

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

Address	MURRAY ENGINEERING (HAYES) LTD SILVERDALE ROAD HAYES
Development:	Demolition of a two-storey building and associated structures (Use Class E(g)(iii)) and the erection of a replacement six-storey (plus basement) mixed-used building with industrial floorspace (Use Classes B2, B8, E(g)(ii), and (iii)) at basement and ground floor level with residential uses (Use Class C3) above, together with associated car parking, cycle parking, refuse areas and mechanical plant.
LBH Ref Nos:	12795/APP/2021/1584
Drawing Nos:	710-15-001 (Rev. P3) 710-00-002 (Rev. P3) 710-15-003 (Rev. P2) 710-15-004 (Rev. P2) 710-15-005 (Rev. P2) 710-15-006 (Rev. P2) 710-15-007 (Rev. P2) 710-15-030 (Rev. P2) 710-15-031 (Rev. P2) 710-15-032 (Rev. P2) 710-01-014 (Rev. P6) Letter of Potential Interest in Commercial Uni Flood Risk Assessment and Drainage Assessment - 881872-R1(01)-FRA (April 2021) Contamination Phase 1 Desk Study (April 2021) Daylight, Sunlight & Overshadowing Report (04-10-22) Affordable Housing Schedule Applicant response to Metis (04-11-22) Drainage Assessment - 10-01 (Rev. P6) Daylight, Sunlight & Overshadowing Report (25-11-22) Flood Risk Assessment & Drainage Assessment (January 2023) Flood Risk and Drainage consultation letter (13-01-23) Marketing Report (15-04-21) Air Quality Assessment - 443580/AQ/02 (02) (March 2021) Economic Benefits Report (April 2021) Employment Land Review Update (21-04-21) Arboricultural Planning Statement - Version B (February 2021) Preliminary Ecological Appraisal (14-04-21) Lighting Impact Assessment (26-02-21) Energy & Sustainability Statement - 713121R(02) (06-04-21) Daylight, Sunlight and Overshadowing Report (26-02-21) Construction Logistics Plan (March 2021) Noise Impact Assessment - 29768239-RSK-RP-002-(02) (March 2021) Fire Statement - SC21036 (19-04-21) Mechanical, Electrical and Public Health Planning Stage Plant Space Report (April 2021) (Rev. 01) Structural Condition Survey - 0629-ACIES-XX-RP-S-0001 (Rev. P02) (15th April 2021) Heritage Statement (April 2021)

Preliminary Basement Impact Assessment - 372399 R01 (02) (27-04-21)
Planning Statement (19-08-22)
Daylight, Sunlight & Overshadowing Report (25-08-22)
Design and Access Statement (August 2022)
Transport Statement (July 2021) - 661866-TS (2.2)
710-15-033 (Rev. P2)
710-15-035 (Rev. P2)
710-15-036 (Rev. P2)
710-15-037 (Rev. P2)
710-15-050 (Rev. P2)
710-15-060 (Rev. P1)
710-15-061 (Rev. P1)
710-15-034 (Rev. P2)
194589-T-01
1070001-RSK092-SIL-L-005
710-15-009 (Rev. P3)
710-01-010 (Rev. P6)
710-01-011 (Rev. P9)
710-01-012 (Rev. P5)
710-01-013 (Rev. P6)
710-15-015 (Rev. P5)
710-15-016 (Rev. P3)
710-15-017 (Rev. P3)

Date Plans Received:	21/04/2021	Date(s) of Amendment(s):	23/09/2022
Date Application Valid:	21/04/2021		22/04/2021
			22/09/2022
			15/11/2022
			23/04/2021
			27/10/2022

1. SUMMARY

The proposal seeks to demolish the existing two-storey industrial building and associated structures within the site, and erect a six-storey (plus basement), mixed-use residential and industrial building, comprising of 20 residential units at first floor level and above, with 648 sqm of industrial floorspace at ground floor level and within a basement.

The site falls within the Strategic Industrial Location (SIL) for sites near to Hayes Town Centre, at its north-western edge, with land to the north, west and south (former Chailey Industrial Estate, Silverdale Industrial Estate and Benlow Works respectively) removed from the SIL to allow for residential or mixed-use developments to come forward as allocated sites, whilst to the east is an industrial and residential building within the Nitrams unit. As a result of this site's unique position on the edge of a SIL and surrounded by existing and proposed residential uses, the proposed development is considered to be acceptable in principle despite the partial conflicts with the London Plan and Hillingdon Local Plan policies in respect of SILs and industrial uses. Moreover, it is considered that the proposal would re-provide the same level of industrial capacity through the introduction of a basement and at ground floor level, with the provision of 20 new homes at first floor level and above, of which, 36% would be secured as affordable housing.

The proposed building would be built up to the front and side boundaries of the site, creating a main continuous frontage facing southwards towards Silverdale Road, and creating a small, enclosed area to the rear for communal amenity space. The facade of the building has sought to replicate the more intricate appearance of the Grade II listed Benlow Works, opposite, than the more industrial-like buildings to the east, with extensive use of red brick and detailed design features such as hit-and-miss brickwork, soldier courses and arches. The overall scale and massing are considered acceptable for the evolving context of the area, with the detailed design of a high-quality which would provide a visual counterpoint to Benlow Works.

The widespread provision of on-site parking would be impractical noting the other policy requirements of the London Plan and Hillingdon Local Plan, and the site has a PTAL of 3, with good access to doorstep amenities within walking distance at Hayes Town Centre. As such, a car-free approach is supported, subject to providing wheelchair accessible spaces on-site, securing a financial contribution to extend the Hayes Parking Management Scheme to include the site, and preventing future occupiers from being eligible for parking permits, to limit opportunities for on-street parking for future occupants.

Internal living conditions are considered to be acceptable, although it is recognised that elements of the scheme, such as refuse collection distances, slightly exceed the guidelines. Nonetheless, the layout of the units is considered to result in fit and functional internal spaces within a very constrained plot, and it is recognised that the generally southerly orientation of the scheme means that the single-aspect units will benefit from good access to direct sunlight, and opportunities to provide multiple aspects for the proposed corner units have been maximised.

The scheme performs relatively well against the BRE guidance for daylight and sunlight to neighbours for a major development in a built up area, with only minor impacts to daylight to some lower windows within the larger residential scheme occupying the former Chailey Industrial Estate to the north. However, it should be noted that the proposed development would have a fairly significant impact on the amenity of the flat to the rear of the Nitrams unit, in terms of a reduction in daylight and outlook.

Therefore, whilst there is a partial policy conflict with the development plan policies in respect of SILs and industrial uses, weighing up the overall planning balance, it is considered that the proposal is acceptable, and is recommended for approval, subject to the conditions and obligations listed in this report.

2. RECOMMENDATION

That delegated powers be given to the 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) or any other legislation to secure the following:

(i) £26, 500 as a financial contribution towards off-site public open space provision, to offset the on-site shortfall;

(ii) £13, 578 as a financial contribution to be used by the Council to fund measures to reduce poor air quality within the borough;

(iii) £7, 500 as a financial contribution to be used to fund off-site cycle hire

provision in the vicinity of the site;

(iv) £15, 000 as a financial contribution to be used towards consulting and implementing an extension to the nearby parking management scheme to include the application site;

(v) £37, 239 as a financial contribution to be used to fund the capital cost of local health infrastructure to support the additional population arising from the development;

(vi) A carbon offsetting sum based on an Updated Energy Strategy to be submitted to discharge Condition 7, with the offset calculation based on £95 per tonne of CO2 over a 30 year period;

(vii) A full Residential Travel Plan, including a Low Emission Strategy, is to be submitted and approved in writing by the Local Planning Authority. The Plan will include targets for sustainable travel arrangements, effective measures for the ongoing monitoring of the Travel Plan, and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured;

(viii) A full Non-Residential Travel Plan, including a Low Emission Strategy, is to be submitted and approved in writing by the Local Planning Authority. The Plan will include targets for sustainable travel arrangements, effective measures for the ongoing monitoring of the Travel Plan, and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured;

(ix) Enter into a s278 agreement for works to the Highway, including the dropping and raising of kerbs (as required) and other such works as may be required to the highway to implement the development;

(x) To prevent future occupiers from being eligible for parking permits within the borough;

(xi) A full and detailed Construction and Employment Training scheme in accordance with the Council Planning Obligations SPD with the preference being for an in-kind, on-site scheme to be delivered;

(xii) To secure 36% affordable housing (by habitable room), with a tenure split of affordable rent to intermediate of 67/33 (by habitable room) in accordance with submitted Affordable Housing Schedule, and subject to an early-stage review mechanism; and

(xiii) A Project Monitoring and Management Fee, equalling 5% of the total financial contributions paid under this 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 Agreement and any abortive work as a result of the agreement not being completed.

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

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

'The applicant has failed to secure the necessary legal obligations associated with the proposed development and provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of Public Open Space, Air Quality Offsetting, Active Travel, Parking Permit Restrictions, HUDU Health Contribution, Carbon Offsetting, Travel Planning, Highways Works, Construction and Employment Training, Affordable Housing and Project Monitoring). The scheme therefore conflicts with Policy DF1 of the London Plan (2021), Policy DMCI 7 of the Hillingdon Local Plan Part 2 (2020) and the Planning Obligations Supplementary Planning Document (2014).'

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

1 COM3 Time Limit

The development hereby approved 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 COM4 Approved Plans

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

710-00-002 (Rev. P3),
710-01-010 (Rev. P6),
710-01-011 (Rev. P9),
710-01-012 (Rev. P5),
710-01-013 (Rev. P6),
710-01-014 (Rev. P6),
710-15-001 (Rev. P3),
710-15-003 (Rev. P2),
710-15-004 (Rev. P2),
710-15-005 (Rev. P2),
710-15-006 (Rev. P2),
710-15-007 (Rev. P2),
710-15-009 (Rev. P3),
710-15-015 (Rev. P5),
710-15-016 (Rev. P3),
710-15-017 (Rev. P3),
710-15-030 (Rev. P2),
710-15-031 (Rev. P2),
710-15-032 (Rev. P2),
710-15-033 (Rev. P2),
710-15-034 (Rev. P2),
710-15-035 (Rev. P2),

710-15-036 (Rev. P2),
710-15-037 (Rev. P2),
710-15-050 (Rev. P2),
710-15-060 (Rev. P1),
710-15-061 (Rev. P1),
194589-T-01, and
1070001-RSK092-SIL-L-005.

And the submitted documents, titled:

Heritage Statement (April 2021), Structural Condition Survey - 0629-ACIES-XX-RP-S-0001 (Rev. P02) (15th April 2021), Mechanical, Electrical and Public Health Planning Stage Plant Space Report (April 2021) (Rev. 01), Fire Statement - SC21036 (19-04-21), Noise Impact Assessment - 29768239-RSK-RP-002-(02) (March 2021), Construction Logistics Plan (March 2021), Daylight, Sunlight and Overshadowing Report (26-02-21), Daylight, Sunlight & Overshadowing Report (25-08-22), Daylight, Sunlight & Overshadowing Report (04-10-22), Daylight, Sunlight & Overshadowing Report (25-11-22), Energy & Sustainability Statement - 713121R(02) (06-04-21), Lighting Impact Assessment (26-02-21), Preliminary Ecological Appraisal (14-04-21), Letter of Potential Interest in Commercial Unit, Flood Risk Assessment and Drainage Assessment - 881872-R1(01)-FRA (April 2021), Contamination Phase 1 Desk Study (April 2021), Affordable Housing Schedule, Applicant response to Metis (04-11-22), Marketing Report (15-04-21), Air Quality Assessment - 443580/AQ/02 (02) (March 2021), Economic Benefits Report (April 2021), Employment Land Review Update (21-04-21), Arboricultural Planning Statement - Version B (February 2021), Flood Risk and Drainage consultation letter (13-01-23), Drainage Assessment - 10-01 (Rev. P6), Transport Statement (July 2021) - 661866-TS (2.2), Design and Access Statement (August 2022), Planning Statement (19-08-22), Preliminary Basement Impact Assessment - 372399 R01 (02) (27-04-21), and Flood Risk Assessment & Drainage Assessment (January 2023).

REASON

In the interests of proper planning, and to ensure the approved development complies with the provisions of the London Plan (2021), the Hillingdon Local Plan: Strategic Policies (2012), and the Hillingdon Local Plan: Development Management Policies (2020).

3 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).

4 COM15 Sustainable Water Management

Prior to commencement of the development hereby approved (excluding demolition), a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how water is managed and demonstrate ways of controlling the surface water on site by providing information on:

a) Sustainable Drainage:

i. Surface water discharge - the submitted drainage strategy must confirm the proposed method and location of discharging collected surface water from the site in accordance with the hierarchy set out in the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided. Any proposal that includes an off-site connection through a private sewer network should provide details of the condition and ownership of the entire drainage route to a public sewer or ordinary watercourse.

ii. SuDS - the submitted drainage strategy should incorporate Sustainable Drainage System (SuDS) elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that provide wider biodiversity, water quality and amenity benefits.

iii. Infiltration drainage - where infiltration drainage is proposed, a ground investigation must be provided to establish the level of groundwater on the site; to demonstrate the suitability of infiltration techniques proposed on the site by providing the results of infiltration testing in line with BRE Digest 365; and to confirm the suitability of infiltration drainage based on any encountered ground contamination.

iv. Runoff rates - surface water discharge from the site must be no greater than greenfield runoff rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change. Any increases above greenfield rates must be adequately justified and may be subject to developer contributions.

v. Drainage calculations - include calculations to demonstrate the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event. The proposed attenuation volume of each feature should be clarified, and these should be incorporated into the MicroDrainage calculations and there should be no flooding in the 1 in 30-year event.

vi. Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and include details on flow paths, depths and velocities. The location and extent of the flooding for the 1 in 100-year event should be marked on a drawing. Safe access and egress for the site must be demonstrated.

b) Long-term management and maintenance of the drainage system.

i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.

ii. Include details of the necessary inspection regimes, maintenance frequencies and responsible authority (Private Management Company, homeowner, etc.).

iii. Where managed flooding of the ground surface is proposed, the plan should include the appropriate actions for those areas and document the actions required to ensure the safety of the users of the site during a rainfall event.

c) Minimise water use.

i. incorporate water saving measures and equipment.

ii. provide details of how rain and/or grey water will be recycled and reused in the development.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding in accordance with Policy EM6 of the Hillingdon Local Plan Part 1 (2012), Policy DMEI 10 of the Local Plan Part 2 (2020) and Policy SI 12 of the London Plan (2021).

5 A39 Contaminated Land

(i) Prior to the commencement of the development hereby approved (excluding demolition), a scheme to deal with unacceptable concentrations of contamination, including any identified asbestos materials, within the soil shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A site investigation, including 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 person/s. 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, 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.

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.

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 Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Development Management Policies (2020).

6 A35 Piling Method Statement

Prior to the commencement of the development hereby approved (excluding demolition), a Piling Method Statement, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works, shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Any subsequent piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON

To ensure the proposed works in close proximity to underground sewerage utility infrastructure, and which has the potential to significantly impact local underground sewerage utility infrastructure are accounted for in accordance with Policy SI 13 of the London Plan (2021).

7 SUS1 Updated Energy Strategy

Prior to the commencement of the development hereby approved (excluding demolition), an Updated Energy Strategy shall be submitted to, and approved in writing by, the local planning authority. The Updated Energy Strategy shall include an assessment of the annual baseline regulated energy demand (kwhr) as per 2021 Building Regulations (or subsequent amendments) and associated carbon emissions (kgCO₂ and tCO₂), and shall then set out the measures and technology required to achieve, as far as practicable, the zero carbon standards of the London Plan and an on-site reduction equal to or greater than 35% in the CO₂ associated with the baseline regulated energy demand.

The Updated Energy Strategy shall clearly define the 'be lean', 'be clean' and 'be green' measures to demonstrate that the development will meet as far as practicable the zero carbon standards of the London Plan and the minimum standards for onsite energy efficiency. Carbon-saving measures must be sufficiently evidenced with corresponding details and specifications including the location of low and zero carbon technology (i.e.

roof plans showing the inclusion of PV panels), and the Updated Energy Strategy must clearly set out any annual shortfall (tCO2) of the zero-carbon requirement.

The Updated Energy Strategy shall also provide details of the 'be seen' recording and reporting measures and demonstrate that the 'onsite saving' is being achieved in perpetuity.

The development must proceed in accordance with the approved Updated Energy Strategy.

REASON

In order to deliver the maximum on-site carbon savings in accordance with Policies SI 2 and SI 3 of the London Plan.

8 COM7 Materials

Prior to any above ground works for the development hereby approved (excluding demolition), details of all materials and external surfaces, including fenestration, balconies, boundary treatments and balustrades, shall be submitted to, and approved in writing by, the Local Planning Authority.

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

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

REASON

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

9 RES9 Landscaping and Screening

Prior to any above ground works for the development hereby approved (excluding demolition), a scheme of landscaping shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include:

A. Details of Soft Landscaping

A.a Planting plans (at not less than a scale of 1:100)

A.b Written specification of planting and cultivation works to be undertaken

A.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

B. Details of Landscape Maintenance

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

B.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased

C. Details of 30 sqm of doorstep play space within the podium-level communal amenity space, including specific details of accessible play equipment and furniture

D. Details of planting and privacy screening up to a height of at least 1.8 metres around the boundary of the external communal amenity space at podium (first floor) level

E. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the area in accordance with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Development Management Policies (2020).

10 B14A Biodiversity and UGF

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, as shown on Drawing No. 1070001-RSK092-SIL-L-005.

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).

11 TW4 Fire Strategy

A) Prior to any above ground works for the development hereby approved (excluding demolition), the principles of a Fire Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The statement shall detail how the development will function in terms of:

- (i) the building's construction: methods, products and materials used, including manufacturers' details
- (ii) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- (iii) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- (iv) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- (v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- (vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

B) Prior to occupation of the development hereby approved, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority.

This should be accompanied by the Building Control Decision Notice or equivalent. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

12 H14 Cycle Storage

Prior to any above ground works for the development hereby approved (excluding demolition), further details of the 44 residential cycle spaces and 8 non-residential cycle spaces shall be submitted to, and approved in writing by, the local planning authority.

The details shall demonstrate how the cycle spaces according with the London Cycling Design Standards (LCDS), and in particular, shall show that at least 20% of the residential spaces are provided as Sheffield stands at a standard spacing (1.2m preferred, 1.0m minimum), that at least 5% of cycle parking spaces are suitable to accommodate larger and adapted cycles (with a minimum of 1.8m spacing between stands), and one of the lifts serving the basement cycle store is at least 1.2 metres x 2.3 metres, and has a minimum door opening of 1 metres.

Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

To encourage an uptake in cycling in accordance with Policy T5 of the London Plan (2021).

13 OM15 Waste Management Strategy

Prior to any above ground works for the development hereby approved (excluding demolition), a Waste Management Strategy shall be submitted to, and approved in writing by, the local planning authority. The Waste Management Strategy shall include relevant details setting out how both the residential and non-residential on-site waste storage and collection will be managed, demonstrating that there is sufficient space for the separate collection of general waste, recycling, and food waste.

REASON

To ensure compliance with Policies SI7 and D6 of the London Plan (2021) and Policy EM11 of the Hillingdon Local Plan: Strategic Policies (2012).

14 A12 Parking Design and Management Plan

Prior to any above ground works for the development hereby approved (excluding demolition), a Parking Design and Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. It shall include the following:

(i) The arrangements for all on-site parking, including a booking system, and to include provisions for managing, monitoring, enforcement and review. All on-site parking spaces shall be solely for use by the development hereby approved (e.g. staff, visitors, residents) and shall not be used for any other purpose or leased/sub-let.

(ii) Details of 3 wheelchair accessible spaces; two for residential use and one for non-residential use, to be permanently retained within the car parking area.

(iii) Details of 3 active electric vehicle charging points.

The vehicle parking provision and its management, as outlined in the approved Parking Design and Management Plan, shall be fully implemented as approved prior to the first occupation of the development, and so maintained in good working order, and the parking spaces shall not be used for any other purpose for the lifetime of the development.

REASON

To ensure the appropriate operation of the car parking spaces in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies T6 and T6.1 of the London Plan (2021).

15 COM25 Delivery and Servicing Plan

Prior to the first use of the industrial floorspace hereby approved, a Delivery and Servicing Plan, including tracked vehicle movements where necessary, shall be submitted to, and approved in writing by, the Local Planning Authority.

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

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy T7 of the London Plan (2021) and Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

16 COM12 Restriction of floorspace to SIL-appropriate uses

The non-residential floorspace hereby approved at ground and basement level, as shown on Drawing Nos. 710-15-017 (Rev. P3) and 710-01-010 (Rev. P6), shall be used as industrial floorspace only, falling within the B2, B8, E(g)(ii) or E(g)(iii) use classes, as set out in the Town and Country Planning (Use Classes) Order (1987) (as amended).

REASON

To ensure the development does not lead to a loss of industrial capacity within a SIL in accordance with Policies E4, E5 and E7 of the London Plan (2021).

17 DIS4 M4(2)

(A) The dwellings hereby approved shall ensure that 90% be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

(B) Of the remaining 10%, 1 x two-bedroom unit shall be constructed to meet the standards for a Category 3, M4(3)(2)(a) Wheelchair Adaptable Standard dwelling and 1 x one-bedroom unit shall be constructed to meet the standards for a Category 3, M4(3)(2)(b) Wheelchair Adaptable Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and as shown on Drawing Nos. 710-01-011 (Rev. P9) and 710-01-013 (Rev. P6), and all such provisions shall remain in place for the life of the building.

(C) The development hereby approved shall include a minimum of one fire evacuation lift designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999. The evacuation lift shall serve all floors and remain in place for the life of the development.

(D) All Wheelchair Accessible Standard M4(3)(2)(b) and Wheelchair Adaptable Standard M4(3)(2)(a) units shall each be allocated an accessible parking space, capable of accommodating a high sided vehicle, designed to accord with the specifications set out in BS 8300:2018 which shall remain in place in perpetuity.

REASON

To ensure that sufficient housing stock is provided, in accordance with Policy DMHB 16 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies D5 and D7 of the London Plan (2021).

18 COM31 Secured by Design

The development hereby approved 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 part of the development hereby approved shall be occupied until accreditation has been achieved.

REASON

To ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan: Development Management Policies (2020) and Policy D11 of the London Plan (2021).

19 A32 Noise

(A) For the lifetime of the development hereby approved the noise level shall not exceed 35 dB LAeq 16 hrs between 07:00 and 23:00 and 30 dB LAeq 8hrs between 23:00 and 07:00, measured inside any room of any approved 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.

(B) For the lifetime of the development hereby approved the rating level of noise caused by the operation of development shall be at least 5 dB below the minimum background noise level, or 35 dB(A), whichever is higher, measured 1 metre outside of any window of any existing dwelling, or similarly noise sensitive premises, determined in accordance with the procedures set out in BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

REASON

To protect the amenity of future occupiers and existing nearby residents in accordance with Policies D13 and D14 of the London Plan (2021).

20 NONSC Non Standard Condition

Prior to commencement of superstructure works, an Overheating Strategy 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).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMAV 1	Safe Operation of Airports
DMCI 3	Public Open Space Provision
DMCI 4	Open Spaces in New Development
DMCI 7	Planning Obligations and Community Infrastructure Levy
DME 1	Employment Uses in Designated Sites
DME 2	Employment Uses Outside of Designated Sites
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 1	Heritage Assets
DMHB 10	High Buildings and Structures
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 19	Play Space
DMHB 2	Listed Buildings
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

LPP D10	(2021) Basement development
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 D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D9	(2021) Tall buildings
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP E4	(2021) Land for industry, logistics and services to support London's economic function
LPP E5	(2021) Strategic Industrial Locations (SIL)
LPP E7	(2021) Industrial intensification, co-location and substitution
LPP G5	(2021) Urban greening
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP GG5	(2021) Growing a good economy
LPP H10	(2021) Housing size mix
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP H7	(2021) Monitoring of affordable housing
LPP HC1	(2021) Heritage conservation and growth
LPP S1	(2021) Developing London's social infrastructure
LPP S2	(2021) Health and social care facilities
LPP S4	(2021) Play and informal recreation
LPP SD1	(2021) Opportunity Areas
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI4	(2021) Managing heat risk
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T6.2	(2021) Office parking
LPP T6.5	(2021) Non-residential disabled persons parking
LPP T7	(2021) Deliveries, servicing and construction

3 I63 Public Sector Equality Duty of the Equality Act 2010.

As part of the decision making process the Local Planning Authority have taken due

regard to the public sector equality duty of the Equality Act 2010.

4 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.

5 I72 **Section 106 Agreement**

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

6 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 2019. 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.

3. CONSIDERATIONS

3.1 Site and Locality

The site is occupied by a two-storey industrial building sited on the northern side of Silverdale Road, and within the Strategic Industrial Location (SIL) covering sites located near Hayes Town Centre. The existing building has an overall functional and utilitarian appearance which is representative of its existing use and the wider industrial estate, which is characterised by large shed-type warehouses and industrial units. Unlike most of the surrounding buildings within the SIL, the existing building is built entirely using red brick, whereas most of the more modern industrial units nearby use a mix of brick and metallic panelling or panelling only. The exception to this is the Grade II listed Benlow Works, approximately 20 metres south of the application site, which is a four-storey, red-brick building dating from the early 20th century.

The application site lies to the south of the former Chailey Industrial Estate, for which planning permission was granted under application reference 2102/APP/2018/4231 (dated 04-10-19) for a residential led development of 331 flats up to ten storeys in height, and to the west of Silverdale Industrial Estate, for which permission was granted under application reference 71374/APP/2016/4027 (dated 26-07-19) for a residential-led development of 122 flats up to nine-storeys in height.

To the east of the application site is a part single, part two storey industrial building which also comprises a residential unit at first floor level, which was granted a certificate of lawfulness which established its current residential use. To the west of the site is a single storey building occupied by a motor vehicle garage beyond which the area is characterised by suburban residential dwellings.

As set out above, the application falls within a Strategic Industrial Location (SIL), and also falls within the Hayes Opportunity Area, Hillingdon Air Quality Management Area (AQMA), and Hayes Air Quality Focus Area (AQFA).

3.2 Proposed Scheme

This application seeks full planning permission for the demolition of the existing industrial building on the site, and the erection of a six-storey (plus basement) mixed-use development, comprising of an E use class unit at ground and basement level, with 20 flats above. Each proposed flat would be provided with its own private amenity space in the form of a balcony, terrace or garden, and additional communal terraces are proposed to the rear.

The proposed building would be built up to the front and side boundaries of the site, creating a main continuous frontage facing southwards towards Silverdale Road, and creating a small, enclosed area to the rear for communal amenity space. The facade of the building has sought to replicate the more intricate appearance of Benlow Works than the more industrial-like buildings to the east, with extensive use of red brick and detailed design features such as hit-and-miss brickwork, soldier courses and arches.

Three wheelchair accessible parking bays are proposed to the front of the site, near to the communal entrances, with two provided for the residential development and one provided for the proposed industrial unit.

It should be noted that whilst a generic E use class is sought, a condition restricting the use of the proposed non-residential floorspace to use class E(g)(ii) and E(g)(iii) is recommended as all other E class uses would be inappropriate within a SIL.

3.3 Relevant Planning History

12795/APP/2019/3828 Murray Engineering (Hayes) Ltd Silverdale Road Hayes

Demolition of the existing building and the erection of a 6 storey building to provide 26 (16 x 1-bed, 7 x 2-bed and 3 x 3-bed) residential units (Use Class C3) and commercial floor space at ground floor level (Use Class B1) including the excavation of a basement to provide 13 car parking, cycle parking and associated works.

Decision: 23-04-2020 Refused

2102/APP/2018/4231 Chailey Industrial Estate Pump Lane Hayes

Redevelopment of the site to provide three buildings ranging from 2 to 10 storeys in height delivering 331 residential units and 710 sq.m of ground floor commercial floorspace (Use Classes A1, A2, A3, B1, D1 or D2), including the provision of private and communal amenity areas, child play space, car parking, secure cycle parking, refuse storage areas and other associated development (AMENDED MAY 2019).

Decision: 19-06-2019 Approved

71374/APP/2016/4027 Silverdale Industrial Estate Silverdale Road Hayes

Demolition of existing buildings and redevelopment of the site to provide a podium at ground level and buildings ranging from four storeys to nine storeys, comprising 122 residential units (Use Class C3) and 230 sq.m of flexible commercial space (Use Classes A1, A3, B1, D1 or D2), together with associated car parking, vehicular access, landscaping, infrastructure works and the extension of Shackles Dock.

Decision: 16-04-2019 Approved

Comment on Relevant Planning History

A previous application on the site for the demolition of the existing building and erection of a six-storey building with commercial space at ground floor level and 26 flats above, was refused on 23-04-2020. This previous proposal was refused on nine grounds, and broadly these related to (1) a loss of Strategic Industrial Land, (2) a loss of employment opportunities, (3) a lack of affordable housing, (4) overdevelopment leading to harm to the setting of Grade II listed Benlow Works, (5) loss of outlook to neighbouring residential properties, (6) poor quality accommodation, (7) a contrived parking solution, (8) a lack of accessibility, and (9) a failure to provide critical infrastructure through planning obligations.

Also of relevance are application references 2102/APP/2018/4231 (dated 04-10-19) and 71374/APP/2016/4027 (dated 26-07-19), which granted permission for two residential-led developments of 331 flats and 122 flats, and which are sited approximately 20 metres north and west of the application site, respectively.

4. Planning Policies and Standards

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 London Plan (2021)
The West London Waste Plan (2015)

The National Planning Policy Framework (NPPF) (2021), Planning Practice Guidance, as well as relevant supplementary planning documents and guidance are all material consideration in planning decisions.

The proposed development has been assessed against development plan policies and relevant material considerations, as discussed below.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.CI1	(2012) Community Infrastructure Provision
PT1.E1	(2012) Managing the Supply of Employment Land
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM11	(2012) Sustainable Waste Management
PT1.EM4	(2012) Open Space and Informal Recreation
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise

Part 2 Policies:

DMAV 1	Safe Operation of Airports
DMCI 3	Public Open Space Provision
DMCI 4	Open Spaces in New Development
DMCI 7	Planning Obligations and Community Infrastructure Levy
DME 1	Employment Uses in Designated Sites
DME 2	Employment Uses Outside of Designated Sites
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 1	Heritage Assets
DMHB 10	High Buildings and Structures
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density

DMHB 18	Private Outdoor Amenity Space
DMHB 19	Play Space
DMHB 2	Listed Buildings
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
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DMT 6	Vehicle Parking
LPP D10	(2021) Basement development
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LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
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LPP D7	(2021) Accessible housing
LPP D9	(2021) Tall buildings
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LPP E4	(2021) Land for industry, logistics and services to support London's economic function
LPP E5	(2021) Strategic Industrial Locations (SIL)
LPP E7	(2021) Industrial intensification, co-location and substitution
LPP G5	(2021) Urban greening
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP GG5	(2021) Growing a good economy
LPP H10	(2021) Housing size mix
LPP H4	(2021) Delivering affordable housing
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LPP S4	(2021) Play and informal recreation
LPP SD1	(2021) Opportunity Areas
LPP SI1	(2021) Improving air quality

LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI4	(2021) Managing heat risk
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
LPP T6.2	(2021) Office parking
LPP T6.5	(2021) Non-residential disabled persons parking
LPP T7	(2021) Deliveries, servicing and construction

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **19th October 2022**

5.2 Site Notice Expiry Date:- **25th May 2021**

6. Consultations

External Consultees

GREATER LONDON ARCHAEOLOGY ADVISORY SERVICE (17-05-21): Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

HEATHROW AIRPORT SAFEGUARDING (11-05-21): We have now assessed the below application against safeguarding criteria and can confirm we have no safeguarding objections to the proposed application. However, we would like to make the following observation regarding cranes.

Given the nature of the proposed application, it is possible that a crane may be required during development. 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'.

LAMBERT SMITH HAMPTON (DAYLIGHT/SUNLIGHT) (10-11-22): With regards to the surrounding properties, 6 windows from 18 tested fall short of the target value. Of these, 1 window falls marginally short (1%), 4 windows are 7-9% short and 1 window falling 23% short. Room layouts were known for rooms at Fairview so ADF analysis was undertaken. All rooms pass this test.

All surrounding windows pass sunlight testing.

The amenity area at the front of Fairview also meets the target value for overshadowing. With the proposed development, no reflectance values are given for daylight analysis and there is no justification for sunlight results. Of the 50 rooms tested for daylight, 28 (56%) fall short of the target values.

LAMBERT SMITH HAMPTON (DAYLIGHT/SUNLIGHT) (22-12-22): With regards to the surrounding properties, 6 windows from 18 tested fall short of the target value. Of these, 1 window falls marginally short (1%), 4 windows are 7-9% short and 1 window falling 23% short.

Room layouts were known for rooms at Fairview so ADF analysis was undertaken. All rooms pass this test.

All surrounding windows pass sunlight testing.

The amenity area at the front of Fairview also meets the target value for overshadowing.

Of the 50 rooms tested for daylight, 28 (56%) fall short of the target values.

LONDON FIRE BRIGADE (28-05-21): The London Fire Brigade (LFB) has been consulted with regard 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.

NATIONAL AIR TRAFFIC SERVICES (06-05-21): 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.

NHS CCG (03-11-22): I have run the HUDU model and NW London ICB would like to request a capital contribution of £37,239 to put towards local health facilities.

THAMES WATER (04-05-21): With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Details of a Piling Method Statement should be secured by way of condition.

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

TRANSPORT FOR LONDON (07-05-21): Having assessed the proposals, I can confirm that TfL Spatial Planning has no strategic comments to make on this planning application other than to emphasise the development should comply with the transport policies set out in The London Plan 2021. In particular the car and cycle parking standards in tables 10.2 - 10.6 (inclusive). Cycle parking should comply with the London Cycling Design Standards.

TRANSPORT FOR LONDON (21-10-22): Thank you for consulting TfL on the above application. The site is located on Silverdale Road and approximately 690m from The Parkway which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN and is therefore concerned about any proposal which could impact the safety and performance of the TLRN.

The closest train station is Hayes and Harlington which serves the Great Western Railway (GWR) and the Elizabeth line. The station is located approximately 400m southwest of the site. Consequently, the site has a PTAL of 4, on a scale of 0 to 6b, where 6b is highest, and so overall the site is regarded as being fairly well connected by public transport.

For developments that are in proximity to the A312, a contribution towards delivering a package of measures, including a Healthy Streets Scheme for the A312 Bulls Bridge Junction, is sought, in line with Policy T4. However, noting the scale of the proposed development a contribution towards this scheme will not be sought from this development at this time. TfL will however be expecting a firm commitment from this development to the Council's Healthy Streets scheme in this area, secured through the appropriate mechanism. Noting the uses proposed, and the current industrial nature of the surrounding area, particular attention should be given to the Healthy Streets indicator 'People feel safe' and 'People feel relaxed'.

TfL welcome the car-free nature of the proposal. An appropriate contribution towards reviewing local parking controls and a permit-free agreement should be secured through the appropriate mechanism.

The proposed 3 blue badge parking spaces are in line with London Plan Policy T6 where it is required that for 3% of residential dwellings a disabled bay is provided. Please ensure, in line with Policy T6, that upon future demand an additional 7% of dwellings could be provided with disabled persons' parking spaces.

In line with London Plan Policy T6, at least 20% of parking spaces should have active charging facilities, with passive provision for all remaining spaces. 52 cycle parking spaces are proposed: 44 for residential units and 8 for commercial units, which is in line with the minimum standards identified in Policy T5. Of the 44 residential cycle spaces and 8 commercial cycle spaces, please provide details about how many long stay and short stay cycle parking spaces will be provided. It is proposed that Sheffield stands will be provided for commercial cycle parking, which is welcomed and in line with the London Cycle Design Standards (LCDS). However, it is unclear whether Sheffield stands will also be provided for residential at basement level. TfL recommend that at least 20% of stands for the residential element take the form of Sheffield stands at standard spacing (1.2m preferred, 1.0m minimum).

From the plans provided, it does not appear that the applicant is providing any stands suitable for larger and adapted cycles. In line with LCDS, at 5% of cycle parking provision should be suitable to accommodate larger and adapted cycles, with a minimum of 1.8m spacing between stands. It is noted that the cycle parking is to be located in the basement, to be accessed via two lifts. TfL's preference would be for cycle parking to be located at ground floor level, to support ease of access.

However, should it remain within the basement it should be ensured that lifts are in line with the dimensions detailed in LCDS, which for ease of reference is: 1.2m x 2.3m (minimum) and a minimum door opening of 1000mm. It should be ensured that aisle widths, as detailed in Figure 8.1 of the LCDS, are being achieved.

The delivery and servicing is proposed to be an on-street compound which is located along the front of the site which will be controlled by a supervisor. This does not meet the requirements of Policy T7. However, as Hillingdon Council are the planning authority and decision maker it is for them to decide on the acceptability of this.

Delivery and servicing should also occur outside of peak hours and a contingency plan should be provided within the Delivery and Servicing Plan (DSP) in regard to missed delivery slots. A full Delivery and Servicing Plan (DSP) should be secured through condition. This should be prepared in line with TfL guidance. It should contain detail on the measures that will be implemented to minimise

the impact of the delivery and servicing activity at this site on the surrounding transport network. It should also explore the opportunities for sustainable and active freight at this site.

The applicant has provided an outline Construction Logistics Plan (CLP) and have highlighted within this document that some of the construction methods have not yet been decided upon. A full CLP should be secured through condition in line with Policy T7, detailing the final agreed construction methodology.

Within the outline CLP, the applicant has stated that they are looking at the possibility of using a crane. Should a crane be used, it must be ensured that the crane does not block pedestrian/cycle access along Silverdale Road in line with Policy T7 and the Healthy Streets Approach. No oversailing the highway.

It is noted that during the construction phase of development, hoarding will be used across the site compound and the pedestrian footway will be closed and redirected along the south side opposite the site. We are interested to know whether closing this footpath could be avoided. If not, the footpath proposed to be used instead must be of good quality, wide enough for higher pedestrian flows, and accommodate safe and comfortable movement of pedestrians from all walks of life in line with Policy T3 and the Healthy Street programme. This redirection of pedestrians should also provide a safe way to cross the two-way traffic flow along Silverdale Road.

The outline CLP notes that a 'banksman' will be present when vehicles arrive and depart to safeguard pedestrians and cyclists. Please could the applicant provide more details about how this will operate. In addition, the CLP outlines that vehicles entering and leaving the site will all use the Parkway (A312) which forms part of the TLRN. Minimising the impacts along this road network is vital and so TfL recommend the applicant using, where possible, sustainable delivery vehicles such as cargo bikes, in line with policy T7.

In response to our comments above, TfL do not object to the proposal provided our policies are abided by, amendments are made to improve the quality of cycle parking and there are changes to the documents to address queries made.

Internal Consultees

ACCESSIBILITY OFFICER (07-05-21): This latest scheme is for 22 residential units across five storeys with Use Class E units on the ground and basement levels. Accessible parking spaces are provided at ground level. The scheme now includes 6 x 2 bed units and 16 x 1 bed units, of which two are wheelchair adaptable in accordance with London Plan policy D7.

Two lifts are now provided, however, there is no mention of London Plan policy D5 and D12 and the requirement for one of those lifts to be a designated fire evacuation lift.

The proposed scheme is acceptable from an accessibility perspective, subject to conditions requiring compliance with the relevant M4(2) and M4(3) standards and the need to install a fire evacuation lift.

ACCESSIBILITY OFFICER (28-09-22): This latest scheme is for 20 residential units across five storeys with Use Class E units on the ground and basement levels. Accessible parking spaces are provided at ground level. The scheme now includes 6 x 2 bed units and 16 x 1 bed units, of which two are wheelchair adaptable in accordance with London Plan policy D7. Two lifts are now provided, however, there is no mention of London Plan policy D5 and D12 and the requirement for one of those lifts to be a designated fire evacuation lift.

The proposed scheme is acceptable from an accessibility perspective, subject to conditions requiring compliance with the relevant M4(2) and M4(3) standards and the need to install a fire

evacuation lift.

AIR QUALITY (19-11-22): The proposed development is located within the Hayes Focus Area, bringing additional traffic emissions which will add to current likely exceedances. As per the new 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.

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 £13,578. Therefore, a section 106 agreement with the LAP of £13,578 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, two Air Quality conditions are required to develop and implement a Low Emission Strategy and manage construction emissions as required by the Mayor of London.

CONTAMINATED LAND (17-10-22): I have reviewed a copy of the geo-environmental information within the Phase 1 Desk Study. The report provides an account of findings from a desk-based study which was conducted to establish whether current or historical activities at or near the site may have created potentially significant environmental liabilities for the subject property.

An appropriate initial Conceptual Site Model (CSM) was produced along with a Preliminary Risk Assessment (PRA), and plausible contaminant linkages were identified during the phase 1 study. I recommend conditions to control potential contamination issues.

FLOOD AND WATER MANAGEMENT (17-12-21): As a major application a drainage strategy for the site should be submitted as it is a material planning consideration. As one is not submitted this application should be refused.

There is however reference in the BIA to a drainage strategy and the inclusion of a blue roof "The proposed drainage strategy will incorporate a blue roof structure of 608.7m² that will discharge at restricted rates into the existing surface water sewer connection" Though no further detail provided.

A BIA has been submitted but no site-specific investigations have been undertaken to inform the BIA. Where the basement extends the full extent of the boundary on all sides this must be undertaken as the impact could be significant on surrounding area, as there is not scope for mitigation, and cannot be conditioned.

FLOOD AND WATER MANAGEMENT (07-10-22): We object to the application for the following

reasons:

1. Does not comply with Policy SI 13 of the London Plan's Drainage Hierarchy.
2. The applicant has not confirmed the existing and proposed runoff rates for the 1 in 1-year, the 1 in 30-year and the 1 in 100-year event (including a 40% climate change consideration).
3. The applicant has not included the existing and proposed runoff rates within the drainage calculations.
4. The applicant has not confirmed what flow control device (such as a hydrobrake) will be used in the design. The flow control device should be illustrated on the Drainage Assessment Drawing.
5. The applicant has not provided the greenfield, existing and proposed runoff volume for the 1 in 100-year six-hour event.
6. Does not comply with Defra's Non-Statutory Technical Standards for Sustainable Drainage S7 and 8.
7. The applicant has not illustrated the routes flow will take in events that exceed the 1 in 100-year event (plus 40% climate change) event, in line with Defra's Non-Statutory Technical Standards for Sustainable Drainage S9.
8. The applicant has not confirmed the maintenance tasks and frequencies for the proposed blue roofs or for the mandatory flow control device.
9. The applicant has not named the maintenance owner.
10. The applicant has not confirmed through written consent that Thames Water have capacity to accommodate the 2.5 l/s within their existing networks for the proposed discharge point.

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

1. Carries out infiltration testing to demonstrate that this is not a feasible method of discharge for the site.
2. Confirms the existing and proposed runoff rates for the 1 in 1-year, 1 in 30-year and 1 in 100-year (plus 40% climate change consideration) event.
3. Updates the drainage calculations to confirm the existing and proposed runoff rates.
4. a) Confirms what flow control device the applicant will use in the design and b) Illustrates the flow control device within the Drainage Assessment Drawing.
5. Confirms the greenfield, existing and proposed runoff volume for the 1 in 100-year six-hour event
6. Updates the drainage calculations to indicate whether the site will experience flooding up to and including the 1 in 100-year (plus 40% climate change) event.
7. Illustrates the routes flow will take in events that exceed the 1 in 100-year event (plus 40% climate change) event.
8. Confirms the maintenance tasks and frequencies for the proposed blue roofs and for the mandatory flow control device.
9. Names the maintenance owner.
10. Confirms through written consent that Thames Water have capacity to accommodate the 2.5 l/s within their existing networks for the proposed discharge point.

FLOOD AND WATER MANAGEMENT OFFICER (03-02-23): We object to the approval of the application for the following reasons:

- The proposed discharge rate (4.59 l/s) is not the greenfield rate, nor is it a maximum of 2 l/s. No justification has been provided for why the proposed runoff rates are not the greenfield rates The drainage calculations must be amended to include all drainage features. Calculations should be provided for the existing run-off values.
- The location of the flow control device should be supplied on the drainage diagram.
- The proposed runoff volume for the 1 in 100-year six-hour event must be provided, with calculations.
- The drainage calculations must be amended to indicate whether the site will experience flooding up to and including the 1 in 100-year (plus 40% climate change) event. The whole site and all the

drainage features should be included.

- On-site flow routes for the whole site as a result of the 1 in 100-year event with a climate change consideration should be included on the Drainage Strategy Diagram.

The below items can be addressed at discharge of condition stage:

- Confirms the maintenance tasks and frequencies for the proposed blue roofs and for the mandatory flow control device.
- Names the maintenance owner.
- Infiltration testing should be carried out to demonstrate whether it is feasible to infiltrate from the proposed permeable paving.

ENERGY OFFICER: No comments received.

HIGHWAYS (16-11-22): A planning application has been received seeking permission to demolish an existing two-storey building and the erection of a replacement six-storey building in its place to provide 20no. residential units and 648sq.m Use Class E(g) floor space at ground floor and basement level.

The application site is situated on the edge of Hayes town centre on the northern side of Silverdale Road, it benefits from offers good access to a range of shops, services, facilities and transport opportunities. Silverdale Road is a no through road aligned in an east-west direction; the application site is situated at the far western end. The street comprises a mix of both residential and industrial/retail uses and benefits from a 30mph speed limit, street lighting and footways on either side of the carriageway.

A single yellow line parking restriction is in operation between 08:00 and 18:30 hours Monday to Saturday on the northern side of the carriageway, there is no restriction on the southern side. Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access the public transport network. PTAL assesses walk times to the nearest public transport location taking into account 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 0 indicating access to public transport is poor compared to London as a whole. However, just 80 metres away PTAL increased to 5 which is good.

Other than 3no. disabled/accessible car parking spaces the development would car free. Two spaces would be for the residential use and 1no. for the commercial use. All three of these parking spaces would be provided with active electric vehicle charge points.

There would be 44no. long stay residential cycle parking spaces in the basement, 4no. short stay spaces along the site frontage and a further 4no. at the rear of the building for the commercial use. However, the 4no. commercial cycle parking spaces are difficult to access and therefore not in accordance with London Cycle Design Standards and the published London Plan Policy 5.

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 car parking standard requires that an application such as this provides up to 1.5no. spaces per dwelling. However, taking into the application sites accessible location the standard of car parking provision is considered acceptable.

London Plan policy T5 Cycling requires that the development provides a minimum of 28no. residential cycle parking spaces, the 44no. long stay spaces proposed is therefore in accordance with this policy. Policy T5 requires that the 648sq.m of commercial floor space provides 4no. cycle parking spaces, the 4no. proposed is therefore in accordance with this policy.

Refuse collection would involve residents placing their refuse in collection points located at the front of the development just behind the disabled parking areas. On collection day the refuse vehicle would stop on-street and the operatives wheel the bins to the vehicle for unloading.

The Highway Authority notes that as the development falls within Use Class E, the commercial element of the proposal could be used as a Creche, day nursery or day centre without needed planning permission. These types of development generate a high volume of pick up/drop off traffic for which Silverdale Road and the proposal is unsuited. These types of uses would create parking stress, impede the free flow of traffic, and increase the road safety risk. The highway authority requires a planning condition/other that prevents the commercial use of the proposal from being used as a creche, day nursery or day centre.

London Plan Policy T2 Healthy Streets requires that development proposals should demonstrate "how they will deliver improvements that support the ten Healthy Streets indicators". This information is usually presented in an Active Travel Zone assessment which has not been provided. The delivery of Healthy Streets improvements helps make car free developments self-sufficient in transport terms through the delivery of works that make active travel safer and more convenient, these modes then become genuine alternatives to trip making by the private car. The Healthy Streets improvement that the Highway Authority shall expect the development to deliver is a contribution towards cycle facilities along Pump Lane near its junction with Silverdale Road at a cost of £7500.

As the development would be car free there is a possibility that some residents may still chose to own and use a car and with no car parking on-plot will park on-street resulting in parking stress. To protect against this the Highway Authority, require the applicant to contribute towards the provision of a residents parking management scheme Little Road and Chalfont Road should the development lead to parking problems which are brought to the Councils attention by local residents.

A Travel Plan has been submitted alongside this planning application which has been assessed and judged to be weak. If the Travel Plan does not adequately facilitate public transport use, car sharing, home working and active travel residents may resort to owning a car and parking on-street leading to parking stress, impinging on the free flow of traffic, and increase the road safety risk. The Travel Plan shall be revised and resubmitted with a £20,000 bond provided as surety that the Travel Plan will be implemented and the targets attained.

There are no highway objections to this proposal subject to conditions being imposed which control cycling provision, parking provision, construction impacts, delivery and servicing and the commercial use of the ground and basement levels.

A Travel Plan (and bond), the prevention of future occupiers from being eligible for parking permits within the borough alongside consultation on the extension of a parking management scheme to cover the site, off-site cycle facilities to support Healthy Streets initiatives and a section 278 agreement should all be secured as obligations in a legal agreement.

NOISE (10-10-22): Sufficient information has been provided by the Applicant to make a recommendation with respect to noise, including a noise impact assessment report. It is recommended that no objection is made on noise grounds subject to the inclusion of suitable conditions which should be met based on the design information provided and considering measurement and prediction uncertainty.

PLANNING POLICY (13-10-22): The planning application is a resubmission of a similar proposal (12795/APP/2019/3828) that was refused in April 2020. An objection was made by the Planning Policy Team on this application. The proposal was then revised and new evidence provided. The London Plan (2021) has also since been published, forming part of the Development Plan for the

London Borough of Hillingdon. The Policy Team submitted comments on the proposal in June 2021. These have been included below with changes to reflect resubmitted information from September 2022.

The proposed development includes the loss of a two-storey building and the smaller ancillary buildings around it, which is vacant. The building was occupied by Murray Productions Ltd. Until December 2019, however they have since moved to a new industrial unit in West Drayton. Murray Productions Ltd. are a specialised precision engineering company, with their website stating they operated out of the application site for over 45 years.

The applicant asserts that the building has operated under Use Class B1(c), which is now considered to be E(g)(iii). The Council has previously queried why the building is not considered to operate under the Use Class B2. There is no doubt by either party that the site has been used for industrial processes, as defined within the Town and Country Planning (Use Classes) Order 1987. However, there is a disagreement about whether this industrial process could be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. The applicant asserts that the site was light industrial, based on the previous occupant creating precision engineered components and providing a list of equipment formerly used at the building. They also state that the use did not cause harm to the amenity of any residents.

Notwithstanding the above, Officers consider that the appropriate Use Class is B2. It is considered that the equipment listed has the capacity to create noise that would have been heard in and outside of the building during working hours. A demonstration video on the company's website shows signage stating that hearing protection must be worn by users inside the building. Furthermore, the noise assessment formerly submitted as part of the previous application (12795/APP/2019/3828) outlines under that the noise environment at all measurement locations was affected by 'intermittent fixed plant activity associated with the current Murray Productions facility'. Whilst the previous landowner may not have received any complaints regarding the noise, this is not the test outlined in the Town and Country Planning (Use Classes) Order 1987. The test is whether the use 'can be carried out in any residential area without detriment to the amenity of that area by reason of noise'. If the use was taken out of its obvious industrial surroundings and placed within a residential area, it would almost certainly have a detrimental impact on the amenity of that residential area. The application form and planning description should be amended accordingly.

The main building is stated to be 585 sqm (GIA), with an additional 2-storey ancillary outbuilding with is 70 sqm (GIA) and two 1-storey ancillary units with a total GIA of 42 sqm. The total floorspace is therefore 697 sqm. The site is located within a Strategic Industrial Location (SIL), referred to as the Hayes Industrial Area in Policy E5 of the London Plan (2021). This policy states that Boroughs should define the detailed boundaries of SILs in policies maps as part of their Development Plans. These detailed boundaries were established as part of the Local Plan: Part 2 - Site Allocations and Designations (2020).

Having reviewed the Planning Statement, it is important to comment on a few more important statements so that decision-makers and future applicants have the correct information:

The site is not located within the Heathrow Opportunity Area. The site is located within the Hayes Opportunity Area. Please note there is different commentary and indicative targets for these Opportunity Areas.

The development does not constitute intensification. The development is co-location for the purpose of interpreting the London Plan (2021) and associated guidance and evidence. The London Plan (2021) uses three terms separately for managing industrial land, which are industrial intensification, co-location and substitution. It also references the Industrial Intensification Primer (2017), which

clearly distinguishes between industrial intensification and co-location of industrial uses with residential.

SILs are London's main reservoir of land for industrial, logistics and related uses. SILs are given the strongest strategic protection because they are critical to the effective functioning of London's economy. They can accommodate activities which - by virtue of their scale, noise, odours, dust, emissions, hours of operation and/or vehicular movements - can raise tensions with other land uses, particularly residential development. Policy E5 outlines that SILs should be managed proactively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy. It also outlines that Boroughs should develop local policies to protect and intensify the function of SILs and enhance their attractiveness and competitiveness for the functions set out in Part A of Policy E4. Importantly, whilst Policy E5 confirms that both light and general industrial uses are acceptable in SILs, residential development is not a function of SILs.

The applicant has suggested that the proposal is following a 'plan-led process' in line with Policy E5 a), on the basis that the applicant considers the proposal is in accordance with the Development Plan. Clearly the 'plan-led process' being referred to is the remaining criteria within the policy itself, which includes criterion B 4) and outlines that where SILs are to be released for alternative uses, this must be carried out through a planning framework or Development Plan document review process and adopted as policy in a Development Plan. The proposal is clearly not being led through this process, but via another ad-hoc planning application outside of the Local Plan review. The proposal would therefore conflict with this part of Policy E5.

As outlined in the response to the previous application, the Council has already undertaken a process of SIL consolidation and release for alternative uses, which took place through the Local Plan: Part 2 (2020). This was based on the identified scope for release in that Mayor of London's Land for Industry and Transport SPG (2012) and the Council's own Employment Land Study Update (2014), which made recommendations as to which sites should be released, which were then considered against the wider strategic benefits of doing so. It should be noted that during the examination process of the Local Plan: Part 2, the Mayor of London raised concerns that the quantity of industrial land being released through this process was excessive. Whilst the local planning authority disagreed with this conclusion, it was recognised that any further release of industrial land in the future would need to be undertaken in line with the Mayor's London Industrial Land Demand Study (2017), which highlights that industrial land release in London has taken place well in excess of previously established London Plan monitoring benchmarks.

'Through the local plan process the site remains designated as SIL, even though the local plan evidence base and supporting documents demonstrate the premises unsuitability for the designation.'

The local plan process and its associated evidence did not demonstrate or conclude that the site is unsuitable for SIL. The assessment undertaken by Consultants URS in 2014 for the Pump Lane SIL recommended that the Pump Lane cluster retained its designation as SIL.

Policy E5 Part c) is clear that the development proposal in SILs that should be supported are those which fall within the industrial-type activities set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function. This does not include residential development. Furthermore, Policy E7 Part b) is clear that only in LSIS, but explicitly not SIL, the scope for co-location industrial uses with residential and other uses may be considered. Notably, the co-location of LSIS would also only be permitted through a plan-led or masterplanning process. The Industrial Intensification Primer is also explicit on pages 24 and 25 that co-location should not be considered within designated industrial areas as conflicts with surrounding sites may be created and should only be considered where social infrastructure is sufficient. The logic behind the London Plan (2021)

and associated guidance not supporting new residential development via co-location in designated industrial locations is:

These areas have been designated to attract uses which by virtue of their scale, noise, odours, dust, emissions, hours of operation and/or vehicular movements will typically raise tensions with other land uses. They are therefore not typically appropriate environments for residential development.

Designated industrial locations typically have limited social infrastructure necessary to accommodate new residents and the need for new infrastructure is unlikely to have been assessed and allocated to a development site.

Existing industrial uses with these externalities should have the right to operate without new restrictions being imposed on them via the introduction of residential development. Doing so risks their displacement to less favourable locations.

Sites should be repurposed for alternative industrial uses where possible to ensure industrial capacity is retained.

Policy DME 1 of the Local Plan: Part 2 (2020) was developed under the context of the 'limited release of industrial land' identified on Map 4.1 of the London Plan (2016) and the previous evidence base outlined above. It takes a different approach to repurposing SIL than Policy E5 of the London Plan (2021), in so far as it provides a criteria-based policy for repurposing land outside of a review of the Development Plan.

Policy DME 1 outlines the proposals for other uses in SILs (such as residential) will only be acceptable where there is no realistic prospect of the land being developed in accordance with expected uses or the site has been vacant and consistently marketed for a period of two years. The applicant has confirmed in their Planning Statement (Para. 6.1.29) that they still have not undertaken a formal marketing exercise since the previous user vacated on 12/12/2019.

In terms of whether there is a realistic prospect of the land being developed in accordance with expected SIL uses, the applicant has submitted several separate documents covering this issue. An Employment Land Review by Pegasus Group has been submitted, which includes an assessment of the suitability of the site in Chapter 5, including points about road access, servicing, car parking and surrounding uses. As outlined in the response to the previous application, Officers do not agree with the findings in the report and consider that the wider area performs well in its function as a SIL. As highlighted in the response to the previous application, the areas suitability as a SIL has already been examined through the Employment Land Review (2014) and was deemed to perform well as a whole. The commentary on the compatibility with surrounding uses also fails to consider the separation distances that have been designed into the new residential schemes and the Agent of Change principle installed in Policy D13 of the London Plan (2021).

The applicant has also submitted a structural condition survey of the existing main and ancillary buildings. The survey concludes that both are at or beyond their original intended design life and suffer from a significant number of defects that would prevent the building from being relet in its current condition. These include corrosion of reinforcement within column casings, damage to the concrete casings, damage to concrete windowsills and lintels, damage to brickwork, extensive damage to concrete ground floor slab and first floor structural topping, damage to external yard slab. Extensive works are therefore recommended if the life of the building is to be extended and relet. Alternatively, the building would need to be demolished and rebuilt if it is to remain in industrial use for a longer period of time.

A corresponding Market Report has also been submitted by Savills, which looks at the viability of both refurbishing and rebuilding the site, so that it would be attractive for a new industrial user. The

report concludes that even prior to profits being considered, it would not be viable to undertake either the refurbishment or rebuild, noting the identified costs of the works and the anticipated upper limits of the projected returns. It is also agreed that the limited size of the site (0.08ha) and the poor site access prevent the site from being appropriate for other SIL compliant uses, such as distribution, waste management or a wholesale market.

The proposal would therefore meet the test within Policy DME 1, so far as there is no realistic prospect of the land being used for a use identified as being SIL compliant. Whilst the proposal has been progressed outside of the Development Plan review process, contrary to Policy E5 of the London Plan (2021), a refusal purely on this basis would result in this site remaining vacant until the review was completed.

Furthermore, the site is well-connected by public transport, walking and cycling, meaning that it would not have failed this part of the selection criteria. Its location on the very edge of the SIL and its close proximity to the town centre also means that residents would not have the typical issue accessing social infrastructure that would be found in other parts of designated industrial land. The number of residents would not be of a quantum that would have a material impact on infrastructure providers, particularly when contributions are taken into account. Noting the unique circumstances regarding this site, it is considered that an in-principle objection to the redevelopment of the site for alternative non-SIL compliant uses would not be justified.

However, there are still other policy requirements for new developments being proposed in or adjacent to SILs. Policy DME 1 states that development adjacent to SILs must be located and/or designed to not compromise the integrity or operation of these employment areas. Policy E5 outlines that development proposals within SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis. Residential development adjacent to SILs should be designed to ensure that existing or potential industrial activities in SIL are not compromised or curtailed. Particular attention should be given to layouts, access, orientation, servicing, public realm, air quality, soundproofing and other design mitigation in the residential development. Regarding noise specifically, Policy D13 of the London Plan (2021) outlines that proposals should manage noise and other potential nuisances by separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures.

If a residential proposal is to be permitted on this site, it would need to be designed to mitigate against the adjacent unit to the east, which currently has the right to operate any industrial process (B2) on a 24hr basis. Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue to grow without unreasonable restrictions being placed on them.

The proposal has been built up against the site occupied by Nitram Vacuum Heat Treatments Company, meaning there would be no separating distance between the existing noise-generating business and the new residential units. The immediate area next to the site boundary is used for parking and servicing. Google imaging also shows how the building has operated with the service doors open. The entrance for the new residential units would be adjacent to this part of the neighbouring site. In terms of the private amenity space for the new residential units, the first-floor external amenity space backs directly onto the adjacent industrial building. The 1st to 5th floor balconies in the south-eastern corner remain facing onto the neighbouring industrial site. It is still unclear what consultation has been undertaken with the neighbouring site occupied by Nitram Vacuum Heat Treatments Company. Confirmation should be sought on the existing residential unit within the site (i.e. is it just occupied by a user of the industrial building), as well as the company's views on whether the redevelopment of the Murray Engineering site would have a harmful impact on their ability to grow without unreasonable restrictions being placed on them.

It should also be clarified that planning policy consider that the scheme would result in a net loss of industrial capacity. The proposal appears to re-provide less than the 697m² of floorspace on site, whilst also reducing operational capacity. The applicant has argued in the Planning Statement that the proposal provides non-residential floorspace that is compatible with the SIL uses allowed in the Development Plan. It has been suggested (Paragraph 6.1.34) that the following uses outlined within Policy E4 of the London Plan (2021) could operate out of the site:

- Light industrial.
- Emerging Industrial-related sectors.
- Flexible (Formerly B1c/B2/B8) hybrid space to accommodate services that support the wider London economy and population.
- Low-cost industrial and related space for micro, small and medium-sized enterprises (see also Policy E2 Providing suitable business space).
- Research and development of industrial and related products or processes (Formerly Class B1b).

However, there are clear and obvious deficiencies with the layout, access and design of the non-residential floorspace that would prevent it from being attractive and useable for those uses. The West London Affordable Workspace Study provides design guidance on what specifications are needed to facilitate workspace as part of a co-located scheme with residential (Chapter 3 Design and Typological Responses). It is clear that the access and servicing arrangements would not be appropriate for the light industrial uses highlighted above, noting in particular that there is no service yard, no designated loading area and no double door access for larger goods. Any large deliveries would likely conflict with the shared space for accessible residential parking and the main entrance lobby. The workspace study also outlines that light industrial space would typically require a ceiling height of at least 4.5m. The use of large basement with a small lift to the ground floor would also appear to be an unattractive proposition for a lot of industrial operators. The applicant has cited the existing car parking provision of 6 spaces as inadequate for typical industrial operators, but has only included one designated space within the new unit. No information has been provided about the floor loading capacity required to accommodate a light industrial user or the noise attenuation measures that would be included to prevent conflict with the residential tenants. Whilst the floorspace might be useable for a small office provider, however this would be contrary to the town centre first principles outlined in the Development Plan and not relate to industrial re-provision.

Whilst it is noted that a letter has been submitted by an individual representing a light industrial user in North Yorkshire, it is not considered that the unit would be a favourable letting prospect for the majority of light industrial users. It is therefore recommended that limited weight should be attached to the benefits of this element of the scheme.

The site is located within the Hayes Opportunity Area (OA). The Hayes OA is identified within the London Plan (2021) has having an indicative capacity to deliver a net increase of 4,000 new homes and 1,000 new jobs. Policy SD1 notes that boroughs through decisions should take account of these indicative capacity targets for homes and jobs. Policy E2 of the Local Plan: Part 1 (2012) also outlines that the Council will accommodate 9,000 new jobs during the plan period and this employment growth will be directed to SILs, in addition to other suitable sites.

As outlined above, it is highly unlikely that the non-residential element of the scheme would be desirable to future users and would not be occupied. The proposal would therefore not provide any new viable business space to facilitate the creation of new jobs.

However, as the site is currently vacant and without a reasonable prospect of being brought back into use in its existing format, it would not be rational to conclude that the proposal results in a loss of jobs. The new evidence therefore indicates that the proposal no longer conflicts with Policy E2 of the Local Plan: Part 1 (2012) or Policy SD1 of the London Plan (2021), with the net change in jobs being zero.

Policy H5 of the London Plan (2021) outlines that the threshold level of affordable housing is 50% for Strategic Industrial Locations for residential uses where the scheme would result in a net loss of industrial capacity. Paragraph 4.5.7 clarifies that due to the difference in values between industrial and residential development, residential development proposals that would result in a net loss of industrial floorspace capacity on Strategic Industrial Locations are expected to provide at least 50% affordable housing to follow the Fast Track Route. If this is not possible, detailed viability evidence will be needed to justify a lower level of affordable housing. As a result of the conclusion above that the scheme would not provide appropriate floorspace for the stated industrial uses, there would clearly be a net loss in industrial capacity. The applicant must therefore provide 50% affordable housing on site or provide detailed viability evidence to justify a lower level of affordable housing.

If a viability assessment is submitted, the information submitted as part of the application will be used to determine the Existing Use Value (EUV) for the site. This includes the applicant's current position that the site cannot be rented in its current format and therefore would not generate any income.

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 previous housing size mix breakdown was follows:

16 x One-bedroom units (72.7%)
6 x Two-bedroom units (27.3%)

The proposal therefore did not include any family units and would be contrary to Policy DMH 2 of the Local Plan: Part 2 (2020). Whilst the scheme's relatively high PTAL rating and its proximity to the town centre would suggest a higher proportion of one- and two-bedroom units should be provided in accordance with Policy H10, this is not sufficient justification for an entirely one- and two-bedroom scheme that would prevent a mixed community, excluding residential units for families.

However, as previously outlined in the response to the last application, it would appear there are significant deficiencies with the site and Officers would not want to encourage using it for family units. This includes the absence of high-quality private amenity space, play space and public open space, as well as concerns regarding the location of the site within an established and protected industrial estate. If a residential scheme can be successfully brought forward on this site, it is likely that these deficiencies would make family units undesirable.

The amended proposal now includes three-bedroom family units and fewer one-bedroom units. This is inconsistent with the response to the previous application and the advice given on this resubmitted application and it is not clear why this amendment has been made.

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. The limited site area and location make it inappropriate for new public open space and therefore a contribution to the enhancement of nearby public open space would be expected instead.

TREE AND LANDSCAPE OFFICER (01-07-21): This site is occupied by a light industrial building situated on the north side of Silverdale Road.

The plot lies to the south of the Fairview residential development and opposite the Benlow Works, a grade II listed industrial building. The site is on the northern edge of the industrial estate area, at the interface with existing and proposed residential properties.

There is one tree, a sycamore, located immediately to the north of the existing building, however, there are no TPO's or Conservation Area designations which might constrain development.

The site has been the subject of previous application ref. 12795/APP/2019/3828 for a six-storey, 26 residential unit development. The current scheme proposes six-storeys and 22 units.

A tree report by ADAS, updated February 2021 confirms that the sycamore is a 'C' grade tree - the removal of which would not normally be considered a constraint on development. In view of the species and the proximity of the tree to the existing building, it is likely to be a self-set.

The tree will be removed to enable the construction of the proposed six-storey block. There is no objection subject to its replacement as part of a comprehensive landscape scheme.

The D&AS has no chapter on landscape and, therefore, fails to provide the site analysis or set any clear landscape objectives for the site. This is borne out by the scant detail on plan.

Amenity space appears to be provided by private balconies, with the exception of a north-facing communal roof terrace on level 1, situated in the north-east corner of the site. No design objectives or thought appears to have gone into this space, without which it would be unsafe to rely on landscape condition due to the technical and cost constraints posed by roof gardens.

There is no space or scope for landscape enhancement at ground level. An Urban Greening Factor plan and calculation by ADAS has achieved a score of 0.14 which compares unfavourably with the target score of 0.4 for residential developments. Most of this score is achieved due to the proposed blue roof system with a small contribution by a roof garden in the north-east corner which will feature perimeter hedging and two specimen trees. The tree report refers to the possibility of introducing green walls (or roofs?) which, if introduced, would contribute to the UGF score.

The lack of consideration of landscape quality for the scheme, together with the low Urban Greening Factor score suggests that this scheme fails to satisfy policies DMHB11, DMHB14 and DMHB18. It would be unsafe to assume that a landscape condition of any quality can be secured through conditions. The application should be refused on this basis.

URBAN DESIGN AND CONSERVATION (28-06-21): The application seeks permission to demolish the existing two-storey light industrial building (Use Class E (g)/ former B1 (C)) and to erect a 6-storey mixed-used building with basement comprising 684 sq.m of Class E space at ground and basement levels and 22 residential units above including car parking, cycle parking, refuse with associated works.

A similar scheme for the re-development of the site was discussed in depth under pre-app 12795/PRC/2019/51 during which a number of design concerns were raised. A subsequent planning application was refused under application no. 12795/APP/2019/3828 which included design reasons for refusal.

The current application has sought to address some of the design concerns and other planning issues, however, there are still a number of design concerns that have not been addressed and others that have arisen with the new design.

The proposed development is currently occupied by a two-storey flat roofed light industrial building constructed from a concrete frame / brick infill, painted metal framed windows. The building is currently vacant having been previously occupied by Murray Productions Ltd. until December 2019.

The existing light industrial building is of no architectural interest but is reflective of the light industrial character of the Silverdale Road and environs.

The proposed development site is situated in a prominent location on the Silverdale Road on a bend opposite the western end of Benlow Works a grade II listed building. This red brick industrial building is a local landmark and originally formed part of an orchestrelle factory that was built 1909-11. The building is the most prominent building along this stretch of the Silverdale Road and is seen within wider views in the local area.

The proposal would see the demolition of a currently vacant 2-storey light industrial building (Use Class E (g)/ former B1 (C)) for the erection of a 6-storey mixed-used building.

The building is proposed to be constructed from brick and its architectural language is influenced by the grade II listed Benlow Works factory building opposite but with residential elements such as balustrading and external balconies. The fifth storey is set back behind a glass balustrade and has rounded arched roof forms.

There are concerns that the site is being developed in isolation and not part of a more comprehensive scheme such as the Chailey Industrial Estate directly to the north. The development would affect the quality of future redevelopment of the adjacent garage site to the west due to its close proximity and windows as well as the industrial unit directly to the east (Nitram).

The industrial buildings along this stretch of the Silverdale Road are generally low in height between 1-2 storeys and are set back from the pavement allowing for the industrial units to be softened with planting and trees. Benlow works is the dominant building within this industrial area at four-storeys and benefits from being set back from the road and having well considered fenestration to each of its elevations.

The proposed development by contrast is proposed to be built hard up against the boundaries of the site and does not provide any landscaping or meaningful space around the building resulting in a cramped form of development and 'canyon' effect to Silverdale Road. Other recently approved developments within the area are set within larger sites that contain landscaping and areas of public realm. The proposed scheme does not provide any meaningful setting within the site for a development of this size and does not provide any 'breathing' space around its perimeter.

The block of flats is a development being proposed in isolation and would stand out prominently within the immediate street scene which is industrial in character with buildings set back from the street. The cramped nature of the site has resulted in the introduction of undercroft parking for four cars and bin storage and introduced a wide expanse of dropped curb. This creates an unattractive ground floor street frontage at the eastern end of the building which emphasises the cramped nature of the development.

Attempts have been made to improve the appearance of the eastern elevation by introducing windows and decorative brickwork which is an improvement on the previously refused scheme. There are, however, problems with the introduction of windows to this eastern elevation as they face onto the adjoining site and could prejudice future development due to the requirement to provide 21 metres separation distances between windows of habitable rooms. It would also prevent a flank wall from being constructed close to the boundary of the site.

Twelve (55%) of the residential units are currently shown as single aspect, however, if the windows were removed from the eastern elevation then this figure would increase to 77% single aspect dwellings. Under the supporting text to Policy (DMHB 11) Design of New Development it states that: The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided.

The proposed development site, as previously indicated, is situated within a sensitive location on a bend in the road directly opposite the western end of the grade II listed building Benlow works.

The application, therefore, needs to be assessed in terms of its impact on the setting of the statutory listed building Benlow Works.

The submission includes a number of views showing the visual relationship between the proposed development in the setting of the grade II listed building Benlow Works along Silverdale Road and from the Fairview Homes development at the former Chailey Industrial Estate directly to the north.

The proposed six-storey block is built directly on the back edge of the pavement and would be higher than Benlow Works. The development as a consequence will compete with and dominate views of Benlow Works in kinetic views looking east along Silverdale Road.

The existing two-storey industrial unit does not compete with Benlow works due to its modest height and bulk which appears subordinate despite it fronting directly onto the back edge of the pavement. The proposed building keeps to the same alignment but now extends up to 6-storeys and has an increased footprint at the eastern end that incorporates the vehicular access / parking area. This substantial increase in volume and height has an impact on the setting of the Benlow works by dominating the view looking east along Silverdale Road and affecting the profile of Benlow works when viewed against the skyline diluting its dominance in the streetscene and its presence as a local landmark within these important views.

The harm identified would be considered 'less than substantial harm' to the setting of Benlow Works. In line with paragraph 196 of the NPPF, the less than substantial harm arising from the impact of the development on the setting of Benlow Works would need to be weighed against the package of public benefits arising from the scheme.

The impact of the development on other heritage assets has also been considered but these are of a sufficient distance way that their settings would not be affected by the proposals.

The development for the above reasons would not provide a high-quality development and would harm the setting of the heritage asset and wider townscape contrary to policies set out within the Local Development Plan.

WASTE STRATEGY (08-06-21): The application submitted has a multi-use of commercial and residential units and these bin stores must be kept separate. The bin stores are located beside one another therefore we would advise that these bin stores are clearly sign posted for residential and commercial uses and, if possible, provide locks to prevent commercial from using the residential bins and vice versa.

The Refuse Strategy states that the refuse room is located on "the ground level with external access from the street that will be within 25m of the waste collection point".

The London Borough of Hillingdon has a policy whereby the collection crews can pull bulk bins a maximum of 10 meters from the bin store to a location where the collection vehicle can stop safely.

Please can more information be provided on where the collection vehicle can stop and if there is a dropped kerb for crews to safely transport the bins from the bin store to the collection vehicle. If the distance from the bin store to the dropped kerb/safe stopping area is over 10 meters the developer/managing agent will be responsible for ensuring that the bins are taken to a secure location within 10 meters of the collection vehicle for collection and returning them to the bin store after collection.

Residents should have to walk no more than 30 meters from their premises to the bin store to dispose of their waste.

I have calculated that at least 3 x 1100 litre bulk bins will be required to facilitate the waste produced by residents and space for a 240 litre bin for food waste.

WASTE STRATEGY (31-10-22): In addition to previous recommendations, we would advise a 50/50 split of general waste and dry mixed recycling containers, plus space allocated for future installation of a communal food waste recycling unit and should conform to the standing advice for properties within Hillingdon.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 119 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should promote an 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. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Policy GG2 of the London Plan (Making the best use of land) incorporates this requirement and states that to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must enable the development of brownfield land, as well as utilising small sites wherever possible, in accordance with Policy H2 of the London Plan (Small sites).

Moreover, Policy GG4 (Delivering the homes Londoners need) sets out 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, must support the delivery of the strategic target of 50 per cent of all new homes being genuinely affordable and must create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing. This should further be considered in the context of Policy GG5 of the London Plan (Growing a good economy) which requires boroughs to plan for sufficient employment and industrial space in the right locations to support economic development and regeneration whilst ensuring that sufficient high-quality and affordable housing, as well as physical and social infrastructure is provided to support London's growth.

Policy H1 of the London Plan (Increasing housing supply) sets the 10-year housing targets for each London borough, and this places a 10-year housing completions target for the

London Borough of Hillingdon of 10,830 homes (starting in 2019/20 and continuing through to 2028/29). This equates to an average completion target of 1,083 homes a year, although Policy H1 makes clear that some variations in yearly targets will be acceptable as long as the overall delivery strategy for new homes is not compromised.

Policy H1 of the London Plan further sets out boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially for sites with existing or planned public transport access levels (PTALs) 3-6, or sites which are located within 800m of a station or town centre boundary. PTALs are determined by a range of factors affecting accessibility to public transport, and are scored from 0-6b, where 0 is the worst and 6b is the best.

Policy E4 of the London Plan (Providing suitable business space) states that the provision, and where appropriate, protection of a range of business spaces (Use Class E(g)(iii), B2 and B8), in terms of type, use and size, should be supported, ensuring that new business spaces are fit for purpose having regard to the type and use of the space. As such, proposals which involve the loss of existing business spaces should either demonstrate that there is no realistic prospect of the site being used for business purposes in the future or ensure that an equivalent amount of space is re-provided in the proposal which is appropriate in terms of its type, use and size (i.e. ensure there is not net loss of industrial capacity).

Policy E5 (Strategic Industrial Locations) of the London Plan sets out that Strategic Industrial Locations (SILs) should be managed to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy. Proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis.

Policy E7 of the London Plan (Industrial intensification, co-location and substitution) sets out that the intensification of uses in Use Classes E(g)(iii), B2 and B8 (occupying all categories of industrial land) should be proactively encouraged through the introduction of small units, the development of multi-storey schemes, the addition of basements and the more efficient use of land through higher plot ratios. Intensification can be used to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. It should be noted in this regard that Policy E7 makes clear that co-locating residential and industrial uses may be appropriate in LSISs (but will not normally be appropriate within SILs), and should normally be plan-led.

Where mixed-use developments (industrial and residential uses) are proposed for sites within, or on the edge of SILs, the industrial and related activities on-site and in surrounding parts of the SIL must not be compromised in terms of their continued efficient function, access, service arrangements and times of operation, noting that many industrial businesses have 7-day/24-hour access and operational requirements. Additionally, the intensified industrial uses on-site must be completed in advance of any residential component being occupied, and the proposed residential accommodation must include mitigation to ensure compliance with the relevant standards for safety and security, vibrations and noise (having regard to the agent of change principles), potential contaminated land and air quality.

The supporting text to Policy E7 outlines that all boroughs are encouraged to explore the potential to intensify industrial activities on industrial land to deliver additional capacity and

to consider whether some types of industrial activities (particularly light industrial) could be co-located or mixed with residential and other uses, however does advise that SILs should be reserved for industrial (and industrial-related) functions only.

At a borough level, Policy DME 1 of the Hillingdon Local Plan: Development Management Policies (Employment Uses on Designated Sites) states that the council will support employment proposals in SILs, and proposals for other uses in SILs will only be acceptable where there is no realistic prospect of the land being developed for industrial uses, or the site has been vacant and consistently marketed for a period of 2 years without success, and in any event, the proposed alternative use must not conflict with the policies and objectives of this Plan.

The proposed development would involve the demolition of the existing industrial building, which has a GIA of 585 sqm of usable floorspace (excluding two outbuildings which have GIAs of 42 sqm and 70 sqm), and the erection of a mixed-use, industrial and residential building which would provide 648 sqm of industrial floorspace at ground floor level and within a basement, with 20 residential units above, across floors one to five. The existing building is a two-storey industrial unit, which previously operated under either the E(g)(iii) or B2 use class, as a manufacturer of specialist aircraft components, but has been vacant since December 2019. Prior to this, it had been operational for 45 years.

The precise function of the existing outbuildings is not known, presumably as some form of storage supporting the main use of the building, with at least one of these buildings (the single-storey structure) clearly unsuitable for long-term industrial uses, demonstrated through the condition survey. This smaller building has an overall ramshackle appearance, with a new roof and doors required before it could be used meaningfully, and is considered not to contribute to the industrial capacity of the site. The two-storey outbuilding in the north-east corner of the site appears to be more useable than the single-storey structure, at least in terms of its current condition, however because of its small size in a very tight corner, immediately abutting a flat above the adjacent industrial unit, this second building is not particularly functional or fit-for-purpose for continued industrial uses, and it does not appear intrinsically linked to the main building.

Taking a practical view, it is considered that the two-storey outbuilding does provide existing industrial capacity, whereas the single-storey structure makes no contribution, and consequently the proposed scheme would be 7 sqm below the target re-provision of 655 sqm of industrial floorspace. In this regard, Policy E4 of the London Plan sets out that proposals which involve the loss of existing business spaces should either demonstrate that there is no realistic prospect of the site being used for business purposes in the future or ensure that an equivalent amount of space is re-provided in the proposal which is appropriate in terms of its type, use and size (i.e. ensure there is not net loss of industrial capacity).

No attempts to market the site have been made, as confirmed in the submitted Planning Statement, and therefore to comply with Policy E4, whilst being mindful of Policy E5 which requires SILs to be sustained as London's largest concentrations of industrial land, any re-development should ensure that the industrial capacity of a site either remains the same or increases through redevelopment proposals. The proposal, as a matter of fact, results in less industrial floorspace across the site than at present, however it is considered this would not lead to a loss of industrial capacity, noting that the existing building is relatively old, in a poor state of condition, and is unlikely to attract significant interest from an industrial user without a significant level of investment to refurbish the buildings (or

demolish and re-build a purely industrial scheme) and is therefore likely to remain vacant for some time without action. Additionally, whilst no marketing evidence demonstrates this position conclusively, it is recognised that a marketing exercise would probably show that there is little market interest in the existing site for its current use because of its poor condition. In failing to undertake any marketing, the proposal also partly conflicts with Policy DME 1 of the Hillingdon Local Plan, however this policy does not take into account the proposed co-location, which means that the site will retain a SIL-appropriate use at ground and basement level and therefore the SIL's industrial capacity will remain unchanged.

Some concerns were initially raised about the functionality and usability of the proposed floorspace as a result of its irregular shape and columns, however, in support of the application, a letter of interest from a potential occupier has been submitted which outlines an interest in maintaining a light industrial use within the proposed development, stating that they would potentially be interested in taking on the entire industrial floorspace (at basement and ground floor level) with the layout as proposed if the scheme were delivered. This letter provides some comfort that the space would attract market interest if built, and it is recognised that a wide range of end users with varying specific needs (all falling within light industrial uses) could potentially take on the proposed industrial unit, and it is noted that the existing building has columns which did not prevent the previous user from operating from the site.

Taking the above into account, the proposal may technically conflict with parts of Policy E4 of the London Plan and Policy DME 1 of the Hillingdon Local Plan, because of the lack of marketing evidence and the 7 sqm shortfall in re-provided industrial floorspace, however it is considered that the general thrust of these policies would still be achieved by the proposal, with industrial capacity remaining at a similar, and potentially slightly improved level. This 7 sqm shortfall is unlikely to materially reduce the industrial capacity across the site, and a refusal on this basis alone would not be justified.

Despite the partial conflicts with Policies E4 of the London Plan, it is considered that the industrial capacity of the site would remain broadly the same following redevelopment, and in practical terms, the existing building is likely to remain vacant and underutilised if not redeveloped, making no long-term contribution to the objectives of the SIL. As such, recognising that the proposal seeks to re-provide nearly the same level of industrial floorspace (7 sqm shortfall) which appears to be functional and fit for purpose and would likely prove more attractive than the existing premises, it is considered that the proposal accords with the intentions of Policy E4 of the London Plan, by ensuring that an equivalent amount of floorspace is re-provided in the proposal which is appropriate in terms of type, use and size, and Policy E7 of the London Plan, which actively encourages the intensification of industrial uses within SILs to make more efficient use of land through higher plot ratios, facilitating mixed-use developments for the less intensive industrial uses (light industrial) where feasible. It is further considered that the proposal accords with Policy DME 1 of the Hillingdon Local Plan by increasing employment opportunities within the SIL.

It should further be recognised that the proposal conflicts with part of Policy E7 of the London Plan, in that the proposal seeks to co-locate light industrial and residential uses within a SIL, which are areas which should be maintained as land for industry only, whereas co-location should be reserved for appropriate sites within LSISs. The rationale for co-locating industrial and residential uses within LSISs, but not SILs, is that SILs tend to cover much larger areas and act as the main reservoir of London's industrial capacity. Moreover, they are typically unsuitable for residential uses because of a poor external

environment, limited social infrastructure necessary to accommodate new residents, and nearby existing industrial uses should have the right to operate without new restrictions being imposed on them via the introduction of residential development, which in turn can lead to long-term displacement of existing users who have to relocate to remain viable. The proposal further conflicts with part of Policy E5, in that the introduction of non-industrial uses into SILs should be plan-led, rather than through the submission of prospective planning applications

The proposal also conflicts with parts of Policy E5 and E7 of the London Plan, in that the introduction of non-industrial uses into SILs should be plan-led, rather than through the submission of prospective planning applications, however, noting that the proposal would not lead to the release of designated industrial land, it is considered that the material harm of introducing residential uses into the SIL would not be significant in this instance, and the general thrust of the London Plan's industrial policies set out that co-locating industrial and residential units in some circumstances should be proactively encouraged, where this can be managed sustainably and leads to an intensification of industrial uses.

In consideration of the site's suitability for co-location, it is recognised that the site lies at the very edge of the SIL, bordering the recently consented development at the former Chailey Industrial Estate to the north, and there are existing residential properties within 20-30 metres to both the east and west. The wider area, being on the periphery of Hayes Town Centre, is further experiencing relatively high levels of change with residential uses proposed within Silverdale Industrial Estate to the south-west and large-scale redevelopment proposals at Austin Road, nearby. As such, the proposed redevelopment would act, to a certain extent, as a transitionary block between the residential areas to the north and west and the industrial uses within the SIL to the south and east, which would be generally in keeping with the principles of industrial co-location, albeit co-location is more appropriate for LSISs than SILs. Having further regard to the Local Plan: Part 2 - Site Allocations and Designations (2020), it is further recognised that the application site is surrounded on all sides by Allocated Sites, including SA 22: Chailey Industrial Estate, SA 23: Silverdale Road/Western View, and SA 24: Benlow Works, all of which promote the introduction of residential uses, and some of which have been approved and implemented, which reflects the evolving character of the wider area.

Notwithstanding the SIL designation, the site's location on the very edge of the SIL and in close proximity to the town centre also means that residents would not experience the typical issues associated with residential developments in SILs, including accessing social infrastructure, town centre amenities and public transport options. Additionally, the number of residents generated by this development would not be of a quantum that would have a material impact on infrastructure providers, particularly when contributions (e.g. through CIL) are taken into account. Noting the unique circumstances regarding this site, and the general compliance with the requirements of Policy H1 of the London Plan for optimising the potential for housing delivery on all suitable and available brownfield sites, especially for sites with existing or planned public transport access levels (PTALs) 3-6, or sites which are located within 800m of a station or town centre boundary, it is considered that the site has the potential to be suitable for co-location. The provision of 35% affordable housing also weighs strongly in favour of the proposal, which is considered to be a policy compliant level as the proposal would ensure that the same level of industrial capacity would be retained on site.

It is further important to consider the potential impact of introducing residential uses (which are very sensitive to disruption, especially during the evening and night time hours) into a

SIL, adopting the Agent of Change principles outlined in Policy D14 of the London Plan. These principles require the applicant to demonstrate that the proposed sensitive uses (i.e. residential uses) would be provided with an acceptable level of amenity, taking into account the potentially very disruptive nature of SILs, so that the existing industrial uses can continue to function unfettered following occupation of the residential units.

This is discussed in greater detail below, however, in summary, it is possible to achieve acceptable internal noise levels within the proposed residential parts of the development through the use of various facade treatment methods such as glazing or ventilation products, and this would be secured by way of condition, which would ensure the development would not lead to a reduction in adjacent industrial capacity. Additionally, air quality contributions would be secured through a legal agreement and a condition would be imposed requiring further details of a low emission strategy.

In this regard, particular consideration has been given to the application site's evolving context on the boundary of the SIL, adjacent to residential developments approved at Chailey Industrial Estate, immediately to the north, and Silverdale Industrial Estate, to the west, under application references 2102/APP/2018/4231 and 71374/APP/2016/4027 respectively, where residential uses adjacent to the SIL were considered acceptable, alongside the lawful residential unit to the rear of Nitram's which lies within the SIL and does not appear to restrict use of Nitram's as an industrial unit.

Overall, whilst there are clearly some policy conflicts (in relation to Policies, E4, E5 and E7 of the London Plan, and Policy DME 1 of the Hillingdon Local Plan), it is considered that the unique site-specific circumstances would allow for a mixed-use residential and light industrial development in accordance with the principles of co-location to be considered acceptable in principle, as the industrial capacity of the site would remain unchanged. The proposal would also increase the supply of new housing within the borough, which whilst modest, is recognised as supporting the strategic objective of utilising small sites, especially in outer London, to provide a steady supply of windfall sites for new housing. The proposal would further provide a policy-compliant level of affordable housing on-site (35%) which weighs heavily in favour of the proposal, directly contributing to social cohesion, mixed communities and supporting the strategic objective of increasing the supply of affordable housing across London.

7.02 Density of the proposed development

DENSITY

The supporting text to Policy GG2 of the London Plan outlines that London is anticipated to experience very high levels of continued growth which will require more efficient use of land, to allow growth whilst protecting the Green Belt. As such, to get more out of limited land availability within the city, encouraging higher densities and a mix of uses in appropriate locations is required to facilitate growth whilst protecting the Green Belt. Encouraging higher densities in appropriate locations means more people are within walking distance of local amenities and transport connections, which in turn reduces the need for private car ownership and supports the transition to a more sustainable city.

Policy D1 (London's form, character and capacity for growth) and Policy D2 (Infrastructure requirements for sustainable densities) of the London Plan both require proposals to have regard to the context of the surrounding area, including existing and proposed levels of infrastructure. Policy D2 further states that proposed densities should be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services and sets out that where existing infrastructure capacity is insufficient to support

proposed densities (including the impact of cumulative developments), boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time.

Policy D3 of the London Plan (Optimising site capacity through the design-led approach) requires all developments to make the best use of land, by optimising a site's capacity. Optimising does not mean maximising, and a proposal should seek to respond to a site's context whilst also recognising its capacity for growth. The supporting text to Policy D3 recognises that direct comparisons between schemes using a single measure (e.g. units per hectare) can be misleading because it depends on the area included in the application site boundary and does not take into account the size of residential units or a mix of uses within one building. Nonetheless, the proposed density of a development is a relevant consideration and provides a broad picture of a scheme's suitability for a site, but it is important to measure in a number of ways.

In this instance, the application site does not currently include any residential uses, and the proposal would introduce 20 dwellings, which can also be measured as 50 habitable rooms, 30 bedrooms, or 60 occupants. The overall site area is 0.07 hectares (ha), and as such, the proposal would have a density of 286 units/ha, 714 habitable rooms/ha, 426 bedrooms/ha or 857 occupants/ha.

In accordance with Policy DMHB 17 of the Hillingdon Local Plan: Development Management Policies (Residential Density), all new development should take account of the residential matrix presented in table 5.2, which sets out that an appropriate starting point for assessing appropriate densities would be between 50-110 units/ha, or 150-330 habitable rooms/ha. The proposed densities would be more akin to that recommended within Uxbridge Town Centre (165-405 u/ha and 495-1000 hr/ha). The density appears relatively high because of the small and tightly constrained nature of the plot, however high density developments should be encouraged in all locations which can support them, and the site is considered to connect relatively well to public transport, with doorstep amenities within a walkable distance within Hayes Town Centre. As such, no specific concerns are raised with the proposed density.

UNIT MIX

Regarding the mix and size of units within a development, Policy H10 of the London Plan (Housing size mix) states that schemes should generally consist of a range of unit sizes, having regard to the requirement to deliver mixed and inclusive neighbourhoods, the need to deliver a range of unit types at different price points, the mix of uses, the range of tenures, the nature and location of the site, PTAL, the need for additional family housing and the role of one and two bed units in freeing up existing housing by providing an alternative to conversions and subdivisions, with the aim of optimising a site's potential. This should be read alongside Part 1 of the Hillingdon Local Plan, which sets out that a split of 40% smaller one and two bed dwellings and 60% larger three and four bed dwellings for all new developments would address housing need in the borough, and Policy DMH 2 of the Hillingdon Local Plan: Development Management Policies, which states that the council will require the provision of a mix of housing units of different sizes in all residential developments to satisfactorily address housing need.

The proposal would provide 12 one-bedroom flats, 6 two-bedroom flats and 2 three-bedroom flats. At the outset, the proposal sought to include only one and two bedroom units within the proposal, however this was deemed unacceptable, as it would fail to

contribute to social cohesion and would fail to introduce a range of units available at different prices to attract a mix of potential renters or purchasers. Moreover, affordable rent housing, for which this scheme would provide a policy compliant level, is most in demand for larger units and it is therefore important that this specific demand is catered for within the scheme.

Consequently, the revised scheme reduced the number of overall units by two, whilst maintaining the same amount of deliverable residential floorspace, to provide a better mix of units, including two three-bedroom units. Subject to this alteration, the proposed unit mix is considered acceptable.

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

In accordance with the council's statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is necessary to have special regard to the desirability of preserving the setting of a listed building and to preserving or enhancing the character or appearance of a conservation area.

This requirement is borne out through the NPPF, which advises that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The NPPF further advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Whether a proposal causes substantial harm will be a judgment for the decisionmaker, having regard to the circumstances of the case, relevant local policies and the consideration of the NPPF. Public benefits to offset this harm may follow from many developments and could be anything that delivers economic, social or environmental objectives, and public benefits should flow from the proposed development so that they are of a nature or scale to be of benefit to the public at large and not just of private benefit.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. The more important the asset, the greater the weight should be. As such, any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting), should require clear and convincing justification.

In this regard, Policy HC1 of the London Plan (Heritage conservation and growth) states that proposals affecting heritage assets and their settings should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. This is echoed by Policy HE1 of the Hillingdon Local Plan: Strategic Policies (Heritage), which states that the council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes designated heritage assets such as statutorily Listed Buildings and Conservation Areas. Non-designated heritage assets (recognised at a local level) such as Areas of Special Local Character and Locally Listed Buildings will also be protected and harm to their significance will be resisted.

In this regard, Policy DMHB 1 of the Hillingdon Local Plan: Development Management

Policies (Heritage Assets) states that proposals are expected to avoid harm to the historic environment, and proposals which result in harm will only be allowed if it brings an asset back into viable use, it would provide public benefit that would outweigh the harm or loss, and the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials.

Additionally, Policy DMHB 2 of the Hillingdon Local Plan: Development Management Policies (Listed Buildings) states that planning permission will not be granted for proposals which are considered detrimental to the setting of a listed building, whilst Policy DMHB 3 of the Hillingdon Local Plan: Development Management Policies (Locally Listed Buildings) sets out that there is a general presumption in favour of the retention of buildings, structures and features included on the Local List.

The proposed development would be sited approximately 20 metres north of the Grade II listed Benlow Works, which, as noted above, is allocated for a mixed-use, residential-led development in the Local Plan: Part 2 - Site Allocations and Designations (2020). Additionally, approximately 50 metres to the west are the locally listed Silverdale Road Warehouses, also an allocated site for a residential-led, mixed-use development, however these locally listed buildings would not be affected by the proposal.

Benlow Works is an impressive four-storey industrial building, originally built in the early 20th Century, which is now largely vacant, except for part of the ground floor which is still in use. The building has a very distinctive facade, finished in red-brick and with arched windows used across the top floor, alongside the regular placement of large bay windows across the remaining floors. Unfortunately, Benlow Works is in a very poor state of repair, suffering slow decay, and has consequently been placed on the Heritage At Risk Register.

Having regard to comments from the Conservation Officer, it is considered that the proposed development would have a less than substantial impact on the setting of the Grade II listed Benlow Works, towards the minor end of the scale. The relationship between the proposed development and Benlow Works would be broadly acceptable, slightly impinging on the ability to appreciate views of the listed building from the west but this would be a very minor impact and no direct lines of sight to the listed building would be blocked. Views from the east, also along Silverdale Road, would not be materially affected by the proposal, especially when considering the taller consented buildings which would be visible in the backdrop of the skyline following the completion of nearby major residential redevelopments. Concerns were also raised by the Conservation Officer that the proposal, by reason of its height, would visually compete against, and dominate, Benlow Works, whereas the existing two-storey building appears subordinate. Whilst the proposed building would clearly be more visible, the existing building provides a poorer setting for a listed building because, despite its modest size, its poor state of repair and functional appearance make a negative contribution to the streetscene. Consequently, whilst some harm has been identified, the overall impact on the setting of the listed building would be relatively low.

Additionally, the detailed design of the front facade has been carefully considered to provide a visual counterpoint to the listed building, and to help integrate the proposal with the historic setting. The proposal would be constructed from red brick and its architectural language is clearly influenced by the grade II listed Benlow Works factory building opposite but with residential elements such as balustrading and external balconies. The fifth-storey is set back behind a glass balustrade and has rounded arched roof forms as an architectural response to the building opposite. These measures are welcomed, and help

to reduce the sense of bulk, and consequently help the scheme appear contextual.

As such, in accordance with the council's statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and requirements under the NPPF, it is considered that the proposal would have a less than substantial impact on the setting of the Grade II listed Benlow Works, slightly infringing on the ability to appreciate the building from views from the west, but without affecting the reason for its significance. This harm is considered to be very minor and is considered to be outweighed by the benefits of the proposal, which include utilising a small brownfield site to deliver a mixed-use scheme, whilst retaining the same level of industrial capacity, and delivering 35% affordable housing.

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Development Management Policies (Safe Operation of Airports) sets out that the council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. In this instance, the proposal is considered would not lead to harm. This is confirmed in the response from the National Air Traffic Services and Heathrow Airport who have stated that they have "no safeguarding objection to the proposal". In any event, the use of cranes will be controlled by condition.

7.05 Impact on the green belt

The proposal would have no impact on the Green Belt or Metropolitan Open Land.

7.07 Impact on the character & appearance of the area

Policy D3 of the London Plan states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site whilst 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, including existing and planned supporting infrastructure capacity. 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, in accordance with Policy D2 of the London Plan. In areas of comparatively low densities, incremental densification should be actively encouraged to achieve a change in densities in the most appropriate way.

As such, proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to building types, forms, proportions and the street hierarchy. Proposals should encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings that are aligned with peoples' movement patterns and desire lines in the area, be street-based with clearly defined public and private environments, and facilitate efficient servicing and maintenance of buildings and the public realm that minimise negative impacts on the environment, public realm and vulnerable road users.

The proposal should also be considered against Policy D9 of the London Plan (Tall buildings), which sets out that the definition of a tall building is defined at a local level, depending on the characteristics of the surrounding area, but in any case, should not include developments of less than 6 storeys or 18 metres above ground level, and are generally those that are substantially taller than their surroundings or cause a significant change to the skyline. Where a tall building is proposed, the visual, functional and environmental impacts of the proposal should be carefully considered, including the

cumulative impacts with other existing, planned or consented developments in the vicinity. The supporting text to Policy D9 sets out that the higher the building, the greater the level of scrutiny that is required of its design, because of the greater potential impacts.

It is considered that the loss of the existing two-storey building is acceptable in design grounds, recognising that this building makes a broadly neutral or negative contribution to the appearance of the streetscene with a somewhat dated design and a slightly squat appearance, which is considered to be of no architectural value. However, as the proposed building occupies a slightly more prominent corner because of a bend in Silverdale Road, it is important that any proposal for a new building on this plot is of a high-quality design. The context of the application site is of a mixed character with a variety of mainly low-rise non-residential uses to the east, the vacant Grade II listed Benlow Works to the south, and the recently consented tall, flatted developments at Silverdale and Chailey Industrial Estates to the north and west, which, when completed, will significantly alter the character of the area

The proposed development of the application site would see the introduction of a six-storey building onto a plot which has an existing two-storey building and would therefore substantially increase the amount of built form, whilst also increasing the footprint of buildings within the site. However, because of the site's context, including the heights of the existing and consented schemes nearby, the proposal does not constitute a tall building for the purposes of Policies D9 of the London Plan or DMHB 10 of the Hillingdon Local Plan: Development Management Policies.

As set out above, the surrounding area is experiencing fairly high levels of change as a result of the numerous site allocations in the area, and this has begun to manifest in the form of the redevelopment of Chailey Industrial Estate, which has been substantially implemented and already has an impact on the character of the area. The former Chailey Industrial Estate to the north includes buildings of varying height, with Blocks J and H (within one building) closest to the application site, approved as a part five and part six-storey building. Further north within the allocated site, building heights are significantly higher at eight and ten storeys. Additionally, whilst the permission has now lapsed, the Silverdale Industrial Estate to the south-west was previously granted permission for a residential-led development of 122 flats, including a building approximately 25 metres away at a height of five-storeys, with heights increasing to nine storeys deeper into the site.

When considered against its previous context, which included mostly one and two-storey industrial units and a long four-storey building opposite (Benlow Works), the current proposal would have failed to properly relate to its surroundings, both in land-use and design terms, and would have appeared as a dominant addition to the streetscene as a result of its scale and overall height. However, having regard to the evolving context of the area, which is seeing taller and generally larger residential schemes being approved in the immediate vicinity, it is considered that a six-storey building would appear broadly in keeping with emerging height patterns, and the proposal would not have a particularly significant impact on the skyline of the area. In this regard, it is recognised that along Silverdale Road there would be a significant change in height between the application site and its immediate neighbours on the northern side of the road, however the backdrop to the proposed building would be characterised by the taller elements of the former Chailey Industrial Estate, former Silverdale Industrial Estate, and, further afield, the Austin Road Estate Regeneration permission and consequently the proposal would not be incongruous for the area.

Some concerns were raised by the council's Urban Design Officer in respect of the overall

scale and design, highlighting that unlike the larger allocated sites and the existing industrial units nearby, the proposed development would not benefit from any meaningful landscaping or buffer space to give the building some breathing room, and as a consequence, it appears cramped in its plot. They further stated that the site should be considered as part of a wider comprehensive strategy (like the nearby allocated sites) and because it is being developed in isolation, it has the potential to affect potential unallocated development sites to the east (Nitram) and west (Nadeem Autos). The council's Urban Design Officer highlighted, in particular, that the proposal would result in an unattractive ground floor street frontage at the eastern end of the building which emphasises the cramped nature of the development.

Whilst these concerns are noted, and it is agreed that the proposal does not include soft landscaping to the front, would be built very close to the boundary, would slightly infringe on the setting of Benlow Works (discussed above) and would appear slightly cramped in its plot, it is considered that the layout and massing are nonetheless appropriate for the site, especially when considering the proposed ground floor industrial use. Unlike the other proposals on allocated sites nearby, which were almost exclusively residential uses only, the current scheme needs to re-provide as much industrial floorspace as possible to meet the requirements of industrial co-location and retain the same level of industrial capacity on site. Therefore, whilst the loss of some ground floor space to accommodate soft or hard landscaping at the front would result in a marginal visual improvement to the scheme, this would materially harm the scheme to the extent that a refusal would be issued instead and, in the planning balance, the retention of sufficient floorspace is considered to weigh more heavily than the minor design concern. In addition, the overall scale and height of the scheme are considered to be contextually appropriate (discussed above) and therefore a reduction in scale is not warranted.

It is further recognised that the detailed design has sought to respond to the local architectural vernacular, particularly the front facade which seeks to replicate the positive features of Benlow Works in a modern contemporary style. In this regard, the top floor, which has been set back from the main elevations to reduce the building's perceived scale, seeks to provide a visual counterpoint to the arched window bays visible at the top floor of Benlow Works through the use of a rounded arched roof forms and through careful selection of materials, relying largely on red brick tones which is supported. It is further considered that the combination of vertical brick columns, regular placement of windows, soldier courses, and aluminium panelling result in a scheme with a coherent front elevation with a human scale, ensuring the building does not appear monolithic or oppressive. The articulation of the ground floor (as an industrial unit) also provides a clearly defined base, reflecting the different uses across different levels of the building, which, together with the structured facade and top-floor setback, would result in a development which seeks to respond differently to short, mid and long range views. The proposed ground floor would further provide a more active frontage than the existing industrial unit, although it is recognised that this is a minor benefit as industrial units should first and foremost be fit for purpose in terms of layout and function.

The two side elevations of the building would also be very visible aspects of the scheme, and concerns had previously been raised about the lack of articulation and their overall bland appearance. The revised scheme includes a pair of windows at each level facing west, providing a continuation of the principal elevation which helps to break up the massing of this wall, and this contributes to the structured facade treatment. Facing east, and in response to previous concerns about overlooking and prejudicing a future development site, the eastern elevation includes one window, which would be visible

alongside the corner balconies, and the placement of these windows in a vertical line break up the massing of an otherwise fairly monotone elevation and give further contribute to the building's human scale. In this regard, it is noted that the eastern elevation includes textured brick across part of the wall, in a hit-and-miss style, which makes a minor positive contribution to the articulation of this elevation by providing an element of architectural interest.

The use of brick as an external material is acceptable as it would be robust and durable and should help the building, subject to colour, tone and texture to sit contextually within its surrounds, although the precise details would be secured by way of condition, having regard to the site's specific historic setting.

Regarding the concerns about the impact on neighbouring sites' development potential, the adjoining sites at Nitram and Nadeem Autos are both unallocated within the development plan and cannot really be considered as potential development sites because of their specific relationships with surrounding land uses and land-use designations. Nitram, to the east within the SIL, already contains a residential unit however is deeper within the SIL and is more unsuitable for redevelopment than the application site, which has demonstrated unique site-specific circumstances which allow redevelopment of a SIL designated site. Nadeem Autos, to the west, is clearly unsuitable for any kind of extension or redevelopment beyond its current extent because any re-development of that plot or upwards extensions would likely lead to a significant loss of amenity for Nos. 1 - 11 Chalfont Road. It is therefore considered that the proposal would have no impact on potential future development sites.

Overall, the siting, layout, scale and bulk of the proposal are considered acceptable for the evolving context of the application site, and the detailed design is considered to be of a high quality which would complement the surrounding buildings, including the nearby Grade II listed Benlow Works which has clearly influenced the design of the proposal. On this basis, the proposal is considered to generally accord with the principles of Policies D2 and D3 of the London Plan and would be of an overall good design quality.

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Development Management Policies and Policy BE1 of the Hillingdon Local Plan: Strategic Policies both seek to ensure that new development does not adversely impact on the residential amenity of neighbouring properties.

Furthermore, the Mayor's Housing SPG sets out that proposals should limit the harm to neighbouring properties, whilst recognising that to comply with policies seeking the optimal use of land, some development proposals may be allowed even where harm has been identified.

IMPACTS ON NATURAL LIGHT AND OUTLOOK

Policy DMHB 11 sets out that proposals must carefully consider their layout and massing in order to ensure that new development does not result in a significantly increased sense of enclosure or loss of outlook. When assessing impacts related to the loss of natural light, the Mayor's Housing SPG advises that avoiding harm to habitable rooms is the priority, which are usually defined as any room used or intended to be used for sleeping, cooking, living or eating purposes. Enclosed spaces such as bathrooms or toilet facilities, service rooms, corridors, laundries, hallways, utility rooms or similar spaces are excluded from this definition of habitable rooms.

A standardised method of assessment for calculating the level of impact to neighbouring buildings is prescribed within the BRE's guide to good practice, titled 'Site Layout Planning for Daylight and Sunlight' (June 2022). This guidance document discusses various methods of assessing a proposals impact on access to natural light, and sets out a number of thresholds which, if exceeded, would probably have a noticeable impact on natural light to neighbouring properties.

Broadly, BRE guidance recommends that an assessment considers the likely significant effects to daylight for neighbouring buildings in terms of Vertical Sky Component (VSC) whilst an assessment of sunlight should also be undertaken in relation to neighbouring buildings in terms of Average Probable Sunlight Hours (APSH) alongside an assessment of overshadowing.

VSC is a measure of the amount of sky visible from the midpoint of a window, where the area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky. This percentage therefore represents the amount of daylight available for that particular window, and BRE guidance recommends that a VSC of 27% should be maintained, however, this is not always achievable in dense urban environments. In addition to the amount of sky visible, Relative VSC (rVSC) is a measure of the reduction of visible daylight, and BRE guidance recommends that a development proposal would have a negligible impact if the reduction in rVSC is between 0 - 20%, would have minor significance if the reduction is between 21 - 30%, would have moderate significance if the reduction is between 31 - 40% and would have substantial significance if the reduction is above 40%.

APSH is a metric to measure sunlight and means is based on the total number of hours in the year that the sun is expected to shine on unobstructed ground (allowing for average levels of cloudiness for the location in question, based on sunshine probability data). The sunlight reaching a window is then quantified as a percentage of this unobstructed annual total. If a room can receive more than 25% of annual probable sunlight hours (APSH), including at least 5% of APSH in the winter months between 21st September and 21st March, then it should still receive enough sunlight, and, if the overall annual loss of APSH is 4% or less, the loss of sunlight is small. If the target APSH values are not met and are less than 0.8 times their former value, either over the whole year or just in the winter months and the overall annual loss is greater than 4% of APSH, then the occupants of the existing building will notice the loss of sunlight

To assess impacts on sunlight, the BRE guidance suggests that all main living rooms of dwellings,

Should be tested if they have a window facing within 90° of due south, whilst kitchens and bedrooms only need to be tested if they provide significant living spaces.

The submitted Daylight, Sunlight and Overshadowing Report (26th February 2021) assesses six residential properties near to the site, specifically Nos. 1, 3 and 5 Chalfont Road, Units 317 and 318 within the Fairview Housing Scheme to the north and the flat to the rear of Nitrams. An additional Report (25-08-22) to assess internal daylight conditions was subsequently submitted, followed by an updated report which included an assessment of Unit 323 of the Fairview Scheme (above Unit 318) (25-11-22). These reports were independently reviewed by Lambert Smith Hampton on behalf of the council, who conclude that the findings of the submitted reports are accurate.

The impact on neighbours' access to daylight was initially assessed using VSC, with a total of 23 windows across 7 properties tested. Of the tested windows, 9 would fail to achieve a

VSC of 27%, and of these, 7 would achieve a VSC less than 80% of their former value, indicating that the impacts to daylight for these 7 windows would be noticeable. Of these 7 affected windows, 4 serve Unit 318 and 2 serve Unit 323 within the Fairview scheme, and 1 serves the Flat to the rear of Nitrams.

Units 318 and 323 are located to the north, at ground and first floor level respectively, with living room and bedroom windows facing towards the application site, whilst the flat to the rear of Nitrams has a west-facing window, looking towards the application site.

Unit 318's living room windows would both have VSCs of 26.5%, which is only very marginally below the target score of 27%, and would have relative VSCs of 71% and 72% their former values, indicating the impacts would be noticeable, but minor. Similarly, the sole window serving Bedroom 2 would achieve a value of 72% its former value whilst one of the two windows serving Bedroom 3 would achieve a score of 79% its former value (with the other window serving Bedroom 3 achieving the target scores). On this basis, the overall level of daylight within Unit 318 is likely to remain at a satisfactory level if this application was implemented, with some but very minor impacts to daylight.

Unit 323 sits above Unit 318, and 2 of the 5 tested windows fail to achieve a VSC of 27%. These windows serve Bedrooms 2 and 3, and achieve relative VSCs of 69% and 76% of their former values respectively, which the guidance suggests would have a moderate and minor impact respectively. This is considered acceptable in the context of a built-up environment, recognising that Unit 323 would still perform relatively well as a whole, with both windows serving the living area meeting target values, alongside the window serving Bedroom 1.

The west-facing window serving the flat to the rear of Nitrams would experience substantial impacts as a result of the development, experiencing a relative VSC of 57% its former value. Whilst this flat was initially occupied without planning permission, and became lawful through the passage of time, the impact on this flat is a material consideration which should be considered in the planning balance. The reason for this poor score is, at least in part, because the window has an almost completely unobstructed view at present with an existing VSC of 39.5% (the maximum percentage value for a vertical window with a completely unobstructed view through 90° in every direction is approximately 39.6%) and therefore any form of comprehensive redevelopment of the application site is likely to have a fairly significant impact on natural light to this window. Moreover, the window would achieve a VSC of 22.5%, which remains close to the target value of 27%, despite experiencing a significant reduction compared to existing conditions.

Windows facing within 90 degrees of due south for Nos. 1, 3 and 5 Chalfont Road and Units 317, 318 and 323 within the Fairview scheme were also assessed for impacts to sunlight, with negligible impacts for all tested windows (i.e. all windows achieving target values and retaining more than 0.8 times their former value). The flat to the rear of Nitrams was not tested as no windows face within 90 degrees of due south). Additionally, analysis shows that the amenity area at the front of Fairview will receive at least two hours of sunlight on 21st March, which meets the target value and the proposal's shadow would not cover more than 50% of the amenity area at any time of the day.

Whilst not directly linked to access to natural light, in this case, the windows which experience greatest changes to their light also experience some loss of outlook. The increase in built form on the site would be fairly substantial, and the southerly aspect of the Chailey Industrial Estate units would be noticeably different following completion, however

this is not unusual for a higher density area, especially one seeing relatively high levels of residential redevelopment and would not lead to a substantial loss of outlook.

However, the window for the flat to the rear of Nitrams would likely experience a significant reduction in outlook, with a partially open north-western aspect remaining between the rear of the proposed development and the southern elevation of the Fairview Scheme.

Overall, whilst there would be a significant loss of daylight to the east-facing window for the flat to the rear of Nitrams, the window would still receive relatively good levels of natural light, and the scheme performs relatively well against the BRE guidance for a major development in a built up area, with only minor impacts to daylight to some lower windows within the larger residential scheme occupying the former Chailey Industrial Estate to the north. Similarly, there would be some, but a very minor, loss of outlook for the residential properties to the north, but a fairly significant impact on the flat to the rear of Nitrams. This significant harm to one flat weighs against the scheme in the planning balance, however it is considered that the benefits of modernising and redeveloping a mixed use scheme with a good proportion of affordable housing (36%) outweigh this harm, and further recognising that any comprehensive development of the site would likely have similar levels of harm because of the almost completely unobstructed outlook from this east-facing window at present and the fairly limited plot size.

IMPACTS ON PRIVACY

The supporting text to Policy DMHB 11 sets out that sufficient privacy for existing residents will be protected by resisting proposals which would introduce an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. To maintain existing levels of privacy, a minimum separation distance of 21 metres between facing habitable room windows of habitable rooms will normally be required, and in some locations, for example where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary.

The existing application site is surrounded mostly by industrial or commercial uses, however, as noted above, the surrounding is undergoing significant levels of change which will result in residential uses to the south (Benlow Works), to the north (former Chailey Industrial Estate) and to the west (Silverdale Road Industrial Estate) and the impact on these future residential sites should be considered. There is also a residential property to the rear of the adjacent property to the east (Nitram's), existing two-storey houses on Chalfont Road to the west and the former Chailey Industrial Estate has been substantially completed, so the area has begun to transition to a more residential character.

The former Chailey Industrial Estate development to the north now includes buildings of varying height, with Blocks J and H (within one building) closest to the application site, approved as a part five and part six-storey building, with windows facing south. There are very few windows facing towards Block J and H within the flats of the proposed development, with one window at fifth floor level serving a hallway looking north-east, alongside windows serving communal hallways at first to fifth floor level. These windows would be infrequently used and would not lead to a loss of privacy for the new flatted development to the north-east, and would, in any event, be sited 21 metres away.

Similarly, there are very few windows facing east, towards Nitram's, with a vertical column of windows positioned towards the front of the building on the eastern elevation, providing views overlooking Silverdale Road and the front of Nitram's. The residential unit within

Nitram's is positioned to the rear of the adjacent plot, with a window facing west, towards the back end of the application site, which currently overlooks a service yard area and the ancillary buildings. Following redevelopment, this window would face towards the communal amenity area at podium (first floor) level, and beyond this, the side elevation of the building which houses the lifts, and consequently does not include any windows. The east-facing windows serving the flats within the proposed development would be positioned at a very acute angle to the west-facing window within the Nitram's flat and therefore the impact on the privacy of this flat is considered to be low. Whilst some concerns are raised about the proximity of the podium-level amenity area and the external terraces to the rear, which would be in close proximity to the Nitram's flat window, a combination of privacy screening and landscaping would prevent direct overlooking and this would be secured by way of condition. In this regard, screening for the northern boundary of the podium-level amenity area would also be secured by condition, however this would not be required for the northern perimeter of the terraces at second floor level and above because acceptable separation distances of 19-21 metres would be maintained.

Facing south, the principal elevation of the proposed building includes very high levels of fenestration, including inset balconies and windows, which would face towards Silverdale Road, and Benlow Works. However, separation distances between facing windows (and balconies) would not drop below 21 metres and therefore there would be no loss of privacy in the future. The Silverdale Road development to the south-east (now lapsed) would have been approximately 25 metres away and direct overlooking between windows would have been limited, although the top floor terrace would provide 180 degree views of Silverdale Road. As such, there would be no impacts on privacy for a future development of that allocated site.

As discussed above, the adjacent plot at Nadeem Autos is not considered to be a development site and there is little risk of this proposal prejudicing a future redevelopment of that site, and the rear windows of the properties on Chalfont Road are all further than 21 metres away from the west-facing windows (and terrace) within the proposed scheme. Mutual overlooking of the gardens of these properties already exists because of the parallel layout of the houses and the recently consented development to the north, and on this basis it is considered that the proposed development would not significantly affect the privacy of the gardens to the north-west.

Overall, it is considered that the proposal would not have a significant impact on the privacy of nearby residential properties, or future planned development sites, and is overall considered acceptable in this regard, subject to a condition to secure appropriate privacy screening for the podium-level amenity space and communal terraces at second to fifth floor level.

7.09 Living conditions for future occupiers

INTERNAL LIVING CONDITIONS

Policy D3 of the London Plan states that proposals should deliver appropriate outlook, privacy and amenity, provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity, help prevent or mitigate the impacts of noise and poor air quality, and achieve indoor and outdoor environments that are comfortable and inviting for people to use.

Policy D6 of the London Plan (Housing quality and standards) requires all new residential properties to meet the minimum space standards and further states that the minimum floor to ceiling height must be 2.5m for at least 75 % of the Gross Internal Area (GIA) of each

dwelling to avoid overheating and generally improve living conditions. In addition, the design of new residential development should be high-quality and should provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

Moreover, proposals should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution as a result of site constraints which would mean dual aspect dwellings would severely restrict optimising the site's potential. The design of 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.

For the proposed scheme, the London Plan space standards require the 12 one-bedroom, two-person flats, the 3 two-bedroom, three-person flats, the 3 two-bedroom, four-person flats, and the 2 three-bedroom, five-person flats to have minimum GIAs of 50 sqm, 61 sqm, 70 sqm and 86 sqm respectively.

The unit sizes are listed below, and as can be seen, all units meet, and in some cases significantly exceed the minimum space requirements of the London Plan:

1-bed (2p) = 50, 50, 50, 50, 50, 50, 50, 50, 50, 50, 57, and 57 sqm.
2-bed (3p) = 68, 62, and 81 sqm.
2-bed (4p) = 86, 81, and 86 sqm.
3-bed (5p) = 111, and 111 sqm.

It is further recognised that there would only be four units per floor, the single core would be served by two lifts and the communal corridors serving all units would be well-lit with natural light, in accordance with the recommendations of Standards 12, 14 and 15 of the Mayor's Housing SPG, which further demonstrates that the development would provide a good standard of accommodation.

Within new developments, daylight is calculated using the Daylight factor (D), which has replaced the now superseded Average Daylight Factor (ADF) within the previous version of the BRE guidance. This application was initially submitted prior to the adoption of the new BRE standards, and has therefore been assessed using both ADF and D, which produce very different results.

The daylight factor addresses daylight provision as a ratio of unobstructed external illuminance under overcast sky conditions, based on the location of the application site within the UK (to determine the most appropriate form of overcast conditions), and sets a target score that should be exceeded across at least 50% of the room, and an alternative lower target score if 95% of the room achieves it

Applying the now superseded ADF assessment, all 50 rooms meet the target scores, whereas applying the Daylight factor assessment, only 44% of the 50 rooms pass (16 bedrooms and 12 LKDs). This stark contrast in assessing the level of daylight within the proposed flats is difficult to explain, not least because when tested for sunlight, the results show that all flats would have at least one habitable room which can receive more than 90 minutes of direct sunlight a day in line with the BRE guidance and are all south-facing.

Moreover, despite the relatively high proportion of single-aspect units (at 50%) and the poor

results using the new Daylight factor, the layout of the units is considered to result in fit and functional internal spaces within a very constrained plot, and it is recognised that the generally southerly orientation of the scheme means that the single-aspect units will benefit from good access to direct sunlight, and opportunities to provide multiple aspects for the proposed corner units have been maximised. In this regard, the proposed flats in the western corner of the site, which generally comprise of the larger units, would all be triple-aspect, providing better levels of daylight and multiple outlooks for future occupiers, and the single-aspect units have been limited to the one-bedroom units, in accordance with the advice in the Mayor's Housing SPG which allows some flexibility, and these one-bedroom flats would all be south-facing with a balcony, to ensure that access to sunlight for a single-aspect unit is maximised.

Following further discussions between the local planning authority and the independent daylight consultant acting on behalf of the council (Lambert Smith Hampton), it is agreed that a 44% pass rate using the 2022 target daylight factor is poor, however the BRE guidance is not a statutory planning tool and failing to meet these standards should not automatically lead to a refusal of planning permission, unless it is concluded that the results are symptomatic of a poor quality of accommodation which would provide, in the view of the local planning authority, a substandard form of residential accommodation overall. In this instance, given the relatively unobstructed views from within the scheme and the southerly orientation of the scheme, the reason for the low performance against the 2022 Daylight Factor are the projecting balconies which overhang (and overshadow) the windows directly beneath. Opportunities to increase window sizes have already been explored and they are relatively large as currently proposed, so there are limited opportunities to re-design the fenestration of the scheme to achieve better results.

BRE guidance does discuss the impact of balconies and other projecting parts of a building, and suggests measures such as spacing balconies further away from each other or staggered across an elevation to achieve better results, neither of which are practical in this instance given the relatively small plot size, or setting back upper floors to prevent balcony overhangs, which has been incorporated into this scheme. BRE guidance further suggests that building depths (window wall to window wall) be reduced, as a smaller room will perform proportionality better than a larger one (assuming the wall furthest away from the source of natural light is moved closer), as even on a totally unobstructed site a very deep room cannot be properly daylit and the presence of obstructions within the room makes it even more difficult for a deep room to have enough light. It is for this reason that dual-aspect rooms generally have better daylight distribution as well as the potential for more sunlight (as is the case here).

For this proposal, reducing the depth of the units to achieve a higher Daylight factor score would not be a practical solution, notwithstanding that the proposed layout of access corridors, service cores and lift shafts would be difficult to rearrange in a way which would make as efficient use of the site, but also because this would likely reduce the overall level quality of accommodation of these flats by providing less internal space for occupiers. Similarly, removing the proposed balconies to improve the daylight factor performance would also be counterproductive to providing a good standard of accommodation given that losing access to a well-lit private amenity area would conflict with established London Plan and Hillingdon Local Plan policies to provide all new dwellings with amenity space if possible.

On the basis of the above, despite the poor target daylight factor score for the scheme, it is considered that the proposal would still provide a good standard of accommodation and

complies with the intentions of Policies D3 and D6 of the London Plan.

PRIVATE AND COMMUNAL AMENITY SPACE

Policy D6 of the London Plan and Standard 26 of the Mayor's London Housing SPG sets out that a minimum of 5 sqm of private outdoor open space should be provided for 1-2 person dwellings, with an additional 1 sqm provided for each additional occupant, and this space must achieve a minimum width and depth of 1.5 metres to be functional and fit for purpose. As such, a 3-person dwelling should include 6 sqm of external private amenity space, a 4-person dwelling should include 7 sqm, a 5-person dwelling should include 8 sqm and so on. At a local level, Policy DMHB 18 of the Hillingdon Local Plan (Private Outdoor Amenity Space) requires good quality and usable private outdoor amenity space for all new residential developments but sets higher minimum requirements. Studio and one-bedroom flats, two-bedroom flats and 3+ bedroom flats should provide 20, 25 and 30 sqm of on-site amenity space respectively. Dwellings on upper floors should all have access to a private balcony or terrace, where this is consistent with the overall design of the building whereas houses and ground floor flats should have private gardens.

Each flat would be provided with its own private amenity space in the form of a balcony (or roof terrace at fifth floor level), in accordance with Policy DMHB 18 of the Hillingdon Local Plan, and 141 sqm of communal amenity space would be provided at podium (first floor) level alongside four 28 sqm communal terraces at second floor level and above to the rear. The private balconies would vary in size, and all units would meet the minimum London Plan standards for external amenity space but fail against Hillingdon's Local Plan standards, apart from the two-bedroom, three-person flats at fifth floor level, which would have private terraces measuring 34 sqm and 37 sqm therefore meeting Hillingdon's standards.

The combined communal amenity space provision would be 253 sqm, which, when taken together with the combined private amenity space provision of 227 sqm, means that the scheme would provide a total of 480 sqm of external amenity space. Using the Hillingdon Local Plan standards, it would be expected that the scheme provides 450 sqm of external amenity space (based on the provision of 20, 25 and 30 sqm of on-site amenity space for one-, two-, and three-bedroom flats respectively), and therefore the provision of 480 sqm, which exceeds the minimum by 30 sqm, indicates that the development as a whole performs relatively well in terms of external amenity space provision.

PUBLIC OPEN SPACE

Policy G4 of the London Plan (Open space) promotes the creation of new areas of publicly-accessible open space, particularly green space, ensuring that future open space needs are planned for, especially in areas with the potential for substantial change or areas of deficiency. Additionally, Policy EM4 of the Hillingdon Local Plan Part 1 (Open Space and Informal Recreation) and Policy DMCI 4 of the Hillingdon Local Plan Part 2 (Open Spaces in New Development) both support the provision of new open space in major developments, or improvements to existing open spaces. Proposals for major new residential development that fail to make provision for new or enhanced open space, or which would result in open space that is inappropriate in type, quality or location, will be resisted. The creation of new open space is to be encouraged wherever practical, although it is recognised that creation of new open spaces may be limited in densely populated areas or because of financial constraints, and in such circumstances, including this one, major residential proposals are expected to make appropriate contributions to the delivery

of new opportunities, or to the improvement and enhancements of existing facilities off-site

New major developments are expected to be sited so that a small or local level open space is within 400 metres, a district level open space is within 1200 metres and a metropolitan open space is within 3200 metres of the application site.

This approach is confirmed in the Planning Obligations SPD, which sets out that for schemes of 15 or more residential units where an on-site solution cannot be found, a financial contribution based on the following formula would be sought:

Contribution = (Build Costs + On-costs) x ([Standard Provision per person x Occupancy of Development] - Existing Capacity)

In line with Para 9.15 of the Planning Obligations SPD, Build Costs are £20 and On-costs are £5, in conjunction with advice from the Council's Green Spaces Team, and the Standard Provision per person is 20 sqm (based on a provision of 2 hectares of unrestricted recreational open space per 1,000 people). Occupancy of Development is calculated by multiplying the number of units by 2.67 (the average occupancy rate per home within the borough), which in this instance amounts to 53 (20 x 2.67). Existing Capacity is 0, in line with Para 9.17 of the Planning Obligations SPD, as there is no known existing spare capacity for public open space in the area and is why the contribution is being sought. For the current application, this would amount to £26,500 and this would be secured as an obligation, recognising that the small and tightly constrained nature of the plot mean that on-site provision would not be feasible or lead to the creation of an attractive and useable amount of public open space.

CHILD PLAY SPACE

Policy S4 of the London Plan (Play and informal recreation) sets out that proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and enable children and young people to be independently mobile. For residential developments, this means incorporating good-quality, accessible play provision for all ages, with at least 10 sqm of play space provided per child, based on the GLA's child yield calculator.

The supporting text to Policy S4 outlines that off-site provision, including the creation of new facilities or improvements to existing provision, secured as an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of the development whilst continuing to meet the needs of existing residents. This is likely to be more appropriate for the provision of play facilities for older children, who can travel further to access it, but should still usually be within 400 metres of the development and be accessible via a safe route from children's homes.

Policy DMHB 19 of the Hillingdon Local Plan: Development Management Policies (Play Space) requires major residential development to provide children and young people's play facilities on-site, using the GLA's child yield calculator to determine the levels of occupancy by different age groups. Where a satisfactory level of provision for children and young people's play facilities 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, which would be secured through a legal agreement as a planning obligation.

The Mayor's Play and Informal Recreation SPG (2012) provides further guidance and sets out that play space falls into four broad categories, with each category relating to a specific age group. The four categories are 'doorstep', 'local', 'neighbourhood' and 'youth', and these relate to children aged 0-4, 5-11, 12-15 and 16-17 respectively.

Doorstep play space, which should provide engaging play features for young children such as fixed climbable equipment alongside places for carers to sit and talk for supervision, should almost always be provided on-site, with the Play and Informal Recreation SPG setting out that an off-site contribution should only be sought if on-site provision is not possible and there is existing play space within 100 metres of the site. An off-site contribution for local play space may be provided instead of on-site provision if there is existing play space within 400 metres of the application site, and an off-site contribution may be sought for neighbourhood and youth play space if play space exists within 800 metres of the application site. This highlights the importance of providing play space for young children on-site as a priority.

Using the GLA's child yield calculator, the proposed development would result in an increase of 6.2 children (aged 0-17), made up of 3.0 children aged 0-4, 2.1 children aged 5-11, 0.7 children aged 12-15, and 0.4 children aged 16-17. Applying the required 10 sqm of play space provision for each child, the proposed development should provide 62 sqm of on-site play space. Having regard to the advice contained in the Mayor's Play and Informal Recreation SPG and the restricted plot size, it is recognised that whilst there is not scope to include the full child play space provision on-site, it would be possible to include 30 sqm of doorstep play space within the podium-level communal amenity space, corresponding to the 3 children aged 0-4 generated by the GLA child yield calculator. In this regard, and as discussed above, the proposal exceeds the minimum amenity space provision by 30 sqm and therefore this can be accommodated on-site without affecting the scheme's compliance with Hillingdon's amenity space policies.

The closest parks to the application site are Botwell Green Sports and Leisure Centre to the north (within 400m walking) and Lake Farm County Park to the west (within 800m walking), in addition to the publicly accessible play spaces which would be introduced as a result of the Estate Regeneration development at Austin Road approximately 250 metres to the west, and within the redeveloped Chailey Industrial Estate immediately to the north of the application site. It is therefore considered that there is (and will be) sufficient play space within the surrounding area to accommodate the demand generated from the proposal and it is not necessary to seek a contribution to offset the very minor shortfall of 32 sqm which would not be provided on-site.

Precise details of the play space would be secured by way of condition and on this basis, it is considered that the proposal complies with Policy S4 of the London Plan and Policy DMHB 19 of the Hillingdon Local Plan Part 2 and is therefore acceptable in this regard.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy T1 of the London Plan (Strategic approach to transport) seeks development proposals to facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.

In addition, Policy T2 of the London Plan (Healthy Streets) requires development proposals to demonstrate how they will reduce the dominance of vehicles on London's streets

whether stationary or moving, be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

Moreover, Policy T4 of the London Plan (Assessing and mitigating transport impacts) sets out that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. When required, transport assessments or statements should be submitted with proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Policy T4 further explains that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

Policy T5 of the London Plan (Cycling) sets out that proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through supporting the delivery of a London-wide network of cycle routes, with new routes and improved infrastructure securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

Developments should provide cycle parking at least in accordance with the minimum standards, ensuring that a minimum of two short-stay and two long-stay cycle parking spaces are provided where the application of the minimum standards would result in a lower provision. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards and proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.

Policy T6 of the London Plan (Car Parking) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. 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-lite'). Car-free developments have no general parking but should still provide disabled persons parking. The maximum standards for car parking outlined in the London Plan take account of PTAL as well as London Plan spatial designations and use classes, and the supporting text further outlines that developments in town centres generally have good access to a range of services within walking distance, and so car-free lifestyles are a realistic option for many people living there.

Policy T6 makes clear that an absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets, whilst further stating that the redevelopment of sites should reflect the current approach to parking and not be re-provided at previous levels where this exceeds the maximum parking standards.

The maximum car parking standards, disabled persons parking, and the provision of electric or other Ultra-Low Emission vehicles are set out in Policy T6.1 to Policy T6.5, however it should be noted that for all development types in PTAL 5 or 6, or within the Central Activities Zone, proposals are expected to be car-free.

Policy T6.1 of the London Plan (Residential parking) states that new residential

development should not exceed the maximum parking standards set out in Table 10.3. These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category. Policy T6.1 further sets out that for 3% of dwellings, at least one designated disabled persons parking bay per dwelling should be available from the outset and these spaces must be for residents' use only (whether M4(2) or M4(3) dwellings), not be allocated to specific dwellings, unless provided within the curtilage of the dwelling, and explains that these spaces should count towards the maximum parking provision for the development.

In accordance with Policy T6.1, applying the more restrictive parking standard when a site falls into more than one category, it is considered that the application site has a PTAL of 3, which is considered to represent a moderate level of access to public transport (on a scale of 0-6b, where 0 is the worst and 6b is the best). TfL's WebCAT planning tool highlights that much of the SIL (mostly to the east of the application site) has a PTAL of 0 (the worst), and public transport within the SIL is basically non-existent at present.

In this instance, the maximum parking standards would allow for up to 15 parking spaces (applying a ratio of 0.75 spaces for every one and two bedroom unit, and 1 space for every three bedroom unit), but Policy T6 of the London Plan makes clear that the starting point for all proposals in places that are (or are planned to be) well connected by public transport should be car free, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Further regard is had to Policy H1 of the London Plan which requires the potential for housing delivery on all suitable and available brownfield sites to be optimised, especially for sites with existing or planned PTALs of 3-6, or which are located within 800m of a station or town centre boundary. The application site has a PTAL of 3 and is within 800m of a train station, and it is therefore imperative that the site is optimised in accordance with Policy H1 of the London Plan, and that parking provision does not compromise the high proportion of affordable housing provided within this scheme.

In this regard, it is recognised that the provision of widespread parking within the site would be impractical given its small and constrained nature, noting that when basement parking was proposed in the previous application (Ref: 12795/APP/2019/3828) it was considered to be contrived and unfeasible (relying on a car-lift), and there is clearly no scope to create a ramp to basement level within the site. In any event, the provision of parking within the basement or at ground floor level would undermine the strategic objectives of the SIL as this would result in significantly less floorspace (if any) available for industrial uses.

Given that a car-free or car-lite approach is supported for sites with PTALs of 3 and above, and more so for sites near train stations and town centre boundaries (such as this site), it is recognised that a car-free approach could be supported for this development, providing wheelchair accessible spaces only. Whilst the site does not fall within a Parking Management Scheme, the Hayes Parking Management Schemes could be reasonably extended to include the application site to prevent residential parking, and future occupiers prevented from being eligible for permits, and the London Plan encourages the extension of parking controls where this supports a car-free approach. Funding for this would be secured as an s106 obligation, at a cost of £15,000.

The proposed cycle parking would be located at basement level, accessible from a lift, which would allow for the full provision of cycle parking to be provided in a secure way, however some concerns are raised as to whether this location would be convenient for future occupiers and would encourage cycling uptake as use of the lift would be slightly inconvenient. Possible alternative locations were explored through discussions between

the local planning authority and the applicant as part of the planning process, including a proposal at ground floor level and closer to the main residential entrance, however these were found to be unfeasible. This is because part of the space at ground floor level is too narrow to be effectively used for cycle parking, which when combined with the space at ground floor level required for bin storage and circulation, together with the need to meet LCDS standards, mean that cycle parking at ground floor level would require more space than if provided at basement level. In turn, this means that ground floor cycle storage, whilst undoubtedly more convenient for future users, would result in less space available for the industrial unit, leading to a net loss of industrial floorspace from the redevelopment, which would be unacceptable in principle for a site within a SIL. In particular, it would also lead to an alternative means of fire escape from the residential cycle store via the commercial unit which raises some concerns.

Consequently, whilst not the best solution for future occupiers in terms of convenience and ease of access, the proposed cycle parking solution is considered to be an acceptable compromise, which is required for the development as whole to deliver other strategic objectives, which in this case are the need to ensure no net loss of industrial floorspace within the SIL and the need to maximise affordable housing delivery from suitable brownfield sites where this is feasible. In this regard, some of the specific issues raised by TfL in regards to the cycle parking can be effectively addressed through condition and an obligation to fund off-site cycle facilities in the vicinity of the site would be secured as a planning obligation at a cost of £7500.

In addition to securing a contribution towards consulting on extending the nearby parking management scheme, separate residential and commercial travel plans would be required, alongside a bond to secure their implementation. Delivery and Servicing would take place on the street, which is not ideal, however there would be no realistic scope for this to be carried out off-street at present, and the specific details of the future management would be secured through the submission of a Delivery and Servicing Plan and a Parking Design and Management Plan.

7.11 Urban design, access and security

Policy D11 of the London Plan (Safety, security and resilience to emergency) sets out that boroughs should work with the Metropolitan Police Service's 'Design Out Crime' Officers to identify the community safety needs and necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime. Proposals should seek to maximise building resilience and minimise potential physical risks, and should include measures to design out crime that deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area. Measures to design out crime, including counter terrorism measures, should be integral to proposals, taking into account the principles contained in guidance such as the Secured by Design Scheme published by the Police.

Policy BE1 of the Hillingdon Local Plan: Strategic Policies (Built Environment) encourages the creation of safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson, having regard to Secure by Design standards.

As such, a condition requiring the proposed development to achieve secured by design accreditation in consultation with the Metropolitan Police, is included within the decision notice, to ensure the proposal meets the requirements of Policy D11 of the London Plan and Policy BE1 of the Hillingdon Local Plan. On this basis, the proposal is considered

acceptable in this regard.

7.12 Disabled access

Policy D5 of the London Plan (Inclusive design) sets out that proposals should achieve the highest standards of accessible and inclusive design by providing high quality people focused spaces that are designed to facilitate social interaction and inclusion, be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment, and be able to be entered, used and exited safely, easily and with dignity for all. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building, and proposals should ensure they are compliant with Policy D12 of the Plan (Fire safety) and place fire resilience central to the proposal's design.

To provide suitable housing and genuine choice for London's diverse population, including disabled people and families with young children, Policy D7 of the London Plan (Accessible housing) states that all residential development should include at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Policy BE1 of the Hillingdon Local Plan: Strategic Policies (Built Environment) requires 10% of new dwellings to be wheelchair accessible, encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives. In addition, all proposals should incorporate a clear network of routes that are easy to understand, inclusive, safe, secure and connect positively with interchanges, public transport, community facilities and services.

Comments from the council's Access Officer set out that accessible parking would be provided at a policy compliant level (2 for the residential element and 1 for the industrial unit), alongside the creation of 2 wheelchair accessible units, built to M4(3) standard. The remainder of the flats would be built to the M4(2) standards. Further, the inclusion of two separate lifts is welcomed, although confirmation of the detailed design and specification of these lifts would be secured by condition, to ensure one of them is designed to be a designated fire evacuation lift.

On this basis, the proposal is considered acceptable in relation to inclusion and accessibility.

7.13 Provision of affordable & special needs housing

Policy H4 of the London Plan (Delivering affordable housing) sets the strategic target of 50% of all new homes delivered across London to be genuinely affordable. As such, all major developments (10 units or more) trigger affordable housing requirements and should provide affordable housing through the threshold approach (discussed below). Affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances.

Additionally, Policy H5 of the London Plan (Threshold approach to applications) sets out that to follow the Fast Track Route of the threshold approach, meaning the applicant is not required to submit a financial viability assessment (FVA) to support their application, development proposals must meet or exceed the relevant threshold level of affordable housing on site without public subsidy (in this case 35%), be consistent with the relevant

tenure split, and meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant.

As discussed above, the threshold approach for this site is considered to be 35%, despite a slight reduction in the amount of industrial floorspace, as industrial capacity would remain the same following redevelopment.

Furthermore, Policy H6 of the London Plan (Affordable housing tenure) states that affordable housing products within a development should include a minimum of 30% low-cost rented homes (including London Affordable Rent or Social Rent), a minimum of 30% intermediate products which meet the definition of genuinely affordable housing (including London Living Rent and London Shared Ownership), with the remaining 40% to be determined by the borough as low-cost rented homes or intermediate products, based on identified need, with a presumption that the 40% to be decided by the borough will focus on Social Rent and London Affordable Rent given the level of need for this type of tenure across London.

Part 1 of the Hillingdon Local Plan: Strategic Policies sets out that there is a strategic demand for 50% of all new housing to be affordable, with a tenure split within affordable housing of 78% low-cost rented and 22% as appropriately priced intermediate housing. Policy H2 of the Hillingdon Local Plan: Strategic Policies (Affordable Housing) states that new residential development should make provision for 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 major residential proposals.

Having regard to the evidence base, and the need to encourage development whilst maximising affordable housing provision, the supporting text to Policy H2 sets out that 35% of all new dwellings should be delivered as affordable housing, with an indicative tenure split of 70% low-cost rent and 30% as intermediate housing, although it is recognised that market conditions in Hillingdon are complex and a one size fits all approach to tenure provision will not be suitable for all areas in the borough.

The proposal would provide 36% affordable housing by habitable room (18/50), 35% by unit (7/20) and 34% by floorspace (442/1300), comprising of five affordable rent units and two intermediate units, as set out in the supporting Affordable Housing Schedule. At first floor level, 3 one-bedroom, two-person flats and 1 three-bedroom, five-person flat, alongside 1 one-bedroom, two-person flat at second floor level would be provided as affordable rent. The two intermediate units would be the two-bedroom, three-person flat and the two-bedroom, four-person flat at third floor level.

This affordable housing offer amounts to a tenure split (affordable rent/intermediate) of 67/33 by habitable room, 71/29 by unit and 74/26 by floorspace, which is considered to represent a policy compliant mix, having regard to the higher floorspace requirements of the three-bedroom units, one of which is proposed as affordable rent. The council's Housing Officer has confirmed that this is an acceptable, policy compliant tenure split.

The provision of affordable housing, and in this case a policy compliant level, furthers a number of strategic objectives and directly promotes social cohesion and mixed communities. The provision of affordable housing further ensures that there is a steady supply of lower-rent flats within the borough for people on the council's housing waiting list, whilst also providing discounted home ownership options to help people take the first step on the housing ladder, alongside market housing, ensuring the scheme provides a mix of

unit sizes at different price points. On this basis, the affordable housing offer is considered to weight very significantly in favour of the development.

7.14 Trees, landscaping and Ecology

Policy G5 of the London Plan (Urban Greening) states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The Mayor recommends that boroughs seek an Urban Greening Factor (UGF) target score of 0.4 for developments that are predominately residential and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses which are exempt). In broad terms, the UGF is an assessment of the amount, type and value of natural environment provided on site as a proportion of the overall site area. The assessment assigns each landscape type (e.g. Semi-natural vegetation, intensive green roof to depth of 150mm, extensive green roof to depth of 80mm, amenity grassland, etc) with a 'factor' (1, 0.8, 0.7 and 0.4 respectively for the landscapes listed above). These factors are a simplified measure of various benefits provided by soils, vegetation and water based on their potential for rainwater infiltration as a proxy to provide a range of benefits such as improved health, climate change adaption and biodiversity conservation.

In addition, Policy DMHB 14 of the Hillingdon Local Plan Part 2: Development Management Policies (Trees and Landscaping) sets out that all developments will be expected to retain or enhance biodiversity through the protection of existing landscaping, trees and other natural features of merit, and proposals are required to provide a scheme of hard and soft landscaping to demonstrate this. Moreover, the council will seek to protect existing tree and landscape features and enhance open spaces with new areas of vegetation cover (including the linking of existing fragmented areas) for the benefit of wildlife and a healthier lifestyle.

Furthermore, Policy EM7 of the Hillingdon Local Plan: Strategic Policies (Biodiversity and Geological Conservation) seeks to protect biodiversity features from inappropriate development and encourages the provision of biodiversity improvements from all developments, including green roofs and walls where feasible.

Initially, it was proposed that the scheme would achieve a UGF of 0.14, as set out in the UGF Plan (16-04-21). After concerns were raised by the council's Tree and Landscape Officer, a revised UGF Plan (05-08-22) was submitted which outlined that a UGF of 0.40 could be achieved, with the addition of a modular system of green walls on the northern and eastern elevations, climbers rooted in soil near to the entrance, an intensive green roof, and a blue roof (designed explicitly to provide initial temporary water storage and then gradual release of stored water).

It is further recognised that the existing site, which is almost entirely dominated by hardstanding and built structures, makes virtually no contribution to urban greening and provides little, if any, biodiversity value to the area. Further, noting the mixed-use nature of the development inside a SIL, a blended UGF target of 0.37 may have been acceptable, based on the proportion of residential and non-residential floorspace within the scheme, and therefore the score of 0.4, which would be secured by way of condition, exceeds the minimum policy requirements and weighs in favour of the proposal.

7.15 Sustainable waste management

Policy SI 7 (Reducing waste and supporting the circular economy) and Policy D6 (Housing quality and standards) of the London Plan require developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that

support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

This is supported by the Mayor's Housing SPG which outlines that communal refuse and recycling containers, communal bin enclosures and refuse and recycling stores should be easily accessible to all residents including children and wheelchair users, and located on a hard, level surface. Refuse and recycling stores within buildings should further be located to limit the nuisance caused by noise and smells and maintained to a high hygiene standard.

At a borough level, Policy EM11 of the Hillingdon Local Plan: Strategic Policies (Sustainable Waste Management) states that the council will aim to reduce the amount of waste produced in the borough. To achieve this, the council will require all new developments 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. This should be read alongside the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Development Management Policies, which sets out that developments should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. In practice, this means residents should not have to travel further than 30 metres to the bin store from their flat, and bin stores should be located within 10 metres of the collection point, with unobstructed room to manoeuvre bins to and from the bin store on collection days.

The proposed refuse stores would be located internally, in the south-east corner at ground floor level. Separate stores are proposed for the residential and non-residential elements, both opening outwards onto the undercroft area, and these stores are considered to be of a sufficient size to accommodate the three 1100 litre bulk bins, and a 240 litre bin for food waste, required to facilitate the waste produced by residents alongside the industrial refuse store, in accordance with the Waste Strategy Officer's comments. The pull distance from the residential refuse store to the kerb would be 10.9 metres (assuming that the parking spaces are occupied), which, whilst slightly above the recommended pull distance of 10 metres, would not warrant a reason for refusal and would be acceptable in this instance, noting the small plot size and the need to accommodate wheelchair accessible parking spaces on-site. Similarly, the westernmost flat on each residential floor would be slightly more than 30 metres from the bin store (at 32.4 metres away), however this would also not warrant a reason for refusal and this minor breach of the guidance would not have a noticeable impact on the quality of accommodation.

Some details of waste collections have been provided in the Delivery and Servicing Plan (Appendix 3 of the Transport Statement), however further detailed design elements of these refuse stores, alongside a comprehensive Waste Management Strategy, will be secured by way of condition to ensure compliance with Hillingdon's standing advice to developers.

7.16 Renewable energy / Sustainability

Policy SI 2 of the London Plan (Minimising greenhouse gas emissions) states that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy, placing an additional requirement to monitor emissions beyond implementation to determine the effectiveness of the mitigation:

1. be lean: use less energy and manage demand during operation
2. be clean: exploit local energy resources (such as secondary heat) and supply energy

efficiently and cleanly

3. be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site

4. be seen: monitor, verify and report on energy performance.

Policy SI 2 sets targets for carbon dioxide emission reductions in buildings. These are expressed as minimum improvements over the Target Emission Rate (TER) outlined in national building regulations. The current target for residential and non-residential buildings is zero carbon beyond the current Building Regulations Part L 2013.

Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy and how a minimum on-site reduction of at least 35% beyond Building Regulations will be achieved. Residential development should achieve 10%, and non-residential development should achieve 15% through energy efficiency measures alone. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either through a cash in lieu contribution to the borough's carbon offset fund or off-site, provided that an alternative proposal is identified and delivery is certain.

Moreover, major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations (i.e. unregulated emissions).

In addition, Policy SI 3 of the London Plan (Energy Infrastructure) states that all major development proposals shall explore opportunities to maximise the use of on-site renewable energy generation and incorporate demand-side response measures.

Policy EM1 of the Hillingdon Local Plan: Strategic Policies (Climate Change Adaptation and Mitigation) sets out that the installation of renewable energy will be encouraged for all new developments.

Whilst no comments have been received from the Council's Energy Officer, it is considered that the proposal would have been capable of achieving compliance with Policy SI 2 and SI 3 of the London Plan, with a 35% improvement over the baseline with any shortfall secured as a carbon offset calculation to be used to fund measures to reduce carbon emissions within the borough. This would be secured by way of condition, and a corresponding obligation to secure the financial contribution.

7.17 Flooding or Drainage Issues

Policy SI 12 of the London Plan (Flood risk management) sets out that flood risk across London should be managed in a sustainable and cost-effective way in collaboration with the Environment Agency, the Lead Local Flood Authorities and developers where relevant. Proposals should further ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses. Development proposals adjacent to flood defences will be required to protect the integrity of flood defences and allow access for future maintenance and upgrading.

In addition, Policy SI 13 of the London Plan (Sustainable drainage) sets out that proposal should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Moreover, drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

Policy EM6 of the Hillingdon Local Plan: Strategic Policies (Flood Risk Management) encourages development to be sited away from the areas of highest flood risk (Flood Zones 2 and 3), and all development will be required to use sustainable urban drainage systems (SUDS).

In support of the application, a Flood Risk Assessment and Drainage Assessment (April 2021), followed by an updated version (January 2023), and a plan titled 'Drainage Assessment' (Rev. P06) have been submitted. These have been reviewed by the lead local flood authority who consider that whilst not fully compliant with Policies SI 12 and SI 13 of the London Plan, the minor areas of shortfall, such as the discharge rate and the location of the flow device, can be satisfactorily addressed by condition to ensure policy compliance.

On this basis, it is considered that the proposed development would be compliant with Policies SI 12 and SI 13 of the London Plan and is therefore considered acceptable in this regard.

7.18 Noise or Air Quality Issues

NOISE

Policy D13 of the London Plan (Agent of Change) sets out that proposals should mitigate and minimise the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses, improving and enhancing the acoustic environment and promoting appropriate soundscapes. Proposals should first seek to separate new noise-sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials, in preference to sole reliance on sound insulation. Where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles, promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Additionally, Policy D14 of the London Plan (Noise) states that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses. Development proposals should manage noise and other potential nuisances by ensuring good design mitigates and minimises existing and potential nuisances with necessary and appropriate provisions including ongoing and future management responsibilities, and proposals should seek to separate new noise-sensitive development from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures. It is generally accepted that noise emanating from residential properties is lower than commercial premises, and industrial uses are associated with the highest noise profile.

Furthermore, Policy EM8 of the Hillingdon Local Plan: Strategic Policies (Land, Water, Air and Noise) states the council will promote the maximum possible reduction in noise levels and will minimise the number of people potentially affected by new developments. As such, the council will seek

to ensure that noise sensitive development and noise generating development are only allowed if noise impacts can be adequately controlled and mitigated.

In support of the application, a Noise Impact Assessment (March 2021) has been submitted, which outlines the baseline noise conditions and the effect of the noise levels on the proposed development, identifying mitigation measures where necessary to achieve appropriate acoustic standards. This Noise Impact Assessment has been reviewed by the council's Noise Officer, who confirms that sufficient information has been provided to allow a positive recommendation, subject to the inclusion of suitable conditions which should be met based on the design information provided and considering measurement and prediction uncertainty.

AIR QUALITY

Policy SI 1 of the London Plan (Improving air quality) states that proposals should not lead to further deterioration of existing poor air quality or create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits, so as not to create unacceptable risk of high levels of exposure to poor air quality.

As such, as a minimum, proposals should be at least Air Quality Neutral and should use design solutions to prevent or minimise increased exposure to existing air pollution, whilst making provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures.

Major development proposals must be submitted with an Air Quality Assessment. Proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.

Policy EM8 of the Hillingdon Local Plan: Strategic Policies (Land, Water, Air and Noise) requires all development to protect both existing and new sensitive receptors, and not result in the deterioration of local air quality. In addition, all major developments within Air Quality Management Areas (AQMAs) should be air quality neutral whilst actively contributing to the promotion of sustainable transport measures such as vehicle charging points and the increased provision for vehicles with cleaner transport fuels.

The proposed development is located within the Hayes Focus Area, and whilst the number of proposed car parking spaces is low, the proposal is likely to lead to some additional traffic emissions which will add to current exceedances. As required by the London Plan, developments need to be air quality neutral as a minimum and air quality positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

Consequently, new developments need 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, namely Focus Areas. Furthermore, Policy DME1 14 of the Hillingdon Local Plan Part 2 requires active contribution towards the continued improvement of air quality, especially within the borough's Air Quality Management and Focus Areas.

The level of mitigation required associated with the operational phase of the proposed

development has been calculated by the Council's Air Quality Officer, and to be air quality positive, a financial contribution of £13, 578 is required, which would be secured as an obligation within the legal agreement. This contribution would be used to deliver the air quality local action plan or implement specific measures on the road network affected by the proposal that seek to reduce vehicle emissions and reduce human exposure to pollution levels. This would be secured alongside the recommended conditions.

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 £13,578. Therefore, a section 106 agreement with the LAP of £13,578 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, two Air Quality conditions are required to develop and implement a Low Emission Strategy and manage construction emissions as required by the Mayor of London.

7.19 Comments on Public Consultations

Letters dated 30-04-21 and 22-09-22 were sent to 34 nearby properties, including properties on Silverdale Road, Chalfont Road and Little Road, a site notice was displayed outside the site on 13-06-21 and again on 05-10-22, and a press notice was displayed in a local newspaper on 12-05-21 and again on 28-09-22.

2 objections and 1 comment were received following public notification, raising the following material considerations:

- Development must not affect access to existing businesses
- Loss of natural light
- Proposal will add to local congestion

These are discussed in the relevant sections above, however it is considered that the proposal would not have a significant impact on access to natural light for nearby properties and is unlikely to add to congestion or affect existing accesses given the car-free nature of the scheme and the exclusion of future occupiers from obtaining residential parking permits if parking controls are subsequently introduced.

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan: Development Management Policies (Planning Obligations and Community Infrastructure Levy) sets out that planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it, to ensure that development is sustainable in accordance with the NPPF (2021). Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL) and through planning obligations.

Specifically, planning obligations are used to secure the provision of affordable housing in relation to residential development schemes, and where a development has infrastructure needs that are not addressed through CIL to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal. Applications which fail to include appropriate planning obligations to make the proposal acceptable will be refused. Planning obligations run with the land, are legally binding and

enforceable.

The Community Infrastructure Levy Regulations, the NPPF and Planning Practice Guidance have put three tests on the use of planning obligations into law. In this regard, planning obligations must meet the following tests to be lawful:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonable related in scale and kind to the development.

The following Heads of Terms are proposed, to be secured through a section 106 agreement to either ensure policy compliance (e.g. affordable housing) or to address deficiencies in the scheme which could not be addressed through amendments to the plans:

- £26, 500 as a financial contribution towards off-site public open space provision, to offset the on-site shortfall;
- £13, 578 as a financial contribution to be used by the Council to fund measures to reduce poor air quality within the borough;
- £7, 500 as a financial contribution to be used to fund off-site cycle hire provision in the vicinity of the site;
- £15, 000 as a financial contribution to be used towards consulting and implementing an extension to the nearby parking management scheme to include the application site;
- £37, 239 as a financial contribution to be used to fund the capital cost of local health infrastructure to support the additional population arising from the development;
- A carbon offsetting sum based on an Updated Energy Strategy to be submitted to discharge Condition 7, with the offset calculation based on £95 per tonne of CO₂ over a 30 year period;
- A full Residential Travel Plan, including a Low Emission Strategy, is to be submitted and approved in writing by the Local Planning Authority. The Plan will include targets for sustainable travel arrangements, effective measures for the ongoing monitoring of the Travel Plan, and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured;
- A full Non-Residential Travel Plan, including a Low Emission Strategy, is to be submitted and approved in writing by the Local Planning Authority. The Plan will include targets for sustainable travel arrangements, effective measures for the ongoing monitoring of the Travel Plan, and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured;
- Enter into a s278 agreement for works to the Highway, including the dropping and raising of kerbs (as required) and other such works as may be required to the highway to implement the development;
- To prevent future occupiers from being eligible for parking permits within the borough;
- A full and detailed Construction and Employment Training scheme in accordance with the Council Planning Obligations SPD with the preference being for an in-kind, on-site scheme to be delivered;
- To secure 36% affordable housing (by habitable room), with a tenure split of affordable rent to intermediate of 67/33 (by habitable room) in accordance with submitted Affordable Housing Schedule, and subject to an early-stage review mechanism; and
- A Project Monitoring and Management Fee, equalling 5% of the total financial contributions paid under this agreement.

In addition, the scheme would also be liable for payments under the Community

Infrastructure Levy.

From 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100 sqm or more, or proposals which create new residential dwellings, are liable for the Mayoral Community Infrastructure Levy (Mayoral CIL). The liability payable will be equal to £60 per square metre (from April 2019). The London Borough of Hillingdon (LBH) is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy (Hillingdon CIL), which came into effect on 1st August 2014. The liability payable is equal to £95 per square metre for residential development (Use Class C3).

7.21 Expediency of enforcement action

N/A.

7.22 Other Issues

CONTAMINATED LAND

Policy EM8 of the Hillingdon Local Plan: Strategic Polices (Land, Water, Air and Noise) states that the council expects proposals for development on contaminated land to provide mitigation strategies that will reduce the impacts on surrounding land uses. Major development proposals will be expected to demonstrate a sustainable approach to remediation that includes techniques to reduce the need to landfill.

The site is likely to have some land contamination present, and in support of the application, a Phase 1 Desk Study has been submitted, which has been reviewed by the council's Lead Contamination Officer and found to be acceptable. This Phase 1 report provides an account of findings from a desk-based study which was conducted to establish whether current or historical activities at or near the site may have created potentially significant environmental constraints, alongside an appropriate initial Conceptual Site Model and a Preliminary Risk Assessment, identifying plausible contaminant linkages. In order to confirm the findings of the initial Conceptual Site Model and to aid geotechnical design, it is recommended that an intrusive investigation is undertaken to establish ground conditions and the presence of any potential pollutant linkages at the site. This would be secured by way of condition in accordance with the advice from the council's Lead Contamination Officer.

FIRE SAFETY

In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan states that all proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside spaces for fire appliances to be positioned on, provide suitable access and equipment for firefighting which is appropriate for the size and use of the development, and provides spaces which are appropriate for use as an evacuation assembly point.

Buildings should be designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire by being constructed in an appropriate way to minimise the risk of fire spread. This should include appropriate fire alarm systems, passive and active fire safety measures, suitable and convenient means of escape and an associated robust evacuation strategy which can be periodically updated and published, and which all occupants can have confidence in. These measures should be set out in a

Fire Strategy, prepared by a suitably qualified fire engineer.

In support of the application, a Fire Statement has been submitted, which outlines the basics of fire safety measures, with the knowledge that further details would be secured at detailed design stage. The submission of these additional details would be secured by condition.

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 in consultation with NHS North West London, a financial contribution of £37, 239 is required to fund the capital cost of local health infrastructure to support the additional population arising from the development. This would be secured as a planning obligation.

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. Given the nature of the development it is considered necessary to secure adequate cooling and heating for all future residents. A condition will be imposed seeking details of the heating and cooling strategy and mitigation measures, to satisfactorily address overheating issues, in compliance with Policy SI4 (Managing heat risk) of the London Plan.

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

N/A.

10. CONCLUSION

The proposed development is considered to be acceptable in principle, as a result of the site's unique siting on the edge of a SIL and surrounded by existing and proposed residential uses, despite the partial conflicts with the London Plan and Hillingdon Local Plan policies in respect of SILs and industrial uses. The proposal would re-provide the same level of industrial capacity through the introduction of a basement and at ground floor level, with the provision of 20 new homes at first floor level and above, of which, 36% would be secured as affordable housing.

The overall scale and massing are considered acceptable for the evolving context of the area, with the detailed design of a high-quality which would provide a visual counterpoint to

the Grade II listed Benlow Works, opposite.

The scheme performs relatively well against the BRE guidance for daylight and sunlight to neighbours for a major development in a built up area, with only minor impacts to daylight to some lower windows within the larger residential scheme occupying the former Chailey Industrial Estate to the north. However, it should be noted that the proposed development would have a fairly significant impact on the amenity of the flat to the rear of the Nitrams unit, in terms of a reduction in daylight and outlook.

Internal living conditions are considered to be acceptable, although it is recognised that elements of the scheme, such as refuse collection distances, slightly exceed the guidelines. Nonetheless, the layout of the units is considered to result in fit and functional internal spaces within a very constrained plot, and it is recognised that the generally southerly orientation of the scheme means that the single-aspect units will benefit from good access to direct sunlight, and opportunities to provide multiple aspects for the proposed corner units have been maximised.

The widespread provision of on-site parking would be impractical noting the other policy requirements of the London Plan and Hillingdon Local Plan, and the site has a PTAL of 3, with good access to doorstep amenities within walking distance at Hayes Town Centre. As such, a car-free approach is supported, subject to providing wheelchair accessible spaces on-site, securing a financial contribution to extend the Hayes Parking Management Scheme to include the site, and preventing future occupiers from being eligible for parking permits, to limit opportunities for on-street parking for future occupants.

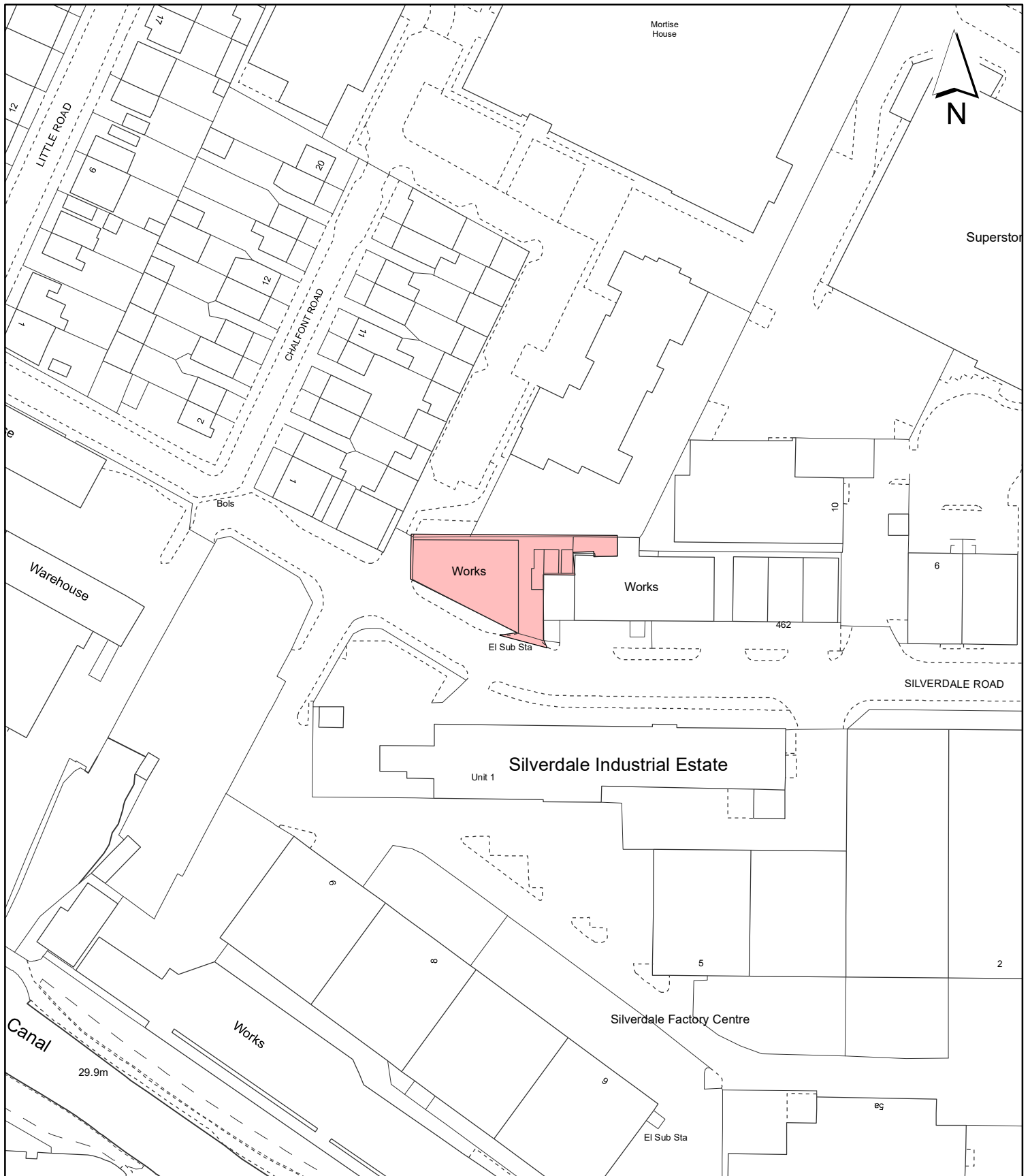
Overall, weighing up the planning balance, it is considered that the proposal is acceptable, and is recommended for approval, subject to the conditions and obligations listed in this report.

11. Reference Documents

London Plan (2021)
Hillingdon Local Plan: Strategic Policies (2012)
Hillingdon Local Plan: Development Management Policies (2020)
National Planning Policy Framework (NPPF) (2021)
Mayor's Viability SPG (2017)
Mayor's Housing SPG (2016)
Play and Informal Recreation SPG (2012)

Contact Officer: Andrew Thornley

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

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LONDON BOROUGH OF HILLINGDON
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 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

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Scale:

1:1,250

Planning Committee:

Major

Date:

March 2023



HILLINGDON
 LONDON