

Report of the Head of Planning, Green Spaces and Culture

Address: LAND ADJACENT TO HILLINGDON STATION & SWALLOW INN LONG LANE

Development: Demolition of the existing public house and timber yard, and the erection of a mixed use redevelopment comprising a foodstore (7829m² GEA) (Use Class A1); a 6 storey 82 bed hotel (Use Class C1); a 720m² restaurant/public house facility (Use Class A3/A4); and 107 residential units (Use Class C3), together with reconfiguration of the existing commuter car park, and associated landscaping, car/cycle parking and ancillary works.

LBH Ref Nos: 3049/APP/2012/1352

Drawing Nos: SEE REPORT AT APPENDIX A

Date Application Received: 31-05-12

Date Application Valid: 27-06-12

1. EXECUTIVE SUMMARY

Planning permission is sought for a mixed use redevelopment of the Land Adjacent to Hillingdon Station & Swallow Inn Long Lane, comprising the erection of a food store, car parking spaces, a 6 storey 82 bed hotel (Use Class C1); a 720m² restaurant/public house facility (Use Class A3/A4); and 107 residential units (Use Class C3), together with the reconfiguration of the existing commuter car park, and associated landscaping, car/cycle parking and ancillary works (the Bride Hall scheme).

The Council also has before it a separate scheme for retail and mixed use development at the former Master Brewer site (the Spenhill development). Both the Hillingdon Circus and Master Brewer schemes propose a comprehensive mixed-use retail-led development incorporating principally a supermarket, residential and hotel development. The most appropriate approach to adopt when considering two similar live applications (is such close proximity) is to firstly assess the acceptability of the applications individually.

INDIVIDUAL ASSESSMENT

There is no land use policy objection to the principle of a retail led mixed use development of the site, provided the retail element is of a scale that is appropriate to the continued viability of the local centre; offers convenience or specialist goods and services that are accessible to people who would otherwise need to travel further afield and gives due regard to the cumulative impact of planned or emerging development within Hillingdon Circus, especially a potential food store development on the former Master Brewer site.

In terms of retail impact, on balance, when considering the Bride Hall scheme in isolation, on balance, officers do not consider that there is enough evidence to suggest that such significant harm would be caused to committed development or town centres to outweigh the various benefits of the scheme.

The development would integrate an appropriate level of inclusive design, measures to reduce energy use and other sustainable design features. Subject to appropriate conditions and planning obligations, on balance, when taken in isolation, objection is not raised to the

proposal in terms of air quality impacts. Furthermore, subject to appropriate conditions the development would not have any adverse impacts on the amenity of residential occupiers by way of noise.

The Council also has a public duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations (Equality Act 2010). As a consequence, an Equality Impact Assessment has been carried out. It concludes that the positive benefits of the scheme outweigh any potential negative impacts on equality groups in the affected area.

No objection is raised to the design or appearance of the proposal, including the overall height, bulk and scale. The approach to materials and landscaping is also considered acceptable.

In addition the Bride Hall development would incorporate adequate parking. Notwithstanding this, the Council's Highways Officer has objected to aspects of the proposals and considers that the development would have adverse impacts on the free flow of the highway network and on highway or pedestrian safety. The Council's Highway Officer objects to the scheme (individually) on highway safety and traffic grounds. The individual report is attached at Appendix A.

CUMULATIVE ASSESSMENT

However, it may well be the case that either the Planning Committee or Planning Inspectorate considers that the various benefits of the scheme, on balance, outweigh the traffic concerns. To this end consideration of acceptability or otherwise of the cumulative impacts of the proposals (should they both come forward) is also needed.

Therefore an assessment of impacts has been undertaken as to whether the approval of both planning permissions, in this case the 'Bride Hall Development' and 'Spenhill' schemes would be acceptable in planning terms. If there is evidence that the cumulative impact of both permissions being implemented would be unacceptable in planning terms, then that evidence should be taken into account in dealing with the applications.

Officer's assessments of the cumulative impacts of the two schemes together is that they would be likely to have an unacceptable impact on town centres and committed development within the relevant catchment areas, on traffic congestion and on air quality. Therefore the Council is of the view that only one scheme should be granted planning permission.

COMPARATIVE ASSESSMENT

If it is judged that the two proposals' cumulative impact is unacceptable to the extent that only one permission can therefore be granted (which is the case with the current applications), then the approach to be taken is a full comparative assessment of each site against the other, in order to decide which scheme is preferred in planning terms.

A full comparative assessment has therefore been undertaken, in accordance with relevant criteria in the Development Plan and against the material facts of the sites proposed. The comparative assessment is provided elsewhere on this agenda and includes (but is not limited to) consideration of the location of the proposed sites, any additional benefits each scheme would bring, traffic impact, visual impact, parking provision, employment generation, residential amenity issues and impact on town centres.

The comparative assessment concludes that the development proposed by Spenhill at the former Master Brewer site is preferable, mainly because it would cause less harm in terms of highways/traffic and retail impacts. Furthermore officers do not consider that the various benefits of the Bride Hall scheme would outweigh the harm caused and as such officers recommend that the Hillingdon Circus scheme be refused.

2. RECOMMENDATION

That subject to the Mayor not directing the Council 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, Green Spaces and Culture to refuse planning permission for the following reasons:

1. Highways - Individual

The application fails to demonstrate that the proposed development would have a satisfactory layout, that it would not be detrimental to highway and cyclists safety and that it would not result in detrimental traffic impacts. Accordingly, the development is contrary to Policies 6.9, 6.11 and 6.12 of the London Plan (July 2011) and policies AM7 and AM9 of the Hillingdon Local Plan Part 2.

2. Planning Obligations - Individual

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of Off site Highways Works, Public Transport, Travel Plans, Employment and Hospitality Training, Construction Training, Public Realm, Affordable Housing, Education, Health, Library Facilities, Community Facilities, Air Quality and Project Management and Monitoring). The scheme therefore conflicts with Policy R17 of the London Borough of Hillingdon Local Plan part 2, and the adopted Supplementary Planning Document 'Planning Obligations.

3. Traffic/Highways - Cumulative

The applicant has failed to demonstrate that in the event that the proposed development (on the site at Land Adjacent to Hillingdon Station & Swallow Inn Long Lane) was granted planning permission alongside the development (on the site of the Former Master Brewer Hotel) proposed by Spenhill (planning application refs: 4266/APP/2012/1544 and 4266/APP/2012/1545), that the cumulative traffic impacts of the developments would not be significantly detrimental in terms of congestion on the highway network. Accordingly the proposal is contrary to Policies 6.11 and 6.12 of the London Plan (July 2011), Policy AM7 of the Hillingdon Local Plan Part 2 and the provisions set out in the National Planning Policy Framework.

4. Retail - Cumulative

The approval of the proposed development (on the site at Land Adjacent to Hillingdon Station & Swallow Inn Long Lane) alongside the approval of the development (on the site of the Former Master Brewer Hotel) proposed by Spenhill (planning application refs: 4266/APP/2012/1544 and 4266/APP/2012/1545), would, cumulatively, radically shift the role and function of the North Hillingdon local centre and in turn would prejudice retail investment (and its associated benefits) in Uxbridge. Accordingly the application is considered to be contrary to policies EC4 and EC5 of the Hillingdon Local Plan Part 1, Policies 2.15, 4.7, 4.8 and 4.9 of the London Plan (July 2011), Policy

PR23 of the Hillingdon Local Plan, part 2 and the provisions set out in the National Planning Policy Framework.

5. Air Quality - Cumulative

In the event that the proposed development was granted planning permission alongside the Spenhill Development ((planning application refs: 4266/APP/2012/1544 and 4266/APP/2012/1545), then the Bridehall and Spenhill developments would cumulatively have a significant impact on an Air Quality Management Area (AQMA). The Council considers that the approach taken in the cumulative air quality assessments gives little weight to the existing situation. There is a reliance on the comparison of the development with the existing air quality impacts. However, such an assessment is misleading. There should be much greater weight given to the air quality management area and the extent of the air quality problems (which includes levels that have significant adverse impacts on health). The scale and magnitude of both developments combined requires a much greater understanding of the air quality impacts and without this no proper assessment of mitigation can occur. The extent of the combined impacts is not sufficiently clearly set out in the cumulative assessments. The uncertainty of the impacts is heightened with the cumulative development and the information to support the suitability of both developments proceeding at the same time is insufficient. Accordingly the proposal is contrary to Policy 7.14 of the London Plan and the Council's Supplementary Planning Guidance on Air Quality and the provisions set out in the National Planning Policy Framework.

6. Comparative

There would be an unacceptable cumulative impact if the proposal were to proceed as well as the nearby Master Brewer Scheme (refs: 4266/APP/2012/1544 and 4266/APP/2012/1545) and it is therefore necessary to determine which scheme is preferable in planning terms. The comparative assessment of the proposal against the Master Brewer Scheme demonstrates that the proposal is considered to be less preferable in planning terms than the Master Brewer Scheme which would on balance better meet the objectives of the Development Plan and the NPPF.

INFORMATIVES

1. The decision to REFUSE 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. The decision to REFUSE 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 (February 2008) and national guidance.

Part 1 Local Plan Policies

PT1.BE1(2012) Built Environment

PT1.CI1 (2012) Community Infrastructure Provision

PT1.E5 (2012) Town and Local Centres

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.EM11(2012) Sustainable Waste Management

PT1.EM2(2012) Green Belt, Metropolitan Open Land and Green Chains
PT1.EM4 (2012) Open Space and Informal Recreation
PT1.EM7 (2012) Biodiversity and Geological Conservation
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.T1 (2012) Accessible Local Destination

Part 2 Local Plan Policies

AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations

AM10 Incorporation in new developments of additions to the proposed cycle network

AM11 Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services

AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -

(i) Dial-a-ride and mobility bus services

(ii) Shop mobility schemes

(iii) Convenient parking spaces

(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM3 Proposals for new roads or widening of existing roads

AM7 Consideration of traffic generated by proposed developments

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions

BE26 Town centres - design, layout and landscaping of new buildings

BE28 Shop fronts - design and materials

BE29 Advertisement displays on business premises

BE3 Investigation of sites of archaeological interest and protection of archaeological remains

BE36 Proposals for high buildings/structures in identified sensitive areas

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

BE39 Protection of trees and woodland - tree preservation orders

EC2 Nature conservation considerations and ecological assessments

EC3 Potential effects of development on sites of nature conservation importance

EC5 Retention of ecological features and creation of new habitats

H4 Mix of housing units

H5 Dwellings suitable for large families

LE6 Major office and other business proposals in town centres

OE1 Protection of the character and amenities of surrounding properties and the local area

OE11 Development involving hazardous substances a requirement for ameliorative measures

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OE7 Development in areas likely to flooding - requirement for flood protection measures
OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5 Development proposals adjacent to the Green Belt
PR23 Hillingdon Circus
R1 Accessibility for elderly people, people with disabilities, women and children
R16 Development proposals in or near areas deficient in recreational open space
R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
R2 Provision of recreation, entertainment and leisure facilities in Town Centres
S9 Change of use of shops in Local Centres
T4 Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements

Site specific policy:-

PR23 land at Hillingdon Circus

London Plan 2011 policies.

LLP 3.18 (2011) Education facilities
LPP 2.15 (2011) Town Centres
LPP 3.9 (2011) Mixed and Balanced Communities
LPP 4.1 (2011) Developing London's economy
LPP 4.7 (2011) Retail and town centre development
LPP 5.1 (2011) Climate Change Mitigation
LPP 5.11 (2011) Green roofs and development site environs
LPP 5.12 (2011) Flood risk management
LPP 5.13 (2011) Sustainable drainage
LPP 5.14 (2011) Water quality and wastewater infrastructure
LPP 5.7 (2011) Renewable energy
LPP 6.12 (2011) Road Network Capacity
LPP 6.13 (2011) Parking
LPP 6.3 (2011) Assessing effects of development on transport capacity
LPP 7.16 (2011) Green Belt
LPP 7.3 (2011) Designing out crime
LPP 8.2 (2011) Planning obligations

NPPF

3. In this case the Local Planning Authorities has worked proactively with the applicants to try and secure a development that improves the economic, social and environmental conditions of the area.

4. The applicant's own assessment of cumulative impacts arising from Spenhill and Bridehall Development proposals ((planning application refs: 4266/APP/2012/1544 and 4266/APP/2012/1545), would be unacceptable.

APPENDIX A

INDIVIDUAL REPORT

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Development: Demolition of the existing public house and timber yard, and the erection of a mixed use redevelopment comprising a foodstore (7829m² GEA) (Use Class A1); a 6 storey 82 bed hotel (Use Class C1); a 720m² restaurant/public house facility (Use Class A3/A4); and 107 residential units (Use Class C3), together with reconfiguration of the existing commuter car park, and associated landscaping, car/cycle parking and ancillary works.

LBH Ref Nos: 3049/APP/2012/1352

Drawing Nos: 8023-PP-109 Rev C
8023-PP-110 Rev C
8023-PP-111 Rev C
8023-PP-112 Rev A
8023-PP-113 Rev D
8023-PP-114 Rev C
8023-PP-115 Rev C
8023-PP-116 Rev C
8023-PP-117 Rev D
8023-PP-140 Rev C
8023-PP-141 Rev C
8023-PP-142 Rev C
8023-PP-143 Rev B
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8023-PP-146 Rev A
8023-PP-147 Rev A
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8023-PP-152 Rev B
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8023-PP-154 Rev C
8023-PP-155 Rev A
8023-PP-156 Rev A
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Planning permission is sought for the erection of a food store, car parking spaces, a 6 storey 82 bed hotel (Use Class C1); a 720m² restaurant/public house facility (Use Class A3/A4); and 107 residential units (Use Class C3), together with the reconfiguration of the existing commuter car park, and associated landscaping, car/cycle parking and ancillary works.

The site has an extensive planning history stretching back to 2004 for office use.

1757 local residents, businesses and local amenity groups were consulted initially in June 2012, and re-consulted on receipt of further information in May 2013 and August 2013. A total 69 individual letters of objection have been received, objecting to the planning application, primarily on the grounds of increased traffic generation and traffic congestion at Hillingdon Circus and the surrounding road network. Issues relating to the scale of the development, air quality, impact on retail provision and flooding have also been raised. In addition, a petition of 216 signatures and 16 other letters of support have been received. Both the Ickenham and Oak Farm Residents Associations have provided detailed responses to this application, and have objected on similar grounds to those made by individual residents. Given the scale of the development, the application is referable to the Mayor of London.

There is no land use policy objection to the principle of a retail led mixed use development of the site, provided the retail element is of a scale that is appropriate to the continued viability of the local centre; offers convenience or specialist goods and services that are accessible to people who would otherwise need to travel further afield and gives due regard to the cumulative impact of planned or emerging development within Hillingdon Local Centre, especially a potential food store development on the Former Master Brewer site.

In terms of retail impact, taken in isolation (i.e. if the development is implemented on its own and the Master Brewer proposals do not come forward) and given the various benefits associated with regenerating the site, on balance officers do not consider that there would be such harm to town centres and planned/committed development as to warrant refusal on this ground.

The development would integrate an appropriate level of inclusive design, measures to reduce energy use and other sustainable design features. Furthermore, subject to appropriate conditions the development would not have any adverse impacts on the amenity of residential occupiers by way of noise.

However, the Council's Highways Officer has raised concerns that the development would have significant adverse impacts on the free flow of the highway network and on highway or pedestrian safety.

3. RECOMMENDATION

That subject to the Mayor not directing the Council 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, Green Spaces and Culture to refuse planning permission for the following reasons:

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contrary to Policies 6.9, 6.11 and 6.12 of the London Plan (July 2011) and policies AM7 and AM9 of the Hillingdon Local Plan Part 2.

2. Planning Obligations - Individual

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of Off site Highways Works, Public Transport, Travel Plans, Employment and Hospitality Training, Construction Training, Public Realm, Affordable Housing, Education, Health, Library Facilities, Community Facilities, Air Quality and Project Management and Monitoring). The scheme therefore conflicts with Policy R17 of the London Borough of Hillingdon Local Plan part 2, and the adopted Supplementary Planning Document 'Planning Obligations.

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3. In this case the Local Planning Authorities has worked proactively with the applicants to try and secure a development that improves the economic, social and environmental conditions of the area.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located within the northwest quadrant of Hillingdon Circus and covers approximately 2.13ha. Hillingdon Circus comprises the junction of Freezeland Way/Western Avenue and Long Lane. The development site is triangular with two sides facing major local roads, with the third facing north onto the A40 Western Avenue and the Metropolitan and Piccadilly Underground lines. To the north of the site, on the other side of the realigned A40, are residential properties in The Chase.

The site falls within the boundary of the North Hillingdon Local Centre and comprises the former Ruston Bucyrus crane works, The Swallow public house (PH), land operated by Transport for London as a park and ride facility (approximately 250 car parking spaces) and land owned by Transport for London (TfL), currently occupied by Harrow Fencing Contractors. The entrance to Hillingdon Underground Station is also included in the application site. The western end of the site comprises a long, thin strip of land (currently used as Park and Ride parking) which extends beneath Freezeland Way.

The site is almost 100% hard-covered, has limited vegetation and in the main is cleared of buildings. Approximately 8,000m² of the development site is currently disused tarmac hard-standing, which has become partly overgrown and unsightly. The existing park and ride car parking occupies an area of approximately 6,000m². The remainder of the site is shared between The Swallow PH and the storage area of a local fencing contractor. The Swallow PH, on the north-eastern corner of the site, faces east onto the bus interchange area. The front elevation of the public house is two storeys high. To the rear there is a significant change in level with two additional storeys of development below street level on Long Lane. This arrangement enables servicing from the rear access road within the site.

The site is bound to the north and northwest by Hillingdon Underground station and the Piccadilly and Metropolitan Underground lines, a bus interchange fronting Long Lane to the east and Freezeland Way to the south and southwest. Opposite the site lies the Former Master Brewer Hotel site. Vehicular access is currently achieved either from a newly constructed roundabout off Freezeland Way or via Long Lane. Both Freezeland Way and Long Lane slope significantly up from Hillingdon Circus, to a height of between 5 and 6m above the level of the Hillingdon Circus. The existing pedestrian access to Hillingdon Underground Station which is relatively new and is of a contemporary design, is via a long elevated walkway from Long Lane, or up a number of stairs from the existing park and ride facility.

Hillingdon Circus is divided in character between the north and south of Freezeland Way. To the north lie the application site and the Master Brewer Hotel, both of which are characterised by large development footprints. To the south the character of Long Lane changes to that of a local shopping centre, with a more suburban character, with retail uses at ground floor and residential and commercial uses above. The maximum height of buildings along the street frontage varies between 3 and 4 storeys.

3.2 Proposed Scheme

The application proposes the demolition of the existing Swallow Public House and Harrow Fencing Timber Yard, and the erection of a new Morrison's foodstore, 82 bed hotel, residential units and associated car/cycle parking and landscaping. The existing commuter car park will be largely retained. The proposals will utilise separate access points along Freezeland Way and Long Lane to separate servicing and deliveries from residents, customers and commuter access.

The proposed foodstore will consist of approximately 85% convenience and 15% comparison goods. The store will be located in the south-east corner of the application site and, as such, will front the Hillingdon Circus junction and provide integration with the existing core shopping area to the south. Due to changes in site levels, the store will be situated at first floor level with car parking below.

Customer access to the car park will be via the existing roundabout on Freezeland Way. From here, dedicated access to a store atrium at the south-east corner of the site will be provided via lifts, a stairwell and travellators. The atrium will provide the main entrance to the foodstore, and will also be the main point of entry for pedestrians.

To the south of the foodstore, along the Freezeland Way frontage, the proposals include an in-store cafe for use by customers, staff and wider visitors to North Hillingdon. Furthermore, the store will include a dedicated shopper's car park of 335 spaces.

Hotel:

The application proposals include an 82 bed hotel. The hotel will be located to the north of the application site on the approximate footprint of the existing Swallow Public House.

Dedicated car and cycle parking are located beneath the hotel, at an equivalent level to the proposed shoppers car park and existing commuter car park. An access core is situated within the car park to enhance access to the upper levels from the commuter and hotel parking level.

The ground floor of the hotel building will comprise separate commercial space for use as a restaurant or public house facility (Use Class A3/A4) that will extend to 720m² GEA. Due to

changes in site levels, the ground floor will be located on an equivalent level to the foodstore sales area. This is adjacent to the main pedestrian entrance/exit to the underground station and to the bus station. The hotel itself will offer a small bar/cafe area on the first floor level for use by its customers.

Access for servicing and deliveries will be via the existing lay-by along Long Lane. This is currently utilised by both the Swallow Public House and Hillingdon Underground Station for such operations. The proposed delivery and servicing arrangements will be set out in detail in a Delivery and Servicing Management Plan, which is likely to be a condition should planning consent be granted.

Residential

The application proposes 107 residential units, located within three blocks at podium level above the proposed foodstore. The blocks extend part two and part four storeys above podium level. The blocks are two storey above podium level on the elevations fronting Freezeland Way before stepping up to four storeys further back, including on the Long Lane elevation.

The application provides a total of 2,679m² public and private amenity space. This comprises shared amenity space and children's play areas at podium level, private terraces for flats at podium level, and private balconies for flats at upper levels.

Dedicated residential car and cycle parking is provided at basement level beneath the proposed shoppers car park, accessible from the commuter car park and a second ramp situated underneath the main ramp from Freezeland Way.

Commuter Car Park

The commuter car park is an important component of the site serving commuters and shoppers to North Hillingdon. As such, it has been incorporated into the final design and layout of the proposals. In addition to the dedicated parking for shoppers, the hotel and residential units, as outlined above, the proposals will maintain 242 spaces of the existing commuter car park.

In summary, the application proposals seek planning permission for the following:

- A Morrisons foodstore (Use Class A1) of c. 7,829m² GEA;
- An 82 bed, Travelodge hotel (Use Class C1);
- A 720m² GEA restaurant / public house facility (Use Class A3/A4);
- 107 residential units including affordable housing; and
- Associated landscaping, car/cycle parking and highways improvements.

3.3 Relevant Planning History

The application site incorporates four separate parcels of land (Ruston Bucyrus, TfL Park and Ride, The Swallow PH and the TfL land currently occupied by Harrow Fencing) each of which have their own planning history. The planning history to the Ruston Bucyrus and the TfL land is most relevant to the application and is considered below.

Ruston Bucyrus

In 1993 outline planning permission was granted (ref. 3049R/92/1404) for 8,130m² of office floorspace. Reserved matters were approved in 1997 and the consent has been lawfully implemented by virtue of the construction of a mini roundabout on Freezeland Way. An

application for an additional floor to the above consented scheme (ref. 3049H/99/974) was refused planning permission on 12th July 2000. The applicants appealed this decision, which was subsequently dismissed by the Secretary of State on 30th January 2001, on the basis only that the appellants failed to execute a unilateral undertaking for a landscape mitigation scheme.

Following this appeal decision, the appellants submitted a revised planning application for the Ruston Bucyrus site (reference 3049/APP/2001/526) for a 5 storey office building of 11,574m², 299 car parking spaces, 15 motor cycle spaces and 233 cycle spaces. Planning permission was granted on 11th July 2002 and is subject to a Section 106 Agreement which requires contributions to the following on implementation:-

- i) Mitigation strategy/environmental improvements/enhancements to North Hillingdon/and Hillingdon House Farm area
- ii) Public Transport Initiatives and Green Travel Plan
- iii) A landscape Mitigation Strategy
- iv) Air Quality Monitoring
- v) Street Furniture and Signage

Land Occupied by Harrow Fencing

The land adjacent to the former Ruston Bucyrus site, currently occupied by Harrow Fencing contractors, benefits from an extant outline planning permission granted on appeal on 14/11/04 for the erection of a 3 storey 69 bedroom hotel with basement car parking. The Inspector determining the appeal confirmed that the main issues of the case related to character and appearance of the proposal on the surrounding area and highway matters.

The Current Application Site

Planning application ref. 3049/APP/2006/1069 was lodged in July 2005, seeking the erection of a mixed use development, comprising a new IKEA retail store (25,526sq.m), restaurant/cafeteria with associated car parking (655 spaces) and servicing, unit shops (218m²), community uses (215sq.m), replacement cafe/bar, 240 residential 1 and 2 bedroom units and associated parking (206 spaces), extension to Hillingdon Underground Station and unit shops (1378sq.m), replacement park and ride facility (361 spaces) and highway alterations to Long Lane/ Freezeland Way.

The proposal was considered by the Central and South Planning Committee on 05/10/05 and refused for the following reasons:-

1. The application is considered to be contrary to Policies S1 and S2 of the Council's Unitary Development Plan, guidance set out in the London Plan, and Planning Policy Statement 6, having regard to the store's location in terms of its appropriateness, scale and function to the Local Town Centre, and the impact this will have on undermining the hierarchy of centres and their vitality and viability within the Borough.

2. The development, by virtue of its overall scale, height, density, site coverage and lack of landscaping and screening, is considered to constitute an over-development of the site, resulting in an unduly intrusive, visually prominent and incongruous form of development, which would fail to respect the established character of the North Hillingdon Local Centre or compliment the visual amenities of the street scene and openness and visual amenity of the Green Belt, and would mar the skyline, contrary to Policies OL3, OL5, BE13, BE19, BE21, BE36, BE38, OE1, H6 and PR23 of the Hillingdon Unitary Development Plan 1998, Policy 4B.3 of the London Plan, the Council's Supplementary Planning Guidance Design Guide

Residential Layouts and House Design, and the 1990 Planning Brief for site, entitled A40 Western Avenue, Land at Hillingdon Circus.

3. The proposal fails to provide a housing layout, adequate amenity space, a design, density, form and spacing that will produce good environmental conditions within the development for future occupiers and is therefore contrary to Policies BE20, and H6 of the Hillingdon Unitary Development

Plan, Policy 4B.3 of The London Plan and the Council's Supplementary Planning Guidance Residential Design Guide.

4. The proposed development, by reason of its height and bulk will have an overbearing and visually dominant impact on residential properties, notably bungalows in the Chase and the listed Ickenham Manor, in conflict with Policies BE19 and BE21 of the Hillingdon Unitary Development Plan.

5. The proposal by virtue of its size, height, siting and design would be likely to interfere with the radar and the safe operations at Northolt Airport. The application is therefore contrary to policy A6 of the Hillingdon Unitary Development Plan.

6. The development is not considered to have made adequate provision, through planning obligations, for contributions towards affordable housing, education, health, community facilities, public transport, town centre improvements, and environmental/public open space improvements in accordance with Policies H11, R17 and AM11 of the Council's Unitary Development Plan or the Council's Supplementary Planning Guidance for Planning Obligations (Adopted December 2003) and Supplementary Planning Guidance for Planning Obligations for Health Facilities (draft approved September 2004 and to be adopted 16 December 2004).

7. The development is considered to provide inadequate larger family housing within the affordable housing component of the development, contrary to Policy H5 of the Hillingdon Unitary Development Plan and the Council's 2001 Housing Needs Survey.

8. The applicants have failed to satisfactorily demonstrate that traffic associated with the development can be adequately accommodated on the adjoining highway network. As such the development may be prejudicial to the free flow of traffic and conditions of general highway safety contrary to the aims of Policy AM7 of the adopted Hillingdon Unitary Development Plan.

9. The proposed development would result in an increase in NO₂ due to vehicle emissions to the detriment of air quality within an Air Quality Management Area. Accordingly the proposal is inconsistent with Policy 4A.7 of the London Plan, Policy OE6 of the Council's Unitary Development Plan and the Council's Supplementary Planning Guidance on Air Quality.

10. It is likely the proposed and surrounding residential development would be subject to unacceptable levels of noise, in addition to fumes and general disturbance, detrimental to the residential amenities of future and adjoining occupiers. This is contrary to Policy OE1 and OE5 of the Unitary Development Plan.

11. Parking for the residential element and motorcycle parking for the whole scheme are insufficient to address the demands of the proposed development in this locality, contrary to Policy AM14, of the adopted Hillingdon Unitary Development Plan and Council's Interim Revised Parking Standards, Dec 2001.

The refusal notice was issued on 12 October 2005. This decision has been appealed and dismissed.

A subsequent revised Planning application ref: 3049/APP/2006/1069 was lodged in April 2006, for the redevelopment to provide a mixed use scheme comprising IKEA retail store (25,526sq.m) (class a1), restaurant/cafeteria with associated car parking (716 spaces) and servicing, unit shops (218 sq.m), community uses (215sq.m), replacement cafe/bar, 184 residential units including affordable houses and parking (159 spaces), extension to Hillingdon underground station and unit shops (1378sq.m), replacement park and ride facility (300 spaces) and highway alterations to long lane/ Freezeland Way (involving demolition of existing buildings).

The proposal was considered by the Central and South Planning Committee on 28/06/06 and refused for the following reasons:-

1. The application is considered to be contrary to Policies S1 and S2 of the Council's Unitary Development Plan, guidance set out in the London Plan, and Planning Policy Statement 6, having regard to the store's location in terms of its appropriateness, scale and function to the North Hillingdon Local Town Centre, and the impact this will have on undermining the hierarchy of centres and their vitality and viability within the Borough.
2. The development, by virtue of its overall scale, height, density, site coverage and lack of landscaping and screening, is considered to constitute an over-development of the site, resulting in an unduly intrusive, visually prominent and incongruous form of development, which would fail to respect the established character of the North Hillingdon Local Centre or compliment the visual amenities of the street scene and openness and visual amenity of the Green Belt, and would mar the skyline, contrary to Policies OL3, OL5, BE13, BE19, BE21, BE36, BE38, OE1, H6 and PR23 of the Hillingdon Unitary Development Plan 1998, Policy 4B.3 of the London Plan, the Council's Supplementary Planning Guidance Design and Accessibility Statement, and the 1990 Planning Brief for site, entitled A40 Western Avenue, Land at Hillingdon Circus.
3. The proposal fails to provide a housing layout, adequate amenity space, a design, density, form and spacing that will produce good environmental conditions within the development for future residential occupiers and is therefore contrary to Policies BE20, and H6 of the Hillingdon Unitary Development Plan, Policy 4B.3 of The London Plan and the Council's Supplementary Planning Document Design and Accessibility Statement.
4. The development is not considered to have made adequate provision, through planning obligations, for contributions towards affordable housing, education, health, community facilities, public transport, town centre improvements, and environmental/public open space improvements, construction training, community safety, air quality and noise, land contamination, recycling and waste management, and project management and monitoring in accordance with Policies H11, R17 and AM11 of the Hillingdon Unitary Development Plan or the Council's Supplementary Planning Guidance for Planning Obligations (Adopted December 2003) and Supplementary Planning Guidance for Planning Obligations for Health Facilities.
5. The applicants have failed to satisfactorily demonstrate that traffic associated with the development can be adequately accommodated on the adjoining highway network. As such the development may be prejudicial to the free flow of traffic and conditions of general highway safety contrary to the aims of Policy AM7 of the Hillingdon Unitary Development Plan.
6. The proposed development would result in an increase in NO2 due to vehicle emissions to the detriment of air quality within an Air Quality Management Area. Accordingly the proposal is inconsistent with Policy 4A.7 of the London Plan, Policy OE6 of the Hillingdon

Unitary Development Plan and the Council's Supplementary Planning Guidance on Air Quality.

7. It is likely the proposed and surrounding residential development would be subject to unacceptable levels of noise, in addition to fumes and general disturbance, detrimental to the residential amenities of future and adjoining occupiers. This is contrary to Policy OE1 and OE5 of the Hillingdon Unitary Development Plan.

8. In the event that the proposed adjacent Tesco Master Brewer development was granted planning permission (Refs: 4266/APP/2005/2978, 4266/APP/2005/2979 and 4266/APP/2004/2715) on appeal, the cumulative impact of Tesco Master Brewer in addition to the proposed IKEA development, would be unacceptable. Taking this into account, in addition to Reasons 1 - 7, by virtue of the overall scale, density, site coverage and lack of landscape screening, the developments are considered to constitute over-development of the sites, resulting in an adverse effect on the existing street scene and openness and visual amenity of the Green Belt, contrary to policies OL3, OL5, OL26, BE13, BE19, BE21, BE26, BE38, OE1 and PR23 of the Hillingdon Unitary Development Plan.

4. PLANNING POLICIES AND STANDARDS

Part 1 Local Plan Policies

PT1.BE1(2012) Built Environment

PT1.CI1 (2012) Community Infrastructure Provision

PT1.E5 (2012) Town and Local Centres

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.EM11(2012) Sustainable Waste Management

PT1.EM2(2012) Green Belt, Metropolitan Open Land and Green Chains

PT1.EM4 (2012) Open Space and Informal Recreation

PT1.EM7 (2012) Biodiversity and Geological Conservation

PT1.EM8 (2012) Land, Water, Air and Noise

PT1.T1 (2012) Accessible Local Destination

Part 2 Local Plan Policies

AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations

AM10 Incorporation in new developments of additions to the proposed cycle network

AM11 Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services

AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -

(i) Dial-a-ride and mobility bus services

(ii) Shop mobility schemes

(iii) Convenient parking spaces

(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM3 Proposals for new roads or widening of existing roads

AM7 Consideration of traffic generated by proposed developments

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions

BE26 Town centres - design, layout and landscaping of new buildings

BE28 Shop fronts - design and materials

BE29 Advertisement displays on business premises

BE3 Investigation of sites of archaeological interest and protection of archaeological remains

BE36 Proposals for high buildings/structures in identified sensitive areas

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

BE39 Protection of trees and woodland - tree preservation orders

EC2 Nature conservation considerations and ecological assessments

EC3 Potential effects of development on sites of nature conservation importance

EC5 Retention of ecological features and creation of new habitats

H4 Mix of housing units

H5 Dwellings suitable for large families

LE6 Major office and other business proposals in town centres

OE1 Protection of the character and amenities of surrounding properties and the local area

OE11 Development involving hazardous substances a requirement for ameliorative measures

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OE7 Development in areas likely to flooding - requirement for flood protection measures

OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

OL5 Development proposals adjacent to the Green Belt

PR23 Hillingdon Circus

R1 Accessibility for elderly people, people with disabilities, women and children

R16 Development proposals in or near areas deficient in recreational open space

R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities

R2 Provision of recreation, entertainment and leisure facilities in Town Centres

S9 Change of use of shops in Local Centres

T4 Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements

Site specific policy:-

PR23 On land at Hillingdon Circus delineated on the proposals map the Local Planning Authority will pursue the following objectives;

A. Within the Green Belt:-

- (i) reinforce and enhance the Green Belt landscape to improve its visual function;
- (ii) improve access to freezeland covert to promote open space of recreational value;
- (iii) secure effective management, including planting of woodland at freezeland covert and the pond;
- (iv) enhance ecological and wildlife interest on land west of freezeland covert;
- (v) enhance pedestrian access between the green belt areas east and west of long lane;

B. Within the developed area :-

- (vi) secure substantial planting and landscaping in association with any development;
- (vii) promote a mix of uses that takes advantage of the north-south and east-west communication network to serve community and borough wide interests;
- (viii) secure the provision, where appropriate, of leisure/social/community facilities;
- (ix) environmental improvements and landscaping as necessary to enhance the local

shopping and residential environment; and Architecture and design which maintains a satisfactory relationship with nearby residential properties, Hillingdon Circus, the Green Belt and surroundings from which it is prominent.

London Plan 2011 policies.

LLP 3.18 (2011) Education facilities
LPP 2.15 (2011) Town Centres
LPP 3.9 (2011) Mixed and Balanced Communities
LPP 4.1 (2011) Developing London's economy
LPP 4.7 (2011) Retail and town centre development
LPP 5.1 (2011) Climate Change Mitigation
LPP 5.11 (2011) Green roofs and development site environs
LPP 5.12 (2011) Flood risk management
LPP 5.13 (2011) Sustainable drainage
LPP 5.14 (2011) Water quality and wastewater infrastructure
LPP 5.7 (2011) Renewable energy
LPP 6.12 (2011) Road Network Capacity
LPP 6.13 (2011) Parking
LPP 6.3 (2011) Assessing effects of development on transport capacity
LPP 7.16 (2011) Green Belt
LPP 7.3 (2011) Designing out crime
LPP 8.2 (2011) Planning obligations

NPPF1
NPPF10
NPPF2
NPPF4
NPPF7
NPPF9

ADVERTISEMENT AND SITE NOTICE

Advertisement Expiry Date: 15-08-2012

Site Notice Expiry Date: 15-08-2012

6. CONSULTATIONS

6.1 EXTERNAL CONSULTEES

The application has been advertised under Article 8 of the Town and Country Planning General Development Procedure Order 1995 as a Major Development. 1757 surrounding property owners/occupiers have been consulted. As well as the consultations carried out by the Council, the applicants organised a public exhibition.

Further consultations were undertaken on 03-05-13 and on 23-08-2013 (following receipt of additional information). Because this is an EIA development, alterations to the ES were advertised in accordance with statutory requirements.

Submissions in Support

At the time of writing the report, in total 18 letters and a petition in support with 216 signatories have been received supporting the proposals and are summarised below:

1. This is a far better proposal than the one submitted by Tesco's. It appears to be more suitable to the area and would have less impact on existing businesses.
2. We have waited many years for a decent project for this corner of Hillingdon Circus. The Tesco plans are not suitable and they have taken little trouble to see how it would affect the area whereas Morrison's have really done their homework. Their scheme will enrich the area and bring the circus back to life.
3. It would be great to have a local supermarket, saving the journey to Ruislip, Uxbridge or Hayes. This development would help to re-vitalise the area, creating jobs and homes on a brown field site.
4. Development will create jobs.

Submissions in Objection

In addition, 69 letters or internet representations have been received objecting on the following grounds:

1. Impact on already heavily trafficked roads.
2. Long lane is already the major route north and south for the three main emergency services. Creating more traffic and more junctions will only slow these very important services down
3. No need for another store let alone 2 (with the Master Brewer Tesco).
4. Loss of trade for local stores.
5. Insufficient parking
6. Disruption during construction Nuisance to residence and increased noise and air pollution.
7. The hotel is out of keeping for the site but a lower height is more acceptable.
8. Overdevelopment of the site
9. Against the principle of the hotel
10. Design unattractive
11. Eye sore on the landscape
12. Development should be coordinated with the Tesco Master Brewer site
13. More housing will add to the traffic congestion,
14. More parked cars and vehicles within this vicinity
15. The residential element of the development will have a severe impact on already over stretched local services.
16. Noise from deliveries and will bring crime to the local area.

It should also be noted that 10 responses provided general comments (neither objecting nor supporting the proposals).

Petition

A petition of 38 signatures has also been received objecting to the scheme. This was submitted by the Ickenham Residents Association.

BAA

No objection subject to Bird Hazard Management Condition

NATS

No objection.

TFL/ London Underground

Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. This site includes London Underground freehold land. It will need to be demonstrated to the satisfaction of LUL engineers that:

- i) Within this site is London Underground freehold property that will require the purchase/lease of land from London Underground/TfL
- ii) Our right of support is not compromised
- iii) The development will not have any detrimental effect on our structures either in the short or long term
- iv) The design must be such that the loading imposed on our structures is not increased or removed
- v) we offer no right of support to the development or land

Therefore we request that the grant of planning permission be subject to conditions to secure the following:

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- i) provide details on all structures
- ii) accommodate the location of the existing London Underground structures
- iii) demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- iv) demonstrate that there will at no time be any potential security risk to our railway, property or structures
- v) accommodate ground movement arising from the construction thereof mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 3C.4 and 'Land for Transport Functions' Supplementary Planning Guidance.

We also ask that the following informative is added:

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.

Defence Estates

No objection

Greater London Authority (GLA)

London Plan policies on retail and town centre developments, visitor accommodation, housing, design, inclusive access, transport/parking, energy, ambient noise and air quality are relevant to this application. The application complies with some of these policies but not with others, and on balance, does not comply with the London Plan; the reasons and the potential remedies to issues of non compliance are set out below:

- i) Retail: The applicant should demonstrate that a foodstore with gross external area of 7,829 sqm. is appropriate to the size, role and continued function of North Hillingdon as a local centre within the strategic and borough wide shopping hierarchy; and address the implications of an upgrade in status of the centre, arising from the cumulative impact of known or potential retail developments.
- ii) Affordable housing: Inadequate information has been provided to demonstrate that the proposed affordable housing is the maximum reasonable amount viable for this scheme. Should Hillingdon Council be minded to grant permission for this development, a copy of the appraisal and the results of any independent review commissioned by the Council should be submitted to the GLA before any further referral of this application back to the Mayor.
- iii) Housing mix: The scheme does not include any of the larger affordable rented units, for which a specific need is identified in policy H2 of the emerging Core Strategy. The applicant should reconsider the proposed housing mix, as the proportion of family sized units fall significantly short of target set in the revised London Housing Strategy.
- iv) Urban design: A number of flaws undermine the achievement of an exemplary design and layout of the scheme, including the lack of animation/activity along the Western Avenue frontage; the route to and from the station is dominated the service and delivery yard; and the excessive number of units served by each of the internal cores, Those aspects should be reviewed.
- v) Inclusive design and access: Some improvements or clarifications need to be made to the car parking, hotel, residential and public realm to achieve a fully inclusive environment, as outlined in the relevant paragraphs of this report.
- vi) Transport: As indicated by TfL, paragraphs T20 to I35 above, some aspects of the proposal require clarification, additional work or a financial contribution towards the implementation of transport infrastructure, which need to be secured by planning condition or legal agreement to ensure that the relevant details fully comply with the transport policies of the London Plan.
- vii) Energy: A significant amount of additional information and works are required to clarify details of the proposed energy strategy and to ensure full compliance with the energy policies of the London Plan. Those details should be provided prior to any further referral of this scheme back to the Mayor.

Environment Agency

We consider that planning permission could be granted to the proposed development if the following planning conditions are included.

Condition 1

No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on the Preliminary Environmental Risk Assessment (Reference: EED12115-102-R-1-2-3-OR, Produced by Waterman, dated April 2012) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason 1

To protect groundwater in line with policies 5.3 and 5.21 of the London Plan.

The Preliminary Environmental Risk Assessment identified contaminated soils. As this site is located on a principle aquifer it is important that any remediation required is satisfactorily undertaken.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

Paragraphs 120 and 121 of the NPPF provide requirements for land contamination which should be taken account of through the planning process.

Condition 2

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason 2

To protect groundwater (see reason 1).

Condition 3

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 3

To protect groundwater (see reason 1).

Piling can mobile contamination by drilling through different aquifers and creating preferential pathways. If piling is proposed then a Piling Risk Assessment will be required.

Condition 4

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years 20% climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include sedum roofs at the residential roof level with lawns in the podium areas, as stated in the submitted Flood Risk Assessment (Produced by Cundall, dated 14 May 2012).

Reason 4

To prevent flooding on and off site by ensuring the satisfactory storage and disposal of surface water in line with policies 5.3, 5.11 and 5.13 and of the London Plan.

Condition 5

No infiltration of surface water drainage into the ground is 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 approval details.

Reason 5

To protect groundwater (see reason 1).

Advice to applicant

The current planning application for the site will use an underground attenuation system as the main SuDS system for site. To comply with condition 4 the water stored within these tanks should be recycled or reused onsite. No infiltration drainage will be allowed in contaminated land.

Oak Farm Residents Association

OFRA is against this proposal for the following reasons: In our view the roads will not be able to cope with the increase in traffic (no data provided with the application on this matter); increase in noise arising from this and increase in air pollution; detrimental effect on local shops; probable increase in on road parking of staff etc as the proposal makes no reference to staff parking. It is for these reasons that we oppose this significantly large development.

Ickenham Residents Association

24.09.2012

We are writing to inform you that the Ickenham Residents' Association is likely to object to the above Planning Application on a number of issues. These will include:

- Concerns about the density of buildings and hard surfaces on the site coupled with minimum green spaces within the site.
- The size and height of the buildings which will be visible from nearby Green Belt land.
- A reduction of parking space for Commuters using Hillingdon Station.
- The effect of increased vehicular traffic on already congested local roads.
- Areas for Concern in Relation to the Retail Impact of the Proposed Store on Ickenham retailers.

The Association is currently carrying out a survey of our membership to ascertain the views of residents in order to make a more detailed representative response to this proposal . We will forward these considerations to you when our survey is complete and trust that you will allow us more time to bring together our evidence.

06.06.13

The Association is writing to object to the above application on behalf of our membership. The objection is submitted in order to comply with the extended consultation timeline granted by the LBH.

We had consulted our members formally about the previous application 3049/APP/2012/1352 (originally recorded on 31.05.12) and our opposition is based on their views. We cannot see anything in the above amended proposals that is likely to reduce these objections.

We have tried to set up a meeting with your Planning Officers to discuss the *Traffic Impact* in connection with the latest application, however, to no avail as yet. Our objection is based on the following grounds:

Traffic impact and consequential pollution of the environment, height and appearance of the proposed buildings.

Traffic Impact

We have reviewed the applicant's Traffic Assessment and find the report has several major limitations/omissions. These include

1. Assumptions around trip generation/diversions and direction of travel
2. Incorrect Committed Development Assumptions
3. Lack of supporting TA modelling data, number of vehicles etc
4. Predictive models that are already out of date
5. Junction cycle times that are different from Tesco's, LBH and observed 18th May 2013
6. The LINSIG findings in the report do not take account of exit congestion which invalidates the entire modelling exercise.

Trip Generation

Trip Diversions in terms of the reference sites used to assist food-store trip assessments and modal split, 5 sites were put forward with assessments dating back 10 years and with locations that are different to the proposed site at Hillingdon Circus.

Tesco – Gainsborough Road, Leytonstone, W11 1RX

Totally different road layout on the A12 junction with 6 lanes, 3 exit and three to an underpass that allows through traffic and non-supermarket traffic to avoid the area completely. This is not the case for Hillingdon Circus.

Sainsbury's - Canal Way, London W10 5AA

Location is on an existing industrial estate and gas works, off Ladbroke Grove and although located near a main road junction, the NORTH KENSINGTON ENVIRONMENT FORUM, states Access from Ladbroke Grove is via Canal Way, which also serves the Sainsbury's supermarket. Traffic congestion is very bad in this area, and is compounded by shoppers visiting the supermarket in private cars.

This goes against the assumption that the majority of trips will be diversion trips made by vehicles that already use the area on pre-planned/existing journeys.

The report states:

On the basis that the site is conveniently located close to the Hillingdon Circus junction, the A40/Freezeland Way and Long Lane, it is assumed a proportion of trips will divert from the existing route, e.g. along the A40 and Long Lane, onto Freezeland Way to access the site.

The assumption is that 30% of shoppers will arrive from the West and exit the A40 at the Hillingdon turn, with an additional 20% coming from Hercies Road.

The model does not show the potential increase from Northbound and Westbound traffic that would normally go straight on or right at Hillingdon Circus, that will now use the roundabout on Freezeland way, increasing the volume at this junction.

Traffic Surveys and Committed Development

Surveys were carried out at a number of locations within the defined study area:

- Long Lane, Ickenham High Road/Swakeleys Road junction
- Long Lane/A40 Eastbound slip road lights
- Hillingdon Circus
- Long Lane/Sweetcroft Lane/Ryefield Avenue
- Hillingdon Circus/Freezeland Way roundabout

The applicant determined from the surveys that the network peak hours were:

- Weekday AM peak hour: 07:30-08:30;
- Weekday PM peak hour: 16:15-17:15;
- Saturday peak hour: 12:30 – 13:30.

The peak hour has been selected by picking the hour with the maximum number of vehicles crossing the junction. However this ignores the fact that in the hour with the longest queuing, around 5.30 to 6.30pm, vehicles are held up by congestion at the exits. Particularly Long Lane Northbound. This is the hour with greatest demand, but fewer vehicles are able to cross and have to wait at the box junction.

The assumptions are further cast into doubt by the Robert West survey for the Glebe School extension which not only shows higher figures than the applicant's traffic survey, but at a much earlier peak period between 1500 and 1600.

We find fault with the assessment years and scenarios to be assessed as follows:

- 2011 – Observed;

No details of these surveys provided, which throws any results into question.

- 2014 - The anticipated year of opening 'Without Development' and 'With Development';

The figures that purport to include 'Committed Development' are flawed, see below.

- 2022 - 10 years after submission of planning application 'Without Development' and 'With Development'

The figures that purport to include 'Committed Development' are flawed, see below.

From the known Committed Developments in the area, only two have been modelled, namely the Master Brewer site and RAF Uxbridge development, which makes the assumptions invalid.

Known developments are

- A residential-led mixed use development on RAF Uxbridge – included.
- The new housing and retirement neighbourhood on Ickenham Park, about 2km north of the site on Long Lane - Excluded
- A small affordable housing development at Honeycroft Day Centre, about 1.5km southwest of the site down Hercies Road – Excluded
- The expansion of Glebe Junior School, Sussex Road, Ickenham. - Excluded

It should be noted that larger developments such as the extension of Glebe School and the traffic resulting from the Ickenham Park development which is now partly occupied already has a significant impact on local traffic. The new traffic signals at Aylsham Drive introduced to accommodate traffic to and from Ickenham Park have increased queuing along Long Lane Northbound right back to Hillingdon Circus.

Indeed the modelling of the Glebe School expansion undertaken in 2012 by Robert West on behalf of the London Borough of Hillingdon, which excludes the Master Brewer and Hillingdon Circus proposals, already shows higher saturation figures than your 2014 base case and puts the Hillingdon Circus junction over capacity by 2018.

The outcomes of any modelling or simulation assessments therefore cannot be relied on.

Traffic modelling results

Freezeland Way Site Access

Table 7.7: ARCADY results – Site Access – 2022 With Development

The applicant states:

The results demonstrate that the roundabout would continue to operate within capacity with minimal queuing during the morning, evening and Saturday peak hours. The maximum queue of 4 vehicles is experienced in the PM peak, with the RFC reaching 0.79. We cannot see from the modelling how any additional traffic from the East will be managed, if the assumption that 30% from the West and 20% from Hercies road are wrong. We believe that additional traffic will join from Long Lane South Left and Freezeland Way East ahead. This will compound the existing issue of vehicles exiting the roundabout in evening peak time described in response to 7.7 above.

Already in the pm peak, the approach to the roundabout from the West already has in excess of 4 cars queuing on Freezeland Way, as their entry/exit from the roundabout is prevented by vehicles turning from the Easterly direction, or traffic backing up onto the roundabout from the traffic lights at Hillingdon Circus.

Swakeleys Road / Long Lane / Ickenham High Road

The applicant states:

7.33 The results for the priority junction of Swakeleys Road / Long Lane / Ickenham High Road

show that it currently operates within capacity in each of the peak hours, with a maximum Degree of Saturation (DoS) of 88.7% with a cycle time of 83 seconds and queue of 9.0 PCU's

during the AM peak hour

There is no data provided to support the statement made in 7.33.

Long Lane / A40 Eastbound On-Slip

7.38 In the Without Development scenario in the future years of 2014 and 2022, the junction would also operate within capacity with minimal queuing of up to 9 PCU during the AM peak hour.

7.39 In the Development scenario, the maximum DoS for the Long Lane (southbound) movement

is 73.6%, with a corresponding queue of 8.4 PCU.

We do not recognise the figures produced for this junction, as the survey by Robert West in 2012 shows that the junction is already operating with a DoS of 81.6 and PCU of 9.5 for the a.m. peak and 87.5 and 14.5 in the pm peak. This is set to rise again by 2018.

Hillingdon Circus (Long Lane / Freezeland Way)

7.43 In the 2014 With Development scenario, the junction is forecast to perform better in the AM peak hour compared to the existing situation, due to the relocation of the commuter car park access and the resulting reduction in vehicles travelling through the junction. However, in the PM peak hour, the junction would operate over capacity with maximum DoS of 102.4% for the Long Lane (south) ahead movement. The junction is still within Practical Reserve Capacity during the Saturday peak hour.

We acknowledge the assessment predicts the Hillingdon Circus junction will be operating over capacity by 2014, but point out that the figures returned by Robert West are higher than the 2011 figures shown in table 1.12.

We would again point out that this predication is without the Committed Developments outlined above, which will impact both the timescales and the DoS percentage.

We also understand that once 100% DoS is exceeded, the Linsig predictions cannot be relied upon and that with queue lengths modelled below those we know to exist and with >100% saturation and existing exit congestion, the figure of 102.4% is on the conservative side.

In summary, we hold that because of flaws in the assumptions used to model the junction are flawed, its results cannot be relied upon. The applicant concludes:

8.14 In conclusion, it is considered that the Development proposals are reasonable and appropriate for the location and that there are no traffic or transport reasons why it should not be granted planning permission

We believe the conclusion the applicant draws is flawed and that there would be significant impact on local traffic and increased congestion and as such go against Section 4.2 of the NPPF and the Hillingdon UDP.

National Planning Policy Framework (NPPF)

4.2 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

LB Hillingdon Unitary Development Plan Saved Policies (2007)

Policy AM2 states that all proposals for development will be assessed against:

"Their contribution to traffic generation and their impact on congestion

and in particular the proposal is contrary to policy AM7

the LPA will not grant planning permission whose traffic generation is likely to:

i) unacceptably increase demand along roads or through junctions which are already used to capacity,

NB: We understand that there may be additional traffic assessments still to be submitted and we reserve the right to make further responses on TRAFFIC IMPACT in the light of these.

Height And Appearance

This application constitutes a massive over-development of this prominent corner site as ably demonstrated by drawing No. 8023-PP-143 which shows the devastating effect this will have on views from the West, and Green Belt, particularly from Hillingdon House Farm, much like the previously refused earlier attempts by Tesco on the Master Brewer site. Most of the footprint will be covered with concrete comprising building and various hard surfaces.

Overall the height of various parts of the proposal will be of 2 and 3 storey blocks of flats built on top of the store, such height we feel to be excessive on this prominent corner site.

The design of the exterior of the building is not considered to be attractive and the Residential Blocks on top of the proposed store is undesirable in terms of appearance, street scene, access and suitability of accommodation for future residents.

The design concept proposed leaves little room for urban greening on the site other than minimal rooftop garden areas.

Estimations from the drawings suggest that the block scale and height of the proposal would be twice the height of the buildings in North Hillingdon and the Station's main structure, and would be very visible from nearby green belt (Hillingdon House Farm and aspects from the higher ground to the West).

We object to a hotel of six storeys and the chosen location, being the highest point of the proposal site. This we believe would cause maximum detrimental effect on the street scene, views from the general locality including established local residential roads to the north of the site (e.g. The Chase, Halford Road, Long Lane, Bridge Way and possibly even Swakeleys Drive) and especially Green Belt areas. Commuter car parking for Hillingdon Station will be compromised by the loss of 47 places and hotel parking for 10 cars is totally inadequate for 82 bedrooms.

For all of the above reasons we feel this application does not comply with either, all, or part of the following policies as detailed in the Hillingdon Unitary Development Plan (adopted September 1998) or these policies now superseded by the Current Core Strategy Policies:- BE13; BE14; BE19; BE35; BE36; S1(iii); H6; A6 and PR23.B (vii) and ix).

Retail Impact

It is a major objective of the Association to maintain the health of Ickenham's "High Street". We are concerned both about the scale of the proposed new store and also Morrisons' belief that the provision of free parking would not only attract people's "main shop" but also lead them to use the independent and convenience stores in North Hillingdon for their "top up" shopping. If this turned out to be the case and Ickenham people were attracted to the new store for their "main shop", it would be to the detriment of Ickenham retailers. No estimate is given for the impact of this, only for losses coming from the new store itself.

There is particular cause for concern about the potential impact on our independent butcher of the inclusion of a fresh meat counter, granted that Morrisons feature this product area heavily in their advertising: "We care about giving you the best quality fresh British meat and prepare it for you just the way you like. Anything from a whole joint for the family to a single pork chop, whatever you need, whatever your budget". This is in contradiction of the Morrisons' statement that "the proposals will not directly compete with Ickenham" and it is questionable how much such competition the business of S J Williams, Swakeleys Road, could withstand, particularly if they backed their national advertising with in-store promotions. According to a report by Santander: "The number of specialist butchers has been in long term decline for a number of years, largely due to the increasing influence of the large supermarket chains. As well as offering a full range of pre-packed cuts of meat, almost all of the large supermarket chains have butchery counters that compete directly with High St butchers. The convenience of including meat in the weekly "shop" has resulted in a significant shift in the way consumers make their purchases – in the early 1980s around 20% of meat was bought from supermarkets but by the early 2010s this had increased to around 80%. This has inevitably had a negative impact on independent butchers and their numbers have dwindled as a result of this drop in demand. In the 1980s there were over 20,000 independents but by the end of the 2000s there were only around 6,000".

The Local Plan Part 1 – Strategic Policies states:

"The viability of local parades is threatened by competition from supermarkets. For some local shopping areas the closure of just one essential shop may be so significant as to precipitate the closure of other shops and ultimately the demise of the centre"

Policy E5 says: "Local parades will be protected, enhanced and managed to ensure that they meet the needs of the local community and enhance the quality of life for local residents, particularly those without access to a car".

In our view, this statement and this policy are directly relevant to the threat posed to the business of S J Williams by the proposed new store.

Environmental Statement

Air Quality

It is widely known that air pollution is worsened by traffic emissions. Petrol and diesel engines emit a variety of pollutants and the UK AQS identifies nitrogen oxides(CO), particulate matter(PM10), carbon monoxide(CO), butadiene and benzene. Nitrogen oxide, oxidises in the atmosphere to form nitrogen dioxide. Currently, AQMAs designated in the UK attributable to road traffic emission are associated with high concentrations of NO2 and PM10.

The Mayor of London is responsible for strategic planning in London. The current version of the London Plan was published in July 2011. The plan acts as an integrating framework for a set of strategies, including improvements to air quality. Policy 7.14 is the key policy relating to air quality. In this document "*the Mayor recognises the importance of tackling air pollution and improving air quality to London's development and the health and well-being of its people.*"

Development proposals should "*minimise increased exposure to existing poor air quality and make provision to address local problems of air quality, particularly within Air Quality Management Areas*"(AQMAs). It also states that any proposed development should "*promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following the best practice guidance in the GLA and London Councils*". Another important policy statement is that any development "*be at least air quality neutral and not lead to further deterioration of existing poor quality such as designated AQMAs*".

The London Borough of Hillingdon sets out policies to guide a proposed development, and whether a particular proposed development will affect air quality significantly, is a matter for consideration by local planning authority, being based on matters of fact and degree related to the development being proposed.

The proposals present an example of over-development, and would adversely affect the environment at the Hillingdon Circus junction and its major and secondary road network. In this regard we can also take into account the accumulative effects of what are now dual development proposals " Tesco and Morrisons" on the environment. Regarding Air Quality, the LBH Environmental Services Map indicates that within the Borough air pollution at Hillingdon Circus is second only to levels found at Heathrow airport. It is self evident that the development will generate significant additional traffic at the junction and as a result increase the levels of Nitrogen Dioxide at Hillingdon Circus. (Road traffic is the largest source of NO2 contributing 49% of total emissions).

Noise Pollution

The area of the proposed development has already high levels of noise, again due to excessive road traffic usage, particularly the M40 corridor. The worst congestion occurs at peak times morning and evening. Loudness of noise is subjective, but it is accepted that an increase/ decrease of ten decibels corresponds to a doubling/ halving in perceived loudness. External noise levels are rarely steady but rise and fall according to activities in the area. It is likely that the existing noise levels combined to that of the proposed development would be above the Council's recommended guidelines.

We consider that the activities associated with proposed development would increase noise levels and cause disturbance to local residents both existing and new. Any noise

assessment for residential development should include noise from mechanical service plant, noise from delivery events, noise from car parking activity, noise from road traffic and construction noise.

Some of the proposed residential dwellings will require a higher level of glazing /and ventilation. It also noted that the children's play areas will need the introduction of solid acoustic screens to the northern and southern perimeters to mitigate the noise levels. This may not be enough to prevent the noise exceeding Local Authority guidelines.

12.09.2013

The latest revised TA has been produced following the requirement by the LPA to take into account exit blocking at Hillingdon Circus in peak hours which had previously been ignored by the applicant.

This is a fundamental change and has wide ranging implications for the modelling of traffic at the junction.

We submit that the revised LINSIG and VISSIM models do not properly account for the exit blocking since the LINSIG model shows more traffic flowing up LONG Lane northwards in the PM peak than in the base case which would not be possible without changes to the road network at the Ickenham Pump and beyond. Therefore the models cannot be validated.

We have also identified a large number of anomalies of which we have pointed out a few to the LPA and asked for their comments. These include:

- Why the right hand lane of the three northbound lanes on Long Lane at Hillingdon Circus has been omitted
- Why the journey times for the peak hour have been taken averaged over three hours
- Why no comparative analysis of pedestrian crossing times has been produced

At the time of writing we have not had any response from the LPA regarding these concerns.

Whereas TESCO have now effectively admitted that more traffic at the junction will inevitably create longer queues and journey times, this is not the case with this application and therefore its conclusions cannot be relied upon. We therefore submit it should be refused.

We also believe that as there is no correlation between the Tesco and Morrisons Traffic Assessments and because we know that data from an LBH survey has not been provided that a real risk that the Consultation Process has been flawed from the outset and that a Judicial Review may be required, should either be accepted

Further observations

In addition to the comments made in our previous objections, clause 3.12 states they intend to use the Freezeland Way Eastern approach and that this does not currently have queuing traffic, but residents of Ickenham know that this statement is not correct and that traffic regularly forms queues during the PM peak, please see picture below from 21st May 2013.

In addition, Morrisons propose to remove the cross-hatching to "formalize a two-lane approach arrangement to improve capacity" – why if no queuing problem currently exists?

Also, on the in-ramp to the store from the roundabout, they "propose to install a raised table" – again why, as raised tables are normally used to restrict access, perhaps because they

feel motorists held in traffic will use the store car park as a way to circumnavigate the junction.

Transport Assessment Conflict

Because there is no correlation between the Tesco and Morrisons Transport Assessments, despite the fact they both say they have included/modeled each others assessments. We believe both assessments are fatally flawed and present the potential for a significant impact on the local transport network.

The Morrisons TA States:

The effects of any development needs to be assessed against the criteria in the NPPF, with the key tests:

“Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people;
- and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.42 The addition of traffic flows generated by the Master Brewer development proposals (scenarios 4 and 7), and associated junction modifications, results in a significant worsening of junction performance, such that the junction is predicted to operate significantly above capacity during the AM, PM and Saturday peak periods in both 2014 and 2022. This is considered to primarily be as a result of the introduction of the right turn movement from Long Lane (south) to Freezeland Way (East), which results in the requirement for an alternative staging arrangement to accommodate this movement.

7.51 The addition of the Master Brewer proposals (scenarios 4 and 7) results in the VISSIM model becoming overloaded and effectively ‘locking up’, with vehicles becoming stationary, and blocking the path of other vehicles which are therefore unable to pass through the network. As such, it is not possible for the model to report any meaningful results, particularly journey times, as vehicle trips through the network are not completed.

7.52 Whilst a lock up of the highway network is unlikely to occur in practice, as vehicles will give way to turning vehicles rather than blocking their path, or can change their journey in response to such conditions, this outcome within the VISSIM effectively concludes that the addition of the Master Brewer proposals would result in a significant worsening of the operation of the highway network such that the impact could be classified as significant.

7.73 The addition of the Master Brewer proposals results in a significant detrimental impact on the operation of the highway network such that the VISSIM model locks up, and journey times, vehicle speeds and queues are not able to be accurately reported. It can therefore be concluded that the addition of the Master Brewer proposal results in a significant impact.

8.18 The addition of the Master Brewer proposals so that there would be two foodstores in the area results in a detrimental impact on the operation of the highway network such that

the VISSIM model locks up, and journey times, vehicle speeds and queues are not able to be accurately reported. It can therefore be concluded that the addition of the Master Brewer proposal results in a significant detrimental impact.

Retail Impact

1. The Ickenham Residents' Association registered its detailed objections to these proposals on 6th June 2013 .

2. These objections can be summarised as:

2.1 Traffic pollution/environmental impact: pollution levels at Hillingdon Circus are already above lawfully permitted levels and the inevitable additional traffic would make them even worse.

2.2 Traffic concerns: the Hillingdon Circus junction is already beyond capacity levels, particularly at peak times, and could not cope with additional vehicle movements

2.3 Retail Impact: we are concerned about the impact on our local Ickenham shops, particularly in the case of Morrisons whose meat counter we consider to be a threat to Williams' butchers, with potential knock-on effects on the entire "High St"

2.4 Over-Development: The size and impact of the building proposed by Morrisons is wholly inappropriate and out of keeping with the locality and street scene.

2.5 Housing: whilst we welcome the provision of extra homes the local schools, medical facilities etc are already fully stretched and could not cope with additional demand.

3. Since we lodged those objections we have not seen any submission from either retailer that has diminished our concerns in any way, and the threat of future traffic gridlock in the area has increased with the evolving proposals for HS2.

4. Our concerns have been exacerbated by the information that LBH are considering the possibility of approving *both* proposals. We believe that the impact of such a decision would not just increase these problem areas in an incremental way but move them into a whole new dimension as Tesco and Morrisons competed for business across the junction, with bargain hunters attracted from a wide area by the prospect of comparison shopping and the ability to "cherry pick" choice promotions. The exception would be housing where the increase in problems would "only" be incremental.

5. On the evidence of their submissions of 13th August 2013 [Tesco] and 21st August 2013 [Morrisons] neither retailer considers that the North Hillingdon centre could support two major food stores.

Built Environment – Height & Appearance. (Tesco & Morrisons)

Our objections in relation to both applications individually, in respect of the above aspects, are well documented in our previous letters of 06.08.12 and 10.06.13 concerning Tesco and 24.09.12 and 06.06.13 concerning Morrisons.

The purpose of this addendum to our letters is to raise the issue that IF consideration should be given to both applications at the same time, and for whatever reasons they were both recommended for approval, then our individual objections would be combined, amplified, and stressed far more strongly.

Our current objections relate to each individual proposal.

If forced to choose between the two, then it is our opinion that the Tesco proposal is far less intrusive, they having listened to our many previous objections over many years. Morrisons puts more area 'under concrete', is considerably larger and higher, with less desirable housing design and location, and impinges on car parking provision at Hillingdon station.

We do not feel the combined sites could possibly facilitate both companies' ambitions.

If allowed it would be devastating to the local area not just in relation to the Built Environment, but also in the many aspects as detailed elsewhere in this letter.

6.2 INTERNAL CONSULTEES

Policy

1. This note provides an assessment of some of the key policy issues associated with mixed use development proposals for Hillingdon Circus and the Former Master Brewer (Ruston Bucyrus) sites. Both sites are covered by the provisions of Policy PR23 in the Unitary Development Plan (Saved Policies) document 2007 (UDP). The policy refers to the promotion of a mix of uses that take advantage of the north/south/east/west communication network and securing planning permission, where appropriate, for leisure/social/community facilities.

2. Hillingdon Circus (Ruston Bucyrus): Morrisons supermarket (net sales area of 3,731sqm), an 82 bedroom hotel and 107 residential units

Proposed Residential Development

2.1 The proposals involve the development of 107 residential units of which 16 (15%) will be affordable. The affordable housing mix is proposed at 62.5% intermediate tenure and 37% affordable rented.

2.2 Paragraph 7.20 of the applicant's planning statement refers to the submission of a viability study in due course. In the absence of such an assessment there is no evidence to demonstrate that:

- affordable housing provision has been 'maximised' in accordance with London Plan policy 3.11; or
- the 35% target for affordable housing provision in policy H2 of the emerging Local Plan Part 1 cannot be met.

2.3 The applicant will need to demonstrate how the provision of affordable rented tenure will meet housing needs in the borough and should discuss this with the Council's Development Team (contact Marcia Gillings). Similarly, all units are flats, which does not address the need for family homes in the borough.

Edge of Centre/Out of Centre Retail

2.4 Paragraph 4.15 of the applicant's Planning Statement refers to the site as being in an edge of centre location. The pre-application advice provided in the Council's letter dated 06th June 2011 confirmed that based on the provisions of PPS4, the site was considered to be out of centre. The practical implications of this are that out of centre locations require more justification to demonstrate sequentially preferable sites, in either edge of centre or town centre locations, are not available.

2.5 In the context of the definitions contained in the National Planning Policy Framework (NPPF), Officers' are of the view that:

- i) North Hillingdon is defined as a Local Centre in the UDP;
- ii) Local Centres are included in the definition of Town Centres contained in the NPPF;
- iii) A further pre-requisite to meeting the definition of a Town Centre is that it contains a Primary Shopping Area (defined below);

- iv) Whilst North Hillingdon has a concentration of retail development, it does not contain primary or secondary shopping frontages. The retail area does not, therefore, meet the definition of a Primary Shopping Area;
- v) In absence of a Primary Shopping Area in North Hillingdon, the application site cannot meet the definition of an edge of centre location; and
- vi) The application site can only be defined as being out of centre.

Town centre: Area defined on the local authority's proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in Local Plans, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres. Primary shopping area: Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage).

Edge of centre: For retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Out of centre: A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Sequential Test

2.6 The following sites were assessed by the applicant as part of the sequential test and subsequently discounted:

- i) Belmont House & Middlesex House, the Mall Shopping Centre, Uxbridge;
- ii) RAF Uxbridge;
- iii) Former South Ruislip Dairy Site, South Ruislip;
- iv) Former Master Brewer Site, North Hillingdon;
- v) 175 - 222A High Street, Uxbridge (Site PR12);
- vi) Land at High Street, Vine Street & Uxbridge Road, Uxbridge (Site PR13);
- vii) Mahjacks Island Site, Uxbridge (Site PR14); and
- viii) Windsor Street, Uxbridge (Site PR15).

2.7 Paragraph 5.17 in the applicant's Planning Statement refers to over trading at the Sainsbury's store in Uxbridge. Paragraph 7.45 of Hillingdon's Convenience Goods Retail Study Update prepared for the Council by Strategic Perspectives states that:

'Our qualitative assessment of existing stores in the Borough has identified that whilst some stores appear to be 'over trading' according to national averages, no stores appear to be experiencing the symptoms of overtrading. Indeed, we consider that these stores are trading at reasonable levels for stores in London. As a result, we have assumed that the larger stores are not 'over trading' in 2011 and that this should not be used justify additional convenience goods floorspace over the study period.'

2.8 The retail study update also refers to the amount of convenience goods capacity in the borough over the next 10 years. It concludes there is no capacity for additional convenience goods retailing in the years up to 2016 and that from 2016 through to 2021 capacity grows to 2,709 square metres. There could, however, be a qualitative argument to support the provision of convenience goods floorspace in the northern half of the borough, which will be taken into account on a case by case basis and as part of the production of the Site Allocations DPD.

2.9 Officers would question the applicant's assumptions regarding overtrading in the catchment area and whether there is currently sufficient convenience goods capacity to support additional foodstore. At the very least the applicant should take the conclusions of this study into account.

Community Facilities

2.10 The applicant's Planning Statement does not appear to refer to the provision of any community facilities as part of the scheme.

Location

2.11 The location of the proposed store is primarily a development management issue, however it is noted that the scheme would have direct access to Hillingdon Underground station. The self contained nature of the site is also well suited to a major foodstore.

3.5 The applicant's retail assessment does not appear to take account of the conclusions of the Convenience Goods Retail Study Update 2012. The comments in paragraphs 2.7-2.9 of this note also apply to the Tesco proposals, particularly in relation to the need for assessment in the context of borough-wide capacity for convenience goods.

3.6 The proposals also make assumptions regarding overtrading. As noted above the Council's view is that no stores in the borough appear to be experiencing the symptoms of overtrading.

4. Conclusion

4.1 In planning policy terms there appears to be little difference in the nature of the proposals put forward by Morrisons and Tesco, particularly as they are covered by the same policy provisions in the UDP.

4.2 A key concern regarding both schemes is the lack of evidence to justify affordable housing provision and the proposed tenure split, which will need to be discussed with the Council's Development Team. Similar evidence is presented by both applicants on retail impact although there are some differences in the number of sites assessed as part of the sequential test analysis. The supporting documents submitted by each applicant would benefit from closer examination prior Committee.

4.2 Notwithstanding the additional retail units, the overall size of the supermarket element presented by Tesco is more closely related to convenience goods capacity in the borough. Proposals are also put forward for a community facility on the site, reflecting part (viii) of Saved Policy PR23. In this sense the Tesco scheme more closely reflects the provisions of the UDP and policy E5 in the emerging Core Strategy.

EPU Noise

The Council's Noise Officer raised initial concerns (below). These have been addressed by the applicant and the details have been agreed by the Environmental Protection Unit, who have raised no objection subject to standard noise conditions.

EPU Air Quality

The site is in an air quality management area and there are recorded levels of poor air quality near the site that are close to or exceeding the minimum EU limits for health (40µg NO₂). This limit relates to the levels at which there are significant impacts on health.

Whilst the air quality assessment seems to have estimated the impact of the development(s) to be imperceptible/negligible, they have failed to adequately characterise the air quality in the area in the modelling.

The Air Quality assessment addendum concludes:

In summary, the conclusions of the updated air quality are consistent with those presented in the original Air Quality Chapter. There therefore appears to be no constraints on the development in the context of air quality, with all air quality effects associated with the construction and operation of the development predicted to be 'not significant'.

It is inappropriate to suggest there are no constraints in the context of air quality having admitted that there are areas along the road network that exceed minimum EU standards, and given the presence of an air quality management plan.

It is likely the air quality will continue to be poor in the area due to existing traffic issues without development, and it will likely worsen due to increase in traffic as a consequence of the development.

The Council does not consider the submitted air quality assessments present a fair and accurate representation of the baseline position, and in turn the impacts of the development are underplayed.

The Council considers that the impacts on air quality will be negative. However, this should not automatically result in a refusal as this would result in blight across the area. Through conditions and planning obligations, if implemented in isolation (and considering the benefits of the scheme), this proposal could be considered acceptable in air quality terms.

The cumulative impacts of this scheme as well as the proposal at the former Master Brewer site present a greater problem. Cumulative impacts would be worse (and more complex) than just the sum of an individual scheme. This is, for example, due to the extra traffic congestion (at junctions resulting from both schemes) resulting in greater emissions from vehicles.

I therefore do not object to the application on its own (subject to clear measures to reduce the impacts of the development). The need to provide green travel plans and contributions to public transport will assist and the following conditions are also necessary:

Condition

Prior to the commencement of development a construction air quality action plan shall be submitted to and approved in writing by the Local Planning Authority. The action plan shall set out the methods to minimise the adverse air quality impacts from the construction of the development. This scheme should include (but not limited to) clear demonstration of the use of low emission vehicles and machinery by the relevant contractor, and confirmation of how environmentally aware driver training methods will be utilised (i.e. no idling, avoiding peak times for construction lorries etc...). The construction must be carried out in accordance with the approved plan.

Reason

To reduce the impacts on air quality in accordance with Policy EM8 of the Local Plan Part 1.

Condition

Prior to first occupation of the development an air quality action plan shall be submitted to and approved in writing by the Local Planning Authority. The action plan shall set out the measures to be undertaken to promote, encourage and install measures to reduce impacts on air quality. The development must be operated in accordance with the approved plan.

Reason

To reduce the impacts on air quality in accordance with Policy EM8 of the Local Plan Part 1.

Air Quality Impacts to new residents

The air quality assessment does not identify any mitigation as being necessary for the proposed development. However, it does note the façades of the building will be near EU annual limit value for NO₂. The Council is concerned that the modelling is not entirely clear as to the possible ingress of polluted air into the new development. The most recent modelling carried out by Hillingdon has indicated that this transport corridor and associated junctions are contributing to levels of air pollution above recognised air quality standards and NO₂ is predicted to be over the annual mean in 2011 and 2015 (this is also the case for the hourly mean). The following condition is advised for the residential block to ensure some mitigation for the poor air quality in the area.

Condition

Prior to commencement of development a scheme for protecting the proposed residential units from external air pollution shall be submitted and approved by the Local Planning Authority. The development must proceed in accordance with the approved scheme and completed prior to occupation. The development shall retain the air pollution protection measures throughout the lifetime of the development.

Reason

To reduce the impacts on air quality in accordance with Policy EM8 of the Local Plan Part 1.

CHP

There are limited details regarding the air quality impacts from the proposed CHP unit or the pollution abatement technology to reduce impacts. The following condition is therefore necessary:

Condition

Prior to commencement of the development full specifications of the CHP unit shall be submitted to and approved in writing by the Local Planning Authority. The specifications shall demonstrate the use of the least polluting CHP system appropriate with and the relevant NO_x emissions, the designs of the flue to reduce impacts to residents and further pollution abatement technology to ensure the CHP has minimal air quality impacts. The development must proceed in accordance with the approved scheme.

EPU Contaminated Land

The Environmental Statement includes part of a desk study and a preliminary risk assessment for the site based on the proposed use. It notes a large part of the application area was previously investigated and remediated. However, it identifies further investigation may be required for previously uninvestigated areas (mostly to the north, and east of the site) and as a check to ensure the remedial works undertaken previously are suitable.

It appears as the application includes a proposal for a large basement area (southern half of the site), there may be a significant amount of soil to dispose of off site (where it is not needed for reuse on site). The report notes it is possible some of this soil may need treatment on site and this needs to be clarified following the site investigation. The Construction Environmental Management Plan (CEMP) needs to include measures to ensure no contaminated soil is tracked off site, and minimise any fugitive dust emissions from contaminated materials stockpiled on site.

The recommended ground investigations will include ground water and ground gas (due to natural ground conditions as well) assessment as well as soil analysis (we will not accept WAC (waste acceptance criteria) testing alone for any soil that is to remain on site). The report indicates no groundwater investigation has been undertaken previously. Ground

contamination is a concern with regard to piling and SUDs at the site as some of the geology under the site have been identified as principle aquifers, and piling and SUDs could potentially act as a pathway to groundwater contamination if significant sources remain on site. Please ensure the Environment Agency is consulted with regard to piling, SUDs and potential groundwater contamination issues.

The report also indicates with regard to any possible gas protection requirements to the south of the site, specific remedial works with regard to ground gas may not be required as the basement will be ventilated. Any remediation action plan for the site should clearly identify the locations where this would apply, even if it is not put forward as a specific remediation measure.

The standard contaminated land condition is advised for any permission that may be given alongside a separate soil contamination condition for landscaped areas (for any reused and imported soils). If you would also prefer a separate gas condition, please let me know.

Contaminated Land Condition

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(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

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be 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.

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).

Condition to minimise risk of contamination from garden and landscaped areas

Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be

submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Access Officer

The proposal, which seeks to redevelop the above site to comprise a foodstore, hotel, restaurant/public house, and 107 residential units, would be subject to the Equality Act 2010. The Act seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability.

A new pathway with a maximum cross fall of 1:60 would be provided between Hillingdon Underground station and the main store entrance. Hillingdon Station is accessible to wheelchair users and there are a number of accessible bus and coach services that operate nearby. It is understood that level access to the proposed foodstore would also be via the atrium from street level along Long Lane and Freezeland Way. Once inside, the access arrangements would comply with Part M to the Building Regulations on the provision of lifts and stairs.

The car park for the proposed foodstore would be accessed via a vehicular ramp from Freezeland Way, where 20 accessible parking spaces are proposed close to the main entrance. The car parking spaces appear to have been designed to exceed the requirements of BS 8300:2009. It is, however, not clear whether provision has been made for high sided accessible vehicles to enter and use the car park. No provision appears to have been made for large community transport vehicles and similar door-to-door service vehicles, such as Dial-a-Ride.

Entry into the proposed foodstore would be via an automatic sliding door and no accessibility issues are raised on the internal configuration.

The hotel car parking would be accessed via a vehicular ramp from Freezeland way through the commuter car park. It is understood that one accessible car parking space would be located close to a lift core from the car park level.

The hotel main entrance would also be accessible from Long Lane via a level entrance with automatic sliding doors. The hotel reception would be at first floor level and accessed via a lift or stairs from the entrance level. A statement indicates that 10% of the 82 room hotel would be wheelchair accessible, however, no details have been provided on the standard to which these rooms would be designed.

A commercial use building is also proposed, and it is indicated at this stage that it would be used as a bar/restaurant.

The residential element would comprise 11 units designed to Wheelchair Home Standards. All wheelchair standards units would be accessed from the lift core, leading from the basement level car park. Access to the amenity area would be step-free from all residential units, and the wheelchair unit would have a balcony to a depth of 1.5m to allow wheelchair manoeuvrability. The Wheelchair Home Standards units have been designed to the correct

specification, including storage for an outdoor mobility scooter within what would be a generous entrance hallway.

The remaining 96 residential units would be built to Lifetime Home Standards and accessible via two lifts. Disabled car parking is proposed near each lift core. The approach to all entrances appears to be illuminated and level, however, there are no plans to demonstrate this detail. The principal stairs would, however, be required to meet building regulation specification. The hallways and other integral circulation spaces would comply with Lifetime Homes Standard 6 and have been demonstrated on plan. Criterion 7 is satisfied, as plans demonstrate adequate manoeuvring space with typical furniture items in situ. The remaining standards are commensurate with the design of Lifetime Home flats, and have been demonstrated and/or would be required by building regulations.

Observations Specific to the Proposed Hotel

1. Policy 4.5 (London's visitor infrastructure) of the London Plan 4.5, seeks to achieve 40,000 net additional hotel bedrooms by 2031, of which at least 10 per cent should be wheelchair accessible. To this end, the Council seeks to increase the quality and quantity of fully wheelchair accessible hotel accommodation, and, therefore, in accordance with the above mentioned Supplementary Planning Document and BS8300:2009, requires the minimum provision of accessible bedrooms as a percentage of the total number of bedrooms to be:

- i.5% without a fixed tracked-hoist system (see BS8300:2009, example in Figure 59);
- ii.5% with a fixed tracked-hoist system or similar system giving the same degree of convenience and safety;
- iii.5% capable of being adapted in the future to accessibility standards (i.e. with more space to allow the use of a mobile hoist, wider doors, provision for services and with enclosing walls capable of supporting adaptations, e.g. handrails.

2. Part of the reception/concierge desk should be provided at a height of 750-800mm. An assisted listening device, i.e. infra-red or induction loop system, should be fitted to serve all reception areas.

3. All signage for directions, services or facilities should be provided in a colour contrasting with the background. Signage and lighting levels should be consistent throughout the building and care taken to avoid sudden changes in level.

4. Plans should detail room dimensions, particularly for the en suite bathrooms and suitably detailed within the Design and Access Statement. Bath and shower rooms should accord with the design guidance in BS8300:2009. As the majority of wheelchair users prefer showers, a larger proportion of the accessible rooms should feature shower rooms. Large-scale plans should be submitted detailing the specification of the proposed accessible bath and shower rooms.

5. Corridors should be a minimum of 1500mm wide and internal doors across circulation routes should incorporate a suitable zone of visibility.

6. Internal doors, across circulation routes, should be held open using fire alarm activated magnetic closers.

7. Details of where Hearing Enhancement Systems (e.g. induction loops) will be provided should form part of the scheme. Consideration should also be given, at this stage, to the type of system(s) that will be suitable for different areas of the hotel. (It is important to

consider such detail now, as the design of a building and the material from which it is constructed, contribute to good acoustic travel and stability. A technical audit should form part of the Design & Access Statement, as the reliability of systems in proximity to other electrical equipment or materials can be adversely affected, e.g. fluorescent lighting and steelwork.)

8. Signs indicating the location of an accessible lift should be provided in a location that is clearly visible from the building entrance.

9. The lifts should accord with BS 8300:2009.

10. A minimum of one fire rated lift should be incorporated into the scheme. The lift should be integrated to support Horizontal Evacuation and designed in accordance with BS 9999:2008 and all related standards contained within.

11. Fire exits should incorporate a suitably level threshold and should open onto a suitably level area.

12. Advice from a suitably qualified Fire Safety Officer concerning emergency egress for disabled people should be sought at an early stage. It is, however, unacceptable to provide only a refuge in a development of this type and scale. It is not the responsibility of the fire service to evacuate disabled people, and therefore, inherent in the design must be facilities that permit disabled people to leave the building independently in the event of a fire evacuation.

13. The alarm system should be designed to allow deaf people to be aware of an activation. (Such provisions could include visual fire alarm activation devices, and/or a vibrating pager system. A technical audit should be considered at this stage to ensure that mobile phone and emergency paging system signals can transmit throughout the building.)

S106 Officer

Please find below the agreed heads of terms for drafting the s106 agreement:

1. Off site Highways Works (as proposed in TA)

2. Public Transport: a financial contribution in the sum of £250,000 for the extension of the U10 to Hillingdon Station.

3. Travel Plans: TP's are required for the store, hotel and residential elements of the development.

4. Employment and Hospitality Training: an Employment Strategy is to be submitted and approved by the LA. They must demonstrate within this strategy how they are to deliver the hospitality training as part of the hotel development as well as encouraging local people to apply for jobs in the development generally.

5. Construction Training: either deliver an in-kind scheme to the equivalent of the financial contribution or pay a financial contribution in the sum of £145,432.66.

6. Public Realm: a financial contribution in the sum of £252,310 towards public realm improvements in the locality.

7. Affordable Housing: 15% of the scheme by habitable room is to be delivered as affordable housing. A review mechanism is also to be incorporated into the s106 agreement.

8. Education: a financial contribution in the sum of £288,950.
9. Health: a financial contribution in the sum of £41,596.31.
10. Library Facilities: a financial contribution in the sum of £4,415.54.
11. Community Facilities: a financial contribution in the sum of £50,000.
12. Air Quality: a financial contribution in the sum of £25,000.
13. Project Mgmt and Monitoring Fee: 5% of the total cash secured.

Drainage Officer

The FRA produced by Cundall dated May 2012 Rv2 and supplementary letter from Cundall on flood risk dated 30/07/2013.

The FRA demonstrates that the site is in Flood Zone 1 at little or no risk from fluvial flooding. However the FRA indicates that assessment and mitigation work will need to be undertaken as detailed design evolves to ensure all flood risks are dealt with sufficiently.

Addressing the surface water the FRA proposes a reduction in hard standing by 60%, and a 60% reduction in flows from the developable site area and a number of different sustainable drainage methods have been assessed and utilised in accordance with the SuDs hierarchy. This includes the provision of a green 'sedum' roof and landscaping for the residential elements and further landscaped podiums and permeable paving and attenuation tanks.

It is acknowledged in the FRA there could be a risk from the artificial drainage should the pumping system fail. This surface water sewer system also combines with the road drainage at the Freezland Junction and then discharges not far from the site into the River Yeading. This junction has had numerous reports of water ponding. Therefore further work must be undertaken to demonstrate this system is sufficient and provide a suitable system where it is not, all informed by the Thames Water Capacity study that they are conducting.

Groundwater is also referred to as a Medium risk on this site due to previous incidences of flooding being noted historically. It was stated this would be investigated further. The supplementary letter provides some further information on the site survey and groundwater levels from a Geotechnical Specialist. This also states that further investigations will be done, however as the risks from and too the development are determined to be low the mitigation measures were suitable to be left to be dealt with at detailed design stage.

Management

Since no clear strategy is provided, it is not possible to understand the adoption and maintenance arrangements or who would carry these out. If drainage tanks are to be used then silt traps and ongoing inspections and maintenance would be needed and this needs to be detailed.

Therefore it is appropriate a suitable condition requesting a more detailed strategy is provided. This condition will also require further details of the adoption and maintenance arrangements or who would carry these out. As the Suds Approval Body is not yet required by government and therefore not in existence at Hillingdon, Therefore it is likely that the SuDs would remain private and would need to be maintained by the Landowner. Clear

standards of inspection, maintenance, remediation and response times for resolving issues should be provided as part of the commitment of that Private Management Company.

I therefore request the following conditions:

No development approved by this permission shall be commenced until an outline scheme for the provision of sustainable water management has been submitted to, and approved in writing by the Local Planning Authority. A scheme to deal with all flood risks including foul and surface water and groundwater, shall be submitted to and approved by the Local Planning Authority.

The scheme shall clearly demonstrate how it follows the strategy set out in Flood Risk Assessment, produced by Cundall dated Mat 2012 Revision R2, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide details of the surface water design including all suds features and how it will be implemented to ensure no increase in flood risk from commencement of construction and during any phased approach to building.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including details of appropriate inspections and
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.
- iv. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards.

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

- v. incorporate water saving measures and equipment.
- vi. provide details of water collection facilities to capture excess rainwater;
- vii. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development, unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

Trees & Landscaping

The site is currently occupied by a triangular parcel of land (formerly the Ruston Bucyrus crane works), which has lain vacant for some years. The central part of the site is accessed from a roundabout off Freezeland Way, the dual carriageway which provides slip roads onto, and off, the A40. The northern perimeter of the site is used by London Underground as a commuter car park for Hillingdon Station. The Swallow public house is situated to the north-east of the site and Harrow Fencing Contractor is in the south-east corner. The site is bounded to the north and north-west by Hillingdon Underground Station and the associated

railway line, a bus interchange fronting Long Lane to the east, and Freezelend Way to the south and west.

Much of the site is relatively level, although there are significant changes of level along the eastern boundary where Long Lane (and the bus station) is on higher land supported by an embankment which rises to the north as it approaches the Long Lane bridge which spans the A40 and the railway line. Similarly, to the south, Freezelend Way (A437) is on an embankment which rises from the east (Long Lane junction) to the west, where it spans the railway line before dipping down to provide the west-bound slip road onto the A40.

There are trees along the eastern boundary on the Long Lane road embankment, but no Tree Preservation Orders or Conservation Area designations affording specific tree protection. The rest of the site comprises developed land with the centre vacant / cleared land with localised natural regeneration.

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 Design & Access Statement refers to landscaping and ecology in Part 2, Section 3 under the heading: Layout (p.49). The principle concept at ground level is new soft landscaping of the embankment along the southern boundary (Freezelend Way) and new soft landscaping of the eastern embankment and hard and soft landscape enhancements to the public realm interface between the site and the bus station and Long Lane.
- The extent of ground level planting is also indicated on Darnton Egs drawing no. 8023-PP-111 Rev B.
- There will also be podium level structure planting (with trees) to the west of the foodstore which will be seen from the London Underground car park and railway line. (See LVIA View 1b, p.57)
- The two communal gardens at podium (third floor) level are indicated on Darnton Egs drawing No. 8023-PP-113 Rev C.
- A tree survey, Arboricultural Implications Assessment and Tree Protection Plan has been prepared by Bosky Trees, in accordance with BS5837:2012. The survey was undertaken in April 2012 and the report is dated May 2012.
- The survey assesses the condition and value of 12No. individual specimen trees and 3No. small groups of trees. All of these are sited along the east boundary as indicated on the accompanying drawing No.TPP-1. All of the trees are assessed to be category 'C' (poor) quality trees which would not normally be seen as a constraint on development. The figures 1 or 2 which are ascribed to the trees, are sub-categories which acknowledge that the trees have some (1) arboricultural, (2) landscape value.
- The tree report confirms that all of the existing trees will be removed in order to facilitate the development. This includes the 3No. Lime trees (T10,11 and12) in the roadside planting bed at the Long Lane entrance, which is due to be widened. There is no objection to the conclusions of this report.
- The summary also confirms that 100No (+) new trees will be planted as part of the landscape enhancement of the site.
- LUC's drawing No.100 RevB, Landscape Proposals: Hardworks, indicates the extent of hard (and soft) landscaping across the site. In addition to the new planting along the south and east boundaries and the small podium level planting to the west of the building, there will be two large communal roof gardens for the benefit of residents. Sited on a north-east / south-west axis, these gardens are illustrated with extensive planting, circulation space, 'micro gardens' in raised planters and a play area in each space.
- The above plan provides an indicative palette of the planting and hard surfacing materials to be used within the development.

- LUC's drawing No. 100 Issue B, Landscape Proposals: Podium East Communal Gardens provides a more detailed plan of one of the communal gardens. The key on this plan confirms that many of the planting beds will be provided with 450mm deep topsoil – a specification designed to support structure planting (trees, large shrubs and hedges) which have the greatest potential to define the space and create an attractive garden.
- LUC's drawing No.102 Rev B, Long Lane Elevation, Sections & Plan: Timber Screen, provides sketch plans and elevations of the proposed treatment along the eastern boundary.
- The EIA (section 4.6.17) confirms that the proposed landscape features, including tree planting on the podium level will help to mitigate the effects of wind, which will improve the local microclimate, providing shelter and screening.
- The combination of soft landscape (planting) proposals along the south and east boundaries and, at a higher level, on the three podia, will enhance the public realm and are considered to satisfy BE38.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

No objection subject to the above observations and conditions COM9 (parts 1,2,3,4,5 and 6). The local planning authority should also be notified and permitted access to inspect the roof gardens within 6 months of practical completion.

Energy/Sustainability

Demolition of the existing public house and timber yard, and the erection of a mixed use redevelopment comprising a foodstore (7829m² GEA) (Use Class A1); a 6 storey 82 bed hotel (Use Class C1); a 720m² restaurant/public house facility (Use Class A3/A4); and 107 residential units (Use Class C3), together with reconfiguration of the existing commuter car park, and associated landscaping, car/cycle parking and ancillary works.

Energy

I have no objections to the proposed development.

I am broadly satisfied with the energy strategy put forward, but require more detailed information prior to development starting. This information will be secured through the following condition:

Condition

Prior to the commencement of development a detailed energy assessment including specifications of green technology to be used, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly set out the size, inputs and outputs and locations of renewable technology and methods for monitoring and reporting the results to the Local Planning Authority. The development must proceed in accordance with the approved plan.

Reason

To ensure the development complies with Policy 5.2 of the London Plan and contribute to a reduction in CO₂ emissions.

Condition

Prior to commencement of the development, an Interim certificate showing the development complies with Level 4 of the Code for Sustainable Homes will be submitted and approved in writing by the Local Authority. The certificate must be signed by a valid code assessor and issued by one of the licensed Code for Sustainable Homes approval bodies.

Reason

To ensure the development meets the sustainable design aims of the Council and London Plan Policy 5.13.

Condition

Prior to the occupation of the development a completion certificate showing the development complies with Code 3 of the Code for Sustainable Homes will be submitted and approved in writing by the Local Authority. The certificate must be signed by a valid code assessor and issued by one of the licensed Code for Sustainable Homes approval bodies.

Reason

To ensure the development meets the sustainable design aims of the Council and London Plan Policy 5.13.

Ecology

The site is considered to have minimal ecological value. However, the lack of development and activity on the site has meant it has previously been overgrown and heavily vegetated. These vacant sites provide valuable ecological resources, but are generally lost through development. The Council would therefore seek to ensure protection and improvements can be included within the new development proposals. In this instance the level of development reduces the ability to achieve much onsite improvements. The following condition is required to ensure that some onsite enhancement measures can be delivered:

Condition

Prior to the commencement of development a scheme for the inclusion of ecological enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate the inclusion of measures within the fabric of the building e.g. bird boxes, and measures to be included within the landscaping e.g. habitat walls. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 (Local Plan) and Policy 7.28 of the London Plan.

Water Efficiency

The Council is in a severely water stressed area and is therefore mindful of the additional burdens placed on water consumption by new development. The proposed development will have a significant water demand, with the hotel having a particularly high water consumption rate. The following condition is therefore necessary:

Condition

Prior to the commencement of development a scheme for the reduction in water use including the harvesting and recycling of grey water and rain water 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.

Living Walls and Roofs

The development is within an air quality management area and will result in the loss of most vegetation on the site. Living walls and roofs can improve air quality, operate as carbon sinks

and also be of importance for nature conservation. The following condition is therefore necessary:

Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations. In particular, road facing facades should supporting living walls to aid improvements to air quality. The development should proceed in accordance with the approved plans.

Reason

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan.

Highways

The Council has appointed an external transport consultancy Parsons Brinckerhoff (PB) to undertake the review of the Transport Assessments and related technical documentation submitted by the developer's transport consultants Vectos and SCP.

Given the complexity, volume and technical nature of the submitted documentation and the reviews undertaken by PB, it is not considered practical to include all the information in the comments here. Instead, these comments highlight the main issues for consideration by the Planning Committee.

An analysis has been carried out of the reported accidents over a period of 5 years to December 2011. At this stage there does not appear to be any cluster of specific accident types that would cause concern.

A series of static and micro-simulation models have been submitted by Vectos/SCP. The modelled traffic flows are made up of three parts as described in the list below:

- 2011 base year flows;
- Committed development flows; and
- Proposed development flows, containing the Hillingdon Circus development with and without the Master Brewer development.

The traffic flows have been combined to develop the scenario models listed below. Adequate traffic growth has been applied to the future years 2014 and 2022 modelling scenarios.

1. 2011 Base;
2. 2014 Base;
3. 2014 Base plus Core Development Trip Generation;
4. 2014 Base plus Sensitivity Test Development Trip Generation plus Master Brewer Site;
5. 2022 Base;
6. 2022 Base plus Sensitivity Test Development Trip Generation; and
7. 2022 Base plus Sensitivity Test Development Trip generation plus Master Brewer Site.

The proposed highways and transport related works are listed below:

- Modifications to the existing London Underground Limited Hillingdon Underground Station commuter car park, currently providing 289 spaces;
- Alterations to site access arrangements;

- Parking and associated servicing; and
- A package of off-site highway works including pedestrian and cycle improvements along Long Lane and Freezeland Way and modifications to the Hillingdon Circus junction.

In consultation with TfL, the applicant has agreed to contribute £50,000 a year over 5 years towards extending route U10 from Swakeley's Drive to Hillingdon Station Forecourt' via a S106' agreement. Although the extension is considered to be positive as it will improve public transport accessibility of the development site from Ickenham and Ruislip (albeit at a low frequency and noting that the Underground already links the site with some parts of the U10 corridor), there is no feasibility study submitted to review the proposed extension including practicality, manoeuvrability, and advantages and disadvantages.

Base VISSIM modelling: The revised base models meet the validation standards required by the TfL modelling guidelines with the exception of the Saturday peak journey times. The addition of the extra junction and crossings has a limited impact on the northbound Long Lane queuing and appears to have no effect on Hillingdon Circus. The exit blocking still comes from the northbound weaving before the A40 westbound on-slip rather than the observed rolling northbound queue.

Traffic modelling of Hillingdon Circus Development (Scenarios 3 and 6): The improvements to the presented modelling results following the introduction of the subject development traffic appear to primarily come from the proposed changes to the Hillingdon Circus junction. The changes include splitting and staggering the pedestrian crossing over Long Lane (South) which reduces the closing intergreen and frees around 10 seconds for use by other phases. In the presented VISSIM models, most of this additional green time had been allocated to the north-south movements on Long Lane. The staggering of the pedestrian crossing will also affect the crossing waiting times for pedestrians. The modelling results of the combined wait and crossing times for pedestrians in the 2014 Do Minimum and 2014 Do Something models (Scenarios 2 & 3 respectively) suggest that the proposed changes to the Hillingdon Circus junction will reduce the average crossing time of the south Long Lane arm for pedestrians in all three tested peak periods.

All VISSIM model scenarios have coded the first 75m of Hercies Road nearest to Freezeland Way, which traffic approaching this junction could queue on. In the 2014 PM Do Something scenario, there could be 84 PCUs of additional queue (or c480m) on Hercies Road compared with 2014 PM Do Minimum. In 2022 the net increase could reach approximately 2.2km.

However, it should be noted that the 2014 Do Something scenario is based on Morrisons's trip rate assumptions, whereas the 2022 Do Something is based on Tesco's assumptions, with the latter giving an overall higher trip estimate. Therefore, it is possible that the anticipated queue on Hercies Road in 2014 PM Do Something could be higher, if Tesco's trip rate assumptions prove to be a closer fit to actual traffic conditions.

The internal junction leading to the commuter car park is approximately 80m (14 PCUs) away from the access roundabout on Western Avenue. The maximum queue at the development's access to the roundabout is predicted to exceed this distance in 2022, therefore there is a chance that vehicles leaving the commuter car park and looking to join the exit queue could block inbound traffic entering from the roundabout, which could

consequently affect traffic operation on the public highway. The above could also apply in the 2014 PM Do Something scenario.

It should be noted the development traffic in the 2014 Morrisons-only scenario (scenario 3) is based on Morrisons's own trip generation, whereas 2022 is based on Tesco's higher trip estimates. Therefore the extent of the above potential issue in the 2014 PM Do Something scenario could be more akin to the conditions that may exist in 2022, if Tesco's higher trip rates prove to represent a closer fit to actual traffic conditions.

The main concerns relating to the latest plans are summarised below. These issues and the others that remain outstanding are described in more detail in Appendix 1 of PB's comments:

The private cycle parking proposals remain unacceptable, mainly due to access, safety, unattractiveness/usability concerns. The primary access to the private housing cycle store is via the goods/refuse entrance from the service yard. Thus, cyclists are expected to ride/walk through a HGV turning area that has no dedicated cycle or pedestrian path, putting cyclists at risk of being hit by goods vehicles. On refuse collection days, in particular, this would be a serious safety concern, as cyclists will emerge from the building into an area that refuse vehicles may be reversing into – therefore being unsighted by the driver.

In addition to the safety issues related to the primary access route to the private housing cycle store, there is an issue of attractiveness of use. It would appear that only one lift is available for the transportation of refuse bins for the whole housing development. This lift is therefore likely to be used frequently for refuse. Cyclists will have to use this lift and, as a result are far more likely to have to put up with spillages, breakages and odours from the bins that other residents can avoid. This is likely to discourage cycling, rather than encourage it.

The proposed secondary access for cyclists to the private housing cycle store remains poor, with three doors to be negotiated in order to access the goods lift.

The faults are capable of amounting to a reason for refusal. Remedying the faults is potentially possible though conditions requiring revised designs. However, as changes to the proposed building footprint and/or layout are likely to be required to achieve a satisfactory result, it is considered that conditioning would not be an effective approach.

There are a number of concerns with the proposed shared foot/cycleway north of the service yard entrance, for which little design detail has been given to demonstrate feasibility and safety. These concerns could potentially be resolvable, but may require reconfiguration of the drop-off/bus area to achieve a satisfactory result. It is considered that a satisfactory solution can be secured by way of suitable provisions in the S106 agreement.

The revised layout for the proposed two-lane westbound approach to the site access roundabout (VD12048 Hillingdon-01) is deficient as it does not provide sufficient entry path radius. It is non-compliant with the DMRB design standard TD16/07 and has not been subject to a Road Safety Audit (RSA). The proposed design is a significant safety concern and PB therefore cannot recommend acceptance. One possible means of resolution would be to move the eastbound roundabout exit northwards, taking part of the slope and installing a retaining wall. However, this could require changes to the proposed building footprint and is likely to be costly. In the absence of the satisfactory design from the applicant and significant change and costs likely to be associated with the aforementioned possible solution, it is not considered practicable that satisfactory design can be secured by way of S106 agreement.

The key conclusions of the technical reviews carried out by PB of the latest submissions including cumulative traffic impact of the Hillingdon Circus development and the Master Brewer development are:

Apart from the Saturday peak, which has no suitable journey time data to validate against, no significant issues with the models presented have been identified during this review. The flow differences between the VISSIM models and the flow diagrams have been satisfactorily explained by the applicant. The presented models provide an acceptable evidence base for assessing the potential impact of the Hillingdon Circus development proposals in the relevant scenarios. It should be noted that the proposed change to the pedestrian crossing of Long Lane (south) will affect pedestrian waiting times.

The modelling has suggested (in the 2022 PM scenario) the potential for queues back from the site access roundabout into the development, of such length as to create a risk of blocking exit from the station car park and potentially creating knock-on blockages for traffic entering the site.

The Scenario 4 and 7 VISSIM models produced as part of the Hillingdon Circus Updated Transport Assessment are considered to provide an acceptable representation of the applicants' proposals. The results produced by these models are therefore considered to satisfactorily reflect the likely performance of the network with both developments and their associated mitigation measures in place.

It should be noted that a key mitigation measure for the Hillingdon Circus development is a 2-lane westbound approach to the access roundabout on Freezeland Way. The applicant has not yet demonstrated that a 2-lane approach can be safely provided at this location, however, and the modelling results should be seen in the light of this.

The presented journey time results suggest that, in principle, the proposed highway improvements would more than offset the forecast increase in traffic generated by the Hillingdon Circus development using Long Lane. The modelling also suggests that the other approaches (Freezeland Way and Western Avenue) would operate within capacity with just the Hillingdon Circus development in place.

Pedestrians and local bus services are expected to benefit from a net improvement in journey times following the introduction of the proposed highway improvements for the Hillingdon Circus development.

In traffic terms, the modelling has demonstrated that in 2014 and 2022 the network can be mitigated to accommodate the flows produced by the Hillingdon Circus development, as long as a 2-lane westbound approach to the access roundabout on Freezeland Way can be safely provided.

The modelling results for Scenarios 4 and 7 suggest that the combination of demand from the Hillingdon Circus development and the Master Brewer site would overwhelm the capacity provided by the proposed highway mitigation measures.

In the context of paragraph 32 of NPPF it is unlikely that the residual cumulative traffic impacts of the Morrisons development (only), are demonstrably severe. The weight which may now be attached to LB Hillingdon's Policy AM7 should be reviewed in the light of paragraph 215 of the NPPF. Our advice should not be taken to imply any significance of cumulative impact of the Tesco development in determination of the Morrisons application or vice versa.

The new plans that have been provided have not resolved the deficiencies in the Hillingdon Circus applicants' proposals fully. There are still a number of key issues relating to pedestrian/cyclist provision, cycle parking access and road safety, in particular, that remain outstanding. The most significant of these remains the design of the Freezeland Way roundabout. Until the applicant has demonstrated that a 2-lane approach can be safely provided on the westbound approach to this junction, the impact of the Hillingdon Circus development cannot be confirmed as being acceptable in traffic impact terms.

Considering that the impact of the Hillingdon Circus development cannot be confirmed as being acceptable in traffic impact terms until the applicant has demonstrated that a 2-lane approach can be safely provided on the westbound approach of the Freezeland

Way roundabout and that there are concerns regarding significant anticipated queuing on Hercies Road, issues at the development's access to the roundabout, and access, safety and unattractiveness/usability concerns on private residential cycle parking provision, which cannot be resolved by way of conditions/S106 agreement, the development is unacceptable from the highways viewpoint .

The conclusion of the latest cumulative assessments i.e. Master Brewer and Hillingdon Circus combined, undertaken by SKM Colin Buchanan, Master Brewer's transport consultants, and Vectos/SCP, Hillingdon Circus' transport consultants, suggest that the residual cumulative traffic impact with mitigation will be significantly detrimental.

Considering that;

- The surrounding highway network carries very high volumes of traffic, especially during traffic peak periods, and experiences traffic congestion;
- The Tesco and Morrisons developments combined will generate high volumes of traffic, where the highway network is already well congested;
- Cumulative impact results submitted by both the developers show a significant worsening of junction performance;
- Impact of the Hillingdon Circus development cannot be confirmed as being acceptable in traffic impact terms until the applicant has demonstrated that a 2-lane approach can be safely provided;
- There are inconsistencies between the assessments carried out by Tesco and Morrisons; and
- There are a number of outstanding traffic assessment issues to fully review the cumulative traffic impact

It will be a highly risky to conclude that the residual cumulative traffic impacts of these two major developments are unlikely to be significant or severe.

The proposed car parking provision for the retail and residential elements of the development are within the range of maximum standards and are therefore considered acceptable. The level of car parking proposed for the hotel is not considered excessive. The operational arrangements to cater for any overspill from hotel parking overnight and residential visitor parking during weekends to share the retail and/or commuter parking facilities (subject to further details) could be covered by way of condition or S106 agreement.

The development will result in reduction in commuter car parking from the current 289 to 250. Occupancy surveys of the commuter car park were carried out in February 2012 and November 2012 to determine the current parking demand. The maximum accumulation during these surveys was recorded at 13:30 on Tuesday when a total of 281 spaces were occupied. Analysis of the surveyed accumulation profile indicates that at 10:00, 208 spaces were occupied, and that the percentage of spaces occupied continued to increase up to 13:30. Similarly by 18:00 152 spaces were occupied.

The applicant takes the view that the commuter car park is not fully used, that some of the usage is by short-term users who would migrate to the food retail store car park in future, and that the proposed diversion of the U10 will reduce the demand on the car park. On that basis the applicant considers that reduction of 39 commuter spaces is appropriate.

PB considers that the proposed reduction in commuter car parking spaces requires further justification to ensure that the reduction will not constrain commuter car parking capacity.

Notwithstanding that further justification should be provided, TfL has raised no objection to the reduction in spaces, in its roles as both station operator and a land use planning

consultee. It is there considered that the main remaining question is whether there is potential for overspill parking onto local streets.

It is noted that while parking on several of the roads near the station is prohibited or controlled, it is possible that displaced commuters may still seek to park in the remaining uncontrolled locations or beyond the controlled area. However, this could be resolved through a suitable monitoring regime in the S106 agreement. This would cover monitoring of car park occupancy levels; logging of any reported issues; and, if the two are found to be connected, a means of mitigation such as additional parking controls. The applicant has already accepted the principle of additional parking controls as a potential mitigation measure if required.

The applicant refers to the development providing free short-stay parking for use by local people, including those using the existing retail centre. The right for non-Morrisons customers to park there without charge can be secured by way of S106 agreement.

The disabled car parking provision is proposed to be 6% for retail (further 4% of total parking provision be converted to disabled bays as required), 100% for hotel and 12.8% for residential of their respective total parking provisions. Around 2% of the retail car parking spaces will be parent and child spaces. Around 2-3% of the retail car parking should be provided for brown badge holders, which can be conditioned.

For the retail element, it is proposed to provide circa. 1.5% electric vehicle charging points (EVCPs) with a further 18.5% spaces to be passive spaces to make a total of 20% provision. The EVCP provision does not meet the London Plan standards requiring 10% of all spaces to have electric charging points and an additional 10% passive provision for electric vehicles in the future. The active EVCPs are considered low and should be increased to at least 5% with a further 15% passive provision with a review mechanism of the use and increase of active EVCPs.

The residential car parking provision includes around 20% active and 20% electric charging points, which meets the London Plan standards.

No coach parking space is proposed for the hotel. Restrictions can be imposed on the hotel by way of S106 agreement not to cater for coach parties and/or coaches to/from the hotel.

An area of the shoppers' car park conveniently close to the food store entrance will be set aside for motorcycle parking.

Whilst the overall level of cycle parking provision is considered acceptable, there are concerns about access, safety, unattractiveness/usability of private residential cycle parking provision. The hotel cycle parking should be covered and secured.

Separate Travel Plans have been developed for the food store, residential and hotel elements. The updated Transport Assessment suggests that each travel plan has passed the ATTrBuTE test. However, PB's ATTrBuTE tests show that all three travel plans failed the test. Subject to comments from the Council's travel plan officer, satisfactory travel plans and monitoring can be conditioned or covered within the S106 agreement as appropriate.

In light of the highways and transport issues discussed above, the Hillingdon Circus development cannot be recommended for approval.

7. MAIN PLANNING ISSUES

7.1 THE PRINCIPLE OF THE DEVELOPMENT

Principle of the Proposed Use

The strategic policy planning context for development of the site is provided by the London Plan (2011) and Local Plan Part 1 Policy E5.

London Plan Policies 2.15 (town centres), 4.7 (retail and town centre development) and 4.8 (Supporting a successful and diverse retail sector) collectively seek to ensure that retail developments:

- Relate to the size, role and function of the centre
- sustain and enhance the vitality and viability of the centre
- follow the sequential approach to site selection
- Accommodate economic and housing growth
- support and enhance competitiveness, quality and diversity of town centres
- promote public transport and sustainable modes of travel
- contribute towards an enhanced environment.

Local Plan Part 1 Policy PT1.E5 (Town and Local centres) affirms the Council's commitment to improve town and neighbourhood centres across the Borough and improve public transport, walking and cycling connections whilst ensuring an appropriate level of parking is provided. At a more site-specific level, the context is provided by Saved Policy PR23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and the detailed planning brief for the site, adopted in 1990. In each case, the planning guidance advocates a comprehensive mixed-use development on the site, which respects the scale and function of the existing Local Centre.

In establishing the principle for the development, PR23 provides a framework for the type of development deemed to be acceptable. A mixed-use retail-led development with an hotel, housing would be considered acceptable, provided issues of scale, density, traffic intensification are suitably addressed.

Retail

The application site is identified in the Local Plan: Part 2 - Saved UDP Policies (November 2012) as the North Hillingdon Local Centre. Table 8 of the Local Plan: Part 2 - Saved UDP Policies defines local centres as providing local shops and services for people who do not live or work near a town centre. Accordingly, they are in principle an appropriate location for a supermarket, for people who would otherwise make longer trips to their nearest town centre.

The National Planning Policy Framework (NPPF) replaces PPS4. However, the PPS4 Practice Guidance remains a material planning consideration. Paragraph 23 of the NPPF requires Local Planning Authorities in drawing up local plans to define a network and hierarchy of centres that is resilient to anticipated future economic changes and set policies for consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres. Paragraphs 24 to 27 of the NPPF set out the matters to be considered in the determination of planning applications for main town centre uses, including retail. Paragraph 27 provides that where applications do not satisfy the sequential and impact tests, they should be refused.

Policies 4.7 to 4.9 of the London Plan address retail matters, at strategic, planning decision and LDF preparation levels. Policy 2.15 (Town Centres) requires that development proposals in town centres should comply with Policies 4.7 and 4.8, and additionally:

- a. sustain and enhance the vitality and viability of the centre
- b. accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
- c. support and enhance the competitiveness, quality and diversity of town centre retail, leisure, arts and cultural, other consumer services and public services
- d. be in scale with the centre
- e. promote access by public transport, walking and cycling
- f. promote safety, security and lifetime neighbourhoods
- g. contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure
- h. reduce delivery, servicing and road user conflict.

Policy 4.7 (Retail and Town Centre Development) directs that the following principles should be applied in determining applications for proposed retail and town centre development:

- a. the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment
- b. retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport
- c. proposals for new, or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

Policy 4.8 (Supporting a Successful and Diverse Retail Sector) provides that LDFs should take a proactive approach to planning for retail through a number of measures, including (inter alia):

- b. support convenience retail particularly in District, Neighbourhood, and more local centres, to secure a sustainable pattern of provision and strong, lifetime neighbourhoods
- c. provide a policy framework for maintaining, managing and enhancing local and neighbourhood shopping and facilities to provide local goods and services, and develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping
- d. identify areas under-served in local convenience shopping and services provision and support additional facilities at an appropriate scale in locations accessible by walking, cycling and public transport to serve existing or new residential communities

Policy 4.9 (Small Shops) sets out that the Mayor will and that boroughs should consider imposing conditions or seeking contributions through planning obligations where appropriate, feasible and viable, to provide or support affordable shop units suitable for small or independent retailers and service outlets and/or to strengthen and promote the retail offer, attractiveness and competitiveness of centres.

Size of Store and Planning History

The site is located across the road from the former Master Brewer Hotel site. The former Master Brewer site has a previous planning history which involved a scheme for a supermarket (3,917sqm net sales area, split between 2,925 convenience and 992 sqm comparison) which was refused planning permission (and subsequently appealed) in part because of the size of the store and associated retail impacts.

The current supermarket proposal by Bride Hall is 3,716sqm net sales area, split between 3,159 convenience and 557 sqm comparison. Whilst the size of the current scheme is relatively similar (200sqm smaller) in size to the previously refused scheme, its important to note that since the previous refusal there have been many changes in terms of the retail (new stores have opened) and policy context. The changed retail context as well as the fact

that the exact size and nature of the proposed supermarket are different to the previously refused scheme, means that a new assessment of retail impacts will again need to be undertaken before it can be established if any harm would result from the proposal (from a retail impact perspective).

Sequential Test:

Paragraph 24 of the NPPF sets out the principles of the sequential test. In effect, this direction carries over the guidance set out in PPS4 Policy EC15. Furthermore, Paragraph 24 provides further advice to local authorities that when considering applications on out-of-centre sites, preference should be given to accessible sites that are well connected to the town centre. Paragraph 24 adds that LPAs should apply sequential testing to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. They should require applications for main town centre uses to be located in town centres, then edge of centre locations and only if suitable sites are not available should out of centre uses be considered. In- and edge-of-centre sites have been considered in terms of whether they are suitable and available, having regard to the requirement for flexibility on issues of format and scale.

The applicant's sequential test has shown that no such suitable sites are available and the applicant submits that the application site is therefore the most sequential preferable location. The application site is on the edge of a centre, will be reasonably integrated into North Hillingdon, by virtue of the design and is located close to public transport links (London Underground station and bus services on Long Lane). This is compliant to London Plan Policy 4.7 (b). Having regard to the requirements of the NPPF at paragraph 24, it is considered that there are no preferable sites following the sequential approach to site selection.

Impact Assessment:

Paragraph 26 of the NPPF covers the requirement for impact assessments. The application is in excess of the 2,500 sqm default threshold for impact assessments. Paragraph 26 requires that this should include assessment of the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. This carries over the requirements set out in the now revoked PPS4 Policy EC16.1a. In addition, paragraph 26 requires the impact assessment to include an assessment of the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made. This carries over the requirements of PPS4 Policy EC16.1b and 16.1d.

The question of retail impact has been a key concern in the consideration of this application. The NPPF is clear in stating that applications should be refused where there would be a 'significant adverse' impact upon existing centres. With any proposal of this scale, there will clearly be an impact upon shopping patterns within the locality and the aim of the retail impact assessment and addendum submitted with the application is to predict, with as much accuracy as possible, the impact on these trade patterns.

This involves a complex set of assumptions regarding the available level of retail expenditure within the store's catchment area, the performance and trading capacity of the store itself, the relative performance of competing stores and centres, the likely trade draw from other centres and stores, future changes in trading patterns (such as internet shopping) and the cumulative impact of existing retail commitments, such as the extensions to the South

Ruislip and Uxbridge Sainsbury's supermarkets. Any one of these fields is sensitive to the assumptions inputted into the forecasting model.

Adequacy of Retail Impact Assessment

The original Retail Impact Assessment submitted in support of this application was dated May 2012. Following a review of this analysis (along side the analysis submitted as part of the planning application lodged for a Tesco store on the former Master Brewer site), as well as in response to objections received as part of the consultation process (which raised concerns over various aspects of the impact assessment), the applicant was requested to revisit the analysis to ensure accuracy.

The applicant responded and provided further clarification and justification for the analysis, however the anomalies remained and officers were not satisfied with explanations. To this end a further request for clarification was made by the Council, which (following meetings) resulted in the applicant providing a comprehensive note (titled 'Response to Queries Raised by the London Borough of Hillingdon') which attempts to clarify and justify the assessment.

Notwithstanding this additional work, officers still have significant concerns as to the reliability of the retail impact assessment. Members should be aware that the retail impact assessments necessarily involve many assumptions and judgements (rather than being based entirely on fact). While the applicant has attempted to calibrate the assessment with facts, it remains a study informed by assumptions and judgement (some of which the Council's planning officers do not agree with).

Study/Catchment Area

The Guidance to PPS4 suggests that the first step in under taking a retail impact assessment is to define the likely catchment/study area. In this case the applicant's study area is extensive. The size of the catchment area is similar to that of the previously refused scheme, which had been proposed on the Master Brewer site.

Whilst the appeal was ultimately withdrawn, to assist the applicant with any resubmission the inspector helpfully provided written comments to the applicant. In relation to the size of the catchment area the Inspector stated:

"The catchment was very extensive and it was also unclear on what basis the "local" catchment had been drawn."

The concerns raised by the Inspector are also raised by officers in relation to the current scheme.

The Table below compares the study/catchment areas with the assessment lodged by Tesco's:

	Tesco Study Area	Morrison's Study Area
Population	65,801	131,811
Expenditure (£m)	£132.26	£256.78

The key concern with overly large catchment/study areas is that this can have the effect of artificially dissipating retail impacts over wide number of stores and centres in the much larger trade/study area. The reported impacts as a result would be underestimated.

Trade Draw Generally

In terms of trade draw to the proposed store generally, the Morrison's retail analysis assumes that around 30% of spending in the proposed store on convenience goods will come from areas close to the store. Trade is instead said to be diverted from a number of large out-of-centre stores; as with all impact assessments, this pattern of diversion is entirely based on judgement rather than evidence base and therefore must be clearly reasoned. This approach is not intuitive; the greatest trade draw (and impacts) typically come from close to the proposal.

The applicant argues that the approach is reasonable given the lack competing stores, which mean that shoppers may well travel from far away to shop at the proposed store. However officers have considered the location of competing supermarkets and their likely catchment areas, and in summary officers are uncomfortable with the approach taken by the applicant, which would have the effect of underestimating impacts.

The originally submitted retail assessment (para 7.77) also assumes that 25% of trade would be derived from beyond the study/catchment area. This is an assumption, and is considered by officers to be overly high (particularly given the large size of the catchment area). It is not justified through evidence, and again has the potential to under estimate impacts on existing and committed retail development close to the store.

Even if the applicants assumptions regarding trade draw is correct there would be concern that the large proportion (70%) of convenience trade being diverted from stores in areas far from the site would alter the way that centres such as Hayes, and South Ruislip would function. The high level of inflow would indicate that the proposal would have become a destination in its own right (radically altering the function and scale of the centre in a way which would be considered harmful).

In terms of the function of centres, the applicant's 'Response to Queries Raised by the London Borough of Hillingdon' states that a large extension to the South Ruislip Sainsbury's was considered by the Council not to alter the functioning of that centre. The inference is that this sets a precedent, however there are fundamental differences between the situations and sites.

South Ruislip already has a supermarket, which has been in place for many years and has an established customer base. Because of this, officers did not consider that the extension would unacceptably alter the way that South Ruislip functions in the hierarchy of centres, or unacceptably harm other centres or retailers.

In stark comparison to the South Ruislip scenario the introduction of a large supermarket at Hillingdon Circus would mean that it (the new store) would need to be supported by a customer base, which is at present shopping in other stores.

Trade Draw from Specific Stores

There are several anomalies contained within the retail analysis which officers are not satisfied with. By way of example, the applicant's assessment assumes that only £15,000 of convenience trade would be drawn from the Co-op in North Hillingdon (close to the site). The retail assessment made by 'Spenhill' of the smaller Tesco supermarket proposal (on the former Master Brewer site) estimates trade draw from this store at £180,000. It is illogical

that a smaller store would draw over 10 times the trade of a larger store (officers are faced with having to determine which study is more likely to be right).

Members should note that the forecasting predictions set out in the applicant's retail assessment should not be read as an exact science. By way of example, the study assumes that Tesco's Extra in Hayes trades at £61.45m and that the Tesco Metro in Uxbridge trades at £15.44m.

Information recently received from Tesco's indicates that these stores are actually trading well below these assumed figures. Whilst actual trading figures are commercially confidential, evidence from Tesco is that at best Tesco's Extra in Hayes trades at £36.7m (i.e. £24.7m or 40% less than the amount assumed by the applicant's retail consultant). The Tesco Metro in Uxbridge (at best) trades at £12.3m (£3.1m or 20% less than the retail impact assessment assumes).

The difference between assumed turnovers and actual turnovers stated by Tesco serves to highlight the fact that retail impact assessments involve judgement and assumptions, which can be incorrect. The lower turnovers mean that less trade is available to be diverted from these stores, and therefore the turnover in the proposed supermarket would be drawn more heavily from other stores (for example Sainsbury's in Uxbridge).

The applicant's retail analysis also assumes £5.6m (convenience goods trade) would be drawn from Tesco Extra in Hayes. This is similar to the trade assumed to be drawn from Sainsbury's Uxbridge, even though Tesco Extra is 6.6km away and Sainsbury's is only 2.5km away. Typically the amount drawn from a store diminishes with distance (simply put, people are more likely to shop for groceries at a store which is close to them). The study is counterintuitive in this regard.

There are several other anomalies with the analysis, one of the most striking is that the applicant's estimated convenience goods trade drawn from Sainsbury's in Uxbridge to be in the vicinity of £5.9m. This is compared to the smaller supermarket proposal on the former Master Brewer site which is estimated (by that applicant) to draw £7.27m. It is illogical that a smaller store would have a greater impact than a larger store.

The applicant's 'Response to Queries Raised by the London Borough of Hillingdon' makes it clear that they do not agree with the retail impact assessment submitted in relation to the supermarket proposal on the former Master Brewer site. However, that study takes a more realistic approach in terms of catchment area and trade draw and with assumptions generally.

In summary, officers have significant concerns with the reliability of the retail analysis submitted as part of this application. Officers are particularly concerned that the study underestimates impacts.

Impact on Existing, Committed and Planned Public and Private Investment:

The key committed development which could be impacted upon by the proposal would be the approved extension to the Sainsbury's store in Uxbridge.

Planning permission has been approved for a 2,130 m² extension to the Sainsbury's food store in Uxbridge Town Centre, of which 1,099 sq m would be allocated for the sale of convenience goods. There are a number of benefits to Uxbridge as a town centre which would result from the Sainsbury's extension in terms of linked trips, acting as an anchor, improving the retail offer of Uxbridge generally and ensuring it is a place where people can live, work and play, without having to necessarily drive a car.

The applicant's retail impact assessment estimates that approximately £5.6m of the convenience goods trade in an expanded Sainsbury's Uxbridge store would be diverted to the proposed Morrison's store at Hillingdon Circus. As has been discussed, there are significant concerns that this figure under estimates impacts.

To try and understand (more realistically) what the impact could be, officers have considered the retail impact assessment submitted as part of the supermarket proposal on the former Master Brewer site. The two sites are so close that this analysis could be used to inform an understanding of impacts.

The key concern is whether the approach taken by GL Hearn in developing an assessment of retail impacts in relation to the proposed supermarket at the former Master Brewer site is reliable. In this regard, it is considered that that study takes a more realistic approach in terms of catchment area and trade draw and assumptions generally (its more likely to be right).

That analysis assumes convenience goods trade draw from Sainsbury's (in Uxbridge) of £7.27m for the 1,599sqm of net sales area for convenience goods proposed in the Tesco store.

Taking into account the greater turnover of the Morrison's store (i.e. £37.91m for convenience goods), and assuming a proportionately greater impact than the Tesco analysis, officers consider that the Morrison's scheme could draw in the vicinity of £12m from Sainsbury's (not £5.6m). This would mean that the extended Sainsbury's store would be trading at only 76% of what is usual (benchmark) for a Sainsbury's store.

It should be emphasised that Officers have only made this estimate because of the concerns over the reliability of the estimates provided by the applicant. Whilst the actual impact is very difficult to know with certainty, it is highly likely to be well above the £7.27m estimate made in relation to the smaller supermarket proposed on the former Master Brewer site.

Paragraph 27 of the NPPF states that where an application is likely to have significant adverse impact on existing, committed and planned private investment in a centre in the catchment area of the proposal it should be refused.

In deciding whether the impact of the proposed supermarket (on its own) would cause such harm as to warrant refusal, it is worth highlighting that the planning application for extensions to Sainsbury's in Uxbridge noted that a key rationale for the expansion was to better serve the needs of existing customers rather than significantly increasing market share (i.e. the viability of the extension would not necessarily rely solely on additional customers).

Whilst there is concern over the reliability of the applicant's Retail Impact Assessment, on balance officers are not of the view that the impacts would be so harmful as to warrant refusal if the store were to be implemented in isolation.

Permission was also granted on appeal in February 2012 for a Lidl supermarket in Cowley, comprising 1,029 sq.m of convenience shopping floor space. The Mayor considers and officers agree that the proposed store is unlikely to draw trade or compete with the Lidl store (given the significant differences in the nature of Lidl's retail operations, the goods and services it offers and the catchments over which it has influence).

Impact on Town Centre Vitality and Viability:

As noted previously, concern is raised over the reliability of the impact assessment provided by the applicant, and officers consider that it underestimates impact. Therefore little weight can be placed on it. The approach taken by GL Hearn in relation to the development proposed by 'Spenhill' (i.e. the proposed supermarket on the former Master Brewer site) analysis is by no means perfect, however it is considered more robust (as it would not tend to underestimate impacts).

In an attempt to understand what impacts on centres (in terms of convenience goods) from the supermarket proposed adjacent to Hillingdon tube (i.e. the Morrison's scheme), officers have used the estimates from the retail analysis undertaken by GL Hearn for the supermarket proposed on the former Master Brewer site, and used these to calculate what impacts would be from a proportionately larger store (with the turnover of proposed in the Morrison's supermarket).

The table below highlights an estimate made by officers of impact on convenience trade.

	Morrison Trade Draw £m	Impact %
Uxbridge	15.74	27
Ruislip	2.87	11
North Hillingdon	0.46	12
Ickenham	0.18	3
South Ruislip	0.89	4

Clearly the largest impact would be upon Uxbridge Town Centre. Whether the impact is considered to cause significant harm to each centre is considered in further details below:

North Hillingdon:

A health check on the vitality and viability of the centre indicates a low vacancy rate, but with few national multiple operators and a predominance of local independent retailers providing specialist goods and essential services, with few convenience goods shops. Surveys indicate that that most local residents carry out their weekly/monthly food shopping at Uxbridge Town Centre. The introduction of the proposed store would offer a much wider choice of branded goods (hitherto unavailable in the centre). This would retain a significant amount of local expenditure within the area and in turn, reduce the number of vehicular trips to shopping destinations further afield.

The Mayor of London considers it unlikely that any loss of trade would be of such a scale as to undermine the vitality and drive the existing local shops out of business.

On balance it is considered that the proposed store would have a net beneficial effect on the vitality of North Hillingdon local centre, by enhancing local consumer choice and resulting in increased spin-off expenditure in existing shops and services.

Uxbridge:

Uxbridge is designated as being of metropolitan importance in the London Plan retail hierarchy. Being the nearest centre to the application site the proposed store would draw trade from Uxbridge.

The proposed development would compete with mainly convenience retailers. As the most comparable sized facility, the Sainsbury's store in Uxbridge is most likely to be affected by trade draw. Impacts on this store have been discussed above (in summary it is not considered that the proposal would cause such harm as to warrant refusal).

It must be remembered that in addition to convenience sales there is a significant turnover in Uxbridge of comparison goods (in the impact year estimates suggest £451m), the proposal would have very little impact on this sizeable turnover, suggesting that Uxbridge would not be unacceptably impacted upon by the proposal if implemented in isolation.

Ruislip:

Ruislip District centre is anchored by a Waitrose store and is also supported by an Iceland store and M & S outlet. It is acknowledged that a larger range of branded budget foods at the proposed Morrison's store is likely to draw a significant, though not decisive amount of trade from Ruislip, given its relative proximity to the application site.

South Ruislip

South Ruislip is anchored by a Sainsbury's supermarket, with planning permission for a large extension. Whilst the catchment areas do overlap, given the distance between South Ruislip and the application site, it is not considered that the proposal would divert sufficient trade from this store to cause significant harm to the centres viability and vitality.

Ickenham:

Following the submission of the 2011 applications, a health check of Ickenham Local Centre was undertaken in November 2011. Given the role of the proposed food store as a main food shopping destination, it will not draw significant turnover from Ickenham Local Centre because of the centre's primarily top-up and service function.

Scale:

Policy 2.15 of the London Plan notes that Development proposals in town centres should be in scale with the centre. The London Plan provides descriptions of Local Centres, which is set out below:

"Neighbourhood and more local centres typically serve a localised catchment often most accessible by walking and cycling and include local parades and small clusters of shops, mostly for convenience goods and other services. They may include a small supermarket (typically up to around 500sq.m), sub-post office, pharmacy, laundrette and other useful local services.

Together with District centres they can play a key role in addressing areas deficient in local retail and other services."

The proposal is for a supermarket well in excess of 500sqm, and it is considered that the centres function would alter with the presence of the proposal.

On its own, whilst it would clearly affect the scale and function of the centre (which does not currently have a large supermarket in it), it is important to establish if this change in scale would result in unacceptable harm to other centres. In this case (if implemented on its own) officers do not consider that there is evidence to demonstrate that (on its own) it would

cause unacceptable impacts (i.e. it would not disrupt the function, viability and vitality of other centres) as a result of its scale.

Retail Conclusion

There are a number of concerns with the retail impact assessment which undermine its reliability. Officers consider that the Retail Impact Assessment would underestimate the impact. Given the potential harm to in centre committed development and disruption to the hierarchy of centres an underestimate of impacts is particularly problematic, and little weight can be placed on the retail impact assessment. As such officer have attempted to ascertain the likely impacts by assuming the larger store would have proportionately larger impacts than the supermarket scheme proposed on the former Master Brewer site. The impact of the store on committed development and other centres is not insignificant.

Notwithstanding this, the site is allocated in emerging planning policy for mixed-use retail-led development and it sits within a defined local centre. At present, North Hillingdon is under-provided for in terms of main food shopping, as evidenced by the limited role the centre currently plays for local residents. Officers are also mindful of the weighting which must be placed on Government pro-growth policies of recent years, such as the NPPF which encourage competitiveness between retailers. This was also taken into account when taking an overall view on retail impact.

Furthermore, emerging policy in the form of the Council's Site Allocations DPD specifically promotes the redevelopment of the site for a mixed use development. Taking this into account, on balance officers do not consider, that taken on its own that the scheme would cause such harm to committed development and other centres as to warrant refusal.

7.2 DENSITY OF THE PROPOSED DEVELOPMENT

London Plan Policy 3.4 seeks to maximise the potential of sites, compatible with local context and design principles in Policy 7.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in the Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

The proposed scheme would have a density of 111.5 units per hectare or 297.9 habitable rooms per hectare. This is within the upper end of the London Plan density range (70-170 units per hectare or 200 - 400 habitable rooms per hectare) based on the site's Public Transport Accessibility Level (PTAL) score of 3. It is considered that this is an appropriate density in this Town Centre location which has excellent Public Transport Accessibility Levels. Accordingly, no objection is raised to the proposed density in this instance.

7.3 IMPACT ON ARCHAEOLOGY/CONSERVATIONS AREAS/LISTED BUILDINGS

The application site is not located within or in proximity to any Archaeological Priority Area, Conservation Areas, Listed Buildings or Areas of Special Local Character.

7.4 AIRPORT SAFEGUARDING

There are no airport safeguarding objections to the proposal. The former Master Brewer site lies within both the height and technical safeguarding zones surrounding RAF Northolt, being located in close proximity to the flight approach path for runway 7. However, the Ministry of Defence (MOD) Defence Infrastructure Organisation have written to confirm that it has no safeguarding objections to the full and outline planning applications.

Given the proximity to Northolt Airport, it is important to ensure the site does not attract birds, and therefore conditions are recommended to ensure that the extraction is done in a way which would not create large pools of water (attractive to birds), or that restoration landscaping involves berry bearing species (which may also attract birds).

7.5 IMPACT ON THE GREEN BELT

Policy BE36 states that areas sensitive to high buildings or structures will only be permitted if they will not mar the skyline, intrude unacceptably into important local views or interfere with aviation or navigation. The site is adjacent to areas to the east, west and north which are considered sensitive to high buildings. Policy OL5 states that development adjacent or conspicuous from the Green Belt will only be permitted if it would not injure the visual amenities of the Green Belt, by reason of siting, materials, design, traffic or activities generated. This is reflected in the NPPF, which advises that the visual amenities of the Green Belt should not be injured by development conspicuous from it of a kind that might be visually detrimental by reason of siting, materials or design.

Land to the east and west of the Site is Green Belt. Green Belt is predominantly open land around built-up areas which has the strategic role of defining the edge of London, limiting urban sprawl, preventing neighbouring towns from merging into one another, safeguarding open countryside from development, assisting in urban regeneration and providing areas for open recreational activity. Within the Green Belt there is a presumption against development.

The landform of the Site is predominantly flat with landform rising on the southern side of the site to form the embankment to Freezeland Way. The flat nature of the Site surrounded on all sides by busy roads, the density of built development to the north and south of the Site and its location within a wider low-lying landscape/townscape means that views to the site are predominantly from close proximity including from roads surrounding the Site and residential properties to the north and south of the site.

The open, undeveloped floodplain landscapes to the east and west of the Site (beyond Long Lane and Freezeland Way/ Western Avenue) allows more distant views to the Site.

Built Heritage assets in proximity to the site include Ickenham conservation area and statutorily a locally listed buildings (Ickenham Manor and Hillingdon Underground Station) and scheduled monuments (Manor Farm Moat and Pynchester Moat).

The Landscape/Townscape Visual Impact Assessment (LVIA) concludes that there will be a number of significant adverse short term effects during construction as a result of the presence of construction activity and equipment. This will affect, for a temporary period, the character and quality of the northern edge of the Inter War Suburbs-North Hillingdon townscape (to the south of the site).

The buildings and landscape have been carefully designed to integrate the Development into the surrounding townscape and landscape of Hillingdon. New tree planting, at street and podium level, will mature and help screen and integrate the Development.

It should also be note that the proposed development is lower and significantly less bulky and prominent than the extant office block permission ref: 3049/APP/2001/526. This application, for a 5 storey office block, was approved on 15/7/2002 and the developer commenced work within the requisite 5 year period by installing the roundabout on Freezeland Way. In doing so, the development remains extant and could be implemented at any time with no further time limits.

Overall, it is considered that the scheme adequately protects the environment in terms of the landscape and Green Belt. As a result of the use of sustainable materials and innovative design concepts, these measures are considered to create their own foiling sufficient to mitigate any potential the harm to the Green Belt. The proposal therefore complies with Policies BE26, BE38, PR23 and OL5 of the Local Plan.

7.6 IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA

Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Policy BE38 requires new development proposals to incorporate appropriate landscaping proposals. Policy BE26 states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

In terms of urban design, site specific policy PR23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires development to be of a form of architecture and design which maintains a satisfactory relationship with nearby residential properties, Hillingdon Circus, the Green Belt and surroundings from which it is prominent. Policy BE35 requires major development adjacent and visible from the A40 to be of a high standard of design.

Several design related policies have been saved within the UDP. Policy BE13 seeks for the layout and appearance of the development to harmonise with the existing street scene and features of an area. The design should take account of the need to ensure that windows overlook pedestrian spaces to enhance pedestrian safety (Policy BE18). In addition, Saved Policy OE1 prohibits proposals that are to the detriment of the character and appearance of the surrounding properties or area.

Policy BE19 seeks to ensure that proposals compliment or improve the amenity and character of the area. Policy BE20 furthers that residential layout should facilitate adequate daylight and sunlight penetration into and between them. Should any buildings result in a significant loss of residential amenity by means of their siting, bulk and proximity, planning permission will be refused under Policy BE21.

Policy BE26 relates to town centres, stating that the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

It is acknowledged that the present open and degraded site, together with the vacant adjoining Hillingdon Circus site to the west are major detractors in North Hillingdon's function as a local shopping centre. This is made worse by the presence of highway infrastructure and the domination by road traffic. The site is clearly in need of an appropriate scheme of redevelopment, bringing regeneration, vibrancy and improvements to the townscape of North Hillingdon. However these need to be integrated in a way that brings improvements to the whole environment of the Circus and not merely the site itself.

7.7 IMPACT ON NEIGHBOURS

Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) 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.

There are no residential properties that directly abut the site. The nearest residential properties are in Freezland Way opposite. The development would be separated from residential properties by roads on all sides. This separation 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 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that new developments do not have adverse impacts on the amenity of existing residential properties due to loss of privacy.

The buildings would be over 21m from the nearest residential property in Freezland Way and would be separated by the road itself. This is sufficient to ensure no harm to the residential occupiers by loss of privacy. Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Issues relating to air quality and noise are dealt with elsewhere in this report.

7.7.1 LIVING CONDITIONS FOR FUTURE OCCUPIERS

Policy BE23 of the UDP requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, suggests that the following shared amenity space for flats and maisonettes is provided:

1 bedroom flat - 20m² per flat
2 bedroom flat - 25m² per flat
3+ bedroom flat - 30m² per flat

Based on the current accommodation schedule the required amenity space provision for 208 dwellings would be as follows:

49 x 20 = 980sq m
44 x 25 = 1100sq m
14 x 30 = 420sq m
total = 2500sq m

The current development proposal provides 3,451m² of amenity space in the form of shared amenity space at ground and roof level together with private balconies and roof terraces. Childrens play space is also provided.

Shared amenity space = 1,560msq
Balconies = 982.3msq
Terraces = 908.7msq
Total = 3,451msq

The amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Local Plan.

Overall, it is considered that the scheme would provide for sufficient amenity space of a satisfactory quality. As such the provision of amenity space is considered to accord with Policy BE23 (which requires sufficient provision of amenity space for future occupiers in the interest of residential amenity).

The London Plan (July 2011) sets out minimum room sizes for various sized residential units. The proposal is for 49 x 1 bedroom flats, 44 x 2 bedroom and 14 x 3 bedroom flats. The applicant submitted amended plans with all unit sizes meeting the minimum floor space standards as set out above. The scheme now accords with the London Plan (July 2011) minimum standard and is as such considered acceptable.

Policies BE20, BE23 and BE24 seek to protect the amenity of new residents by requiring adequate daylight, access, external amenity space and the protection of resident's privacy.

The applicant has submitted a daylight/sunlight assessment which indicates that the proposed development would receive appropriate levels of sunlight. Further officers have considered the layout of the development in detail and consider that all of the proposed residential accommodation would receive appropriate levels of light.

The Council's HDAS provides further guidance in respect of privacy, in particular, that the distance between habitable room windows should not be less than 21m. In this regard, the proposed unit windows are separated from other dwelling windows by more than 21 metres, which is consistent with the Council's Supplementary Planning Guidance. The placement of balconies on the northern elevation with a depth of 1m would not compromise compliance in this regard.

Whilst the scheme has been designed to ensure separation distances of at least 21m to existing neighbouring properties, there were initial concerns about separation distances between units within the proposed scheme.

Separation distances between habitable room windows of units within the scheme are 17.7m between Core B and Core C; 18m between Core A and Core B and 20.6m between Core E and Core G. There are also instances where the distance between a balcony and habitable room of a neighbouring flat is 12m, at the northern end of the site close to the Bentinck Road exit. However, following negotiations with the applicant amended plans have been submitted and each unit has been designed in such a way, using measures such as fins and screens, to prevent interlocking between and overlooking of the affected units. In this regard, Officers are satisfied that there would be no detrimental overlooking as to justify a refusal within the proposal.

As such the development is considered to provide an acceptable level of accommodation in accordance with Policies BE20, BE23 and BE24 of the Local Plan Part 2.

7.8 TRAFFIC IMPACT, CAR/CYCLE PARKING, PEDESTRIAN SAFETY

The National Planning Policy Framework (NPPF) at Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 35 of

NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Local requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states:

The LPA 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

TfL is the highway authority for A40 Western Avenue, while LB Hillingdon is responsible for the rest of the road network in this area. TfL buses operate on Long Lane.

Members will note that local residents and residents associations have raised concerns regarding increased traffic generation and congestion at Hillingdon Circus junction. Both the Ickenham Residents Association and Oak Farm Residents Associations have provided detailed responses to the consultations, and these have been reproduced in full in the External Consultees section of this report.

The Council has appointed an external transport consultancy Parsons Brinckerhoff (PB) to undertake the review of the Transport Assessment and associated documents by the developer's transport consultants.

The private cycle parking proposals remain unacceptable, mainly due to access, safety, unattractiveness/usability concerns. The primary access to the private housing cycle store is via the goods/refuse entrance from the service yard. Thus, cyclists are expected to ride/walk through a HGV turning area that has no dedicated cycle or pedestrian path, putting cyclists at risk of being hit by goods vehicles. On refuse collection days, in particular, this would be a serious safety concern, as cyclists will emerge from the building into an area that refuse vehicles may be reversing into – therefore being unsighted by the driver.

In addition to the safety issues related to the primary access route to the private housing cycle store, there is an issue of attractiveness of use. It would appear that only one lift is available for the transportation of refuse bins for the whole housing development. This lift is therefore likely to be used frequently for refuse. Cyclists will have to use this lift and, as a result are far more likely to have to put up with spillages, breakages and odours from the bins that other residents can avoid. This is likely to discourage cycling, rather than encourage it.

The proposed secondary access for cyclists to the private housing cycle store remains poor, with three doors to be negotiated in order to access the goods lift.

The faults are so severe as to justify a reason for refusal. Officers have considered if it is possible to remedy the faults through conditions requiring revised designs. However, as major changes to the proposed building footprint and/or layout are likely to be required to achieve a satisfactory result, it is considered that conditioning would not be an appropriate or viable approach.

There are a number of concerns with the proposed shared foot/cycleway north of the service yard entrance, for which little design detail has been given to demonstrate feasibility and safety. These concerns could potentially be resolvable, but may require reconfiguration of the drop-off/bus area to achieve a satisfactory result. It is considered that a satisfactory solution can be secured by way of suitable provisions in the S106 agreement.

The revised layout for the proposed two-lane westbound approach to the site access roundabout (VD12048 Hillingdon-01) is deficient as it does not provide sufficient entry path radius. It is non-compliant with the DMRB design standard TD16/07 and has not been subject to a Road Safety Audit (RSA). The proposed design is a significant safety concern and (as recommended by the external third party consultants) officers consider it unacceptable. One possible means of resolution would be to move the eastbound roundabout exit northwards, taking part of the slope and installing a retaining wall. However, this could require changes to the proposed building footprint and would have major cost implications. In the absence of a satisfactory design from the applicant and given the significant change and costs likely to be associated with the aforementioned possible solution, it is not considered practicable that a satisfactory design can be secured by way of S106 agreement or condition.

Overall the application fails to demonstrate that the proposed development would not be detrimental to highway and pedestrian safety and free flow of traffic. More specifically the inadequate provision and design of the hotel cycle parking, the proposed shared cycle/pedestrian footpath north of the service yard entrance and the proposed two lane west bound approach to the entrance roundabout would have a significant detrimental impact on highway safety and the free flow of traffic contrary to Policies 6.9, 6.11 and 6.12 of the London Plan (July 2011) and policies AM7, AM8 and AM9 of the Hillingdon Local Plan Part 2.

7.9 URBAN DESIGN, ACCESS AND SECURITY

Issues of design and accessibility are addressed elsewhere within the body of the report.

In respect of security, the submitted design and access statement details various areas where security has been taken into account in the design of the proposals including:

- (i) Natural Surveillance;
- (ii) Appropriate Levels of Lighting;
- (iii) Provision of internal and external CCTV;
- (iv) Design of the car park to comply with Park Mark standards; and
- (v) Provision of appropriate boundary treatments.

It is considered that the submitted documentation demonstrates that security and safety considerations have formed a fundamental part of the design process and have been appropriately integrated into the scheme. The Metropolitan Police Crime Prevention Officer raises no objections to the proposed security measures. The implementation of specific measures such as lighting, boundary treatments and CCTV could be secured by way of appropriate conditions in the event the application was approved.

7.10 ACCESS FOR PEOPLE WITH A DISABILITY

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

Policies 7.2 and 3.8 of the London Plan provide that developments should seek to provide the highest standards of inclusive design and this advice is supported by the Council's Supplementary Planning Document - Accessible Hillingdon.

The application is supported by a design and access statement and incorporates a number of measures to incorporate the requirements of inclusive design including appropriate gradients and flush kerbs within car parking areas for the retail store and hotel and full compliance with Part M of the Building Regulations and the Disability Discrimination Act, including but not limited to the provision of flush thresholds, wheelchair accessible lifts, disabled toilets and baby change facilities. However the Design and Access Statement does not explain in detail how the principles of access and inclusion have been applied.

In view of the above, the Council's Access Officer has made a number of observations which are summarised elsewhere in the report. These relate to the location and access to disabled parking, glass doors, cash point machines, signage, accessible toilets, baby changing facilities, details of refuge areas and/or emergency evacuation procedures, and details of a fire in emergency plan. specific observations have been made with regard to the proposed hotel regarding the minimum provision of accessible bedrooms as a percentage of the total number of bedrooms and internal access arrangements, lighting levels toilets, directional signage, lifts and fire evacuation procedures.

The Access Officer has assessed disabled parking provision and has advised that he raises no objection, in that the level of provision proposed would exceed the requirements set out within the Council's Supplementary Planning Document - Accessible Hillingdon. However, the store car park would also be served by 6 parent and children spaces which would also to a size which could be used by disabled users and located an appropriate distance from the store entrance. Given that the proposal would comply with the Council's Local Guidance and that the parent and children spaces provide additional flexibility with regard to parking no objection with respect to the provision of inclusive parking for the retail store.

The hotel would be served by 9 spaces marked out to an appropriate standard for use by blue badge holders, which fully complies with both the Council's Local Guidance and the London Plan.

It is considered that should the application be approved, detailed matters could be deal with by way of suitably worded conditions and an informative. Subject to a condition to ensure the provision of facilities designed for people with disabilities are provided prior to commencement of use, the scheme is considered to comply with Policy R16 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan policies 7.1 and 7.2 and the Council's Supplementary Planning Document 'Accessible Hillingdon'

7.11 HOUSING MIX, AFFORDABLE HOUSING AND SPECIAL NEEDS HOUSING

The London Plan sets the policy framework for affordable housing delivery in London. Policies 3.10 -3.13 requires that boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes, having regard to their affordable housing targets.

The application exceeds the threshold of 10 units and above, therefore affordable housing provision by way of a S106 Legal Agreement is required. The requirement is for 35% of units to be affordable. The applicant advises that the schemes finances are finely balanced and that only 15% could be provided. A Financial Viability Assessment (FVA) was provided by the applicant, which has been reviewed by an appropriately qualified, third party, financial consultant. The advice is that the FVA is accurate.

The NPPF states that planning obligations should not be so onerous as to make schemes unviable, and that where appropriate the development economics of proposals should be taken into account. In this case there would be substantial benefits arising from the scheme which would outweigh the limited provision of affordable housing.

Paragraph 5.22 states that the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes. The policy acknowledges a balance between the need for affordable housing that the economic viability of private housing developments. Where less than 35% affordable housing is proposed, a justification for the departure from the London Plan will be required, together with a financial viability appraisal to demonstrate that the maximum affordable housing provision is being delivered on site.

The application exceeds the threshold of 10 units and above, therefore affordable housing provision by way of a S106 Legal Agreement is required.

The developer has advised that in this case the development would not be viable or required to deliver 35% of the units as affordable housing. A Financial Viability Assessment (FVA) has been provided, and this has been checked by an independent and appropriately qualified 3rd party financial consultant. The advice from the financial consultant is that the assumed sale prices are reasonable (based on evidence of actual sales achieved in the area).

The Financial Consultant did however identify anomalies in the cost plan, the contingency to build costs, which tend to overestimate costs. This was used to renegotiate the amount of planning obligations being sought.

In this case there are a variety of mitigation measures necessary, and the money has been allocated between to these, which were considered to be of importance, and officers consider than being all directed towards affordable housing provision. The obligations including off site highways works. Extensive works are necessary, and arguably as important as achieving affordable housing. In addition obligations are sought for public transport contributions to the tune of £250,000 for the extension of the U10 bus service to Hillingdon Station. Travel plans, employment and hospitality training, construction training (equivalent to £145,432), public realm improvements to the value £252,310, an contribution of £288,950 towards schools, a health contribution in the sum of £41,596, library contribution, air quality and community facilities and monitoring and management.

Officers consider that the correct balance has been struck in terms of how funds available have been distributed, although this has resulted in less than 35% affordable housing being sought.

The current economic climate is not bright, however in future years things may improve. Higher revenues (sales prices) may be achieved, and the scheme finances could improve. To this end a review mechanism would be incorporated into any legal agreement (were the scheme considered acceptable), requiring the financial position to be reviewed when the scheme is built to see if more affordable housing can be delivered at that time.

7.12 TREES, LANDSCAPING AND ECOLOGY

Saved Policy BE38 stresses the need to retain and enhance landscape features and provide for appropriate (hard and soft) landscaping in new developments.

The application is supported by a tree survey, arboricultural implications report and by landscaping plans covering the retail stores, hotel and associated residential developments.

The Council's Trees and Landscape Officer has reviewed the proposals and considers that; subject to conditions to secure the protection of retained trees, the implementation of

updated landscaping proposals and their maintenance; the proposal would provide an appropriate landscape environment in terms of Policy BE38.

7.13 SUSTAINABLE WASTE MANAGEMENT

With regard to collections, the Highway Engineer advises that the proposed access and road layout is suitable for the Council's refuse vehicles to enter the site in a forward gear, manoeuvre within the site and exit in a forward gear. Refuse collection points are provided for the flats, the refuse collection vehicle can manoeuvre up to/close to the various collection points.

The residential element of the scheme would result in 15,680 litres of refuse per week. This would require at least 15 x 1100 litre euro bins to be provided for refuse storage within the site. The proposal makes provision for 16 x 1100 litre bins, which is considered adequate in terms of the quantum of refuse storage provided. Refuse is provided in 8 refuse stores at podium level in each of the cores of the proposed residential buildings.

Waste facilities are also provided for the proposed Morrisons Supermarket in the service yard and for the proposed Hotel at ground floor level.

The level of waste and recycling provision is acceptable and vehicle tracking diagrams have been submitted demonstrating that the development can be adequately serviced by refuse vehicles.

7.14 RENEWABLE ENERGY/SUSTAINABILITY

Policies within Chapter 5 of the London Plan require developments to provide for reductions in carbon emissions, including a reduction of 25% in carbon emissions, in line with Code for Sustainable Homes Level 4.

The application is accompanied by both an Energy Strategy and Sustainability Statement. These confirm that the residential development will be built to Code for Sustainable Homes Level 4, achieving a 21% reduction in annual CO₂ emissions and increasing the pass rate over Building Regulations CO₂ emission targets to over 25%. Both these technical documents demonstrate that the development will be built to comply with local and regional energy and sustainability planning policies. Subject to an appropriate condition to secure this implementation within the final design the scheme will comply with adopted policy.

The Council's Energy Officer has reviewed the submission and raised no objections, subject to the provision of conditions to ensure further details are submitted and the details contained within these being secured. As such the application is considered acceptable in this regard.

7.15 FLOODING ISSUES

Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. 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, in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF.

A Flood Risk Assessment (FRA) has been submitted as part of the application. Retail and hotel led development requires large areas of car parking and utilising permeable paving

provides filtration at source as well as attenuation. Therefore both rainwater harvesting and SUDS are to be incorporated within the scheme.

The Environment Agency have reviewed the proposal and raise no objection, subject to the imposition of conditions. As such, subject to those conditions it is not considered that the development would increase the risk of flooding or have an adverse impact on water quality. Accordingly, the proposal would comply with Policy OE8 of the Local Plan part 2.

7.16 NOISE AND AIR QUALITY

Noise

The Government's National Planning Policy Framework (NPPF) which replaces PPG24 (Planning and Noise) gives the Government's guidance on noise issues. NPPF paragraph 123 states that planning decisions should (i) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (ii) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions. According to the Government's Noise Policy Statement for England (NPSE) of March 2010, these aims should be achieved within the context of Government policy on sustainable development.

Saved Policies OE1 and OE3 of the Local Plan seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. Saved Policy OE3 seeks to ensure that uses which have the potential to cause noise be permitted only where the impact is appropriately mitigated.

A noise report has been submitted in support of the application. The report considers the development covered by this application. The report concludes that with appropriate mitigation measures, the development could proceed without the likelihood of harming the amenity of existing or proposed residential dwellings. The Council's Environmental Protection Unit (EPU) has reviewed the Noise Report, taking into account both applications. In summary, the EPU accept that the policy requirements of the NPPF and NPSE can be met for the various noise issues, by the imposition of appropriate planning conditions controlling noise impacts, subject to a condition being imposed requiring noise insulation and ventilation, to provide satisfactory internal noise levels in the proposed new residential blocks.

Air Quality

The London Plan, Policy 7.14, supports the need for development to be at least air quality neutral and not lead to further deterioration of existing poor air quality.

The proposed development is within the declared AQMA and in an area which currently appears to be close to the European Union limit value for annual mean nitrogen dioxide, and may be exceeding the EU limit value adjacent to the A40. It is likely the air quality will continue to be poor in the area due to existing traffic issues without development, and it will likely worsen due to increase in traffic as a consequence of the development.

The Council considers that the impacts on air quality will be negative. However, this should not automatically result in a refusal. Subject to clear measures to reduce the impacts of the development (including green travel plans and contributions to public transport), when considered on an individual basis, objection would not be made to the proposal.

As the development is in and will cause increases in an area already suffering poor air quality, the Council's Environmental Protection Unit has also requested a contribution of up to £25,000 to the air quality monitoring network in the area to be secured by way of a Section 106 Agreement in the event the scheme is approved.

Subject to conditions and planning obligations, it is considered that the impact of the development on the air quality of the area can be mitigated, to the extent that refusal of the application on these grounds would not be justified.

7.16 COMMENTS ON PUBLIC CONSULTATION

Submissions in Support

At the time of writing the report, in total 18 letters and a petition in support with 216 signatories have been received supporting the proposals and are summarised below:

1. This is a far better proposal than the one submitted by Tesco's. It appears to be more suitable to the area and would have less impact on existing businesses.
2. We have waited many years for a decent project for this corner of Hillingdon Circus. The Tesco plans are not suitable and they have taken little trouble to see how it would affect the area whereas Morrison's have really done their homework. Their scheme will enrich the area and bring the circus back to life.
3. It would be great to have a local supermarket, saving the journey to Ruislip, Uxbridge or Hayes. This development would help to re-vitalise the area, creating jobs and homes on a brown field site.
4. Development will create jobs.
5. Morrisons offer a better food choice.

Planning Officer Comment:

The comments in support have been noted. Whilst the submissions has been made in support of Morrisons, it should be noted that planning permission, should it be granted, would relate solely to the use (i.e an A1 supermarket) and not to any particular supermarket company. Thus any A1 supermarket provider could utilise the site in the future.

Submissions in Objection

In addition, 69 letters or internet representations have been received objecting on the following grounds:

1. Impact on already heavily trafficked roads.

Planning Officer Comment:

This issue has been assessed by the Council's Highways Officer who has raised concerns regarding the potential impact on the free flow of traffic.

2. Long lane is already the major route north and south for the three main emergency services. Creating more traffic and more junctions will only slow these very important services down.

Planning Officer Comment:

These issues have been assessed by the Council's Highways Officer who has raised concerns regarding the potential impact on the free flow of traffic.

3. No need for another store let alone 2 (with the Master Brewer Tesco).

Planning Officer Comment:

'Need' is not a planning consideration.

4. Loss of trade for local stores.

Planning Officer Comment:

This has been assessed within the principle of development section.

5. Insufficient parking

Planning Officer Comment:

Car parking provision has been assessed by the Council's Highways Officer who has raised no objection in this regard.

6. Disruption during construction Nuisance to residence and increased noise and air pollution.

Planning Officer Comment:

The issue of noise and disturbance during construction is controlled by separate Environmental Protection legislation.

7. The hotel is out of keeping for the site but a lower height is more acceptable.

Planning Officer Comment:

The hotel has been assessed by Design Officers and is deemed acceptable in both scale and design.

8. Overdevelopment of the site

Planning Officer Comment:

The scheme has been assessed and is deemed to not represent an overdevelopment of the site.

9. Against the principle of the hotel

Planning Officer Comment:

The principle of the hotel has been assessed and is deemed acceptable.

10. Design unattractive

Planning Officer Comment:

The design of the development has been assessed by the Council's Design Officer. Following concerns with the initial design the scheme was amended to the satisfaction of officers. The scheme is considered to be in keeping with and add positively to the character of the area.

11. Eye sore on the landscape

Planning Officer Comment:

Please see point 10 above.

12. Development should be coordinated with the Tesco Master Brewer site

Planning Officer Comment:

The Commutative Assessment, carried out by officers, has demonstrated that both developments cannot be carried out together.

13. More housing will add to the traffic congestion.

Planning Officer Comment:

This has been assessed by the Council's Highways Officer and is addressed in the traffic section.

14. More parked cars and vehicles within this vicinity.

Planning Officer Comment:

The car provision for the development has been assessed by the Highways Officer and is deemed acceptable. As such it is not considered that the development will result in indiscriminate parking in the area.

15. The residential element of the development will have a severe impact on already over stretched local services.

Planning Officer Comment:

The Council's S106 has negotiated Heads of Terms for a S106 agreement should permission be granted. These Planning Obligations would offset the increased demand for services.

16. Noise from deliveries and will bring crime to the local area.

Planning Officer Comment:

Should planning permission be granted conditions would be added to the decision restricting deliveries to times of the day which are not noise sensitive. In terms of crime, a Secure by Design condition would be added, which would require the scheme to incorporate crime prevention measures.

Ickenham Residents Association Comments

The Ickenham Residents Association submitted three sets of comment to the Council. These were assessed by Officers and a meeting was held with the Highways Officer to discuss their concerns. The issues raised were taken into account and changes made to the proposals and clarification sought on issues where it was deemed necessary.

7.17 PLANNING OBLIGATIONS

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees, including the Greater London Authority and Transport for London. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development, which have been agreed with the applicant:

Overall, it is considered that the level of planning benefits sought would be adequate and commensurate with the scale and nature of the proposed development. However, whilst the applicant has agreed to the Heads of Terms, the S106 has not been signed and as such the proposal fails to accord with Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.18 OTHER

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. A positive planning system is essential because, without growth, a sustainable future cannot be achieved.

In this case the Local Planning Authorities has worked proactively with the applicants to try and secure a development that improves the economic, social and environmental conditions of the area. At the heart of the National Planning Policy Framework (NPPF) is a presumption

in favour of sustainable development, which should be seen as a golden thread running through decision-taking.

The NPPF notes that Planning Authorities should approve development proposals that accord with the development plan. That is granting 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.

In assessing and determining the development proposal, the local planning authority has applied the presumption in favour of sustainable development. However regard needs to be had to the fact that the governments definition of sustainable development is that which complies with an up to date development plan. In this case there are significant adverse impacts that would arise. Accordingly, it is not considered that there are any overriding factors or that the proposed development would better meet the requirements of the up to date development plan in force.

8. OBSERVATIONS OF BOROUGH SOLICITOR

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. CONCLUSION

The retail component of the development accords with the sequential approach set out in the NPPF and on its own (on balance) it is not considered that refusal of the scheme is justified in terms of retail impacts. Comments from the Mayor indicate that the location of the proposed store will not have an adverse impact on the North Hillingdon or other centres in the catchment area.

While there are concerns in terms of air quality, the Council's Specialist officer considers that subject to conditions and planning obligations, on balance refusal of the scheme in relation to air quality impacts is not warranted.

The application is complaint in terms of residential amenity for future occupiers and would not cause harm to the amenity of existing residents due to overlooking or loss of light.

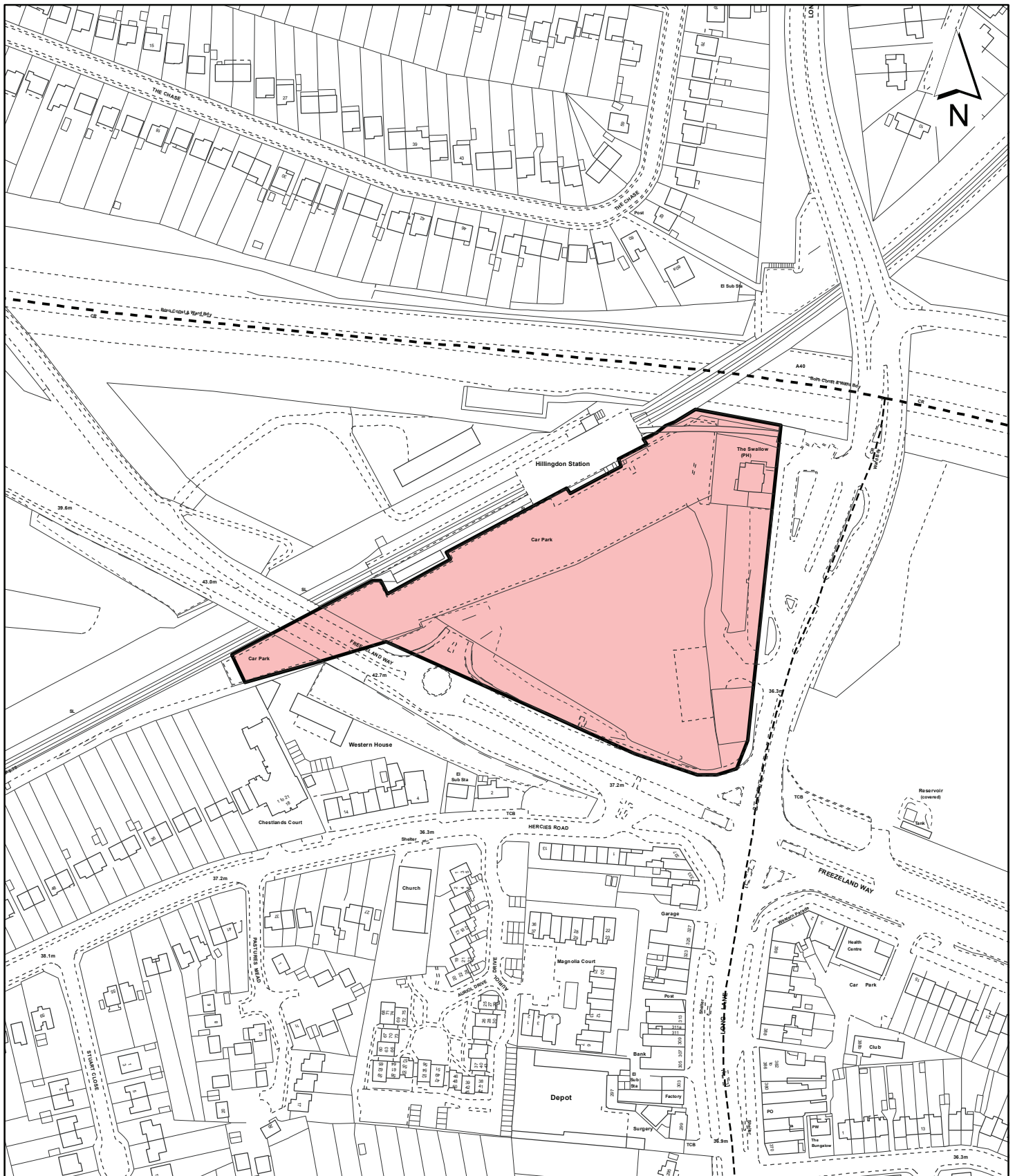
However, concerns are raised in terms of traffic and highways matters, it is not clear that solutions could be found to resolve these issues. The potential for the proposal to cause unacceptable harm in highways terms is significant, and there is simply not certainty that that the impacts will not occur. In this regard refusal is recommended.

10. REFERENCE DOCUMENTS:

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 21012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan 2011
National Planning Policy Framework (NPPF)
The Greater London Authority Sustainable Design and Construction (2006)
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Air Quality
Hillingdon Supplementary Planning Document: Accessible Hillingdon January 2010)

Contact Officer:

Matt Kolaszewski



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>Land adjacent to Hillingdon Station and Swallow Inn, Long Lane Hillingdon</p> <p>Planning Application Ref: 3049/APP/2012/1352</p> <p>Planning Committee Major Applications</p>	<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>  <p>HILLINGDON LONDON</p>
	<p>Scale 1:2,500</p>	<p>Date September 2013</p>