. Sunlight / Daylight Review
 Ardent Emails dated 1/3/23 and 15/3/23

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that the development complies with the objectives of Policies D5, D7, D12, D14, H4, H6, G6, G7, SI 1, SI 2, SI 4, SI 7, SI 13 and T4 of the London Plan (2021) and Policies DMHB 14, DMEI 2, DMEI 7, DMEI 10, DMEI 12, DMEI 14 and DMT2 of the Hillingdon Local Plan Part 2 (2020).

4 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

5 RES7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including detailed design of balconies, windows, doors, window / door reveals and roof parapets 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).

6 RES8 Tree Protection

No site clearance or construction work shall take place until a Tree Protection Plan which incorporates the tree protection recommendations and arboricultural methodology contained within the submitted Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement has been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

7 RES9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Refuse Storage including food waste;
 - 2.b Cycle Storage (68 cycle spaces, including 66 long stay and 2 short stay)

- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (2 disabled persons parking spaces including demonstration that all parking spaces are served by electrical charging points)
- 2.e Hard Surfacing Materials
- 2.f External Lighting
- 2.g Other structures (such as play equipment and furniture, to include a 245sqm play area)
- 3. Living Walls and Roofs
 - 3.a Details of the inclusion of living walls and roofs
 - 3.b Justification as to why no part of the development can include living walls and roofs
- 4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation
- 6. Other
 - 6.a Existing and proposed functional services above and below ground
 - 6.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies DMHB 11, DMHB 12, DMHB 14, DMHB 19, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

8 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990

9 NONSC Replacement Access Detail

Notwithstanding the access junction details shown on the Proposed Site Plan, (Drw. No. 637-CDA-XX-00-DR-A-00-0100 Rev. 09 refers), revised plans showing the removal of the triangular feature indicated on the access road bell mouth where it intersects with North Hyde Road and its replacement with standard 'Give Way' junction road markings shall be submitted to and approved by the Local Planning Authority.

The development shall be implemented in accordance with the revised details.

REASON

To ensure that development proposals do not prejudice highway safety, in accordance with Policy T4 of the London Plan (2021) and Policy DMT 2 of the Hillingdon Local Plan Part Two 2 (2020).

10 NONSC Service and Delivery Plan

The access gates shall not be installed until a Delivery and Servicing Plan (DSP) has been submitted to, and approved in writing by, the Local Planning Authority that demonstrates how delivery and servicing vehicles would be afforded appropriate access to the site and that an appropriate level of servicing space is provided on site for the different operations.

The development shall be implemented in accordance with the approved details.

REASON

To ensure that delivery and service vehicles to the site have efficient access arrangements that would prevent the need for vehicles to queue and block the adjoining public highway, in accordance with Policies T4 and T7 of the London Plan (2021) and Policy DMT 2 of the Hillingdon Local Plan Part Two 2 (2020).

11 NONSC Fire Evacuation Lift Condition

The development hereby approved shall accord with London Plan policy D5(B5) and D12(A) to include a minimum of one fire evacuation lift per block designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, as shown in the Fire Safety Statement, received 7/10/22. The required evacuation lift shall serve all floors and remain in place for the life of the development.

REASON:

To ensure the development provides reliable, convenient and dignified means of escape for all building uses in accordance with Policies D5 and D12 of the London Plan (2021).

12 NONSC Accessible Play Equipment

Prior to occupation, the type and location of accessible play equipment for disabled children, to include sound tubes, colour and lighting canopies, and/or other play equipment that can stimulate the olfactory senses, shall be submitted to, and approved in writing, by the Local Planning Authority.

The play equipment shall be installed in accordance with the approved details.

REASON:

To ensure the development provides inclusive play for all children, including those with complex multiple disabilities, in accordance with Policy D5 of the London Plan (2021).

13 NONSC Energy Condition

Prior to commencement of development (excluding demolition), a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall accord with the requirements of the London Plan (policy SI2) and the GLA Energy Assessment Guidance (April 2020 or as amended) and demonstrate that the energy and sustainability statement (Maven, 20 September 22) target of 92% reduction will be achieved in the development. The assessment shall clearly identify the baseline energy demand and associated carbon emissions in accordance with the prevailing building regulation requirements. The assessment shall then clearly define (including plans and specifications) the 'be lean', 'be clean' and 'be green' measures to demonstrate that the development will meet the minimum onsite carbon savings of 92%.

The Energy Assessment shall also provide details of the 'be seen' recording and reporting measures to be agreed in writing by the Local Planning Authority. The 'be seen' measures must comply with the requirements of London Plan Policy SI2 and demonstrate that the 'onsite saving' is being achieved in perpetuity.

The development must proceed and be operated in accordance with the approved details.

REASON

To ensure the development's regulated energy demand doesn't contribute to CO2 emissions in accordance with Policy SI2 of the London Plan.

14 NONSC Overheating Condition

Prior to commencement of superstructure works, a final Overheating Strategy, based on the submitted Sustainability and Energy Statement, dated 20/9/22 shall be submitted to and approved in writing by the Local Planning Authority. The submission shall demonstrate how the development will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- 2) minimise internal heat generation through energy efficient design;
- 3) manage the heat within the building including where possible through exposed internal thermal mass and high ceilings;
- 4) provide passive ventilation;
- 5) provide mechanical ventilation; and
- 6) provide active cooling systems.

The approved details shall thereafter be implemented and retained for the lifetime of the development.

REASON

To demonstrate that the final strategy will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy and Policy SI 4 of the London Plan (2021).

15 RES15 Sustainable Water Management (changed from SUDS)

No development approved by this permission shall be commenced until a scheme for the

provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy SI5 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policy SI5 of the London Plan (2021).

16 NONSC Contamination Condition

(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 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

(b) 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) of the Hillingdon Local Plan: Part 2 (January 2020).

17 COM31 Secured by Design

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000 to ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan Part 2 and Policies D11 and D12 of the London Plan (2021).

18 NONSC Gate details

Prior to their installation, full details of the design, height, functioning and maintenance of the vehicular and pedestrian access gates shall be submitted to and approved by the Local Planning Authority.

The gates shall be installed and maintained in accordance with the approved details.

REASON

To ensure that the gates present a satisfactory appearance and provide appropriate access into and out of the site, in accordance with Policies DMHB 11 and DMT 2 of the Hillingdon Local Plan Part 2 (2020).

19 NONSC Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with Heathrow Airport Ltd. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason

It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with Policy DMAV 1 of the Hillingdon Local Plan Part 2 (2020) .

20 NONSC Privacy Screen Details

Full details of side privacy screens to be installed on the roof terraces and balconies to protect the privacy of adjoining residents shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details.

REASON:

To ensure that residents within and adjoining the development are not overlooked and have adequate levels of privacy, in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

21 NONSC Internal Noise Level

For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 8hrs between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.

REASON:

To ensure that residents are not exposed to excessive noise, in accordance with Policy D14 of the London Plan (2021).

22 NONSC Non Standard Condition

No development shall commence until a Control of Dust and Emissions from Construction and Demolition Plan has been submitted to, and approved in writing by the LPA. This must demonstrate compliance (drawn up in accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

The development shall be carried out in strict accordance with the agreed plan.

REASON:

In order to safeguard air quality during demolition and construction works, in compliance with Policy SI 1 of the London Plan (2021).

23 NONSC NRMM Condition

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition"

dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

Reason:

In order to safeguard air quality during demolition and construction works, in compliance with Policy SI 1 of the London Plan (2021) and London's Low Emission Zone for non-road mobile machinery as per the requirements of the London Environment Strategy.

24 OM19 Construction Management Plan

Prior to the commencement of the development hereby approved (including demolition), a Demolition and Construction Logistics Plan (DLP/CLP) and a Demolition and Construction Management Plan (DMP/CMP) shall be submitted to, and approved in writing by, the Local Planning Authority, to minimise impacts to the local highway network, and to control noise, vibration and air pollutants generated as a result of the construction process. These documents shall be prepared in accordance with the London Freight Plan, 'The control of dust and emissions from construction and demolition' Supplementary Planning Guidance, BRE Pollution Control Guides 'Controlling particles and noise pollution from construction sites' and 'Controlling particles, vapour and noise pollution from construction sites'.

The DLP/CLP and DMP/CMP shall include details of (but shall not necessarily be limited to):

- (i) a programme of works, including hours of construction;
- (ii) the measures for traffic management and encouragement of sustainable modes of transport for workers, including prohibition of construction vehicles parking on the local highway network within the vicinity of the application site;
- (iii) the haulage routes and details of a vehicle booking system including use of a banksman (if applicable), ensuring construction deliveries are received outside peak hours;
- (iv) any closures of public routes and diversions, demonstrating how time spent closed to the public has been minimised;
- (v) the provision of secured restricted access as the sole means of entry to site for cyclists along with a secured turnstile entrance for pedestrians;
- (vi) a site plan identifying the location of the site entrance, exit, visibility zones, wheel washing, hard standing, hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting), stock piles, dust suppression, location of water supplies and location of nearest neighbouring receptors;
- (vii) the loading, unloading and storage of equipment, plant, fuel, oil, materials and chemicals;
- (viii) details of cranes and other tall construction equipment (including the details of obstacle lighting);
- (ix) the means to prevent deposition of mud on the highway and chemical and/or fuel run-off from into nearby watercourse(s);
- (x) a dust risk assessment, including means to monitor and control dust, noise and vibrations, following the published guidance by The Institute of Air Quality Management (IAQM) on how to assess impacts of emissions of dust from demolition and construction sites.
- (xi) the likely noise levels to be generated from plant and construction works and the precautions set out to eliminate or reduce noise levels where the operational risk levels

illustrated within The Control of Noise at Work Regulations 2005 could be exceeded;

- (xii) confirmation that a mobile crusher will/won't be used on site and if so, a copy of the permit and intended dates of operation;
- (xiii) confirmation of all Non-Road Mobile Machinery (NRMM) to be used, or a statement confirming that NRMM will not be used. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560 kW shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" and must be registered at <http://nrmm.london/>;
- (xiv) an asbestos survey and management plan; and
- (xv) the arrangement for monitoring and responding to complaints relating to demolition and construction.

and, for the avoidance of doubt:

- (i) all Heavy Goods Vehicles associated with the development shall comply with the Direct Vision Standard, with a rating of 3 stars (or more).
- (ii) all deliveries to the site, particularly Heavy Goods Vehicles, shall be made using vehicles which have a Class VI mirror fitted in accordance with EU directive 2007/38/EC;

The development hereby approved shall be implemented in accordance with the approved DLP/CLP and DMP/CMP.

REASON

To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway, to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties, in accordance with Policies DMT 1, DMT 2, and DMEI 14 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies D14, SI 1, T4, and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Development Management Policies (2020).

25 NONSC Non Standard Condition

Prior to any above ground works for the development hereby approved (excluding demolition), a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and approved in writing by, the local planning authority. The BEMP shall demonstrate how the development hereby approved shall seek to maximise the delivery of on-site biodiversity improvements, including through the delivery of new trees, flower-rich perennial planting, mature shrubs, green roofs and walls, and bird or bat boxes.

In addition, the proposal shall achieve an Urban Greening Factor (UGF) of at least 0.40.

The development shall thereafter be implemented in accordance with the approved BEMP.

REASON

In order to encourage a wide diversity of wildlife on site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies G5 and G6 of the London Plan (2021).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

NPPF2	NPPF 2021 - Achieving sustainable development
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF8	NPPF 2021 - Promoting healthy and safe communities
NPPF9	NPPF 2021 - Promoting sustainable transport
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
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 GG6	(2021) Increasing efficiency and resilience
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 D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP H1	(2021) Increasing housing supply
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP H8	(2021) Loss of existing housing and estate redevelopment
LPP H10	(2021) Housing size mix
LPP E2	(2021) Providing suitable business space
LPP E11	(2021) Skills and opportunities for all
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP S11	(2021) Improving air quality

LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI4	(2021) Managing heat risk
LPP SI5	(2021) Water infrastructure
LPP SI7	(2021) Reducing waste and supporting the circular economy
LPP SI13	(2021) Sustainable drainage
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T9	(2021) Funding transport infrastructure through planning
DME 2	Employment Uses Outside of Designated Sites
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
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
DMHB 19	Play Space
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 2	Reducing Carbon Emissions
DMEI 3	Decentralised Energy
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMCI 4	Open Spaces in New Development
DMCI 5	Childrens Play Area
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMAV 1	Safe Operation of Airports

3 I70 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

4 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

5 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).

6 I4 Neighbourly Consideration - include on all residential exts

You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

7 I6 Property Rights/Rights of Light

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

8 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.

9 I70 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

10 I73 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. 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.

11

The Bird Hazard Management Plan to be submitted (Condition) must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

12

Given the nature of the proposed development, it is possible that a crane may be required during its construction. The applicant's attention is therefore drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

All crane applications should be sent to Heathrow's Works Approval Team via the following address:

Airside_Works_Approvals@heathrow.com

13

The Council's Waste Services advise that provision should be made for recycling with the individual waste containers supplied. Containers are preferred to be metal and coloured green for general waste, and black for dry mixed recycling. These can be purchased or hired directly from Hillingdon's recycling team or sourced elsewhere.

3. CONSIDERATIONS

3.1 Site and Locality

The 0.36ha. application site is an irregular shaped site situated on the north east side of North Hyde Road, some 110m to the east of its traffic lighted junction with Station Road to the south of Hayes town centre. The site comprises two elements, the converted former Victoria Public House and its rear car park and the garage courtyard areas behind.

The former public house building is 2-storeys in height and is of a traditional design with a pitched roof and red brick / white rendered elevations and a pitched roof single storey projecting rear wing which fronts and is accessed from North Hyde Road and now provides 7 residential units. To the rear of this, are two single storey garage courtyards that would have historically served as garage space for the surrounding residential dwellings and are accessed from Sandow Crescent to the east via a narrow access way. Some of the garage courtyard buildings are larger than the domestic sized garages and many of these have been used to provide various commercial uses in the past, although many of the buildings and garages now appear to be currently vacant and have fallen into disrepair. The site also includes an overgrown footpath that runs along the western boundary on the northern part of the site that links with Nestles Avenue.

The site is mainly surrounded by residential development, with two storey properties mainly in use as flats / maisonettes adjoining the site to the north on Nestles Avenue and to the east on Sandow Crescent. To the south, on the opposite side of North Hyde Road are mainly two storey houses. To the west is a three storey flatted block, with a health centre and children's nursery to the north west, which front Old Station Road. There is also an electricity sub-station located adjacent to the north west corner of the site which is accessed from within the site via the access from Sandow Crescent.

The site is located within an established residential area of Hayes and is within walking distance of Hayes and Harlington Station. The application site falls within the Hayes Opportunity Area identified within the London Plan (2021). The application site is located within the Hillingdon Air Quality Management Area, the Hayes Air Quality Focus Area and is potentially contaminated.

3.2 Proposed Scheme

This application is for the demolition of the existing buildings on site and erection of 2 x part three, part four storey flatted blocks, comprising a total of 38 units (7 x studio, 6 x 1-bedroom, 14 x 2-bedroom and 11 x 3-bedroom). The southern block would front North Hyde Road and provide 16 units, 4 on each floor, with the northern block to the rear, providing 22 units, 7 on each of the lower floors, with a single unit on the third floor. The blocks would have flat roofs, with the upper floor on each block being recessed and the flat roof areas would mainly provide green roofs incorporating photovoltaic panels.

Vehicular access to the site would be from North Hyde Road on the eastern side of the site which would be gated with a separate pedestrian access and the development would essentially be car free, with 2 disabled parking spaces being provided towards the end of this access which would terminate approximately halfway along the site's eastern boundary. The existing vehicular access to the rear of the site from Sandow Crescent would be retained, although this would only serve the retained electricity sub-station. The disused footpath that links the northern part of the site with Nestles Avenue that runs along the western side of the site would be re-instated, but again it would be gated at its northern end.

All the units would have their own garden / balcony / roof terrace space and communal amenity space would be provided between the blocks including a children's play area and a multi use 'home zone' area that would provide a kick about / games area as well as serving as the access to the disabled person parking spaces.

The scheme has been amended and as originally submitted was for 41 units.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is various planning history on this site and its component parts:-

Victoria Public House:

An application (21432/APP/2015/2629 refers) for the conversion of public house (Use Class A4 - Drinking Establishments) to 5 x 1 bedroom and 2 x 2 bedroom self-contained flats (Use Class C3) was approved on 10/11/15.

Rear Courtyard Area only:

An application (879/APP/2017/1462 refers) for the re-development of the rear courtyard area to provide 7 x 3-bedroom dwellings with associated parking and amenity space was refused on 3/10/17 as firstly, it was considered that the proposed existing access from Sandow Crescent was inadequate to serve the development, secondly that the proposed units were unsatisfactory and substandard and thirdly that the scheme was inefficient development that failed to safeguard the satisfactory development of adjoining sites.

A similar application (66133/APP/2018/540 refers) for 7 x 3-bedroom dwellings with associated parking and amenity space was refused on 3/10/17 for the same first and third reasons of 879/APP/2017/1462 above and a subsequent appeal was dismissed on 1/7/19 on these two grounds.

A further application (879/APP/2018/3557 refers) to re-develop the site for 5 x 3-bedroom, two storey, attached dwelling houses and erection of a two storey building to include 2 x 1

bedroom and 1 x 2 bedroom self-contained flats with associated parking, landscaping and amenity space was refused on 15/7/19 for identical reasons to 66133/APP/2018/540.

4. Planning Policies and Standards

Development Plan

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

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

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

Material Considerations

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

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.E7 (2012) Raising Skills
PT1.H1 (2012) Housing Growth
PT1.H2 (2012) Affordable Housing
PT1.BE1 (2012) Built Environment
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM4 (2012) Open Space and Informal Recreation
PT1.EM6 (2012) Flood Risk Management
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

NPPF2 NPPF 2021 - Achieving sustainable development
NPPF5 NPPF 2021 - Delivering a sufficient supply of homes
NPPF8 NPPF 2021 - Promoting healthy and safe communities
NPPF9 NPPF 2021 - Promoting sustainable transport
NPPF11 NPPF 2021 - Making effective use of land

NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
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 GG6	(2021) Increasing efficiency and resilience
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 D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP H1	(2021) Increasing housing supply
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP H8	(2021) Loss of existing housing and estate redevelopment
LPP H10	(2021) Housing size mix
LPP E2	(2021) Providing suitable business space
LPP E11	(2021) Skills and opportunities for all
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP SI1	(2021) Improving air quality
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI4	(2021) Managing heat risk
LPP SI5	(2021) Water infrastructure
LPP SI7	(2021) Reducing waste and supporting the circular economy
LPP SI13	(2021) Sustainable drainage
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts

LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T9	(2021) Funding transport infrastructure through planning
DME 2	Employment Uses Outside of Designated Sites
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
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
DMHB 19	Play Space
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 2	Reducing Carbon Emissions
DMEI 3	Decentralised Energy
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMCI 4	Open Spaces in New Development
DMCI 5	Childrens Play Area
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMAV 1	Safe Operation of Airports

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **2nd March 2022**

5.2 Site Notice Expiry Date:- **9th March 2022**

6. Consultations

External Consultees

ORIGINAL 41 UNIT SCHEME:

69 neighbouring properties were consulted on the original application submission on 31/1/22, and the application was advertised in the local press on 9/2/22 and 3 site notices dated 9/2/22 were put up around the site on 3/2/22, with the last consultation period closing on 2/3/22. 8 responses were received, making the following comments:-

Character

(i) The height of the building is excessive and not in character with the surrounding 2 storey properties in North Hyde Road, Nestles Avenue & Sandow Crescent. The proposal will be a blot on the landscape and look like a concrete/brick jungle. In order to maintain the visual amenity and remain in keeping with neighbouring buildings, proposal should only be 2 stories high plus roof garden.

(ii) The proposed development has now increased from 7 houses to 41 units. There is a huge housing development on the old Nestles factory just yards from Sandow Crescent and directly opposite the entrance to the Crescent yet another one. Building on such large expanses of land is understood, but to build flats on a small piecemeal plot of land in the middle of a residential area of 2 storey houses is just not acceptable, as well as being unnecessary and impracticable, given the size and location of the site.

Highway Issues / Parking

(iii) This area of Hayes already has a huge shortage of adequate parking and local area is already overcrowded with vehicles and commuters for Hayes and Harlington station parking and causing a nuisance in surrounding streets. The amount of parking proposed, with just 5 disabled parking spaces serving 41 flats is not going to work, loading / turning space will be blocked and the problem pushed onto the surrounding roads. Sandow Crescent in particular has a major parking problem as there are currently 11 parking spaces for the 16 properties and once the garages are no longer available, there will be even less space,

(iv) The access route for heavy goods vehicles and all types of Emergency/NHS/Delivery vehicles is very restricted, particularly on Sandow Crescent which is a very narrow road and not substantial enough to accommodate such traffic,

(v) North Hyde Road is already exceedingly busy from the approved development in Nestles Avenue and it and surrounding streets will become even more congested affecting safety and risk of accidents,

(vi) If the alleyway in Sandow Crescent that currently leads to the garages is used by any vehicles, it will become a rat run to avoid the 4-way traffic system at the junction of North Hyde Road & Station Road. Would it possible for access to the electricity substation to be granted from the North Hyde Road entrance and could the alleyway please be narrow enough that a vehicle could not pass,

(vii) We currently have residents parking with the control hours being Monday - Friday 9am to 5pm. This was granted as people were parking for the station during working hours. We would need reassurance that residents of the proposed development would not be able to apply for residents parking in Sandow Crescent. We would also request the restriction hours are increased to 24 hours and 7 days a week and be enforced on a 24/7 basis,

(viii) If permission is granted, construction work on the weekend may result in additional on-street parking by construction workers as parking is only currently controlled from Monday to Friday.

(ix) For the social housing proportion, if families have 2 or 3 cars, Council would still allocate them a flat in a complex with no parking spaces,

Amenity

(x) Proposal will result in loss of light and overshadowing, particularly to Asa Court directly to the west in the mornings and during the winter months and to rear gardens of properties in Sandow Crescent.

(xi) The proposal with 4 floors, including terraces and balconies will result in overlooking and a loss of privacy to adjoining properties, particularly those flats on the eastern side of Asa Court which will be directly overlooked, together with the car park and properties in Sandow Crescent, especially with

their rear garden/kitchen windows facing the development. Nobody wants to be overlooked to this extent,

(xii) Development is literally in our back garden,

(xiii) Construction times and associated noise and pollution from the demolition and rebuild of the development will have a great effect on the environment and detrimentally effect the lives of local inhabitants, particularly those on Sandow Crescent, with works being at the rear. This will be difficult for the Council to monitor/control,

(xiv) Noise, disturbance and pollution will result from the use, particularly bearing in mind that majority of properties are rented out and some properties in area already have more than one family living in a small 2 bedroom maisonette so that the amount of people and noise pollution that proposal will bring to the area may rise increasingly and to an intolerable level,

(xv) Proposed use of cobbles at the rear of properties on Sandow Crescent will increase noise, particularly as there is potential for cars to come and go at all hours of the day and night,

(xvi) Hazardous materials pose a threat,

(xvii) We will no longer be able to look across at trees and wildlife,

(xviii) Proposal will exacerbate problems of rubbish, which is often left on the streets for collection and attract vermin.

(xix) Proposal is causing anxiety and will result in mental health issues within our streets.

Other

(xx) Social housing tenants can be difficult to cope with and can be quite challenging,

(xxi) It is not clear how our properties will be separated from the development apart from Pleached Trees. This is a health and safety issue which needs to be addressed.

(xxii) There is no need for these dwellings to be build, as the surrounding area is already being overdeveloped, with Barratt building in excess of 1500 units, Bellway have built 175, Crest Nicholson are building 200 and more are expected within the next 5 years from various other developers.

(xxiii) Residents' concerns need to be taken into consideration,

(xxiv) Disappointed that I was not contacted by post of the proposed plans.

REVISED 38 UNIT SCHEME:

Following the receipt of revised plans and documentation, a further 14 day consultation period was undertaken on 11/10/22, with an expiry date of 24/10/22. 3 responses have been received from neighbours, raising the following concerns:-

Highway Issues / Parking

(xxv) Although the development would not be for car owners as there are now only 2 disabled parking places within the development, I would still like some reassurance that the residents of Sandow Crescent will not be impacted by residents of the proposed development or their visitors parking in Sandow Crescent as already difficult,

(xxvi) North Hyde Road is very congested most of the day and additional traffic that will arise will make situation worse for local residents,

Amenity

(xxvii) The planned building will directly block sunlight in the mornings,

(xxviii) The planned building will directly overlook Asa Court giving a loss of privacy,

(xxix) I understand that the garage access road from Sandow Crescent cannot be closed as access is needed for the electricity substation. Although the access road will be gated that is only reliable if the current undesirables don't know the code. Would it be possible for CCTV to be installed in the access road to prevent anti-social behaviour,

(xxx) The noise and pollution due to the demolition will inevitably give rise to disturbance for local residents,

Other

(xxxi) Since a security team were removed from the Sandow Crescent garages we have had nothing but problems with drug dealing and anti-social behaviour,
(xxxii) When a garage roof was hanging by a thread during the high winds we couldn't contact anyone and had to ask the planning agent to advise owners. He did this for us but doesn't make me feel comfortable that the owners of the property will be at all interested if there are problems during or after the development.
(xxxiii) There are a large number of flats etc being built in the Hayes / Uxbridge area and this development is an unnecessary addition,
(xxxiv) My family's concerns provided in a letter on the original scheme need to be taken into account.

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

HEATHROW AIRPORT:

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

Information

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season

gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We will need to object to these proposals unless the above-mentioned condition is applied to any planning permission.

We would also make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

All crane applications should be sent to Heathrow's Works Approval Team via the following address

Airside_Works_Approvals@heathrow.com

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

METROPOLITAN POLICE SECURE BY DESIGN OFFICER:

I do not object to the installation of gates for residents, providing it is 2.1m tall, suitably robust, and cannot be easily bypassed/climbed owing to the properties that it will be adjoining, and needs to self close and lock - furthermore it needs to be fobbed both ways if this is deemed a fire route and emergency egress is required this would result in the gate not being secured in one direction - in which case I do not support this proposal and refer back to my preference of not opening up this path way.

In relation to the general application I request that a planning condition is attached that Secured by Design accreditation is achieved to ensure that the site is safe and has the minimum amount of security installed for the risk of crime that it will face in this locality.

LONDON FIRE BRIGADE:

The London Fire Brigade (LFB) has been consulted with regards to the above-mentioned premises and have no further observations to make. It should be ensured that if any material amendments to this consultation is proposed, a further consultation may be required.

Other comments:

The Applicant is advised to ensure the plans conform to Part B of Approved Document of the

Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

I also enclose Guidance note 29 on Fire Brigade Access similar to that in B5 of the Building Regulations, Particular attention should be made to paragraph 16, Water Mains and Hydrants, by the applicant.

If there are any deviations from the guidance in ADB) vol 1 and 2: B5 Access and facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office (water@london-fire.gov.uk) to discuss the proposed provision.

If there are any deviations to Brigade access and facilities, then this information needs to be provided to Fire Safety Regulation (FSR-AdminSupport@london-fire.gov.uk) to review the proposed provision.

Once we have received this information then the LFB can provide a response on the consultation. advice in regard to hydrants upon receipt of an appropriate site plan showing premises layout, access to it, and water supply infrastructure if available.

Any queries regarding this letter should be addressed to FSR-AdminSupport@london-fire.gov.uk if you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

SCOTTISH AND SOUTHERN ELECTRICITY:

No response.

EXTERNAL DAYLIGHT / SUNLIGHT CONSULTANT (SUMMARY):

Whilst AY are generally in agreement with the approach, scope and methodology used there are two clarifications recommended below.

AY recommend clarification is sought as to the information used constructing the 3D context model.

AY recommend that all sensitive neighbouring properties are included within the No Sky Line analysis and contour plots provided regardless of whether floor plans have been obtained.

Regarding the internal daylight and sunlight report, AY are satisfied with the methodologies implemented and the schemes internal daylight and sunlight amenity performance.

OFFICER COMMENT: Clarifications have been provided by the Applicant team and the Councils external consultants are satisfied with the clarification.

EXTERNAL VIABILITY CONSULTANT (SUMMARY):

Our view is that based on our analysis above the affordable provision is 18% with a 70:30 split between social rent and shared ownership housing. This reflects the conservative assumptions above regarding land transactions..

EXTERNAL DRAINAGE CONSULTANT (SUMMARY):

We object to the application for the following reason:

- The required storage volume calculations and MicroDrainage calculations have been based upon the proposed impermeable area and not the whole site area.

To address the above, please can the applicant submit information which:

- Amends the calculations so the whole site area is included.

(OFFICER COMMENT: The above details have been conditioned.)

Internal Consultees

COMMENTS ON REVISED PLANS:

POLICY OFFICER:

In regards, to the new consultation, whilst the housing mix has been altered slightly, I do not consider this would change the conclusion of the previous comments provided.

Policy Officer's previous comments provided on the original scheme:-

Principle of Development

The applicant has confirmed that the site current consists of the following uses:

- 7 self-contained dwellings - C3 (406 sqm)
- 4 terraces of garages used for ancillary residential storage - C3 (371 sqm)
- 4 office / light industrial units - E (g)(i) or (g)(iii) (314 sqm)

The proposal would result in the loss of residential units. However, this is part of an overall net increase in residential floorspace and therefore would be acceptable. There is no policy that protects garages for ancillary residential storage.

The proposal would result in the loss of commercial units formerly used as office and light industrial units in Sandow Industrial Estate. Part of the site is therefore a non-designated industrial site, as it compromises uses included within Policy E4 Part A of the London Plan (2021). Policy E7 outlines that residential development on non-designated industrial sites should only be supported where:

- 1) there is no reasonable prospect of the site being used for the industrial and related purposes set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function; or
- 2) it has been allocated in an adopted local Development Plan Document for residential or mixed-use development; or
- 3) industrial, storage or distribution floorspace is provided as part of mixed-use intensification (see also Part C of Policy E2 Providing suitable business space).

The proposal does not comply with criterion 2) and 3). The applicant has submitted the following relevant comments in terms of justifying the loss of non-designated industrial floorspace in relation to criterion 1):

- The 'employment' part of the site is very small, equating to less than 20% of the overall site area, and is landlocked by the garages to the north and the converted public house to the south. It would therefore be impractical to try and redevelop this part of the site for any meaningful employment use, particularly given the narrow width of the access and residential character of Sandow Crescent. Moreover, the site is of insufficient size, shape, or dimension to make for any meaningful redevelopment and allow service vehicles to enter and exit the site in forward gear;

- The buildings have been vacant for several years and are in poor condition such that it would not be viable to reinvest into the buildings to bring them up to lettable standard, particularly given the poor rental values that would be achieved given the sites isolated location and constrained access;

The Case Officer should come to a view, based on their site assessment, as to whether the above is accurate. However, the argument put forward is logical and it does not seem plausible that the site will be brought back into a formalised industrial use. Typically, marketing evidence would be required to demonstrate no reasonable prospect of future use, however this could be avoided on this scheme due to the small scale of the floorspace and comments above. Please note that the applicant's comments on the poor quality of the units should be provided to the financial viability consultant to assist in assessing the existing use value of the site.

Comprehensive Development

Policy DMHB 11 of the Local Plan: Part 2 (2020) outlines that development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. 157 Old Station Road is a large low-density plot to the west of the applicant's site with development potential. The applicant should provide a drawing demonstrating 21m distances from habitable windows and balconies on the western elevation, to hopefully demonstrate that 157 Old Station Road would not be required to include an onerous setback if it were redeveloped.

Affordable Housing

The site is required to deliver affordable housing. A calculation is required to work out what proportion of the site is non-industrial floorspace. This proportion will be required to achieve 50% affordable housing by habitable room, with the remainder of the site required to achieve 35%. The affordable housing itself does not need to be delivered on a particular proportion of the site and can be spread as appropriate.

The applicant has submitted a financial viability assessment that will be reviewed.

Housing Size Mix

The proposed housing size mix is as follows:

- 4 x Studio
- 7 x 1 Bedroom
- 20 x 2 Bedroom
- 10 x 3 Bedroom

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need. Policy DMH 2 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial

borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

Family housing is defined within the glossary of the London Plan (2021) and outlines it must generally be of a size that has three or more bedrooms. It is worth noting that the Secretary of State directed changes to Policy H10, in order address the need for new family housing, to prevent families from being forced to move outside of London. These changes were incorporated into the final version of the London Plan (2021).

In terms of factors specific to a site, Policy H10 also includes a need to consider, the mix of uses in the scheme, the range of tenures in the scheme and the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

The proposal is partly contrary to Policy DMH 2 in so far as it does not reflect the latest information on housing need in full. In terms of the site-specific factors that may allow such a contradiction, the site has a high PTAL rating (4-5) and would only be a 3-4 minute walk from the new Crossrail Station at Hayes & Harlington. The site is also close to the shops and amenities within Hayes town centre.

Noting the above, it is consider that the proposal would comply with the housing size mix policies in the Development Plan.

CONSERVATION / URBAN DESIGN OFFICER:

The following comments relate to amended drawings / Design and Access received 10th October 2022. The development has now been reduced from 41 to 38 Units.

The amended drawings have taken into consideration previous design concerns outlined within previous comments dated 6th June 2022.

The concerns over the top-heavy appearance of the third storey of Block 1 has been addressed by increasing the setback and increasing the roof parapet height. This has visually decreased the height of the top storey improving the proportions of the building. The block now sits more quietly within the street scene.

The parking and public footpath at the front of Block 1 have now been removed allowing for a much-improved landscaping scheme that incorporates trees, soft planting and front boundary hedging. These are significant improvements that will provide an attractive setting for the development in direct views from the junction opposite as well as in oblique views along North Hyde Road.

Previous concerns raised over Block 2 were over the cramped nature of the development which was exacerbated by the block being 3 part four-stories in height which had an overbearing impact on the adjacent two-storeys maisonettes. This relationship has now been improved with the reduction on residential units and the proposed three storeys with setback fourth floor unit is now much more discreet and considered acceptable.

Concerns had also been raised with the potential future redevelopment of 157 Old Station Road (surgery) as the development had not taken into account a 21 metre separation distance between (potential) habitable rooms. The development has now been set back further from the boundary and provides the necessary separation distances. This has also increased the soft landscaping and improved amenity space to the ground floor units and the setting of the development as a whole.

The proposed architectural language of the facades is considered acceptable and would sit

comfortably with the existing built context. The primary palette of materials of brick along with articulation and richness to the facade would add visual interest to the street scene and are generally considered to be of high standard of design.

The detailed design of the blocks, the choice of materials and the quality of workmanship will be important factors in the success of the scheme and could be controlled by relevant conditions should the application be minded or approval.

No objection to the proposals subject to conditions controlling all external materials; detailed design of balconies, windows, doors, window / door reveals and roof parapets; hard and soft landscaping details.

HIGHWAY ENGINEER:

An application has been received seeking planning permission to demolish the former Victoria public house and construct 2no. blocks of flats in its place comprising 7no. studio, 6no. one-bed, 14no. two-bed and 11no. three-bed units, 38no. in total. The application site is situated on the north side of North Hyde Road, Hayes just on the edge of the town centre providing reasonable access to a range of shops, services, facilities, and transport opportunities. North Hyde Road forms part of the Hillingdon classified road network and is a bus route. North Hyde Road has footways and street lighting on both sides of the carriageway, it has a 30mph speed limit.

The development would be car-free apart from 2no. blue badge/accessible parking spaces, the applicant has provided plans showing how the number of blue badge/accessible spaces could be increased by a further 2no. spaces in response to demand. These car parking spaces would be situated in a courtyard.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location considering service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 5 indicating access to public transport is good compared to London as a whole suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The published London Plan (2021) Policy T6.1 Residential Parking requires that development proposals must comply with the relevant parking standards. For a development in a location with a PTAL ranking of 5 with the unit mix proposed the London Plan requires that the development is car-free, the proposal is in accordance with this policy.

The published London Plan 2021 Policy T6.1 Residential Parking requires that disabled persons parking should be provided for new residential developments delivering 10no. or more units. As a minimum it requires the Highway Authority to ensure that for 3% of dwellings, at least 1no. one designated disabled persons parking bay per dwelling is available from the outset. For this development this would be 1no. space to be provided prior to occupation with provision for a further 3no. in response to demand, 4no. spaces in total. As the development would provide 2no. spaces upon first occupation with scope to increase provision by a further 2no. the development is in accordance with these standards.

There would be 56no. cycle parking bays located across 2no. cycle stores, 3no. flats would provide with 2no. bays each. The overall total of long stay parking for residents would be 62no. bays. In

addition to this there would be 6no. short-stay larger cycle parking bays for visitors.

Whilst the published London Plan 2021 Policy T5 Cycling would require 66no. long-stay cycle parking spaces, this development would have a shortfall of just 4no. spaces which is considered insignificant, the 62no. long-stay spaces proposed is accepted. Policy T5 would require a minimum of 2no. short-stay cycle parking spaces, the 6no. proposed is therefore in accordance with this standard.

The main access to the proposal would be via a gated single-track driveway situated immediately on the eastern flank of the proposal site. This access would have two gates that would operate independently of each other, one for pedestrians and one for vehicles. The Highway Authority notes that the driveway is not wide enough to two vehicles to pass but is not unduly concerned about this taking into account it provides access to just 2no. car parking spaces. Swept path drawing have been provided that show a refuse vehicle could enter and leave the site in a forward gear. As well as this vehicular site access there are also pedestrian/cycle access from the northern boundary of the site accesses on to Sandow Crescent and Nestle Avenue.

On the western side of the site there would be a second vehicle crossover leading to a vehicle hardstanding. Leading from this driveway would be a footway to the main entrance of the development. The Highway Authority is concerned that visitors and delivery/servicing vehicles will park on this driveway, this raises highway concerns as it is anticipated that drivers would leave by reversing onto North Hyde Road which would present a risk to road safety and impede the free flow of traffic. The Highway Authority require that the applicant submits revised plans showing this hardstanding removed with a footway provided in its place instead. The Highway Authority also requires that the developer enter a 1990 Town and Country Planning Act legal agreement obliging the developer to reinstate the redundant vehicle crossover. The Highway Authority considers that the development could be best serviced by allowing delivery vehicles to enter the central courtyard to park and unload. To allow this to happen the gates at the front of the driveway would need to be removed.

As mentioned above the proposal would be car-free save for 2no. blue badge/accessible car parking spaces. Despite the site having a high PTAL ranking and good access to shops, services, facilities, and transport opportunities there is risk that some residents may resort to owning and using a private car for trip making. In the absence of any parking being provided on-plot they may resort to parking injudiciously on-street presenting a risk to road safety and impeding the free-flow of traffic. To reduce the likelihood of this happening, the Highway Authority requires that the applicant enters a 1990 Town and Country Planning Act s.106 legal agreement that requires them to fund the delivery of works that will facilitate safe and convenient active travel to and from the site. This will broaden the travel choice offered to occupants and visitors thereby reducing the incentive to own and use a car. This would allow the site to be self-sufficient in transport terms given that on-plot parking would be limited.

There are no highway objections to this proposal subject to the following S106 obligations and conditions.

S106 Obligations:

The developer enters a 1990 Town and Country Planning Act s.106 legal agreement requiring them to enter a 1980 Highways Act legal agreement with the Council obliging them to resurface the footway between Hayes Health Centre and the Esso petrol station just east of the site boundary which shall include the removal and reinstatement of the redundant vehicle crossover on the western side of the application site.

REASON to be in accordance with the published London Plan 2021 Policy T2 Health Streets which

requires that "Development proposal should demonstrate how they will deliver improvements that support the ten Health Streets Indicators in line with Transport for London guidance".

The Highway Authority required that the applicant enter a 1990 Town and Country Planning Act s.106 legal agreement with the Council that prohibits future residents of the development from applying for a permit to join any parking management scheme in the vicinity of the site.

REASON to be in accordance with the published London Plan 2021 Policy T6.1 Residential Parking Conditions

Revised plans are submitted showing the removal of the triangular feature indicated on the access road bell mouth where it intersects with North Hyde Road and its replacement with standard Give Way junction road markings.

REASON To accord with the published London Plan 2021 Policy T4 Assessing and mitigating transport impacts which requires that "development proposals do not increase road danger".

The Highway Authority require that the applicant submit a Service and Delivery Plan to the Council for approval that details how internet delivery vehicles, and the like will gain access into the site to delivery their goods.

REASON to be in accordance with the published London Plan 2021 Policy T4 Assessing and mitigating transport impact which requires that development proposals "should not increase road danger" and to be in accordance with Policy T7 Deliveries, servicing, and construction.

ACCESS OFFICER:

This proposal comprising of 38 flats within 2 blocks is subject to compliance with London Plan policy D1, D5, D7, D12, S4 and T6.1. The latest plans have been evaluated and the following issues remain outstanding:

1. An identifiable drop off point for door-to-door transport services such as Dial a Ride, taxis, and hospital transport is still not shown on plan. Details requested.
2. An accessible parking bay should be allocated to every M4(3) wheelchair accessible/adaptable unit. The latest plan 637-CDA-XX-00-DR-A-00-0100 Rev. 08 appears to show a reduction of accessible parking bays. The number of accessible parking bays should be clarified,
3. 10% of this redevelopment must meet the standards for M4(3) Category 3 - wheelchair user dwellings. The units should be interspersed throughout the development, to include all typologies and tenures. The number of units should be clearly identifiable on plan.
4. Given that only one lift per block is shown on plan, all M4(3) units must be located on the ground floor.
5. A floor plan at no less than 1:100 should be submitted for each of the different M4(3) units. All details, to include transfer zones, wheelchair storage area, and other spatial requirements within bedrooms, bathrooms, living and dining areas, should be shown on a separate plan for every different unit type. Details requested.
6. All remaining units must be designed to the standards for Category 2 M4(2) Accessible and Adaptable dwellings, as set out in Approved Document M 2015. Details requested.
7. Details of the materials palette, with particular attention given to the paver types intended for use within the public realm. A methodology statement should detail the materials to be installed in accordance with BS8300:2018.

Conclusion: Unacceptable. The above issues outlined above should be clarified and/or resolved prior

to any approval with the following conditions attached to any planning permission: a) The development hereby approved shall accord with London Plan policy D5(B5) and D12(A) to include a minimum of one fire evacuation lift per block designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999, as shown in the Fire Safety Statement, received 7/10/22. The required evacuation lift shall serve all floors and remain in place for the life of the development. REASON: To ensure the development provides reliable, convenient and dignified means of escape for all building uses in accordance with London Plan policy D5 and D12. b) Prior to occupation, the type and location of accessible play equipment for disabled children, to include sound tubes, colour and lighting canopies, and/or other play equipment that can stimulate the olfactory senses, shall be submitted to, and approved in writing, by the Local Planning Authority. REASON: To ensure the development provides inclusive play for all children, including those with complex multiple disabilities, in accordance with London Plan policy D5.

Comments on revised plans received 1/3/23:

These revised plans are largely acceptable, apart from drawing no 000-CDA-DR-A-15-001 Rev. 01 (North Block Proposed Flat Type B2-0-01 Floor Plan received 1/3/23).

In essence, this M4(3) unit features an entrance lobby which would compromise the requirement to provide an unobstructed area of 1500 x 1800 mm from the closed front door to a wall, door, or other obstruction opposite.

The design of this unit should be amended accordingly, or plans of a substitute M4(3) unit submitted.

Case Officer comment:

The layout plan of this unit has now been revised and the Accessibility Officer has confirmed that the amended layout is acceptable.

TREE OFFICER:

This site is occupied by a former two-storey pub, recently converted into flats, accessed from the north side of North Hyde Road. The land package includes an adjacent area of land to the north which is currently overgrown and inaccessible.

This plot connects through to Nestles Avenue to the north and Sandow Crescent, to the east.

There are a number of trees on, and off, site around the north and west boundaries.

Although not protected by TPO or Conservation Area designation, selected trees contribute to the character and appearance of the area and should be retained where appropriate.

Comment

This submission follows pre-application ref. 21432/PRC/2021/136, to develop the whole site comprising two options for residential units

Design and Access Statement

The D&AS, supported by the proposed layout plans, shows the current layout in two blocks. The layouts reflect previous recommendations made in the light of the pre-application drafts. A landscaped buffer has been retained between North Hyde Road and the front block. Groundfloor units have private amenity space and / or landscaped defensible space. The upper floors will have private balconies, or terraces, which should be a suitable usable size. The rear block features an intensive green roof / roof garden for use by residents. The flat roofs will include extensive green roofs designed to promote biodiversity incorporating photovoltaics. At ground level

the landscape layout has been designed to accommodate a variety of interlinked spaces for use by all ages, with integral play spaces. Planting proposals will include the specification of native species and ornamental space is of know value to wildlife, to enhance biodiversity. The report includes some indicative plant and hard surface materials and design images.

Impact on Existing Trees

The scheme is supported by a tree report by Challice Consulting which has identified and assessed 12 individual trees and 6 groups, which are on the site or close enough to influence it. There are no A category trees. 5 trees are category B; T1 lime, T8 Japanese maple, T11 Norway maple, T12 Tulip tree and T18 sycamore. (According to BS5837:2012, A and B grade are particularly worthy of retention due to their condition, value and anticipated useful life.) The other trees are of lower value, with 12 x C category and 1 x U grade. At 10.2, the report confirms that 5 individual trees (T2, T4, T5, T9 and T10) and 3 groups (G3, G15 and G17) will be removed to enable the development. All of these trees are moderate to poor quality; C grade with the exception of G17 (U grade). The summary (clause 14.0) confirms that the arboricultural impact of the scheme is relatively minor. The retained trees can be afforded an appropriate degree of protection and there will be opportunities to plant new native and ornamental trees as part of the landscape proposals.

Arboricultural Method Statement (AMS)

An AMS is provided at 15.0-28.0, which specifies a pre-commencement meeting with an arboricultural consultant(16.0). Notes of the meetings or any issues arising should be forwarded to trees@hillingdon.gov.uk, for information.

Urban Greening Factor

This scheme (over 10 residential units) should be supported by an Urban Greening Factor calculation with a target score of 0.4. No UGF assessment appears to have been submitted.

Recommendation

An Urban Greening Factor assessment is required, prior to determination.

Case Officer comment:

An UGF assessment has now been submitted which gives a score of 0.4.

If you are minded to approve this scheme please add pre-commencement condition RES8 (Construction Management Plan to incorporate the tree protection recommendations and arboricultural method statement) and conditions RES9 (parts 1,2,3,4,5 and 6) and RES10.

NOISE OFFICER:

It is recommended that no objection is made on noise grounds subject to the inclusion of suitable condition which should be achievable based on the information provided and considering the context of the proposed development. Hence:

For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 8hrs between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.

The measured values did seem surprisingly high for a single carriageway, presumably a busy road but nothing obviously unusual.

SUSTAINABILITY OFFICER:

Energy

The Energy Assessment is broadly acceptable but is lacking in details to allow for a final understanding of the zero carbon solutions. However, it has demonstrated an emissions saving of 61% which means the 39% (29.4tCO₂) shortfall is required to be secured through a cash in lieu contribution.

Condition

Prior to commencement of development (excluding demolition), a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall accord with the requirements of the London Plan (policy SI2) and the GLA Energy Assessment Guidance (April 2020 or as amended) and demonstrate that the energy and sustainability statement (Maven, December 21) target of 71% reduction will be achieved in the development. The assessment shall clearly identify the baseline energy demand and associated carbon emissions in accordance with the prevailing building regulation requirements. The assessment shall then clearly define (including plans and specifications) the 'be lean', 'be clean' and 'be green' measures to demonstrate that the development will meet the minimum onsite carbon savings of 71%.

The Energy Assessment shall also provide details of the 'be seen' recording and reporting measures to be agreed in writing by the Local Planning Authority. The 'be seen' measures must comply with the requirements of London Plan Policy SI2 and demonstrate that the 'onsite saving' is being achieved in perpetuity.

The development must proceed and be operated in accordance with the approved details.

Reason

To ensure the development's regulated energy demand doesn't contribute to CO₂ emissions in accordance with Policy SI2 of the London Plan.

Section 106 Requirement

Prior to commencement of development (excluding demolition), the shortfall identified in the Energy and Sustainability Statement shall form a cash in lieu contribution to the Council's carbon offset fund at £95/tCO₂ annualised over 30 years i.e. $11.4\text{tCO}_2 \times 30 \times 95 = £32,544$

Case Officer comment:

The Sustainability Officer's comments are based on the previous Energy Assessment which has now been superseded. The revised Sustainability and Energy Statement, dated 20th September 2022 revises the energy strategy and gives residual emissions of 2.847tCO₂ which equates to a carbon offset contribution required of $2.847 \times 30 \times 95 = £8,114$. This figure forms part of the Heads of Term within the recommended S106 Agreement.

AIR QUALITY OFFICER:

The proposed development is located within the Hayes Focus Area, bringing additional traffic emissions which will add to current likely exceedances. As per the London Plan, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, policy DMEI 14 of the emerging London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality

Management Area. Finally, the London Plan (March 2021) requires development to be air quality positive specially within focus areas, actively contributing to reduce pollutant emissions to the atmosphere.

According to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) needs to be Air Quality positive and further action is required to reduce total emissions produced by its operation.

Therefore, the total emissions associated with these activities needs to be mitigated.

DAMAGE COST AND MITIGATION MEASURES

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The mitigation measures proposed were evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied.

The level of mitigation required to the proposed development for traffic emissions is £39,422. Once all deductions were applied, the remaining value of mitigation due is £33,509. Flat rate deductions applied are as follow: Travel Plan (10%), Green Sustainable Measures (5%), contribution to long term LBH strategic long-term strategies (e.g. multimodal shift) (0%), totalling a reduction of £5,913.

Therefore, if no further mitigation is offered by the applicant, a section 106 agreement with the LAP of £33,509 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

In addition, Air Quality conditions are required to manage construction emissions as required by the Mayor of London.

Conditions - Reducing Emissions from Demolition and Construction

A No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

Reason:

Compliance with London Plan Policy SI 1 and in accordance with Mayor of London "The Non-road mobile machinery (standard condition recommended by Mayor of London, London Local Air Quality Management Policy Guidance 2019).

B All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

Reason:

Compliance with the London's Low Emission Zone for non-road mobile machinery as per

requirements of the London Environment Strategy

Context

The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Areas. Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. This is supported by:

Local Plan Part 2 Policy DME1 14

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

CONTAMINATION OFFICER:

I have reviewed a copy of the geo-environmental information within the following report submitted in support of the application:

Title: Phase 1 desk Study Report; Ref:PH1-2021-000106; Date:03/12/2021; Prepared by: STM Environmental Consultants Ltd

The report provides details of a phase 1 study and includes an initial Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA).

The CSM and PRA identify six potential pollutant linkages of possible concern, and their potential risk/s were assessed to vary between very low to moderate. These require the site to be investigated to confirm their presence (or absence) and as applicable assess their significance in terms of risk/s to the various current identified and proposed receptors.

I therefore recommend the following condition/s to be imposed if planning permission is awarded:

(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 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

(b) 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.

WASTE OFFICER (comments of 31/1/23):

Access for collection is acceptable.

Minimum capacity is acceptable and consideration should be made for recycling within the containers supplied. Containers are preferred to be metal and coloured green for general waste, and black for dry mixed recycling. These can be purchased or hired directly from Hillingdon's recycling team or sourced elsewhere.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Loss of Existing Buildings:

The former Victoria Public House building is 2-storeys in height and is of a traditional design with a pitched roof and red brick / white rendered elevations. The building, although not unattractive, is not of such architectural or historical importance as to warrant its protection, particularly as Policy HC7 of the London Plan (2021) which seeks to protect public houses that have a heritage, economic, social or cultural to local communities focuses on the importance of the public house use.

No objections are raised to the loss of the garages which are in an poor state of repair.

Loss of Existing Uses on Site:

The applicant has confirmed that the site current comprises the following uses:-

- 7 self-contained dwellings - Class C3 (406 sqm),
- 4 terraces of garages used for ancillary residential storage - Class C3 (371 sqm), and
- 4 office / light industrial units - Class E (g)(i) or (g)(iii) (314 sqm)

Residential Loss:

Policy H8, Part A of the London Plan (2021) states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace.

Policy DMH1 of the Hillingdon Local Plan: Plan 2 - Development Management Policies (2020) advises that the net loss of housing will be resisted unless the housing is replaced with at least equivalent residential floorspace.

The proposal would result in the loss of the seven residential units within the converted public house building. However, as the building's re-development is part of an overall net increase in residential units and overall floorspace on site, no objections are raised in terms of Policy H8 of the London Plan (2021) and Policy DMH1 of the Local Plan (2020). There are no policies that protect garages for ancillary residential storage.

Commercial / Industrial Loss:

Policy E4, Part A of the London Plan (2021) requires a sufficient supply of land and premises in different parts of London to meet current and future demands for industry and related functions which are then identified and Part C lists the 3 types of industrial site, including Strategic Industrial Locations (SIL), Locally Significant Industrial Sites (LSIS) and Non-Designated Industrial Sites. Policy E7, Part C identifies the criteria against which proposals for mixed or residential use on Non-Designated Industrial Sites will be considered.

Policy DME 2 of the Local Plan: Part Two (2020) notes that proposals which involve the loss of employment floorspace or land outside of designated employment areas will normally be permitted if:

- i) the existing use negatively impacts on local amenity, through disturbance to neighbours, visual intrusion or has an adverse impact on the character of the area; or
- ii) the site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
- iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes; or
- iv) The new use will not adversely affect the functioning of any adjoining employment land; or
- v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan.

The proposal would also result in the loss of the garage courtyards at the rear of the site which include commercial units formerly used for office and light industrial purposes. This part of the site is not designated and therefore forms a non-designated industrial site, as it compromises uses included within Policy E4 Part A of the London Plan (2021). Policy E7 outlines that residential development on non-designated industrial sites should only be supported where:

- 1) there is no reasonable prospect of the site being used for the industrial and related purposes set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function; or
- 2) it has been allocated in an adopted local Development Plan Document for residential or

mixed-use development; or

3) industrial, storage or distribution floorspace is provided as part of mixed-use intensification.

The proposal does not comply with criterion 2) and 3). The applicant has submitted the following relevant comments in terms of justifying the loss of non-designated industrial floorspace in relation to criterion 1):

- The 'employment' part of the site is very small, equating to less than 20% of the overall site area, and is landlocked by the garages to the north and the converted public house to the south. It would therefore be impractical to try and redevelop this part of the site for any meaningful employment use, particularly given the narrow width of the access and residential character of Sandow Crescent. Moreover, the site is of insufficient size, shape, or dimension to make for any meaningful redevelopment and allow service vehicles to enter and exit the site in forward gear;

- The buildings have been vacant for several years and are in poor condition such that it would not be viable to reinvest in the buildings to bring them up to lettable standard, particularly given the poor rental values that would be achieved given the sites isolated location and constrained access;

The rear courtyard areas do have very poor access, which is gained by a very narrow single width access road which connects with Sandow Crescent which itself forms a very narrow residential cul-de-sac which is typically heavily parked with extremely limited capacity for vehicles to turn. The garages are also in a poor state of repair. Furthermore, given that the site is also surrounded by residential properties in close proximity, it is concluded that the site is not suited to being brought back into a formalised industrial / commercial use and the applicants assessment is accurate. The Council's Policy Officer also considers this assessment to be plausible and advises that typically, marketing evidence would be required to demonstrate that there is no reasonable prospect of future use, however this could be avoided on this scheme due to the small scale of the floorspace and the comments above. As such, the proposal is considered to be acceptable in terms of Policy E7 of the London Plan (2021) and Policy DME 2 of the Local Plan: Part Two (2020).

Proposed Residential Use:

The NPPF encourages the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. An important component of this is to ensure that as much use as possible of previously-developed or 'brownfield' land is made.

Policy GG4 (Delivering the homes Londoners need) of the London Plan (2021) states that to create a housing market that works better for all Londoners, those involved in planning and development must:

- ensure that more homes are delivered.
- support the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable.
- create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.
- identify and allocate a range of sites, including small sites, to deliver housing locally,

supporting skilled precision-manufacturing that can increase the rate of building, and planning for all necessary supporting infrastructure from the outset.

- establish ambitious and achievable build-out rates at the planning stage, incentivising build-out milestones to help ensure that homes are built quickly and to reduce the likelihood of permissions being sought to sell land on at a higher value.

Policy H1 (Housing Growth) of the Hillingdon Local Plan: Plan 1 - Strategic Policies (2012) requires that the borough meets and exceed its minimum strategic dwelling requirement in accordance with other Local Plan policies. The Borough's target was increased as part of the London Plan.

This application has been revised and now seeks to deliver 38 residential units, which will come forward within two, three to four storey flatted blocks. The overall level of development is considered to be appropriate to ensure that effective and efficient use is made of this brownfield site whilst maintaining the character of the area and the amenities of adjoining residents.

Safeguarding the Development Potential of Adjoining Sites:

Policy DMHB 11 of the Local Plan: Part 2 (2020) outlines that development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. No. 157 Old Station Road is currently in use as a surgery and forms a large low-density plot to the west of the application site which does have development potential.

The scheme has been revised and now the proposed buildings on this side of the site would maintain a typical separation distance to the boundary of some 10.5m so that if any future residential re-development scheme on the adjoining site did the same, an adequate 21m separation distance between habitable room windows on each site would be maintained to ensure that an adequate level of privacy for their residential occupiers would be provided.

Housing Size Mix:

The proposed housing size mix is as follows:

- 7 x Studio (18%)
- 6 x 1 Bedroom (16%)
- 14 x 2 Bedroom (37%)
- 11 x 3 Bedroom (29%)

Policy H10 of the London Plan (2021) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need. Policy DMH 2 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

Family housing is defined within the glossary of the London Plan (2021) and outlines that it must generally be of a size that has three or more bedrooms. It is worth noting that the

Secretary of State directed changes to Policy H10, in order to address the need for new family housing, to prevent families from being forced to move outside of London. These changes were incorporated into the final version of the London Plan (2021).

In terms of factors specific to a site, Policy H10 also includes a need to consider, the mix of uses in the scheme, the range of tenures in the scheme and the nature and location of the site, with a higher proportion of one and two bed units generally being more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

In terms of the site-specific factors, the site has a high PTAL rating (4-5) and would only be a 3-4 minute walk from the new Crossrail Station at Hayes & Harlington. The site is also close to the shops and amenities within Hayes town centre. The site is therefore considered suitable to provide for some smaller sized units. However, pre-application advice also advised that the development should provide at least 25% of the units as family sized units throughout the proposal and with 29%, the scheme complies with the advice and provides a good mix of studio, 1, 2 and 3 bed units.

Noting the above, it is considered that the proposal would comply with the housing size mix policies in the Development Plan.

7.02 Density of the proposed development

Policy GG2 (Making the Best Use of Land) of the London Plan (March 2021) states that in order to create successful sustainable mixed use places, development proposals must proactively explore the potential to intensify the use of land to support additional homes and work spaces, promoting higher density development in locations that are well-connected by public transport, walking and cycling. The policy further states that this will be achieved through enabling development of brownfield land. The optimum development capacity of a site should be determined through applying a design-led approach.

Policy D3 (Optimising Site Capacity through the Design-led Approach) of the London Plan (March 2021) further requires all development to make the best use of land following a design-led approach that optimises the capacity of sites, including site allocations. The policy further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

Policy DMHB 17 of the Local Plan, Part 2 advises that all new residential development should take account of Table 5.2 (Residential Density Matrix), which outlines suggested residential densities for different types of location and type of unit. For residential areas with a suburban character within 800m of a town centre and a PTAL of 2 to 3, schemes which mostly contain flats should be within the range of 50 - 110 units per hectare (u/ha) and 150 - 330 habitable rooms per hectare (hr/ha).

Notwithstanding the fact that the application site has a better PTAL score which is not included within the table, with a unit density of 106u/ha and habitable room density of 292 hr/ha, the scheme would satisfy both standards.

However, it is noted that these standards are only intended as a guide and density guidance has largely been superseded by the design-led approach taken by Policy D3 in the latest London Plan (March 2021). The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth and existing and planned supporting infrastructure.

The policy then goes on to highlight the relevant considerations which would contribute in defining an appropriate density such as site context, amenity considerations etc. These aspects of the proposal are considered in detail within the relevant sections of this report, but it is concluded that overall, the cumulative impacts of the proposal do not suggest that the scheme is of such a density that it is inappropriate in terms of the character and amenity of the local area.

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

The application site does not form part of or is located close to a conservation area or an area of special local character. Furthermore, there are no statutorily or locally listed buildings within or in the vicinity of the site and it is also not located within an archaeology priority area / zone. As such, the proposal would be unlikely to affect any heritage asset, in compliance with Policy HE1 (Heritage) of the Local Plan Part 1.

7.04 Airport safeguarding

The relevant airport and air traffic safeguarding authorities have been consulted and they advise that the proposals do not raise any safeguarding concerns, although Heathrow Airport Ltd do advise that this is subject to a Bird Hazard Management Plan condition being attached to any permission, together with an explanatory informative and advice being provided as regards the use of cranes. The condition and 2 informatives covering Heathrow Airport Ltd's concerns form part of the officer recommendation.

7.05 Impact on the green belt

The application site is not located within or close to the green belt so that no green belt issues are raised by this application.

7.07 Impact on the character & appearance of the area

Updated policies aimed at improving the design of new developments have been introduced into the NPPF in response to the findings of the Building Better, Building Beautiful Commission. These include changes to the overarching social objective of the planning system (paragraph 8b) to include the fostering of 'well-designed, beautiful and safe places'.

Paragraph 134 introduces a new requirement that development should be well designed. Development that is not well designed should be refused, 'especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

Conversely, paragraph 134 then goes on to say that significant weight should be given to developments that reflect 'local design policies and government guidance on design' and/or 'outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area'.

Policy D1 of the London Plan (London's form, character and capacity for growth) requires developments to respond to local context by delivering buildings and spaces that are positioned and are of a scale, appearance and shape that responds successfully to the identity and character of the locality. Further, Policy D5 (Inclusive Design) requires developments to deliver inclusive environments that meet the needs of all Londoners.

Policy DMHB 11 of the Local Plan Part 2 (2020) requires all development to be designed to the highest standards and incorporate principles of good design, including harmonising with the local context; use of high quality building materials and finishes; internal design and layout maximises sustainability and is adaptable; protects features of positive value and their settings and includes landscaping and tree planting. Proposals should also not impact

upon the amenity, daylight and sunlight of adjoining properties and open space, development does not prejudice the development of adjoining sites and appropriate provision is made for the storage of waste and recycling.

Policy DMHB 12 re-iterates Policy DMHB 11 by stating that development should be well integrated with the surrounding area and be accessible by improving legibility and promote routes and wayfinding between the development and local amenities; public realm design takes account of the established townscape character and quality of the surrounding area; includes landscaping that is suitable for the area; makes provision for the safe and direct movement of pedestrians and cyclists; incorporates appropriate and robust hard landscaping; incorporates public art where appropriate and incorporates inclusive design. Public realm improvements will also be sought from developments close to transport interchanges and community facilities.

Whilst the former Victoria Public House building is not Statutorily or Locally Listed or is located within a conservation area or area of special local character, it does contribute positively to the appearance of the local townscape. However, the curtilage of the former public house building is almost entirely hard surfaced as is most of the area of the garage courtyards to the rear. It will be important for any re-development scheme to make a positive contribution to the townscape, including the provision of comprehensive landscaping.

The street scene along this part of the north side of North Hyde Road is of mixed scale and character, comprising Asa Court, a two and three storied gabled roof flatted block to the west and Nos. 34 to 38 North Hyde Road, a two storey hipped roof flatted block to the east, beyond which is a petrol filling station with a large canopy and a series of 4 storied flat roofed flatted blocks beyond. Properties surrounding the site are generally two storey residential units and on the opposite side of North Hyde Road, the pre-dominant character comprises two storey hipped roof houses. On the northern side of Nestles Avenue, the scale of development dramatically increases with re-development proposals involving residential blocks in excess of 10 storeys high.

In this context and given the requirement that the redevelopment of brownfield sites should make efficient use of land, it is considered that the proposed scale of development, with essentially two, three storey blocks with a recessed fourth floor is acceptable in this urban context, close to the Hayes town centre.

There is no defined building line along this part of North Hyde Road and the south block with a set back from the road of some 10m, would be sited no further forward than the nearest part of the staggered footprint of Asa Court to the west and significantly further back on its plot than the adjoining block to the east, which would allow comprehensive landscaping with tree planting to be provided to the front. The rear elevation of the south block would also roughly align with the rear elevations of the adjoining blocks.

The Council's Conservation / Urban Design Officer has provided advice on this scheme and advises that the revised scheme which reduces the number of units from 41 to 38 units has taken into consideration previous design concerns over the top-heavy appearance of the third storey of the south block which has been addressed by increasing the setback and increasing the roof parapet height. This has visually decreased the height of the top storey improving the proportions of the building. The block now sits more quietly within the street scene.

The parking and public footpath at the front of this block have also been removed allowing for a much-improved landscaping scheme that incorporates trees, soft planting and front boundary hedging. These are significant improvements that will provide an attractive setting for the development in direct views from the junction opposite as well as in oblique views along North Hyde Road.

As regards the northern block, the officer raised concerns regarding the cramped nature of the development which was exacerbated by the block being part four-stories in height which had an overbearing impact on the adjacent two-storey maisonettes. This relationship has now been improved with the reduction of the residential units and the proposed three storeys with a single setback fourth floor unit is now much more discreet and considered acceptable. The private garden areas around the building and boundary planting will also greatly improve its setting.

The officer also notes that the development has now been set back further from the boundary with No. 157 Old Station Road to allow adequate separation between potential habitable rooms. This has also increased the soft landscaping and improved amenity space to the ground floor units and the setting of the development as a whole.

In terms of the facades, the officer considers the proposed architectural language is acceptable and would sit comfortably with the existing built context. The primary palette of materials of brick along with articulation and richness to the facade would add visual interest to the street scene and are generally considered to be of high standard of design.

The officer concludes that the detailed design of the blocks, the choice of materials and the quality of workmanship will be important factors in the success of the scheme and could be controlled by relevant conditions. On this basis, the Urban Design Officer raises no objection to the proposals, subject to conditions controlling all external materials; detailed design of balconies, windows, doors, window / door reveals and roof parapets and hard and soft landscaping details.

It is also proposed that the access points into the site are gated. The gates on the Nestles Avenue and Sandow Crescent frontages would not appear as unduly prominent features within their respective streetscenes. As regards the North Hyde Road frontage, the southern block is already set back by some 10m from the road frontage and the proposed gates would be set a further 5m behind the building frontage. In such a position, the gates would largely be screened by the adjoining buildings.

The proposal is considered to present an acceptable appearance within the street scene and surrounding area, in compliance with Policy DMHB 11 of the Local Plan: Part Two (2020).

7.08 Impact on neighbours

The NPPF (2021) at Paragraph 125, Part C advises that:-

'local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).'

Policy D6 of the London Plan (2021) states that development should provide sufficient

daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

Policy BE1 of the Local Plan: Part One (2012) requires developments to be appropriately designed so that they do not adversely affect their surroundings or the local character and Policy DMHB 11 of the Local Plan: Part Two (2020) requires that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 in the supporting text advises that a minimum 21m separation distance between windows of habitable rooms will be required to maintain privacy and prevent the possibility of overlooking and that new development should carefully consider layout and massing in order to ensure that development does not result in an increased sense of enclosure and loss of outlook (paragraph 5.40). As regards loss of daylight and sunlight, paragraph 5.41 states that development designs should optimise the levels of daylight and sunlight and expects the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) 'Site layout planning for daylight and sunlight: A guide to good practice'.

Impact on Outlook / Privacy

The proposed north block would maintain a minimum separation distance of at least 21m from the main rear elevations of properties fronting Nestles Avenue to the north (Nos. 2 - 32) and those fronting Sandow Avenue to the east (Nos. 2 - 16). It is considered that the separation distances, together with the modest extent of the third floor of the proposed building would ensure that the north block would not appear unduly prominent or result in any undue loss of privacy from these neighbouring properties. To the west of the proposed north block, there are also no residential properties within a 21m distance, but the adjoining sites do have development potential, particularly No. 157 Old Station Road, a large low-density plot. The scheme has been carefully designed so that the proposed north block would maintain a typical separation distance to the boundary of some 10.5m so that if any future residential re-development scheme on the adjoining site does come forward, by replicating this separation distance from the boundary, an adequate 21m separation distance between habitable room windows between the facing blocks would be maintained.

As regards the south block, this would front North Hyde Road, similar to that of the existing public house building and maintain a minimum separation distance of 21m to the north block. To the east, is an adjoining block of flats (Nos. 34 - 38 North Hyde Road) and the rear elevation of the proposed southern block would roughly align with the rear elevation of the adjoining block and the proposed block would be set back some 8.5m from its side elevation. The adjoining building does contain bedroom windows in its side elevation facing the site, but the privacy of these windows is already compromised as an access to this block runs along this side boundary and there are some existing ground floor windows in the public house building close to the shared boundary that directly face onto the adjoining block. The proposed building's eastern side elevation although mainly blank, does contain a bedroom window on the first and second floors but these are angled to the rear, away from the adjoining building and a third floor bedroom window is set back from the flank elevation of the building so that any impact on privacy would be largely screened by the building's parapet wall. Privacy screens will be required to ensure that the use of the roof terraces by the top floor flats does not permit overlooking which would be secured by condition. As such, it is considered that the proposal would not give rise to any greater adverse impacts

on this adjoining flatted block in terms of outlook and privacy.

To the west is Asa Court with its garage courtyard immediately on the boundary and this building also contains side habitable room windows which would be sited some 16m from the side elevation of the proposed south block. Again, bedroom windows are proposed in the side elevation facing Asa Court that would be angled to the rear so as to prevent any overlooking of the adjoining windows within a 45 degree line of sight. This relationship is considered acceptable as regards the impact of the development on the outlook and privacy of the occupiers of Asa Court.

DAYLIGHT AND SUNLIGHT

A Daylight and Sunlight Report (Neighbouring Properties), dated 30 September 2022 has been submitted in connection with the revised scheme. The report follows the latest BRE guidance (2022) and concludes that the proposed development will have a relatively low impact on the light received by its neighbours and that non-compliance with BRE recommendations is limited to the daylight tests in respect of windows at Nos. 34 and 38 North Hyde Road and 2 to 4 Sandow Crescent and given the overall high level of compliance with the BRE recommendations and the fact that the BRE guide is intended to be used flexibly, particularly in urban locations, the proposed development is acceptable in terms of daylight and sunlight impacts upon neighbouring properties.

The report has been reviewed by the Council's external consultants who comment on the following 4 properties where BRE daylight guidelines are not met:-

34 North Hyde Road

Four windows at No. 34 North Hyde Road would not comply with the recommended BRE guidelines for Vertical Sky Component (VSC). Three of these windows are sited underneath the building's existing overhanging roof and as a result, may experience a larger relative reduction. It has been confirmed through supplementary assessment that if the building's existing overhang were to be removed, these windows would meet BRE guidelines and therefore their non-compliance is not a direct consequence of the proposal. The fourth window in the side elevation is only marginally outside of the guidelines, retaining 0.77 of its VSC rather than the BRE recommended 0.8. The consultants consider the overall daylight impacts on this property to be acceptable, as are the impacts on sunlight which have been confirmed as being negligible.

38 North Hyde Road

As regards No. 38 North Hyde Road, six windows will not comply with the recommended BRE guidelines for VSC, with one window not being in compliance due to the overhanging roof. The third party consultants recommend that further context on the proposed changes to these windows is provided to enable further assessment. As regards sunlight, the report advises that there will be negligible sunlight impact on this property which the third party consultant has confirmed as being acceptable.

14 to 16 Sandow Crescent

The third party consultants requested clarification as to the description of its only window that would fall below the recommended VSC as being secondary but do consider overall that the daylight impacts to this property to be acceptable, as are sunlight impacts which are negligible.

2 to 4 Sandow Crescent

Two windows will not comply with the recommended BRE guidelines for VSC, but again, both windows are sited below an existing overhanging roof and that may result in a larger relative reduction and that once the overhang is removed, these windows would comply. The consultants consider the overall daylight impacts on this property to be acceptable as are the impacts on sunlight which are negligible.

The report also advises that all garden and open spaces tested for overshadowing meet BRE recommendations and the consultants confirm that all relevant neighbouring amenity spaces will meet BRE guidelines.

The external consultant's assessment of the Daylight and Sunlight Report (Neighboring Properties) did not raise any fundamental objections, but did seek various clarifications which have since been submitted. The LPAs consultants have confirmed that they are either satisfied that their comments / concerns have now been clarified / overcome and understand the limitations of further analysis and the reasoning why this has not been pursued.

It is therefore considered that on the basis of the above assessment, the scheme has an acceptable impact on the amenities of surrounding properties and open space, in compliance with Policy D6 of the London Plan (2021), Policy BE1 of the Local Plan: Part One (2012) and Policy DMHB 11 of the Local Plan: Part Two (2020).

7.09 Living conditions for future occupiers

HOUSING STANDARDS

London Plan Policy D6 (High quality and standards) requires housing developments to be of the highest design quality and provide adequately-size rooms with comfortable and function layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. The policy requires development to meet the minimum standards, which will be applied to all tenures and residential accommodation that is self-contained. The minimum standards also align with the Nationally Described Space Standards.

At a local level, Policy DMHB 16 (Housing Standards) of the Local Plan Part 2 requires all housing development to have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this, residential accommodation should meet or exceed the most up to date internal space standards.

All the residential units within the proposed blocks will at least meet and typically exceed the minimum space standards as set out by both the Mayor of London within the London Plan and the National Technical Standards (2015). This ensures that a high quality living environment is delivered.

EXTERNAL AMENITY SPACE

Policy DMHB 18 (Private Outdoor Amenity Space) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires all new residential development to provide good quality and usable private amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2 which are as follows:

- 1 bedroom flat - 20 sqm per flat
- 2 bedroom flat - 25 sqm per flat
- 3 bedroom flat - 30 sqm per flat

The proposed unit mix requires a total of 940 sqm of useable private / communal external amenity space to be provided to meet the requirements of Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), through private balconies / private gardens and communal amenity space for the use of residents only. The scheme provides a mix of private gardens, roof terraces and balconies which equates to some 794sqm of private space. This figure excludes the two ground floor amenity areas which front North Hyde Road as these areas, although of a good size, are not generally included within the calculation of amenity space as they do not tend to afford an adequate level of privacy. The scheme also provides a communal green space between the blocks which will incorporate a children's play area and to the east of this, a multi-use 'home zone' area which will provide a kick about and games area and also serve to access the 2 disabled persons spaces, which together with a proposed small allotment garden to the north of the site, would comprise a total communal area of 623sqm to give a total of 1,418sqm of private and communal amenity space, which would exceed minimum standards. However, the scheme may need to provide 2 additional accessibility parking spaces in the future if demand arises (see Section below). Drw. No. ITB17034-GA-006 within the Transport Statement Addendum shows these spaces being provided in the south west corner of the home zone, which would remove approximately 60.5sqm of communal amenity space which would still give an overall figure of 1,357sqm, greatly exceeding the 940 sqm requirement to satisfy standards.

Paragraph 5.70 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) does advise that communal provision of private outdoor space is generally not supported unless there are strong planning reasons and the proposed scheme is of a high quality with clear planning merits. All but one of the proposed units would have their own private amenity areas in the form of either a private garden, balcony or roof terrace which will be directly accessed from the living room and these private areas alone provide 88% of the total amount of amenity space required to serve the development in order to satisfy standards. The only unit which would not have private amenity space is the ground floor unit fronting North Hyde Road on the south east corner of the southern building and this unit would still have its own 25sqm front garden area (the unit in the south west corner of the building would have a similar front garden area but this unit also has a 29sqm garden area at the side which would provide adequate privacy).

In total the scheme therefore delivers a total of 1,418sqm of amenity space, which greatly exceeds standards and it is considered that the amenity space would be usable, good quality, conveniently located and provide differing types of space. This provision of high quality amenity space in the form of both private and communal amenity space will ensure residents have access to a policy compliant quantum of outdoor amenity space which would be usable, accessible and not overlooked.

CHILDREN'S PLAY SPACE

Policy S4 (Play and Informal Recreation) of the London Plan states that development proposals for schemes that are likely to be used by children and young adults should increase opportunities for play and informal recreation and enable children and young people to be independently mobile. The policy further states that for residential development proposals should incorporate good-quality accessible play provision for all ages. At least 10 square metres of playspace should be provided per child that provides a stimulating environment, is accessible to all safely from the street and forms an integral part of the surrounding neighbourhood. These spaces should also incorporate trees, be overlooked to enable passive surveillance and not be segregated by tenure.

At a local level, Policy DMHB 19 of the Local Plan: Part 2 (2020) requires that new residential developments which result in an occupancy of 10 or more children will be required to provide children and young people's play facilities on-site. Where a satisfactory level of provision cannot be achieved on-site, the Council will seek a financial contribution towards the improvement of existing children and young people's play facilities within the local area.

The development has been calculated to have a child yield of 25 with a policy compliant play area of 250sqm being required. The Design and Access Statement shows that a 245sqm play area can be provided on the communal amenity area between the two blocks. There are no objections to the very minor shortfall and the location of the space would achieve good levels of sunlight and is sufficiently remote from adjoining dwellings to cause disturbance whilst it would still benefit from natural surveillance. No objections are raised to this provision.

PUBLIC OPEN SPACE

Policy DMCI 4 of the Local Plan: Part 2 (2020) outlines that proposals for major new residential development must make provision for new or enhanced public open space. Given the size of the site, this would be best undertaken through an off-site contribution and in accordance with policy DMHB 19 of the Local Plan Part 2 (2020) and the GLA Children's Play Space SPG.

PRIVACY AND OUTLOOK

The relationship of surrounding buildings to the proposed development has been discussed in Section 7.08 above and the angling of the side windows on the south block will similarly ensure that there is no direct overlooking between habitable room windows and block would afford adequate levels of privacy for its residents. The separation distance between the proposed blocks also satisfies the 21m minimum distance to ensure that the potential for overlooking is minimised to acceptable standard.

DAYLIGHT AND SUNLIGHT

A Daylight and Sunlight Report (Within Development), dated 30 September 2022 has been submitted in connection with the revised scheme. The report follows the latest BRE guidance (2022) and concludes that the proposed development will achieve a high level of compliance with BRE recommendations and although a small number of rooms and 2 amenity areas do not meet the recommendations, the results are not unusual in an urban context and overall, the proposed design will provide adequate levels of natural light.

In particular, as regards daylight considerations, the report advises that 69 of the 105 rooms assessed (66%) achieve or surpass their minimum illuminance recommendation. As regards sunlight performance, 30 of the 38 units have at least one habitable room window which faces within 90 degrees of due south and 21 of these 30 units have a living room which receives a total of at least 1.5 hours of sunlight on 21st March.

As regards amenity space, with the exception of only two gardens, 56% or more of the area of each amenity space will receive at least 2 hours of sunlight on 21st March which is better than the BRE recommendation that at least 50% of any garden or amenity space should receive at least 2 hours of sunlight on 21st March.

The report has been reviewed by the Council's external consultants. They confirm that the results are correct and note that the report and the 66% compliance rate for the rooms is based upon multi use rooms being assessed against the highest and more onerous 200 lux target, but if the 150 lux target is used, an additional 10 rooms would meet guidelines and that 79 of the 105 rooms would pass and the compliance rate would increase to 75%. The report suggests that the level of compliance is high but the external consultants suggest that it is not particularly high, but do consider that the scheme would be likely to provide a satisfactory level of daylight amenity.

The consultants do confirm that both the sunlight and overshadowing performance are satisfactory.

In summary, the majority of habitable rooms and the outdoor amenity space would achieve relevant standards, in accordance with Policy DMHB 11 and Paragraph 5.41 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D6 of the London Plan (2021). It is not considered that any short fall is a sustainable reason to refuse the application in this case.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The NPPF (2021) states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impact of development are severe. The NPPF also says that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Policy T2 of the London Plan (2021) states that development proposals should deliver patterns of land use that enable residents to make shorter regular trips by walking and cycling and:-

- i) demonstrate how they will deliver improvements that support the ten Healthy Street Indicators in line with TfL guidance,
- ii) reduce the dominance of vehicles on London's streets, whether stationary or moving, and
- iii) be permeable by foot and cycle and connect to local walking, cycle and public transport networks.

Policy T4 requires where appropriate, the submission of transport assessments / statements to ensure that impacts on the capacity of the transport network are fully assessed and mitigated.

Policy T5 requires development proposals to remove barriers to cycling and create a healthy environment in which people choose to cycle and development proposals should be in accordance with cycle standards.

Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. Car-free development with no general parking should still provide disabled persons parking in line with standards.

Policy T6.1 advises that new residential development should not exceed the maximum

parking standards and residential parking spaces must make appropriate provision for electric or Ultra-Low Emission vehicles.

Policy DMT 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner and to be acceptable, schemes are required to i) be accessible by public transport, walking and cycling; ii) maximise safe, convenient and inclusive accessibility; iii) provide equal access for all people; iv) adequately address servicing requirements and v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment. Policy DMT 2 seeks to minimise the impact of development on the surrounding highway with regards to traffic, air quality, noise, local amenity and safety.

Policy DMT 5 seeks to ensure development proposals make adequate and safe provision for pedestrians and cyclists.

Policy DMT 6 sets maximum parking standards for new development as outlined in Appendix C Table 1 to facilitate sustainable development. A variation of these requirements may be acceptable when:-

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
- ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendation.

The policy also states that all car parks provided for new development will be required to provide conveniently located parking spaces for wheelchair users and those with restricted mobility.

The application is supported by a Transport Statement, dated 17 December 2021 and a Transport Statement Addendum dated 22 September 2022.

The Council's Highway Engineer has reviewed the application and advises that being just on the edge of Hayes town centre, the site has reasonable access to a range of shops, services, facilities and transport opportunities. North Hyde Road forms part of the Hillingdon classified road network and is a bus route and according to the Transport for London WebCAT service, the application site has a PTAL ranking of 5 indicating access to public transport is good compared to London as a whole suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car.

CAR PARKING

The Highway Engineer advises that the published London Plan (2021) Policy T6.1 Residential Parking requires that development proposals must comply with the relevant parking standards and for a development in a location with a PTAL ranking of 5 with the unit mix proposed the London Plan requires that the development is car-free and the proposal is in accordance with this policy.

DISABLED PERSONS PARKING

The published London Plan 2021 Policy T6.1 Residential Parking requires that disabled persons parking should be provided for new residential developments delivering ten or

more units. As a minimum it requires the Highway Authority to ensure that for 3% of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset. For this development, one space should be provided prior to occupation with provision for a further three spaces in response to demand, giving a possible required total of four spaces. The Highway Engineer has confirmed that as the development would provide two spaces upon first occupation with scope to increase provision by a further two spaces, the development is in accordance with these standards.

CYCLE PARKING

Two single tier cycle stores would be provided, one adjacent to the disabled persons parking spaces, close to the entrance of the north block and the other to the rear of the site, which would provide a total of 56 spaces. A visitor cycle shelter providing 2 spaces, together with 4 spaces for larger bikes would also be provided immediately outside the entrance to the north block. 3 ground floor flats in the north block would also have provision for 2 cycle spaces in their rear gardens. The proposal would therefore provide a total of 66 long stay (4 of which would be for larger cycles) and 2 short stay spaces which is in accordance with London Plan standards and to which the Highway Engineer raises no objections.

SITE ACCESS

The main access to the site would be from North Hyde Road, via a gated driveway situated immediately on the eastern flank of the proposal site. This access would have two gates that would operate independently of each other, one for pedestrians and one for vehicles. The Highway Engineer notes that the driveway may not be wide enough for two vehicles to pass but the Highway Authority is not unduly concerned about this as it only provides access to 2 car parking spaces (which might possibly increase to 4). A swept path drawing has been provided that shows that a refuse vehicle could enter and leave the site in a forward gear. As well as this vehicular site access, there is also the retained vehicular access from Sandow Crescent which is proposed to be gated. This will only serve the Scottish and Southern electricity sub-station immediately to the north of the site and the site's layout will not permit any greater vehicle permeability into the site. The proposals will also re-instate the footpath from the north of the site onto Nestles Avenue and again this will be gated to restrict access by the wider public.

On the western side of the site, the existing vehicular access serving the former public house car park would be closed and the access landscaped. The Highway Engineer requires the crossover to be re-instated as part of the highway works secured through the S106 Agreement. The Highway Engineer further considers that the development could be best serviced by allowing delivery vehicles to enter the central 'home zone' courtyard to park and unload. To allow this to happen, access arrangements for the gated access would need to be agreed, which would need to be secured by condition. These arrangements would also need to be suitable for emergency services (as noted within the submitted Fire Safety Statement).

RESTRICTION ON RESIDENT PARKING PERMITS

As mentioned above the proposal would be car-free save for 2no. blue badge/accessible car parking spaces. Despite the site having a high PTAL ranking and good access to shops, services, facilities and transport opportunities, there is a risk that some residents may resort to owning and using a private car for trip making. In the absence of any parking

being provided on-plot they may resort to parking injudiciously on-street presenting a risk to road safety and impeding the free-flow of traffic. To reduce the likelihood of this happening, the Highway Authority requires that the applicant enters a 1990 Town and Country Planning Act s.106 legal agreement that prohibits future residents of the development from applying for a permit to join any parking management scheme in the vicinity of the site.

HEALTHY STREETS

Also in order to encourage more sustainable means of travel, the Highway Engineer also requires the S106 Agreement to secure the delivery of works that will facilitate safe and convenient active travel to and from the site. This will broaden the travel choice offered to occupants and visitors thereby reducing the incentive to own and use a car. This would allow the site to be self-sufficient in transport terms given that on-plot parking would be limited. The works required are the resurfacing of the footway between Hayes Health Centre and the Esso petrol station just east of the site boundary which shall include the removal and reinstatement of the redundant vehicle crossover on the western side of the application site.

The recommended s106 requirements and conditions form part of the officer recommendation.

CONCLUSION

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

7.11 Urban design, access and security

SECURITY

Policy DMHB 15 (Planning for Safer Places) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seeks to ensure that all new development provides safe and attractive public and private spaces and promotes Secured by Design principles. This is supported by Policy D10 of the London Plan (2021).

The scheme has been reviewed by the Metropolitan Police's Secure by Design Officer. The officer does raise detailed requirements for the design and functioning of the access gates and this has been conditioned. Otherwise, subject to a condition to ensure that Secure by Design accreditation is achieved, the officer does not raise any objections to the scheme.

7.12 Disabled access

Policy D5 (Inclusive Design) of the London Plan (2021) advises that, inter alia, development proposals should achieve the highest standards of accessible and inclusive design.

Policy D7 (Accessible Housing) of the London Plan (2021) states that residential development must ensure 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' with the remaining dwellings meeting Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Following initial concerns raised by the Council's Accessibility Officer on the revised

scheme, a further comprehensive set of revised plans, including detailed floor plans of all the unit types have been submitted.

The officer advised that the latest revised plans are largely acceptable, apart from drawing no 000-CDA-DR-A-15-001 Rev. 01 (North Block Proposed Flat Type B2-0-01 Floor Plan received 1/3/23). This plan has been further revised and the Accessibility Officer has confirmed that the revised layout for this wheelchair accessible unit is acceptable.

Therefore the Accessibility Officer does not raise any further concerns and advises of the need for 2 conditions which require a Building Regulation compliant fire evacuation lift to be installed in each block (as per the submitted Fire Strategy) and for details of accessible play equipment for disabled children to be submitted. These form part of the officer's recommendation.

7.13 Provision of affordable & special needs housing

London Plan Policy H4 (Delivering Affordable Housing) identifies a strategic target of 50% of all new affordable homes delivered across London to be genuinely affordable. This will be achieved through requiring major developments, which trigger affordable housing requirements, to provide affordable housing through the threshold approach.

London Plan Policy H5 (Threshold approach to applications) states that the threshold level of affordable housing on gross residential development is initially set at:

- 1) a minimum of 35 per cent; or
- 2) 50 per cent for public sector land where there is no portfolio agreement with the Mayor; or
- 3) 50 per cent for Strategic Industrial Locations, Locally Significant Industrial Sites and Non-Designated Industrial Sites appropriate for residential uses in accordance with Policy E7 Industrial intensification, co-location and substitution where the scheme would result in a net loss of industrial capacity.

The Policy further states that to benefit from the Fast Track Route applications must meet all the criteria including meet or exceed the relevant threshold level of affordable housing, be consistent with relevant tenure split, meet other relevant policy requirement and demonstrate that the strategic 50% target has been taken account of.

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

Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) In accordance with national policy:

- i) developments with a capacity to provide 10 or more units will be required to maximise the delivery of on-site affordable housing;
- ii) subject to viability and if appropriate in all circumstances, a minimum of 35% of all new homes on sites of 10 or more units should be delivered as affordable housing, with the tenure split (70% Social/Affordable Rent and 30% Intermediate) as set out in Policy H2: Affordable Housing of the Local Plan Part 1.

B) Affordable housing should be built to the same standards and should share the same

level of amenity as private housing.

C) Proposals that do not provide sufficient affordable housing will be resisted.

D) To ensure that Policy H2: Affordable Housing of the Local Plan Part 1 is applied consistently and fairly on all proposed housing developments, the requirement for affordable housing will apply to:

i) sites that are artificially sub-divided or partially developed;

ii) phased developments. Where a housing development is part of a much larger development of 10 or more units (gross), affordable housing will be required as part of the overall scheme; and

iii) additional units created through or subsequent amended planning applications, whereby the amount of affordable housing required will be calculated based on the new total number of units on the site. Affordable housing will be required where a development under the 10 unit threshold is amended to have 10 or more housing units in total (gross).

E) In exceptional circumstances, where on-site provision of affordable housing cannot be delivered and as a last resort, a financial contribution will be required to provide off-site affordable housing on other sites which may be more appropriate or beneficial in meeting the Borough's identified affordable housing needs.

Circa 30% of the site is located on a non-designated industrial site, where the affordable housing requirement is for 50%. The remainder of the site, which is not in industrial use is subject to a requirement for 35% affordable housing. This approach to considering a proportionate quantum on mixed use sites is advocated and accepted by the GLA. The proposal would be required to achieve 40% affordable housing subject to viability, to be calculated by habitable room.

In accordance with Regional and Local Policy, a Financial Viability Appraisal has been submitted as part of this planning application. The FVA concludes that having regard to the criteria as set out in the report, the proposed development is unable to provide any element of affordable housing provision, either on site or as an off-site commuted sum in lieu, already being in deficit by -£1,131,786 with an adjusted Developers Profit of 10.34%.

The FVA was reviewed by the Council's external consultants. They have reviewed development costs and query the benchmark land value and have undertaken a stand back analysis. This suggests that when compared to similar schemes in the surrounding area, this scheme could potentially generate greater sales values and that the applicants figures are not sufficiently robust. Based on their analysis, the external consultants consider, even based on conservative assumptions regarding land transactions, that the affordable provision should be 18% with a 70:30 split between social rent and shared ownership housing.

Further discussions have taken place and the external consultants recommend that 6 units, comprising 22 habitable rooms or 21% of the total, with 2 in shared ownership (8 habitable rooms) and 4 social rented (14 habitable rooms) be provided.

It is recommended that this level of affordable housing is secured through the S106 agreement and that it also secures early and late stage review mechanism. In this way, given the volatility of the market, should potential cost savings be realised, any surplus would be shared with the Council.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

Policy GG1 (Building strong and inclusive communities) of the London Plan requires those

involved in planning and development to provide access to good quality community spaces, services, amenities and infrastructure that accommodate, encourage and strengthen communities, increasing active participation and social integration, and addressing social isolation. Part E of Policy GG1 goes on to state that development must ensure that streets and public spaces are consistently planned for people to move around and spend time in comfort and safety, creating places where everyone is welcome, which fosters a sense of belonging, which encourages community buy-in, and where communities can develop and thrive. Part G of Policy GG1 sets out to ensure new buildings and the spaces they create are designed to reinforce or enhance the identity, legibility, permeability, and inclusivity of neighbourhoods, and are resilient and adaptable to changing community requirements.

Policy G5 of the London Plan (2021) requires major development proposals to contribute to the greening of London and Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening tailored to local circumstances, but in the interim, the Mayor recommends a target score of 0.4 for developments that are predominantly residential.

At a local level, Policy BE1 (Built Environment) of the Local Plan Part 1 states that the Council will require developments to improve the quality of public realm and provide for public and private spaces which are attractive, safe, functional, diverse, sustainable, accessible to all and respect the local character. Policy EM4 (Open Spaces and Informal Recreation) further states that the Council will seek to protect existing tree and landscape features and enhance new areas of vegetation cover.

Policy DMHB 14 (Trees and Landscaping) of the Local Plan Part 2 requires developments to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. The policy further requires developments to provide a landscape scheme that includes both hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity.

A Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement has been submitted in support of the application.

The application has been reviewed by the Council's Tree Officer and they advise that the site includes an adjacent area of land to the north which is currently overgrown and inaccessible and there are a number of trees on and off site around the north and west boundaries, which although not protected by TPO or Conservation Area designation, selected trees do contribute to the character and appearance of the area and should be retained where appropriate.

The Tree Officer goes on to advise that the Design and Access Statement supported by the proposed layout plans, shows the proposed layout in two blocks. The layouts reflect previous recommendations made in the light of pre-application recommendations. A landscaped buffer has been retained between North Hyde Road and the front block. Ground floor units have private amenity space and / or landscaped defensible space. The upper floors will have private balconies, or terraces, which should be a suitable usable size. The rear block features an intensive green roof / roof garden for use by residents. The flat roofs will include extensive green roofs designed to promote biodiversity incorporating photovoltaics. At ground level the landscape layout has been designed to accommodate a variety of interlinked spaces for use by all ages, with integral play spaces. Planting proposals will include the specification of native species and ornamental space is of known value to wildlife, to enhance biodiversity. The report includes some indicative plant and hard

surface materials and design images.

Impact on Existing Trees

The Tree Officer advises that the scheme is supported by a tree report by Challice Consulting which has identified and assessed 12 individual trees and 6 groups, which are on the site or close enough to influence it. There are no A category trees. 5 trees are category B; T1 lime, T8 Japanese maple, T11 Norway maple, T12 Tulip tree and T18 sycamore. (According to BS5837:2012, A and B grade are particularly worthy of retention due to their condition, value and anticipated useful life.) The other trees are of lower value, with 12 x C category and 1 x U grade. At 10.2, the report confirms that 5 individual trees (T2, T4, T5, T9 and T10) and 3 groups (G3, G15 and G17) will be removed to enable the development. All of these trees are moderate to poor quality; C grade with the exception of G17 (U grade). The summary confirms that the arboricultural impact of the scheme is relatively minor. The retained trees can be afforded an appropriate degree of protection and there will be opportunities to plant new native and ornamental trees as part of the landscape proposals.

Arboricultural Method Statement (AMS)

An AMS is provided which specifies a pre-commencement meeting with an arboricultural consultant. Notes of the meetings or any issues arising should be forwarded to trees@hillingdon.gov.uk, for information.

Urban Greening Factor

An Urban Greening Factor calculation has been submitted, which gives a score of 0.4 for the development which satisfies Policy G5 of the London Plan (2021).

The Tree Officer concludes that the scheme is acceptable, subject to 3 recommended conditions. These have been included as part of the officer's recommendation.

ECOLOGY:

The NPPF promotes biodiversity in recognition of its role in supporting the natural and local environment, by requiring planning policies to protect sites of biodiversity value and provide net gain for biodiversity.

London Plan Policy G6 (Biodiversity and Access to Nature) states that development proposals should mitigate impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Policy EM7 (Biodiversity and Geological Conservation) of the Local Plan Policy Part 1 states that the Council will seek to protect and enhance the population of protected species and the provision of biodiversity improvements for all development where feasible should be explored. The policy further states that the provision of green roofs and living walls which contribute to biodiversity would be supported.

Policy DMHB 14 (Trees and Landscaping) of the Local Plan Part 2 states that the Council will expect all developments to retain or enhance existing landscaping, trees and biodiversity or other natural features of merit. Development proposals will be further required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity.

The application site is highly unlikely to provide any ecological interest as it is sited close to Hayes town centre and it is mainly covered by hardstanding. The proposal will significantly enhance the greening and biodiversity of the site.

7.15 Sustainable waste management

Policy EM11 of the Local Plan: Part 1 (2012) requires all new development to address waste management at all stages of a development's life from design and construction through to the end use and activity on site, ensuring that all waste is managed towards the upper end of the waste hierarchy.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Refuse storage would be provided on the ground floor within each building, on the side elevation, adjacent to the access in the case of the south block and adjacent to the main entrance on the north block.

Waste Services have reviewed the application and advise that access arrangements for refuse collection are acceptable. Furthermore, the capacity of the storage areas are acceptable and consideration should be made for recycling within the containers supplied. Containers are preferred to be metal and coloured green for general waste, and black for dry mixed recycling. These can be purchased or hired directly from Hillingdon's recycling team or sourced elsewhere.

An informative has been added to the officer's recommendation as regards the recycling and container comments.

7.16 Renewable energy / Sustainability

Policy SI2 of the London Plan (2021) establishes the energy hierarchy for minimising greenhouse gas emissions, sets targets and advises that boroughs must establish and administer carbon offset funds and Policy SI4 seeks to minimise adverse impacts of development on the urban heat island by addressing impacts of overheating and excessive heat generation.

A Sustainability and Energy Statement, dated 20th September 2022 has been submitted in support of the revised proposal which sets out how the development proposes to reduce carbon dioxide emissions in accordance with the energy hierarchy.

The Council's Sustainability Officer has reviewed the application and is broadly satisfied with the submission. However, a shortfall has been identified which is required to be secured through a cash in lieu contribution.

The officer recommends an energy condition, requiring the submission of a detailed energy assessment which demonstrates as a minimum that onsite carbon savings and a S106 Heads of Term to secure the appropriate carbon offset payment.

The condition and S106 Heads of Term form part of the officer's recommendation.

7.17 Flooding or Drainage Issues

Policy SI 12 of the London Plan (2021) requires that development proposals ensure that flood risk is minimised and mitigated. Policy SI 13 of the London Plan (2021) also requires

that development proposals utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020). Notably, local policy recommends that proposals that fail to make appropriate provision for flood risk and surface water flooding mitigation should be refused.

The application site is not within an area prone to flooding.

The application is supported by a Flood Risk Statement and Drainage Strategy, September 2022 which the Council's Drainage Consultants have reviewed, and whilst the broad details provided are acceptable, a condition has been imposed to secure the final detailed SUDs design across the site. A SuDS condition forms part of the officer recommendation.

7.18 Noise or Air Quality Issues

NOISE ISSUES:

The application is supported by a Noise Assessment, September 2022 which has been reviewed by the Council's Noise Officer.

The officer did mention that the measured noise values did seem high for a single carriageway but were not that unusual for a busy road and raises no objection to the proposal, subject to a condition which should be achievable, based on the information provided limiting internal noise levels. The recommended condition forms part of the officer's recommendation.

AIR QUALITY ISSUES:

The NPPF supports opportunities to improve air quality or mitigate impacts where necessary.

London Plan Policy SI 1 (Improving Air Quality) states that development proposals should not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits or delay the date at which compliance will be achieved or create unacceptable high levels of exposure to poor air quality. In order to achieve this, the Mayor will require development proposals to be at least Air Quality Neutral and be designed to prevent and minimise increasing exposure.

Policy EM 8 (Land, Water, Air and Noise) of the Local Plan Part 1 outlines that all developments should not cause deterioration in local air quality levels and should ensure the protection of both existing and new sensitive receptors. The Policy further states that all major developments within Air Quality Management Areas should demonstrate how air quality neutrality is achieved where appropriate.

Policy DMEI 14 (Air Quality) of the Local Plan Part 2 further states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants. The policy further requires that development proposals as a minimum should be at least air quality neutral and ensure there is no unacceptable risk from air pollution to sensitive receptors, and actively contribute towards the improvement of air quality, especially within Air Quality Management Areas.

The Council's Air Quality Officer has reviewed the proposal, including the submitted Air Quality Assessment, September 2022 and advises that the proposed development is located within the Hayes Focus Area, bringing additional traffic emissions which will add to current likely exceedances. As per the London Plan, developments need to be neutral as minimum and positive in Focus Areas, and thereby contribute to the reduction of emissions in these sensitive areas.

LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. According to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) needs to be Air Quality positive and further action is required to reduce total emissions produced by its operation.

The officer advises that the total emissions associated with the development needs to be mitigated and these mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The mitigation measures proposed were evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied.

To this end, the officer calculates the level of mitigation required to the proposed development for traffic emissions is £39,422. Once all deductions were applied, the remaining value of mitigation due is £33,509. Flat rate deductions applied are as follow: Travel Plan (10%), Green Sustainable Measures (5%), totalling a reduction of £5,913.

Therefore, if no further mitigation is offered by the applicant, a section 106 agreement with the LAP of £33,509 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

The officer also advises that in addition, 2 air quality conditions are required to manage construction emissions as required by the Mayor of London.

The S106 air quality contribution and the 2 conditions form part of the officer recommendation.

7.19 Comments on Public Consultations

The residents comments raising material planning considerations have been dealt with in the various sections of the committee report.

7.20 Planning obligations

S106 PLANNING OBLIGATIONS:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis: i) to secure the

provision of affordable housing in relation to residential development schemes; ii) where a development has infrastructure needs that are not addressed through CIL; and iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is considered that the planning obligations set out in section 2 of this report can be requested

i) 6 Affordable Housing Units, comprising 22 habitable rooms, including 2 shared ownership ownership (8 habitable rooms) and 4 social rented units (14 habitable rooms) to include Review Mechanism (Early and Late Stage; GLA GLA standard wording).

ii) Carbon offset payment of up to £8,114* to secure the necessary CO2 savings required plus a clause ensuring that the applicant undertakes monitoring and reporting of the carbon performance of the buildings in line with the London Plan 'be seen' requirements. This shall also identify triggers and measures to ensure any shortfalls in performance are understood and mitigation is identifiable and deliverable to resolve failures to meet targets. The reporting shall be undertaken annually for 5 years.

*On commencement of development (excluding demolition), the shortfall (where applicable) identified in the Energy Assessment required by the Energy Condition shall form an in lieu contribution to the Council's carbon offset fund at £95/tCO2 annualised over 30 years (i.e. shortfall x 30 x 95 = £contribution).

iii) £33,509 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

iv) Highways: S278/S38 agreement to secure highway works:-

a) Resurfacing of the footway between Hayes Health Centre and the Esso petrol station just east of the site boundary which shall include the removal and reinstatement of the redundant vehicle crossover on the western side of the application site.

b) Residential Parking Permits

Restriction on future occupiers to obtain a parking permit to join any parking management scheme in the vicinity of the site.

v) Employment Strategy and Construction Training - either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is Council's priority. Financial Contribution will only be accepted in exceptional circumstances;

vi) Public Open Space contribution - £50,730

vii) Health Provision contribution - £14,789

viii) Project Management & Monitoring Fee: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

FIRE STRATEGY

A London Plan Fire Safety Statement, dated 15 September 2022 has been submitted in support of the revised application.

It advises of the measures that will be employed to satisfy Policies D5 and D12 of the London Plan (2021), including the following:-

- An evacuation lift will serve every floor throughout this development. These are lifts that operate as normal passenger lifts allowing everyday use in non-emergency situations, but have been specifically designed to be used in an evacuation situation with additional functions and capabilities if required.
- Building materials will comply with Regulation 7(2) of the Building Regulations and the materials of the external walls will achieve relevant standards.
- Travel distances throughout the development will be in accordance with BS 9991 and elements of the building design, including compartmentation, automatic fire detection and fire alarm systems, sprinkler systems and ventilation systems will be provided where required in accordance with their relevant British Standards.
- Inspection, maintenance and testing procedures will be established to ensure all fire protection systems operate effectively,
- Fire service access will be provided via North Hyde Road. Fire mains will be required in the north block as the 45m permissible distance is exceeded,
- Security features to access any building and site will be considered to ensure fire service response times are not delayed,
- The fire strategy for the proposal will need to be developed further as the building design

develops.

The submitted Fire Safety Statement has broadly covered the relevant requirements and the London Fire Brigade raise no objections. The statement is therefore considered robust and fit for purpose.

CONTAMINATION:

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020) states that:

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

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

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

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

The Council's Contamination Officer has reviewed the application, including the submitted Phase 1 desk Study Report, dated 3/12/21 and advises that the report provides details of the phase 1 study and includes an initial Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA). Six potential pollutant linkages were identified, and their potential risk/s were assessed to vary between very low to moderate.

The Council's Contamination Officer advises that, notwithstanding the conclusions and recommendations outlined within the phase 1 assessment, if planning permission is granted, a condition requiring a scheme to be submitted to deal with the potential contamination on site should be imposed.

The recommended condition forms part of the officer's recommendation.

OVERHEATING

Policy SI4 (Managing heat risk) of the London Plan outlines that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy.

The Sustainability and Energy Statement advises of the measures that will mitigate the potential for overheating, including the use of thermally efficient building materials; efficient mechanical ventilation (with heat recovery) to be used to control air quality to all apartments; opening windows that will provide purge ventilation and apartments having been designed to be deliberately deep, which naturally provides shading to the internal

spaces of the units and the 'g' value of the glazing used for external doors and windows will have a 0.63 specification which will reduce the transmittance of solar radiation through the glass.

It is considered that the above strategy and mitigation measures, as set out in the submitted Energy report, which have been conditioned, will satisfactorily address overheating issues, in compliance with Policy SI4 (Managing heat risk) of the London Plan.

HEALTH

HEALTH INFRASTRUCTURE

The supporting text to Policy DF1 of the London Plan (Delivery of the Plan and Planning Obligations) explains that the demand for health services in London is increasing due to a growing and ageing population and an increase in complex and long-term health conditions, and as such, across London, developer contributions are used to fund the capital costs of new or expanded primary and community care facilities. This is needed to meet the increasing demand for services which arises from population growth in areas of intensification or growth. Using the London Healthy Urban Development Unit Planning Contributions Model (HUDU Model) allows local planning authorities, in conjunction with Clinical Commissioning Groups and NHS England, to calculate the capital cost of the additional health facilities required to meet the increased demand from developments.

In this instance, using the HUDU model, and a capital contribution of £14,789 towards healthcare facilities would be required to support the additional strain placed on local services as a result of the increase in population. This contribution would be secured as a planning obligation.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The principle of the development, including the loss of a small amount of industrial / commercial floor space within the garage courtyard areas and the residential use of the site is acceptable. The scheme is also considered to be of an acceptable scale and design, having regard to the need to ensure that efficient use is made of brownfield sites and the two residential blocks have a suitable siting that will ensure that their impact upon neighbouring residential properties is acceptable and that appropriate provision has been made to safeguard the re-development potential of adjoining sites.

The scheme will provide suitable residential accommodation that satisfies relevant standards and provides a good mix and quality of external amenity space. The scheme is acceptable in terms of its impact on trees and will involve the significant greening of the site.

The scheme would be car free, which is considered acceptable on the edge of Hayes town centre, close to the Hayes and Harlington Station.

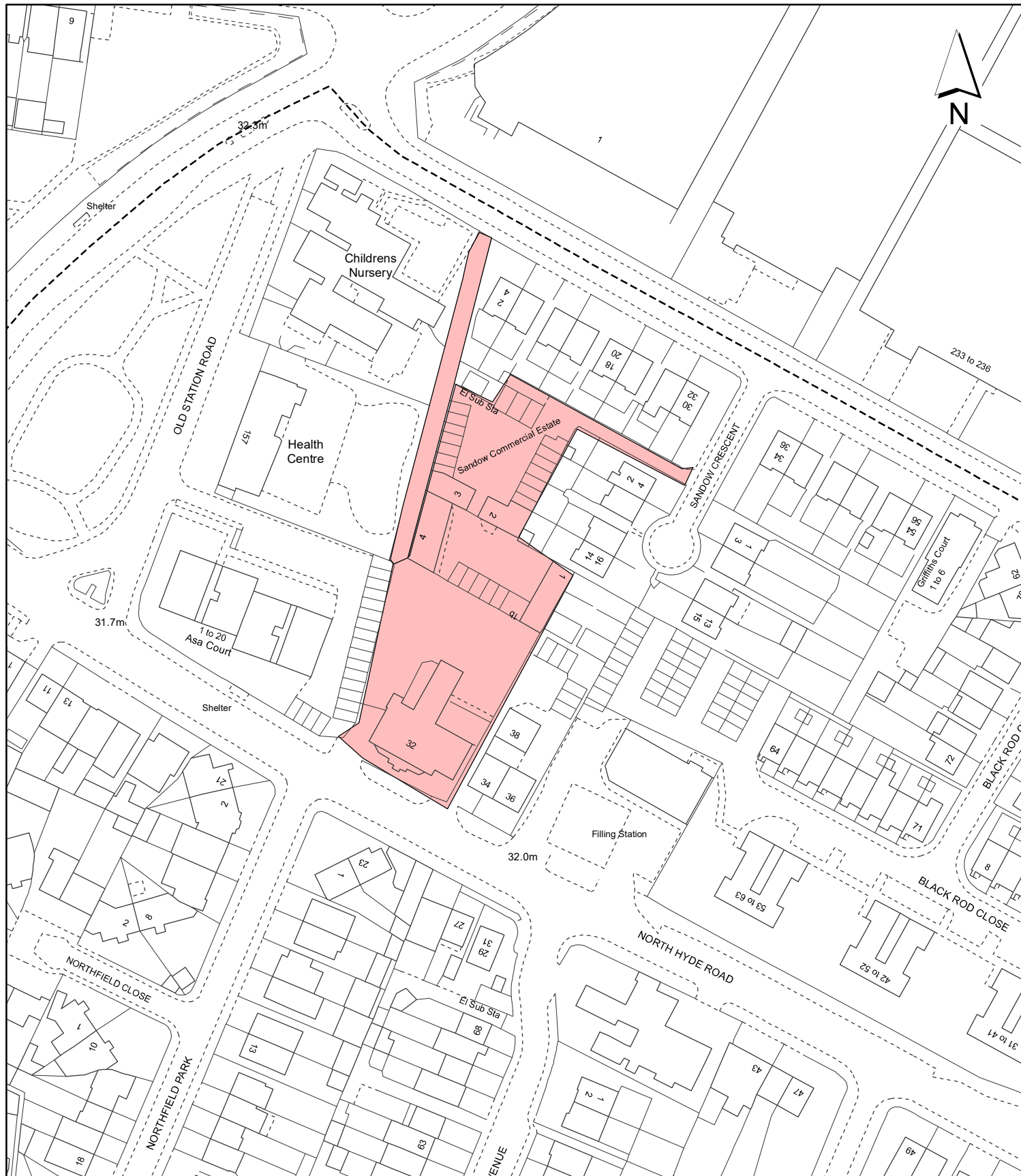
It is recommended for approval, subject to the recommended S106 Agreement Heads of Terms and conditions.

11. Reference Documents

The Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Development Management policies (January 2020)
London Plan (March 2021)
National Planning Policy Framework (2021)
Council's Supplementary Planning Document - Accessible Hillingdon
Council's Supplementary Planning Document - Planning Obligations

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes:



Site boundary

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Site Address:

**Former Victoria PH,
North Hyde Road**

Planning Application Ref:

21432/APP/2021/4649

Planning Committee:

Major

Scale:

1:1,250

Date:

March 2023

**LONDON BOROUGH
OF HILLINGDON**
**Residents Services
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 01895 250111



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