

## Report of the Head of Planning & Enforcement Services

**Address** HPH 4 MILLINGTON ROAD HAYES

**Development:** Erection of a four storey building to provide 6,966sq.m of Class B1(a) Office floorspace, provision of 72 associated car parking spaces at basement level, associated landscaping and ancillary works.

**LBH Ref Nos:** 40652/APP/2012/2030

**Drawing Nos:** Drainage Plans Figure 3 (proposed storm water strategy\_  
114075-D109 Rev. B  
110475-D110 Rev. A  
1020/61/1\_SLP04  
110475-D111 Rev. A  
110475/D-006  
110475-D108 Rev. B  
110475-D100 Rev. F  
110475-D101 Rev. F  
110475-D102 Rev. E  
110475-D103 Rev. E  
110475-D104 Rev. E  
110475-D105 Rev. B  
HED.983.102 Rev E  
HED.983.107 Rev. D  
HED.983.108 Rev. D  
plan 1 of 4 HED.983.103 Rev. D  
plan 2 of 4 HED.983.103 Rev. E  
plan 3 of 4 HED.983.103 Rev E  
plan 4 of 4 HED.983.103 Rev E  
SKM Transport Assessment including appendices Vol I, II and III, dated August 2012  
SKM Framework Travel Plan, dated August 2012  
SKM Phase 1 Environmental Assessment, dated March 2012  
SKM Phase 2 Environmental Assessment, dated October 2012  
SKM Air Quality Assessment, dated August 2012  
3D Reid Bird Hazard Management Plan (ref: 110475-ON1KD-AFX160712), dated July 2012  
SKM Energy Statement, dated July 2012  
3D Reid Safety and Crime Prevention Note, dated November 2012  
Fire Evacuation Procedure note, dated November 2012  
BREEM Ecology Report HPH4 & 5 (final version dated August 2012)  
Foul Water Strategy Rev. A received 13 November 2012  
Drainage Plans Figure 1 (existing) Rev. PO1  
Drainage Plans Figure 2 (foul water strategy) Rev. PO0  
110475/D-004/Rev B

**Date Plans Received:** 17/08/2012                      **Date(s) of Amendment(s):**

**Date Application Valid:** 31/08/2012

### 1. SUMMARY

Full planning permission is sought for the erection of a 6,966sq.m five storey office (B1

(a) Use Class) block building, with the formation of a basement car park beneath it, set within the Hyde Park Hayes Business Park on a piece of cleared land, that formerly served as the staff canteen for the Safeway Headquarters,

The site is located in a designated Industrial and Business Area (IBA) that was formerly owned by Safeway's. The site formed part of a larger site that served as Safeway's (B1 Use) UK office headquarters. The principle of this IBA being transformed into a business park attracting office based businesses was established with the built out schemes within the IBA identified as Hyde Park Hayes 1, 2 and 3 and the outline planning permission granted on the adjacent plot to the west identified as Hyde Park Hayes 5.

There is a second application also lodged with the Council for the associated Hyde Park Hayes 5 (a proposed 5 storey of building with 13,800sq.m of B1 Use office space), which taken with the scheme would complete the main section of the campus style business park and in urban design terms tie up the existing office buildings on-site (i.e. Hyde Park Hayes 1, 2 and 3 and the accompanying built out multi-storey car park).

The design of the building including the treatment of the elevations, the height of the building, its footprint and the associated landscaping and surface car parking is influenced by the relationship to the surrounding buildings on the site and the proposed building's distance is set well away from any neighbouring residential development. The scheme is considered to create a harmonious relationship with the adjacent buildings and provides an attractive and well landscaped business park environment. The office building would define in urban design terms the south western boundary of Hyde Park Hayes Business Park. The introduction of a contemporary building of crisp contemporary design would enhance the appearance and setting of the business park as viewed from Dawley Road and improve the general legibility of the business park as seen and accessed from the south west.

There are no highway objections to the proposal, extensive traffic modelling of the scheme has taken full consideration of the additional demand on the surrounding road network and traffic junctions from the associated application for Hyde Park Hayes and other major development sites scheduled for Hayes.

Heads of Terms have been agreed between the applicant and the Council's legal team for a section 106 legal agreement including agreement for substantive public realm improvements to the Dawley Road roundabout and its surroundings.

## **2. RECOMMENDATION**

**1. That the application be referred to the Greater London Authority (under Article 5 of the Town and Country Planning (Mayor of London) Order 2008).**

**2. That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, delegated powers be given to the Head of Planning & Enforcement to grant planning permission, subject to any relevant amendments requested by the Greater London Authority and the following:**

**A. That the Council enters into a legal agreement with the applicant under Section 106 of the 1990 Town & Country Planning Act (as amended) and/or Section 278 and S38 of the Highways Act 1980 (as amended) or other appropriate legislation to secure:**

**1. Construction Training:** An in-kind scheme delivered during the construction phase of the development, with the scheme to be submitted to and approved prior to the commencement of the development.

**2. Employment Strategy:** Prior to occupation of the development an employment strategy is to be prepared and agreed in writing with the council, demonstrating how local people will be given access to job opportunities on the site.

**3. Public Realm:** Prior to the commencement of either HPH 4 or HPH5, whichever comes first, a scheme shall be submitted to and approved in writing by the council addressing improvements to the public realm within the vicinity of the site. As a minimum the scheme shall address landscaping improvements to the land immediately adjacent to the site and the Dawley Road roundabout.

**4. Carbon Off-Setting:** A financial contribution of the sum of £15,660 is to be secured.

**5. Air Quality:** A financial contribution of the sum of £12,500 is to be secured.

**6. Travel Plan:** A Travel Plan is to be prepared to TfL guidelines and adhered to for the life of the development.

**7. Highways:** Relevant legal agreements are required to be entered into to address all highways works as required by the Council's highways engineer.

**8. Pedestrian Environment Review (PERs):** A pedestrian environment review shall be undertaken and any works identified as part of this review shall be undertaken by the applicant.

**9. Project Management and Monitoring Fee:** A financial contribution to the sum of 5% of the total cash contributions is to be secured.

**10. Crossrail Contribution:** Under the operative Crossrail SPG the sum of £219,990 is required to be made. In the event that this payment is less than that of the Mayoral CIL then no payment is due under this obligation.

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

**D.** If the Legal Agreement/s have not been finalised within 6 months, delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of air quality, carbon emissions, construction and employment training facilities and off site highways works). The proposal therefore conflicts with Policy AM2, AM7 and R17 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007.'

**E.** That if the application is approved, the following conditions be attached

**1 RES3 Time Limit**

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

**REASON**

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

**2 RES4 Accordance with Approved Plans**

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

Drainage Plans Figure 3 (proposed storm water strategy\_

114075-D109 Rev. B

110475-D110 Rev. A

1020/61/1\_SLP04

110475-D111 Rev. A

110475/D-006

110475-D108 Rev. B

110475-D100 Rev. F

110475-D101 Rev. F

110475-D102 Rev. E

110475-D103 Rev. E

110475-D104 Rev. E

110475-D105 Rev. B

HED.983.102 Rev E

HED.983.107 Rev. D

HED.983.108 Rev. D

plan 1 of 4 HED.983.103 Rev. D

plan 2 of 4 HED.983.103 Rev. E

plan 3 of 4 HED.983.103 Rev E

plan 4 of 4 HED.983.103 Rev E

Drainage Plans Figure 1 (existing) Rev. PO1

Drainage Plans Figure 2 (foul water strategy) Rev. PO0

110475/D-004/Rev B

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

**REASON**

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

**3 RES5 General compliance with supporting documentation**

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

Reduction in energy use and renewable technology installation [Report/Drawing¿]

SKM Air Quality Assessment dated 16 August 2012

Design & Access Statement dated June 2012

SKM Transport Assessment HPH5 including appendices (Volumes I, II, III) dated August 2012

SKM Framework Travel Plan HPH5, dated August 2012

Reduction in energy use: BREEM Ecology Report HPH4 and HPH5 (final version dated

August 2012)

Halcrow Drainage Plans Figures 1 to 3

Water Management: Flood Foul Water Strategy Rev. A received 13 November 2012

Delta Simmons Environmental Assessment Phase 1 dated March 2012

Delta Simmons Environmental Assessment Phase 2 dated October 2012

3D Reid Design Bird Hazard Management Plan dated July 2012

3D Reid Safety and Crime Prevention Note, dated November 2012

SKM Energy Statement

Fire Evacuation Procedure Note, dated November 2012

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

#### REASON

To ensure that the development complies with the objectives of Policies BE13, BE38 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011).

#### **4 COM10 Tree to be retained**

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

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

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **5 COM6 Levels**

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

## REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **6 COM7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

## REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **7 COM9 Landscaping (including refuse/cycle storage)**

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

1. Full details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Full written specification of planting and cultivation works to be undertaken,
  - 1.c Full schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
  
2. Details of Hard Landscaping
  - 2.a Covered and secure refuse storage
  - 2.b Covered and secure cycle storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that 20% of all parking spaces are served by electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures
  
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
  
4. Schedule for Implementation
  
5. Other
  - 5.a Existing and proposed functional services above and below ground
  - 5.b Proposed finishing levels or contours

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

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan

### **8 NONSC Electic Charging Points**

Prior to the commencement of development a plan showing provision for electric charging points to serve 20%% of all car parking spaces should be submitted to and approved in writing by the Local Planning Authority. The plan shall set out the location of the charging points, the chosen technology and clear presentation of how the bays will be marked. The development shall proceed in accordance with the approved plan.

## REASON

To provide car parking for electric vehicles to help tackle air quality impacts and meet the climate change challenges in accordance with Policy 6.13 of the London Plan (July 2011).

### **9 NONSC Reduction in Potable Water**

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

## Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan (July 2011).

### **10 RES15 Sustainable Water Management (changed from SUDS)**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

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

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

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

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

## REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 5.12.

### **11 RES26 Contaminated Land**

(i) The development hereby permitted shall not commence until a written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified has been agreed in writing with the local planning authority.

ii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

(iii) If during development works contamination not anticipated in the submitted remediation scheme is identified, then an updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

## 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 policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **12 NONSC Construction Logistic Plan**

Prior to development commencing, the applicant shall submit a construction logistic plan to the Local Planning Authority for its approval. The plan shall include detail:

(a) Construction traffic generation (in numbers) by development;

(b) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(c) Access Routes

(d) The strategy to avoid deliveries during highway network peak hours and traffic sensitive hours

(e) Construction staff travel plan

(f) The storage of construction materials on site including the height of storage areas for materials or equipment.

(g) Details of cranes and other tall construction equipment.

(h) Control of activities likely to produce smoke and dust and details of temporary lighting

(i) Control and disposal of putrescible waste to prevent attraction of birds.

(j) Details of any piling associated with the construction.

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

## REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

### **13 NONSC Delivery and Servicing PPlan**



Prior to commencement of development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during am and pm peak hours. The approved strategy shall be implemented as soon as the development is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

#### REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **14 COM31 Secured by Design**

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

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

#### **15 NONSC Piling or any other penetrative design detail**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect controlled waters. The previous history of use of the site is likely to have resulted in contamination. Piling or other penetrative foundation techniques could create a pathway for contamination at the surface to migrate into the underlying Principal Aquifer, in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **INFORMATIVES**

#### **1 152 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).

#### **2 153 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all

relevant material considerations, including the London Plan (July 2011) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE13	Recycling facilities in major developments and other appropriate sites
LE2	Development in designated Industrial and Business Areas
LPP 2.16	(2011) Strategic Outer London Development Centres
LPP 2.7	(2011) Outer London: economy
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 4.1	(2011) Developing London's economy
LPP 4.2	(2011) Offices
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.5	(2011) Decentralised energy networks
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.21	(2011) Contaminated land
LPP 6.9	(2011) Cycling
LPP 6.12	(2011) Road Network Capacity
LPP 6.13	(2011) Parking
LPP 6.14	(2011) Freight strategy
LPP 7.14	(2011) Improving air quality
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
NPPF	
NPPF7	

R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002

**3            I11            The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

**4            I15            Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

**5            I19            Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE. Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

**6            I23            Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

## **7            124            Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

## **8            134            Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

## **9 147 Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

## **10 160 Cranes**

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

## **11**

Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.

Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.

Flashing beacons/stroboscopic lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

## **12**

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy on commencement of this development. A separate liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

Should you require further information please refer to the Council's Website (<http://www.hillingdon.gov.uk/index.jsp?articleid=24738>).

## **13**

The applicant is encouraged if the building uses mechanical ventilation to draw air from as high as possible to ensure the air is as clean as possible.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The former Safeway's Industrial Estate has been renamed Hyde Park Hayes business

park. It is bounded to the north by Hyde Park Road and by Dawley Road to the west. Millington Road is a private road running through the business park and this forms the southern and eastern boundary of the red line site.

The proposed Hyde Park Hayes 4 site was formerly the site of Safeway's headquarter's canteen facility serving the headquarters building located alongside.

The incomplete business park comprises to date of a number of buildings including:

- An office building, identified as HPH1 which is 4 storeys in height and provides for a floor area comprising 8,600sq.m in area and was built in 1994. Rackspace is a fast growing US origin IT company who provide cloud based data storage facility whose UK headquarters are located within HPH1 and are understood to be seeking to take up occupancy of HPH5 if approved and built out.

- A 3 storey office building (built 1993) identified as HPH2 which provides for a floor area comprising 6,285sq.m in area.

- A 7 storey office building identified as HPH3 (built in 1975 and recently refurbished) and comprises a floor area of 5,130sq.m in area.

- On the north west edge of the business park is the location of the former Mercury House, which was subsequently demolished (in 2007) with the land lying vacant and is identified the the business park owner's as the future building plot site of a building identified as Hyde Park Hayes 6.

- A 5 storey multi storey car park building exists on the business park located to the south west of proposed Hyde Park Hayes 5 with vechicle access off Millington Road and North Hyde Road.

The site is located 750 metres to the south west of Hayes and Harlington Road Station (a future Cross Rail station) accessed via Station Road and approximately a 9-10 minute walk away.

### **3.2 Proposed Scheme**

The proposed scheme involves 6,966sq.m of B1 office space set over 4 floors plus a basement car park accessed from ramp immediately to the south of the building.

The building will have large expanses of glazing in its treatment of the 4 elevations and is les regular in shape than Hyde Park Hayes as irt responds to the assmtrical boundaries of the wide site. The building will help define the western boundary of the business park and provide a focal point to the business park from the entrance to the park via Milington Road directly off the Dawley Road roundabout.

The plant will be on the roof and would not be visible from the ground.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

No planning history directly relevant to the development (redline) of the site.

### **4. Planning Policies and Standards**

## UDP / LDF Designation and London Plan

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

### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.E5 (2012) Town and Local Centres
- PT1.E7 (2012) Raising Skills
- PT1.EM6 (2012) Flood Risk Management
- PT110 PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.EM11 (2012) Sustainable Waste Management

### Part 2 Policies:

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE25 Modernisation and improvement of industrial and business areas
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- OE13 Recycling facilities in major developments and other appropriate sites
- LE2 Development in designated Industrial and Business Areas
- LPP 2.16 (2011) Strategic Outer London Development Centres
- LPP 2.7 (2011) Outer London: economy
- LPP 3.9 (2011) Mixed and Balanced Communities
- LPP 4.1 (2011) Developing London's economy
- LPP 4.2 (2011) Offices
- LPP 5.1 (2011) Climate Change Mitigation
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction

LPP 5.5	(2011) Decentralised energy networks
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.21	(2011) Contaminated land
LPP 6.9	(2011) Cycling
LPP 6.12	(2011) Road Network Capacity
LPP 6.13	(2011) Parking
LPP 6.14	(2011) Freight strategy
LPP 7.14	(2011) Improving air quality
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy
NPPF	
NPPF7	
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **12th October 2012**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

A site notice was displayed and 130 letters were sent to the owner/occupiers of neighbouring properties.

1 written response was received querying why not all residents on Waltham Avenue were not consulted individually on the scheme and querying if the office may become a managed apartment-hotel.

MAYOR OF LONDON

The application alongside Hyde Park Hayes 5 application was referred to the GLA on 28 September 2011 and comments were received back from the GLA on both application in a single



letter dated 31 October 2012.

**Recommendation:**

That Hillingdon Council be advised that while the applications are generally acceptable in strategic planning terms, they do not fully comply with the London Plan, but that the potential remedies set out in the conclusions, which could address these deficiencies.

**Conclusion:**

London Plan policies on office development, strategic industrial locations, employment, urban design, inclusive access, transport and energy provisions are relevant to this application. In general, the application complies with some of these policies but not with others. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

**Transport:** The following are required to ensure that the application proposals are in conformity with the London Plan: further clarification of the highway modelling to determine the anticipated impact on the Transport for London Road Network; an audit of the local pedestrian environment; inclusive of local bus stops; a reduction in the number of car parking spaces in line with London Plan standards; planning conditions to secure submission, approval and implementation of a delivery and servicing plan, and a construction logistics plan; and a legal agreement to secure a travel plan and financial contribution towards the proposed Crossrail Station.

**Energy:** The on-site carbon dioxide savings fall short of the targets within Policy 5.2 of the London Plan; therefore, the developer should liaise with Hillingdon Council to ensure that the shortfall (equivalent to 9 and 35 tonnes of carbon dioxide per annum respectively) is met off site. In addition, the developer should ensure that the development is designed to allow future connection to a district heating network whenever one become available; explain how space heating and hot water would be delivered to the building; confirm that a heat network would be installed all areas in the building connected to that network. The applicant should also provide drawings to illustrate the positioning of the proposed photovoltaic panels on the roofs.

**CASE OFFICER RESPONSE:**

Applicant has agreed to the following following receipt of Mayor's comments:-

**Highway Modelling:** The sought clarification provided and TfL understood to have accepted.  
**Reduction in the number of car parking spaces:** 18 car parking spaces removed from HPH5 & HPH4. Total figure within the maximum standard allowable within the London Plan.  
**Pedestrian Environment Review:** secured by s106.  
**Implementation of a delivery and servicing plan:** secured by planning condition.  
**Final Travel Plan:** secured by s106.  
**Crossrail CIL Payment:** Applicant agreed to paying.  
**Construction logistics plan:** secured by planning condition.

**Carbon Fund Contribution:** Sum sought is agreed to and secured by s106.  
**Scheme designed to allow future connection to a district heating network:** applicant agreed to in writing.  
**A single comprehensive heat and energy network source for the development:** applicant agreed to in writing.  
**Solar Panels:** applicant provided plans of location of PV panels on the top floor flat roof.

National Air Traffic Services (N A T S) .

From a technical safeguarding aspect the scheme does not conflict with our safeguarding criteria, no objection.

BAA - No objection

TRANSPORT FOR LONDON: observations as follows-

Car Parking:

The development proposes a total of 72 car parking spaces for 13,880sqm of office space. This is equivalent to a ratio of 1:99sqm. Included in the total, 7 disabled car parking spaces are provided. 28 Electric Vehicle Charging Points (EVCP) for Hyde Park Hayes 4 and Hyde Park Hayes 5.

Considering the moderate PTAL of the area, TfL requests that car parking is reduced to a maximum of 23 spaces in line with London Plan policy 6.13. Furthermore 20% of those spaces must be for electric vehicles and a further 20% passive provision. Adequate parking for blue badge holders is also required; this should equate to 7 blue badge parking space for every disabled motorist. Additionally 5% of the total capacity should be designated for visiting disabled motorists.

TfL acknowledges however, that in this location, the development could result in overspill parking in the surrounding residential streets. It is therefore recommend that the applicant provides a contribution to Hillingdon Council to enable monitoring of on street parking levels and to implement Controlled Parking Zones (CPZ) where necessary. TfL welcomes further discussion about this matter.

Cycle Parking:

54 cycle parking spaces are proposed for the development. This is in accordance with the minimum standards set out in TfL's cycle parking guidelines and therefore is in line with London Plan policy 6.9. TfL also welcomes the proposed showers and changing facilities for employees. The cycle parking storage should be located in an accessible, convenient, secure and sheltered area.

Pedestrian Environment Review System (PERS) :

TfL requests that a Pedestrian Environment Review System (PERS) audit is carried out to assess the quality of the pedestrian environment surrounding the site. This assessment should include a bus stop audit for the closest pair of bus stops to the site.

Highway Impact:

The applicant has assessed the impact of additional vehicular trips though regrettably, junction modelling has not been undertaken in line with TfL s modelling guidance. In order to comply with London Plan policy 6.3, the applicant should demonstrate how the adopted models have been validated to ensure they are fit for purpose.

The applicant has indicated that manual optimisation of the nearest part of the TLRN, the A312/Bulls Bridge Roundabout, will allow for vehicular trips for this and other nearby development proposals to be accommodated. As TfL recently implemented a traffic control system (SCOOT) at this junction, further discussions are required about the outcome of any modelling and the subsequent impact on congestion at this junction. Clarification should also be provided as to the extent of any cumulative and planned development that has been taken into account in their modelling. Resolution of this matter will enable TfL to identify any highway mitigation that may be required.

## Travel Plan:

TfL welcomes the submission of travel plan with the application. It is expected that Hillingdon Council will secure, enforce, monitor, review and ensure the funding of the travel plans through the s106 agreement to ensure conformity with London Plan policy 6.3. Arrangements for delivery, servicing and construction activities should be agreed between the applicant and Hillingdon Council, and secured through condition if deemed necessary.

## Crossrail:

From the details accompanying the application, it is understood that the development will provide an uplift of 6,966sqm office floorspace. As the site is within a 1 kilometre radius of Hayes & Harlington station, a Crossrail contribution of £219,990 is therefore required in accordance with London Plan policy 6.5.

## Community Infrastructure Levy

In accordance with London Plan policy 8.3, Community Infrastructure Levy, the Mayor agreed to commence CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within the London Borough of Hillingdon where the Mayoral charge is £30 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. The applicant should note however, that the Mayor's CIL charge will be treated as a credit towards the section106 liability and therefore only the greater of the two sums will normally be sought. Notwithstanding this, Hillingdon Council should include the full Crossrail sum within the section 106 agreement.

## Summary

## CONCLUSIONS

Whilst TfL has no objections to the principle of the proposed development, further clarification about the highway modelling is required in order to determine the impact on the TLRN in ensure compliance transport policies in the London Plan.

## ENVIRONMENT AGENCY:

Awaiting receipt of final observations but verbally informed no objection on flood risk grounds.

## METROPOLITAN POLICE CRIME PREVENTION DESIGN ADVISOR:

A review of the plans and the supporting documentation it is evident the scheme conforms with the general Secure by Design principles in the scheme's design and its future operation with confirmation received from the applicant of:

- (i) controlled access to the basement car park
- (ii) CCTV within the basement car park
- (iii) CCTV provision for the site specified in accordance with the Home Office CCTV Operational Requirements Manual.

**CONCLUSION:** No objection, subject to the CCTV provision and secure access to the basement car park covered by the planning condition.

## **Internal Consultees**

### POLICY OFFICER:

Policy Framework:

Generally agree with their detailed analysis of policies supporting the applicant's proposals.

2012 National Planning Policy Framework general presumption in favour of sustainable development reaffirmed (cf paragraphs 11-17); Hillingdon has identified this as a priority area for regeneration (cf paragraph 21, bullet point 5); the new buildings should have good designs (cf paragraphs 63-65).

2007 UDP Saved Policies - the principle of a change of use here is covered by policies LE1 and LE2. The Council has accepted B1 a office development in IBAs where they are considered appropriate for economic regeneration in the Hayes West Drayton corridor.

2012 Hillingdon Local Plan: Part 1 Strategic Policies (former Core Strategy adopted at full Council on 08 November) - currently this area is identified on Map 5.1 as a proposed Locally Significant Employment Location, part of an area where office growth is to be accommodated, and is covered by policies E1 and E2.

### Summary

Generally acceptable development of these sites, in principle, subject to any detailed development control / design / S106 negotiations.

What is emerging here is a mid-urban business park in effect which is compatible with both London Plan policies and the aims of the Council in regenerating this part of the Hayes West Drayton Corridor. It is an area where the underlying socio-economic indicators are poor and it is in need of new investment and job opportunities to replace former industrial jobs which have now or are about to leave the area.

### HIGHWAY ENGINEER:

The A437, Station Road, bounds the HPH campus to the east and forms a signalised junction with North Hyde Road at the north eastern corner of HPH. The four-arm signalised junction includes formal pedestrian crossing and cycle facilities. The eastern end of North Hyde Road leads to the A312 The Parkway, which connects to Junction 3 of the M4 to the south and A40 to the north. The western end of North Hyde Road forms a five-arm roundabout with Dawley Road.

HPH can be accessed via the three existing vehicular accesses, which are:

- Millington Road/Station Road junction;
- North Hyde Road/Millington Road West junction; and
- A437/North Hyde Road/Dawley Road/Millington Road/ Bourne Avenue junction (5-arm Roundabout).

### Traffic Impact and Highway Improvements

Below is the list of committed development sites, which have been included within the TA for purposes of assessing the traffic impact.

- i. 20 Blyth Road
- ii. 243 Blyth Road
- iii. Gatefold Building
- iv. High Point Village
- v. Southall Gas Works

In addition to the above, a sensitivity assessment has been carried out of the traffic impact associated with the two sites listed below:

i. Asda Development - Unit 3 Millington Road

ii. Replacement scheme at the Old Vinyl Factory (it is noted that the TA does not correctly assess the impact from the current application ref. 59872/APP/2012/1838 under consideration. The traffic modelling will therefore need to be revised in case of the proposed Old Vinyl Factory development being approved)

The TA includes assessment of the movement conditions, baseline, opening year 2014, and 10 years after opening, on the surrounding highway network by calculating and distributing the development trips by different modes of transport on the transport network and analysing the impact.

In terms of the highway network, a series of assessments has been undertaken at the following junctions during weekday AM & PM peak periods within the vicinity of the site.

The traffic modelling results show that North Hyde Road/Station Road junction and Bull Bridge Roundabout are the most congested.

At North Hyde Road/Station Road junction, the North Hyde Road Approach is the most congested. During the AM peak period the North Hyde Road westbound approach to the junction is at capacity at 99.2% with a queue of 25 PCUs. During the PM peak period the North Hyde Road approach to the junction, both in the east and westbound directions, with a degree of saturation exceeding 90%.

The assessment shows that with development the above junction would be over its practical reserve capacity during both AM and PM peak periods in 2014 & 2024 with practical reserve capacity of -8.6% and -9.7% without development and -14.4% and 20.3% with development (excluding Asda development and Replacement scheme at the Old Vinyl Factory) in 2014 during AM & PM peak period, and -24.3% and -37.3% without development and -30.5% and 69.9% with development (excluding Asda development and Replacement scheme at the Old Vinyl Factory) in 2024 during AM & PM peak period.

The junction of North Hyde Road and Station Road is a key node within the overall road network of the Hayes area. The assessment shows that this junction is currently operating over its practical capacity in AM and with little practical reserve capacity in PM peak periods. The future traffic growth and committed developments in the surrounding area will have further adverse impact on this junction. The impact of proposed HPH4 and HPH5 major developments will have a considerable affect during both AM and PM peak periods on this already over saturated junction and triggers a strong need to carryout junction improvement works including signal works and physical improvements as shown on drawing no. 1615/02/05 Rev from Alan Baxter. The works will be required to be implemented at the same time as those that are to be carried out to this junction by the recently approved development at appeal for Asda Superstore with Petrol Station. Unless this is secured there is a real risk of creating a gridlock of traffic at this junction, resulting in significant adverse impact on both existing sites and future developments in Hayes and also resulting in adverse impact from transport economics viewpoint. The developer is proposing to increase the signal cycle times in order to relive some congestion, however this alone will not have a material impact on the capacity of the junction. The traffic modelling will need to be revised at the detail design stage to ensure that it is inline with the alterations to the layout and traffic signals at the North Hyde Road/Station Road junction subject to the outcome of the planning committee s decision. All costs including remodelling, detail design and implementation are to be bourne by the developer.

The Bulls Bridge Roundabout operates close to its capacity. During AM peak period, the most congested approaches are Parkway Southbound nearside approach showing 99% degree of

saturation and Hayes Road Westbound approach showing a degree of saturation of 96% in Lane 3. During PM peak, some of the approaches exceed 90% degree of saturation. The most sensitive in terms of capacity is the Parkway Southbound approach, with degrees of saturation of 92% and 94% in the nearside lane and lane 2 respectively.

The traffic modelling shows that the impact on Bulls Bridge Roundabout as a result of the proposed HPH4 & HPH5 developments will not be severe. The roundabout is under TfL's jurisdiction and they have not raised any objection on the impact on the roundabout as a result of the proposed developments in subject.

#### Access and Layout

The site can be accessed via three vehicular accesses. A swept path analysis has been carried out, which shows that the proposed layout is satisfactory for the type of the development.

The main car parking area is within the basement of the proposed office buildings accessed via two way ramps.

#### Parking

The Council's maximum car parking standards for B1 use are one space per 100 sqm. 70 car park spaces are proposed for HPH4 and 124 car parking spaces are proposed for HPH5. This results in an overall provision of 194 spaces for both sites. The average provision across the two sites is therefore one space per 107 sqm. There is however a multi-storey car park adjacent of the application site, which is within the applicant's control and is largely empty. On the basis of existing car parking standards, the car park would have ample spare capacity even if the other buildings on the estate were to be occupied in future. The spare parking capacity should form part of the parking availability considered for the development sites in subject. On this basis, the proposed parking provision is considered excessive.

20% of car parking spaces are proposed to be provided with electrical charging point with an additional 10% passive provision. The London Plan requires half of 20% spaces to be active and the other half being a passive provision for the future.

54 cycle park spaces are proposed for HPH4 and 94 cycle parking spaces are proposed for HPH5. The proposed cycle parking provision is considered acceptable.

#### Construction Traffic

A Construction Logistics Plan (CLP) should be secured by way of a planning condition or S106 Agreement.

#### Travel Plan

Full Travel Plans should be submitted, approved and implemented prior to occupation of the development. The travel plans should be included and managed in the form of a Master Travel plan for Hyde Park Hayes. This should be covered through a planning condition and/or S106 Agreement.

SUMMARY: No objection raised to scheme.

SUSTAINABILITY OFFICER:

#### Energy Comments

The scheme does not meet the London Plan target of reducing CO2 emissions by 25%.

The report also refers to a carbon fund which could help make up for the short fall through an agreement with the Council. This is in line with Policy 5.2(e) of the London Plan which states:

"The carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere."

This effectively refers to allowable offsite solutions. The policy requires the shortfall to be addressed through the financial contribution. The contribution therefore has to be commensurate with the level of shortfall, and should provide the Council with a sum of money in that will allow them to take meaningful steps to reduce CO2 elsewhere.

The energy statement demonstrates there is a deficit of 9tonnes of CO2 being saved on site. Therefore to make 9tonne CO2 over the lifetime of the development (60years) at £29/tonne CO2 a contribution to the Council of £15,660 will be required.

This contribution will be spent on a series of Public Buildings within the area of the development site. On agreement, I will be happy to identify specific buildings and agree with yourselves. Once a formal commitment is included with the S106 my objection is lifted.

#### Electric Charging Points

##### Condition

Prior to the commencement of development a plan showing provision for electric charging points to serve 20% of all car parking spaces should be submitted to and approved in writing by the Local Planning Authority. The plan shall set out the location of the charging points, the chosen technology and clear presentation of how the bays will be marked. The development shall proceed in accordance with the approved plan.

##### Reason

To provide car parking for electric vehicles to help tackle air quality impacts and meet the climate change challenges in accordance with Policy 6.13 of the London Plan (July 2011).

#### Sustainable Water Consumption

The London Borough of Hillingdon is in a severely water stressed area along with much of the South East of England. As a consequence, planning policies have been developed to ensure greater consideration of minimising potable water use is given to new development. Universities have particularly high water demand and therefore the following condition should also be attached to any subsequent decision notice.

##### Condition

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

##### Reason

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

#### URBAN DESIGN OFFICER:

The scheme is overall of a good quality design, which would reflect the established style and scale of the existing buildings. Where possible, the grassed areas adjacent to Dawley Road, including the roundabout, should be landscaped to provide an improved setting to the site. Improvements to the existing areas of hard landscape adjacent to these spaces should also be sought, e.g. improved surface materials and lighting. A condition should be attached to agree the details of the finishes of the external materials to the building and the hard landscaping surface materials.

#### FLOOD AND WATER MANAGEMENT OFFICER:

I have reviewed the Flood Risk assessment and following receipt of the revised documentation and calculation I am now satisfied the proposals are satisfactory, subject to a condition which can provide further design details prior to construction.

#### ENVIRONMENTAL PROTECTION UNIT - in respect of Air Quality

##### Travel Plans:

A Framework Travel Plan identify mitigation measures such as electric charging points and bicycle parking.

##### Planning obligations:

As the development is in and will cause increases in an area already suffering poor air quality the following Section 106 obligation for £12,500 should be sought for contribution to the air quality monitoring network in the area.

#### ENVIRONMENTAL PROTECTION UNIT - in respect of land contamination:

For the areas of the site covered by the 2 current applications plus HP6. We have previously commented on the Phase 1 report. The Phase 1 report recommended a site investigation (Phase 2 report) which was undertaken. There had been some previous site investigation around the sites in 2005 by Delta Simons and groundwater monitoring at the whole Safeway HQ site was undertaken prior to the phase 1 report. This data is considered in the phase 1 and phase 2 reports. There was groundwater contamination in the Delta Simons work, and this was further clarified by the SKM Enviros, 'SKME' monitoring of the Delta Simons boreholes and subsequent phase 2 investigation. This appears to be an issue for consideration.

The Phase 2 report follows on with a site investigation using trial pits and boreholes on all three areas, and figure 4 in the report shows the locations of the investigatory points on HP4-6. This shows the SKME locations and 4 old boreholes from the Delata Simons SI which surround the sites, HPH4-6.

Section 8 (Conclusions and Recommendations) gives the proposals for remediation by SKME for each area of the site.

Soil - As this is a commercial development the soil target levels for contamination reflect this. Lead and Cadmium were found to be elevated for the end use in the soil. On most of the site any heavy metals will be rendered innocuous by the hard standing. However it is confirmed that a clean capping of 300mm should be applied in areas of soft landscaping. Additionally in one area of HP5 some additional testing is recommended to clarify contaminant levels. This is advisable as there is a fairly wide spacing between the boreholes and trial pits.

Gas (and Vapour) - Gas monitoring has been carried out on a sufficient number of occasions and no risk from methane or carbon dioxide has been found following consideration using the advice in



the document, CIRIA 665. However from the current and previous investigations levels of volatile organics have been found in the groundwater particularly Trichlorethylene, 'TCE' and Vinylchloride, 'VC'. This evidence was obtained from monitoring tubes placed in the boreholes. At the area HPH5 mitigation measures are advised for the piles to prevent vapour ingress into the building and it is recommended that mitigation measures are considered at HPH4 and HPH6. I would agree with SKME that measures should be installed at all buildings as there seems to be elevated organics in the soil strata (clay particularly) and groundwater in the vicinity of the old Fairy Aircraft Engineering Works which stood here in the past. The report indicates the organics may be old chlorinated compounds used for processes such as metal degreasing in the old factory.

Water - There is a detailed consideration in Chapter 3 (Water Environment Risk Assessment) of the water issues. As indicated above there does appear to be elevated chlorinated solvents in the groundwater thought to be connected with the metal degreasers in the old aircraft works. The findings summarize the type of compounds present and the breakdown of some compounds to other chemicals as shown by the monitoring. This is not an human health matter apart from the volatile risk as explained above. The Environment Agency, 'EA' will wish to review this report due to the Lynch Hill gravels being present at this site. The elevated levels are confirmed outside of the site but the EA may require further groundwater monitoring to clarify the levels below HPH4-6.

Remediation Proposals - I would advise that the reports are comprehensive and will support the planning applications. The broad proposals for remediation are given in Chapter 8 Conclusions and Recommendations and are justified in the report. These will need to be incorporated in a remediation strategy for the site. The strategy will need to take into account the soil, gas and the controlled waters issues mentioned above. A watching brief will be needed when all the floor slabs are excavated after building demolitions.

Conclusion- No objection subject to the following worded condition:-

(i) The development hereby permitted shall not commence until a written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement

ii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

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

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 policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

TRAVEL PLAN OFFICER:

Overall, the travel plan documents are general good with mainly minor updates / clarifications required. The main weaknesses relate to baseline mode share for the site, the lack of information on delivery and servicing which will be associated with the site, and details on the exact budget set for the Travel Pan for its future monitoring purpose and updating.

A large list of travel reduction measures are outlined within the travel plan. Some further measures could be beneficial to the plan. These measures are detailed below:

#### Walking and Cycling

- The site may benefit from the introduction of Legible London signage in particular way markers showing the route to and from the station.
- Future tenants operating an interest free loan scheme for individual employees to purchase bicycles.

#### Public Transport

- Offering staff the chance to apply for season ticket loans.
- Pool Oyster cards for undertaking any business trips which are required.

#### Car Use

- Allocation of some of the parking bays as car sharing bays. These would be premium spaces close to access points.
- Pool car(s) for business trips. These could potentially be electric or hybrid vehicles.
- Electric Vehicle charging points.

#### Conclusion:

The draft Travel Plan at this stage is considered acceptable subject to receipt of further details that can be addressed within the final version of the Travel Plan, that will form part of the s106 agreement for the scheme. The Heads of Terms in respect of the Travel Plan of the draft s106 has been agreed with the applicant.

#### LANDSCAPE OFFICER:

#### Landscape Considerations:

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

- The landscape masterplan submitted in the Design & Access Statement indicate a landscape buffer with new tree planting around the north and west elevations and wrapping around the south-west corner. As described above, these trees have already been planted in advance of the planning application, in the knowledge that they can safely be protected and retained during subsequent building operations. The chance to establish these trees ahead of the development is seen as a positive contribution to the landscape quality of the site.
- The application has been subject to constructive post-application discussions during the course of which the plans for both this site and HPH 5 have been amended. Some of the proposed surface level parking has been removed and additional tree planting and soft landscape provided around the perimeter of the building. It is considered that these amendments will make a significant contribution to the setting of the building and the appearance and environmental quality of the site.
- A S.106 agreement is in preparation to secure significant landscape enhancements to the public realm including the Dawley Road roundabout and adjacent verges which will significantly enhance the main entrance to the site and benefit road users and local residents. The landscape layout and details will be co-ordinated with a separate (Council-led) scheme to improve local cycle routes.

#### Recommendation:

No objection, subject to the above considerations and conditions COM6, COM7, COM8, COM9 (parts 1, 2, 4, 5 and 6), COM10 and the details to be agreed and implemented through the section 106 agreement.

PLANNING OBLIGATIONS OFFICER:

In line with Planning Policy, the Planning Obligations SPD and Reg 122 the planning obligations deemed necessary as a result of this proposal are:

1. Construction Training: An in-kind scheme delivered during the construction phase of the development, with the scheme to be submitted to and approved prior to the commencement of the development.
2. Employment Strategy: Prior to occupation of the development an employment strategy is to be prepared and agreed in writing with the council, demonstrating how local people will be given access to job opportunities on the site.
3. Public Realm: Prior to the commencement of either HPH 4 or HPH5, whichever comes first, a scheme shall be submitted to and approved in writing by the council addressing improvements to the public realm within the vicinity of the site. As a minimum the scheme shall address landscaping improvements to the land immediately adjacent to the site and the roundabout.
4. Carbon Off-Setting: A financial contribution in the sum of £15,660 is to be secured.
5. Air Quality: A financial contribution in the sum of £12,500 is to be secured.
6. Travel Plan: A Travel Plan is to be prepared to TfL guidelines and adhered to for the life of the development.
7. Highways: A s278/38 agreement is required to be entered into to address all highways works as required by the Council's highways engineer.
8. Pedestrian Environment Review (PERs): A pedestrian environment review shall be undertaken and any works identified as part of this review shall be undertaken by the applicant.
9. Project Management and Monitoring Fee: a financial contribution in the sum of 5% of the total cash contributions is to be secured.
10. Crossrail Contribution: Under the operative Crossrail SPG the sum of £219,990 is required to be made. In the event that this payment is less than that of the Mayoral CIL then no payment is due under this obligation.

ACCESS OFFICER:

Following receipt of revised plans and a fire evacuation strategy no objection.

**7. MAIN PLANNING ISSUES**

**7.01 The principle of the development**

The principle of the re-development of the wider former Safeway Headquarters site, located within a designated Industrial Business Area has been established with the previous full and outline approvals (Refs 45753/APP/C/92/0773) and 45753/APP/2008/481) on the neighbouring site identified as Hyde Park Hayes 5 and through the completion and occupation of office use building within the buildings identified on the businesses park as Hyde Park Hayes 1, 2 and 3.

The redevelopment of the site as a office business park that is attractive for new businesses compatible with the Council's policies for regenerating this part of the Hayes

West Drayton Corridor, London Plan Policy 2.13 for the Heathrow Opportunity Area, and consistent with the 2011 LBH Local Economic Assessment that details the socio-economic issues of deprivation affecting Hayes and the need for new investment and job opportunities to replace former blue collar industrial local employers which have departed or are set to leave the area (e.g. the Nestles factory, due to close at the end of 2014).

**7.02 Density of the proposed development**

Density not applicable consideration as not a residential scheme.

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

Not applicable as site is not located in or within close proximity of a conservation area, area of special local character or area of archaeological interest.

**7.04 Airport safeguarding**

The relevant authorities have been consulted and confirmed the scheme presents no adverse airport or air traffic safety implications.

**7.05 Impact on the green belt**

The relevant authorities have been consulted and confirmed the scheme presents no adverse airport or air traffic safety implications.

**7.07 Impact on the character & appearance of the area**

Policy BE13 of the Saved UDP highlights the importance of designing new development to harmonise with the existing street scene, while Policy BE25 of the UDP states that the Local Planning Authority will seek to ensure modernisation and improvement of Industrial and Business Areas through careful attention to the design and landscaping of buildings and external spaces. Where appropriate it will seek improved vehicular and pedestrian access and circulation routes through the area, and environmental improvements.

The development will be seen in the context of a mixture of buildings of various styles, and heights. The proposed office building will be located within close proximity to the existing office buildings located within the wider Hyde Park development, which are identified as HPH1, HPH2, and HPH3 office buildings and HPH5 which is a separate application for office block also before this committee.

HPH1 comprises 4 storeys in height and provides for a floor area of 8,640sq.m in area; HPH2 measures 3 storeys in height and provides for a floor area comprising 6,285sq.m, while the largest office building on site, HPH3, measures 7 storeys in height and comprises a floor area of 5,130sq.m. All of these buildings are located within the immediate vicinity of the site and forms part of the visual context within which the proposed development will be set against. Further to the north, the scheme will be viewed against the 7 storey London Gate office developments located on the north side of the overland rail network.

The scheme would provide a built form that helps defines the western edge of the business park and will help announce and improve the legibility of the business park from the Dawley Road roundabout. It is considered the building will create a harmonious relationship to the adjacent buildings, and to the residential streets located to the south and west. From an urban design point of view, there are no objections to the appearance of the building, indeed the large expanses of glazing in the elevational treatment that should provide for a crisp and attractive appearance that will complement and enhance the setting of the neighbouring office buildings. The scheme will provide an opportunity for a reasonably generous landscaped frontage, including the addition of a line of trees to both Dawley Road to the west and Millington Road to the north. The bulk of the building at 4 storeys will be seen in the context of a 7 storey office building immediately to the north and a 5 office storey building to the east should planning permission be granted for

the accompanying Hyde Park Hayes 5 scheme.

Overall, the proposed office building is considered appropriate both in terms of its siting and massing and accords with Policies BE13 and BE25 and will contribute positively to the Hyde Park campus and will provide a bright and attractive backdrop to the Dawley Road roundabout and the residential dwellings to the west .

#### **7.08 Impact on neighbours**

Policies BE20 and BE21 seek to prevent developments which would be detrimental to the amenity of nearby occupiers by way of their siting, bulk, proximity or loss of light.

The development is located within a business park. The building would be separated from residential properties by Dawley Road and a large warehouse type building located to the south of the building plot. The building which have a maximum height of 18.68 (to the height of the top of the roof top plant) and would be separated from the residential properties by over 50 metres at their closest point. Between the nearest residential dwellings and the proposed buildings is to the south a warehouse building and to the west Dawley Road. These separation distances and the arrangement of proposed and existing retained buildings is adequate to ensure the development does not have adverse impacts on the amenity of residential occupiers in respect of dominance or loss of light.

Policy BE24 seeks to ensure that new developments do not have adverse impacts on the amenity of existing residential properties due to loss of privacy.

The building would be set over 50 metres away from the nearest residential property. Given this distance the scheme this would not have any adverse impacts by way of loss of privacy.

Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Saved Policies of the Unitary Development Plan.

#### **7.09 Living conditions for future occupiers**

The building would be accessible for disabled persons and provide high quality office accommodation.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The site has a Public Transport Accessibility Level value of 3. However parts of the wider blue line site have a PTAL value of 4, as this is located closer to the Hayes Town Centre and is within 9 - 10 minutes walk of the Hayes and Harlington Rail Station and Hayes Bus Station. The rail station will be upgraded and serve as a Crossrail Station from 2018.

The applicant submitted a detailed transportation assessment and a travel plan which addresses highways, car parking and cycle parking matters and measures contained within a legal agreement to reduce vehicle trip generation from the site. The Transport Assessment submitted followed extensive pre-applications discussions with the Council's principal Highway Engineer. The traffic assessment undertaken conforms with the technical parameters sought during pre-application discussion's with the Highway Engineer and involved extensive traffic modelling on the surrounding road network and the major road junctions. The Transport Assessment includes a robust assessment of future trip generation from other committed schemes in Hayes, plus the ASDA site that is adjacent to Hyde Park Hayes business park and was recently granted permission on Appeal, plus full traffic modelling of the impact of the current application that is before this Planning Committee for the Old Vinyl Factory site.

Saved UDP Policy AM7 states -

"The local planning authority will consider whether the traffic generated by proposed developments is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local distributor and access roads may have for carrying through traffic.

The local planning authority will not grant permission for developments whose traffic generation is likely to:

(i) unacceptably increase demand along roads or through junctions which are already used to capacity, especially where such roads or junctions form part of the strategic London road network; or

(ii) prejudice the free flow of traffic or conditions of general highway or pedestrian safety."

Relevant to consideration of Policy AM7 the transport assessment identifies the main junction on the surrounding road network that impacts on the free flow of traffic in the area as arising from the Station Road/North Hyde Road traffic light junction that operate beyond capacity.

The Transport Assessment identifies that the pressure on this junction will continue and would be substantially amplified by the committed developments in the locality and from other uncommitted developments (ASDA, Old Vinyl Factory and Hyde Park Hayes 4 & 5 schemes) were all these scheme simultaneously to happen without changes to the signalling and civic works to the Station Road/North Hyde Road modification. The Transport Assessment shows Hyde Park Hayes 4 and Hyde Park Hayes taken collectively would generate trips at peak hours at this junction. Mitigation works are required and which will be secured by way of a legal agreement.

Against a context of the significant strategic economic benefits of the scheme, an assurance of improvements to Hyde Park Road/Station Road junction (secured by planning obligations) and given the scheme will not have a detrimental impact upon any road or junctions within the London Strategic Road Network the scheme it is considered the scheme is consistent with Policy AM7 of the Saved policies of the Unitary Development Plan. This view is shared by the highway Engineer. Transport for London raised no objection to the scheme on highway impact grounds to the surrounding road network subject to clarification of the method of traffic modelling: these assurances/clarifications on the modelling have been provided and are understood to be accepted by Transport for London Borough of Hillingdon.

With respect to parking, the Council's parking standards (Annex 1, UDP Saved Policies) seek a maximum of one space per 100m<sup>2</sup> of B1 office use and is based on the gross floor area of the building. Car parking to accommodate mobility impaired is provided and whilst slightly below the 10% standard the Access Officer has reviewed the scheme and considers the provision is adequate in the context of the development site and given the total number of disabled car parking bays provided across the Hyde Park Hayes business park taken as a whole.

With regards to cycle parking, according to the Council's Parking Standards (Annex 1, UDP Saved Policies), the provision will comply with the Council's standards which are located within the undercroft area.

The refuse and recycling area will be integral to the building and located on the ground floor. In terms of access, level access from the street is achieved off Millington Road.

Overall, subject to the completion of the legal agreement containing details of the cascading mechanism for highway improvement works no objections are raised on highway/traffic grounds.

#### **7.11 Urban design, access and security**

##### **SECURITY:**

The proposed building would benefit from a good degree of natural surveillance with 3 of the 4 elevations facing highways, with Dawley Road to the west and Millington Road to the north-west and south-east and the clear unfussy built form and coherent landscape plan aid the natural surveillance.

The landscape scheme submitted provides details of the external lighting and continues the approach taken with the existing external lighting on the wider site. The applicant has confirmed there will be a comprehensive network of CCTV provision including provision within the basement car park and the CCTV will adhere with the best practice principles of Secure by Design. Accordingly the scheme and the details submitted are considered to be consistent with the Council's duty under section 17 of the Crime and Disorder Act 1998 the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

URBAN DESIGN & ACCESS: These issues are dealt with in section 7.07 of the report.

#### **7.12 Disabled access**

Following early engagement by the Council's Access Officer in the development of the scheme extensive details have been detailed within the application of measure to ensure the sought scheme is designed to meet the needs of people with disabilities including: adequate surface car parking provision for people with disabilities within a reasonable distance of the building entrance; a pass door next to the main revolving door, appropriate choice of materials for the pathways, DDA compliant lifts within the building. Accordingly the scheme is considered consistent with Saved Policies AM13 and AM15 of the Unitary Development Plan Saved Policies (September 2007), in respect of meeting the future needs of people with disabilities.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this application for office development.

#### **7.14 Trees, landscaping and Ecology**

The Hyde Park Hayes Business Park benefits from an existing landscape scheme that has been well executed and maintained to an exemplary standard which to date has done much to improve the visual appearance of this former industrial estate.

The proposed landscaping scheme for this scheme consists primarily of :

(1) The provision of a generous green landscape buffer between the building and Dawley Road, with the discrete boundary treatment proposed affording good views of the new building from Dawley Road. A similar green landscaped buffer will be provided to Millington Road to the north. On both these frontages towards the edge of the site there will be single lines of trees planted that should enhance the general setting of the business park and enhance the backdrop to Dawley Road.

2) A commitment to undertake an extensive programme of landscape improvements, subject to a Section 106 planning obligation, to Dawley Road and the piece of open land immediately to the west of Dawley Road and to the south west of Dawley Road.

The Trees and Landscape officer has been involved in extensive discussion with the applicant's landscape consultants and considers both the off site public realm landscaping works and the landscaping masterplan for this site and the accompanying Hyde Park Hayes 5 to enhance the quality of the local environment and further strengthen the ambition to provide a verdant quality to the business park and create an attractive entrance to the site from the Dawley Road roundabout. The scheme is therefore considered to be in accordance with Policy BE38 of the Unitary Development Plan Saved Policies (September 2007).

#### **7.15 Sustainable waste management**

The waste storage and collection arrangements are considered acceptable and in compliance with Council's standards for the floor area of office provision.

#### **7.16 Renewable energy / Sustainability**

Policy 5.2 of the London Plan (July 2011) sets a target for an office development of this scale a 25% improvement reduction in CO2 emissions measured against current 2010 Building Control Regulations and this reduction should be achieved on-site.

The application is supported by an Energy Assessment. The assessment details a series of energy saving measures including provision of some PV panels on the flat roof and the applicant has agreed to further measures with potential energy saving potential following receipt of the comments on the scheme from the Mayor of London including a commitment to ensure that the development is designed to allow future connection to a district heating system and the site's heating will be sourced in the meantime come from a single energy centre location in the basement.

Notwithstanding the measures proposed the scheme will not reduce enough carbon. To address this shortfall the applicant has agreed to enter into a legal agreement to contribute towards a carbon fund which could help make up for the short fall through an agreement with the Council. This is in line with Policy 5.2(e) of the London Plan which states "The carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through a cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere."

The carbon fund financial contribution agreed is in line with the agreed Mayor's set formula and commensurate with the level of shortfall. In light of this legal the scheme complies with the London Plan Policy 5.2 on energy reduction.

#### **7.17 Flooding or Drainage Issues**

The application is not located within a zone at risk of flooding, however due to the size of the development it is necessary for it to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding. The application provides details of a series of measures to reduce water run off, including sub-surface storage and a hydrobrake to limit discharge. Both the Council's Flood Risk and Water Management Officer are satisfied the details submitted if implemented as detailed will comply with the requirements of Policies 5.12 and 5.13 of the London Plan (July 2011).

The application has provided details of existing and proposed site drainage arrangements and contains engineering works that would be undertaken to reduce water run off in accordance with the principle of sustainable urban drainage including measures to capture water run off in with subsurface storage beneath the surface car parks areas and a hydrobrake to limit discharge. The Council's Flood and Water Management Officer and the Environment Agency are satisfied with the details submitted and the necessary compliance with Policies 5.12 and 5.13 of the London Plan.



## **7.18 Noise or Air Quality Issues**

### **AIR QUALITY:**

The proposed development is within the declared Air Quality Management Area in an area that currently appears to be exceeding the European Union limit value for annual mean nitrogen dioxide. The air quality assessment indicates all except one of the identified receptors (located within the development site) will continue to exceed the EU limit annual mean of 40-g/m<sup>3</sup> both with and without the development.

The application is accompanied by a detailed Air Quality Assessment. In addition a detailed Travel Plan is submitted with measures to curb vehicular trips and encourage trips by public transport.

The Council's Environmental Protection Unit have reviewed the document in detail and raise no objection to the development on air quality grounds subject to:

- (a) planning obligations being secured by way of a legal agreement towards air quality monitoring;
- (b) The compliance of the scheme with a robust Travel Plan [dealt with by the section 106 agreement];

### **NOISE:**

Policies OE1 seek to ensure that new developments are not granted that result in significant increased levels of noise in an area and where their impacts can not be mitigated within acceptable levels.

The scheme is for an office use (B1 (a) Use Class) and would be located within a new purpose built building situated within a campus setting located well away from any neighbouring residential properties accordingly the scheme is not considered to raise any noise amenity issues.

## **7.19 Comments on Public Consultations**

With regard to the written response received and the 2 queries the neighbour raised regarding the consultation exercise and the future use:

- (i) The usual level of consultation with this scale of application was undertaken.
- (ii) A site notice displayed and individual consultation letters were sent to neighbours immediately adjacent to the site. With regard to the use the use will be controlled by planning condition and will not permit use as a hotel or managed apartment-hotel.

## **7.20 Planning obligations**

The planning obligations deemed necessary as a result of this proposal are:

1. Construction Training: An in-kind scheme delivered during the construction phase of the development, with the scheme to be submitted to and approved prior to the commencement of the development.

2. Employment Strategy: Prior to occupation of the development an employment strategy is to be prepared and agreed in writing with the council, demonstrating how local people will be given access to job opportunities on the site.

3. Public Realm: Prior to the commencement of either HPH 4 or HPH5, whichever comes first, a scheme shall be submitted to and approved in writing by the council addressing improvements to the public realm within the vicinity of the site. As a minimum the scheme shall address landscaping improvements to the land immediately adjacent to the site and

the roundabout.

4. Carbon Off-Setting: A financial contribution in the sum of £ 15,660 is to be secured.

5. Air Quality: A financial contribution in the sum of £12,500 is to be secured.

6. Travel Plan: A Travel Plan is to be prepared to TfL guidelines and adhered to for the life of the development.

7. Highways: A s278/38 agreement is required to be entered into to address all highways works as required by the Council's highways engineer.

8. Pedestrian Environment Review (PERs): A pedestrian environment review shall be undertaken and any works identified as part of this review shall be undertaken by the applicant.

9. Project Management and Monitoring Fee: a financial contribution in the sum of 5% of the total cash contributions is to be secured.

10. Crossrail Contribution: Under the operative Crossrail SPG the sum of £219,990 is required to be made, in the event that this sum is in excess of the payment required under the Mayoral Community Infrastructure Levy (CIL). In the event that this payment is less than that of the Mayoral CIL then no payment is due under this obligation.

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **9. Observations of the Director of Finance**

## **10. CONCLUSION**

The scheme forms part of a wider redevelopment project the owners have for the wider site intended to complete the establishment of a premier business park designed to attract new hi tech business companies. Towards this end the quality of the scheme and the external landscaping on the site and its immediate surroundings is seen as central.

The scheme together with the 'sister" B1(a) office scheme (identified as Hyde Park Hayes 5) will consolidate the Hyde Park Hayes business estate as a significant and attractive new business park for Hayes. The land use is consistent with Policies SO14, SO23 and S2 of Part 1 of the Hillingdon Local Plan and its objective to regenerate the Hayes West Drayton Corridor and consistent with the Mayor's policies for the wider geographic Heathrow Opportunity Area. As the GLA comments on the application underline, the scheme will provide a strategic opportunity for the scheme to develop and promote a site for the new outer London office market that is consistent with London Plan Policies 2.6, 2.7 and 2.8. It is site accessible by public transport and this factor will be further strengthened with the arrival of the Crossrail Station to Hayes from 2018.

Furthermore the scheme provides an opportunity to create emerging economic synergies, with other major regeneration schemes for the area which is consistent with the objective of London Plan Policy 2.7 and to provide a major employment opportunity site for new office based industries for Hayes to mitigate against the previous loss of large manufacturing industries in the area that once formed the bedrock of the local economy.

The building is of an attractive design that will a harmonious and sympathetic relationship to the adjacent development located in the Hyde Park Hayes business park campus. Furthermore the proposed office and its associated landscaping will provide for a striking and attractive building backdrop to the Dawley Road roundabout and to the residential area beyond that will help announce and define in urban design terms the business park and improve legibility to those seeking to enter Hyde Park Hayes by vehicle directly from Dawley Road roundabout. The scheme is consistent with Policy BE13, BE19 and BE25 of the Saved Policies of the UDP and BE1 of Part 1 of the Hillingdon Local Plan.

The scheme is accompanied by a well considered and attractive landscaping scheme for the Dawley Road roundabout and the open land lying to the south west of the roundabout that would enhance this gateway to Hayes and thereby the scheme is consistent with Saved UP Policy BE38.

There are no highways objections to the scheme, subject to the changes to signalling and civil works (that would provide for additional vehicle lanes) at the junction of Hyde Pak Road and Station Road junction being implemented prior to the occupation of this development, and the implementation of a Travel Plan. These matters are both dealt with within the draft s106 legal agreement.

"At the heart of the National Planning Policy Framework is a presumption in favour of

sustainable development, which should be seen as a golden thread. For decision-taking this means approving development proposals that accord with the development plan without delay; and granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

Set against this national planning policy backdrop the traffic impact of the scheme is not considered to provide a sustainable reason of refusal.

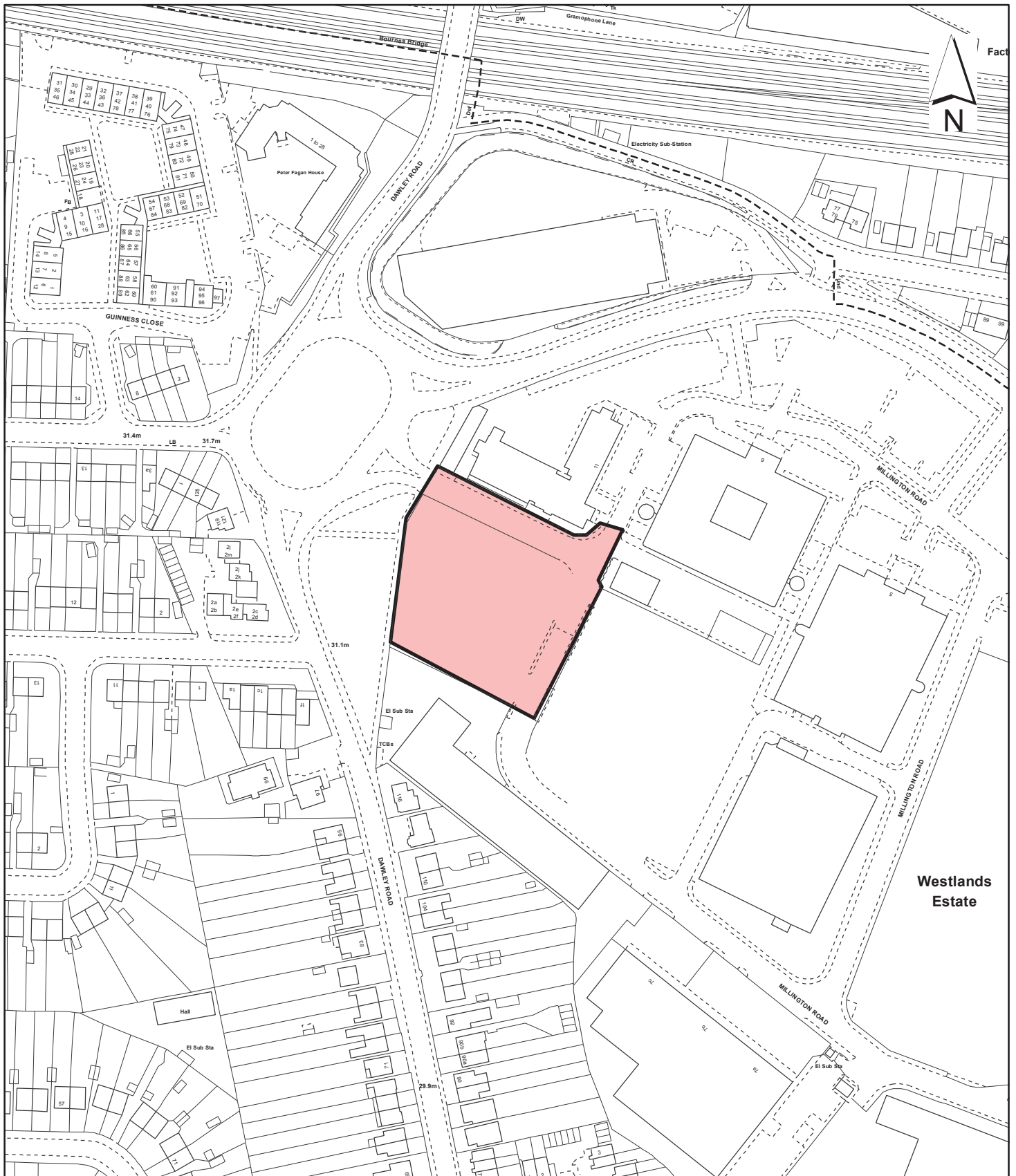
In conclusion the scheme is considered consistent with the relevant local, London and national planning policy and is recommended for approval subject to the necessary planning conditions and completion of the s106 legal agreement.

#### **11. Reference Documents**

Saved Policies of the Hillingdon Unitary Development Plan (September 2007)  
2011 London Borough of Hillingdon's Local Economic Assessment  
Hillingdon Local Plan: Part 1 (November 2012)  
London Plan (July 2011)  
Mayor's Industrial Capacity SPG 2008  
Revised Early Minor Alterations to the London Plan (June 2012)  
National Planning Policy Framework (March 2012)

**Contact Officer:** Gareth Gwynne

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**Notes**



Site boundary

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Planning Application Ref:

**40652/APP/2012/2030**

Scale

**1:2,000**

Planning Committee

**Central and South**

Date

**November  
2012**



**HILLINGDON**  
LONDON