

## Report of the Head of Planning, Sport and Green Spaces

**Address** THE OLD VINYL FACTORY SITE BLYTH ROAD HAYES

**Development:** Variation of Condition 4 (Phasing) of planning permission 59872/APP/2012/1838 dated 19/04/2013, to allow variations to phasing of approved development to allow the Boilerhouse and the Material Store to come forward as Phases 1 and 2, and to allow the Veneer Store and/or Record Stack carparks to come forward earlier than in the approved phasing.

**LBH Ref Nos:** 59872/APP/2013/3775

**Drawing Nos:**

- 0157-9004 Rev 11
- P\_0001 Application Boundary
- P\_0002 Existing Ground Levels
- P\_0003 Existing Buildings to be Retained
- P\_0004 Rev 02 Proposed Minimum and Maximum Plot Extents and Heights
- P\_0005 Rev 03 Proposed Lower Level Uses
- P\_0006 Rev 01 Proposed Upper Level Uses
- P\_0007 Rev 01 Proposed Ground Levels
- P\_0008 Rev 02 Proposed Enclosed car park extent at ground level
- P\_0009 Rev 01 Proposed Enclosed car park extent above ground level
- P\_0010 Rev 01 Proposed Critical Distances
- Proposed Parking and Phasing Phases 1-8 - 1615-14
- P\_0011 Rev 01 Proposed Range of Building Heights
- P\_0012 Rev 02 Proposed Ground Level Landscape and Open Space Plan
- P\_0013 Rev 01 Proposed Podium and Roof Landscape and Open Space Plan
- P\_0014 Rev 01 Tree Removal Plan
- P\_0015 Rev D - Access Circulation and Streets
- IL\_0100 Rev 03 - ground level plan
- IL\_0101 Rev 02 - first floor plan
- IL\_0102 Rev 02 - second floor plan
- IL\_0111 Rev 02 - roof plan4
- IL\_0200 - sections 01 & 02
- IL\_0201 - sections 03, 04, 05 & 06
- Planning Statement July 2012
- Environmental Statement July 2012
- Design and Access Statement July 2012
- Outline Sustainability Strategy
- Active Frontage Statement - October 2012
- Outline Sustainable Energy Assessment 15 11 12
- Development Specification - Rev 5 (29/11/2013)

<b>Date Plans Received:</b>	18/12/2013	<b>Date(s) of Amendment(s):</b>	14/02/2014
<b>Date Application Valid:</b>	19/12/2013		17/02/2014
			19/12/2013

### 1. SUMMARY

The application seeks a variation of Condition 4 (Phasing) of planning permission 59872/APP/2012/1838 dated 19/04/2013, to allow variations to phasing of approved development to allow the Boilerhouse and the Material Store to come forward as Phases

1 and 2, and to allow the Veneer Store and/or Record Stack carparks to come forward earlier than in the approved phasing.

For the reasons outlined below, the proposal is considered to comply with the policies of the adopted Hillingdon Local Plan (2012), as such this application is recommended for approval.

## **2. RECOMMENDATION**

**That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to the following conditions:**

**A) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:**

**1. Employment Safeguarding: A programme of work to secure the refurbishment of the record store building. The programme to ensure phased restoration of the Record Store building to shell and core status. Shell to be refurbished prior to occupation of the 140th unit, with the ground floor also being fitted out to core standards at that time. At the time the ground floor is 75% let then the owner shall then fit out the first floor to core standards inclusive of the lifts. At the time the first floor is 75% let then the core works to the second shall be completed. This process to continue until the shell and core of all floors of the building have been refurbished.**

**2. Construction Training: Either a contribution equal to the formula as contained in the planning obligations SPD or an in-kind scheme delivered during all the construction phases of the development is to be agreed and implemented.**

**3. Employment Strategy: An employment strategy for the site which facilitates and promotes the employment of local people on site.**

**4. Energy Centre Provision: An obligation to secure delivery of the Energy Centre and any necessary alternative energy measures.**

**5. Public Realm/Town Centre Improvements: a financial contribution of £187,428.07.**

**6. Affordable Housing: 5% of the total scheme is to be delivered as affordable housing. A review mechanism will be incorporated into the S106 agreement to identify and secure additional affordable housing in the event of an uplift in land value as a result of improved economic conditions in the future (any increase will either be delivered on site or as a payment in lieu).**

**7. Education: A financial contribution in line with the formula as contained in the Planning Obligations SPD, revised Chapter 4 Education will be delivered.**

**8. Community Facility: Either the delivery of a music (EMI) museum on the site or a financial contribution in the sum of £100,000 to be secured.**

**9. Health: A financial contribution in line with the formula as contained in the Planning Obligations SPD equal to £216.67 per person.**

**10. Libraries:** A financial contribution in line with the formula as contained in the Planning Obligations SPD equal to £23 per person.

**11. Highways:** A S278/38 agreement is required to be entered into to address all highways works as required by the Council's highways engineer.

**12. Public Transport:** A contribution in the sum of £20,000 has been sought by TfL: £10,000 for bus stop improvements on Clarendon Road and £10,000 towards Legible London Signing.

**13. Travel Plans:** Travel Plans are to be prepared and adhered to for the different aspects of this mixed use scheme.

**14. Controlled Parking Scheme:** To undertake a parking study and implement the findings of the study the cost of which is to be met by the developer. The use of the existing s106 funds from the partially implemented extant scheme of £32,805.07 are to be utilised towards any parking scheme that is required as a result of the study. In the event that no controlled parking measures are required then these funds are to be incorporated into the Public Realm/Town Centre contribution.

**15. Air Quality:** A contribution in the sum of £25,000 for the local air quality monitoring network is required.

**16. Project Management and Monitoring Fee:** in line with the Planning Obligations SPD a contribution equal to 5% of the total cash contribution secured from the scheme to enable the management and monitoring of the resulting agreement is required.

**17. Crossrail Contribution/Mayoral CIL:** Payment to the GLA either the Mayoral CIL or a Cross Rail contribution (required under the operative Crossrail SPG), which ever is the greater amount.

**B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and any abortive work as a result of the agreement not being completed.**

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

**D) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.**

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

**1 NONSC Outline Time Limit**

The development hereby permitted shall begin either before the expiration of five years from the date of this permission, or before the expiration of two (2) years from the date of approval of the last of the reserved matters to be approved, whichever is the later, unless consent to any variation is first obtained in writing from the Planning Authority.

## REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

### **2 NONSC Reserved Matters Time Limit**

Unless otherwise agreed in writing by the Local Planning Authority, applications for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of five (5) years from the date of this permission:

- a) Appearance
- b) Landscaping

## REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

### **3 NONSC Outline Reserved Matters**

Unless otherwise agreed in writing by the Local Planning Authority, approval of the details of the appearance and landscaping of the relevant parts of the individual phases of the development (hereinafter called Reserved Matters) shall be obtained in writing from the Local Planning Authority for each phase of the development, before development of that phase is commenced.

Detailed drawings and supporting documentation to be submitted shall include the following:

a) Full plans of the buildings, including roof form, details of photovoltaic panels, living roofs, lift overruns, plant and any other features/installations/projections. The submitted details shall demonstrate the residential units hereby are in accordance with the Mayor's London Housing Design Guide, 2012.

b) Elevations of the buildings and a schedule of all materials to be used on all the external faces of the buildings (to be submitted on a materials palette board and drawings of appropriate scale or as sample materials as the Local Planning Authorities request). The extent of active frontage as set out in the Parameter plan P\_0005 Rev 3 will include no less than 80% of active uses and no more than 10 consecutive metres of inactive uses. Active uses are defined as the predominantly visually permeable\* facades at ground level that are occupied by A1, A2, A3, A4, A5, B1, D1, D2 uses and/or Car Park pedestrian entrance.

(\*The word permeable is used to allow for structural piers, solid fenestration and other elements of the facade which may not be visually permeable.)

c) Full plans, elevations and sections at an appropriate scale showing the future potential provision of intake/extract ventilation and ductwork for future Class A3 - A5 Uses. Alternatively, plans shall be submitted showing the creation of voids through the building to roof level for the future potential provision of extract ventilation ductwork;

d) Hard and soft landscaping plans including drawings, specifications and supporting details which shall include:

- i) A method statement outlining the sequence of development on the site including tree protection measures during demolition and building works;
- ii) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval.
- iii) Planting plans (at not less than 1:100 or an appropriate scale to be agreed with the Local Planning Authority);

- iv) Written Specification of planting and cultivation works to be undertaken;
- v) Schedule of existing and proposed plants giving species, plant sizes, and proposed numbers/densities where appropriate implementation programme;
- vi) Existing and proposed finishing levels and contours;
- vii) Means of enclosure and boundary treatments including the positions, design, materials and type of treatments;
- viii) Outdoor children's play space including design and specification of play equipment including style of enclosure and security measures;
- ix) Minor artefacts and structures (such as furniture, refuse storage and signs, and shall include lighting for amenity spaces and streets as well as the buildings themselves);
- x) Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines or associated structures);
- xi) A scheme of landscape maintenance for a minimum of five years. The maintenance scheme shall include details of the arrangements for its implementation.
- xii) Details of refuse and recycling storage facilities.

e) Accessibility plans including drawings, specifications and supporting details which shall include:

- i) Clearly defined vehicle free pedestrian routes to be provided through the site with crossing points clearly defined with blister tactile paving;
- ii) Seating/rest points will be provided within the public realm at 50m intervals to aid people unable to walk long distances;
- iii) The use of street furniture should be minimised to promote free pedestrian movement. The final design should feature furniture-free pedestrian corridors to provide a zone where visually impaired people can walk with confidence. Unavoidable items, such as lamp columns, should feature a contrast band, 150 mm tall, starting at a height of 1.5 m above ground level.
- iv) A strategy for providing shared space in the predominately pedestrian elements of the site and the choice of materials to ensure the spaces are clear and legible to all users, and specifically for people with sight impairments. A detailed levels plan (topographical survey) should also be submitted at an appropriate stage.
- v) A strategy for surface material, kerbs and drainage grates.
- vi) A fire strategy document that provides sufficient detail to ensure the safety of disabled people in the event of a fire and emergency. Such detail should include provisions for evacuating disabled people, and/or details of a stay-put procedure. Thereafter and prior to the occupation of each relevant phase, the scheme shall be completed in strict accordance with the approved details for the relevant phase, and be maintained for the life of the development unless otherwise agreed in writing by the local planning authority.

#### REASON

To ensure the appearance of the locality is protected and enhanced in accordance with Policies BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012); to ensure that the external appearance of the buildings and landscaping is satisfactory in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012); and to safeguard the amenity of the surrounding areas in accordance with Policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **4 NONSC Phasing Plan**

The development shall proceed in accordance with the provisions of Phasing Plan Ref: 9004 rev 11. No changes to the phasing of the development shall take place until such time as details of the revised phasing are submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall be completed in strict accordance with the most recently approved phasing plan.

#### REASON

To ensure the development proceeds in a satisfactory manner and to accord with policies LE2 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **5 NONSC Tree Protection**

Unless otherwise agreed in writing by the Local Planning Authority, no site clearance or construction work shall take place until the details relevant to each phase have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained within each relevant phase shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced within the relevant phase until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

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

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

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **6 NONSC Drainage & Sustainable Water Strategy**

Unless otherwise agreed in writing by the Local Planning Authority:

a) No development shall commence on site until an overarching drainage and sustainable water management (SUDS) strategy for the whole of the site, 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 following:

- i) The surface water run-off generated up to and including the 1 in 100 year critical storm will meet a minimum of a 60% reduction from the existing site's run-off at peak times following the corresponding rainfall event.
- ii) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- iii) Include a timetable for its implementation; and

iv) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the SUDS throughout its lifetime.

b) Prior to the commencement of each phase of development hereby approved, a detailed surface water drainage scheme for that specific phase, based on the approved strategy (as per item a. above), shall be submitted to and approved in writing by the local planning authority. The drainage details relevant for each phase should demonstrate the surface water run-off is reduced to a minimum of 60% from the existing site's run-off at peak times following the corresponding rainfall event. The scheme approved for each phase shall subsequently be implemented in accordance with the approved details before the overall development of each relevant phase is completed.

The scheme shall also include details of:

- Green roofs, as proposed in the Environmental Statement - Appendix 3.2 Flood Risk Assessment, dated July 2012.
- Rainwater harvesting, in accordance with the details shown in the Environmental Statement - Appendix 3.2 Flood Risk Assessment, dated July 2012.
- Permeable paving, in accordance with the details shown in the Environmental Statement - Appendix 3.2 Flood Risk Assessment, dated July 2012.

c) Prior to the commencement of each phase of the development, details demonstrating delivery of the SUDS strategy as it relates to the associated development phase shall be submitted to and approved in writing by the Local Planning Authority. The details shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan.

The submitted details shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling within each relevant phase and will:

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

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

#### REASON

To prevent the increased risk of flooding on and off-site; to improve and protect water quality; improve habitat and amenity, and ensure future maintenance of the drainage scheme in accordance with policy OE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **7 NONSC Traffic, Parking and Servicing**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of each phase of development, detailed drawings and supporting documentation for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority in respect of the following:

- a) A Construction Phase Parking Management Plan (inclusive of site layout plans) for the relevant phase allocating the parking for the existing buildings in operational use at the

wider site including the Cabinet Building, Shipping Building and Record Store) during the construction works of each relevant phase. Thereafter, the car parking shall be allocated and retained in strict accordance with the approved details until the completion of construction works for the relevant phase;

b) A Parking Allocation and Designation Plan (inclusive of site layout plans) for the relevant phase allocating the parking for the existing buildings in operational use at the site and the buildings to be erected.

c) A Car Parking Review and Viability Report shall be submitted to and approved in writing by the Local Planning. The Car Parking Viability Report shall establish if the agreed quantum of B1 parking space can be decreased on a site wide basis. The Report shall provide a baseline comparison of the following criteria taken from the date of approval:

- i) Locally and regionally adopted car parking standards;
- ii) Modal split of workers for the B1 use units at the site;
- iii) Financial appraisal;
- iv) Potential to decrease car parking spaces at the site

d) Secure electric charging points including details of the type of device, location and installation. Charging points should be capable of charging multiple vehicles simultaneously and shall be provided in the following proportions:

Residential 20%  
Employment 20%  
Leisure 10%

In addition, a further passive provision should be made at car parking spaces as follows:

Residential 20%  
Employment 10%  
Leisure 10%

Notwithstanding, all car parking spaces are to be designed to be able to be easily fitted with electric charging points in the future;

e) Provision for wheelchair disabled people and blue and brown badge holders. Disabled parking bays shall be a minimum of 4.8m long by 3.8m wide, or at least 3.0m wide where two adjacent bays may share an unloading area and which shall be sited in close proximity to entrances they serve and shall comprise a total of 7% and 3% of overall parking provided for blue badge and brown badge holders respectively;

f) Car club siting within the development and the allocation of spaces designated for future car club operators - to include a minimum of four spaces throughout the site;

g) details of all traffic arrangements (including carriageways, footways, turning space, safety strips, visibility spays, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities for all non-residential uses, and means of surfacing);

h) A delivery and servicing plan (including refuse) for the relevant phase which shall include details of the types of vehicles (including size and weight), the routes which trucks will take to/from the site, measures to minimise the impact of noise, traffic and vibration associated with lorry movements on residential amenity, and measures to



minimise deliveries during peak hours;

i) The means of construction and surfacing of all roads, parking areas, cycle ways and footpaths, for the relevant phase;

j) Details of allocation of cycle parking in accordance with the standards within the London Plan (July 2011). For staff spaces, facilities should be in accessible and secure locations with lockers and shower facilities provided;

k) Details of the allocation and provision, including location, of motorcycle parking in accordance with a standard of 1 space per 20 car parking spaces.

The Construction Phase Parking Management Plan and the Parking Allocation and Designation Plan shall adhere to the following provisions:

- Parking within the site shall not exceed a maximum provision of 1,540 spaces
- The residential car parking shall be allocated at not more than 0.75 spaces per residential dwelling, with 1 space allocated to all 3+ bedroom residential dwellings.

Thereafter, the development shall be carried out in accordance with the approved details and shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

#### REASON

To encourage sustainable travel and to comply with London Plan Policy. To ensure that people in wheelchairs are provided with adequate car parking convenient access to building entrances in accordance with policy AM5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)). To ensure that adequate sight lines are provided and thereafter retained in interests of highway safety in accordance with policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011). To ensure pedestrian and vehicular safety and the free flow of and conditions of general safety within the site and on the local highway network to ensure adequate facilities are provided for cyclists in accordance with policies AM7, AM9, and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **8 NONSC Contamination**

Unless otherwise agreed in writing by the Local Planning Authority no phase of the development, approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme/schemes that includes the following components to deal with the risks associated with contamination of the site/specific phase of development shall each be submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.
- This shall include 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.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) An options appraisal and remediation strategy based, on the site investigation scheme, giving full details of the remediation measures required and how they are to be undertaken.

d) 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 (c) 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(s) shall be implemented as approved and the requirements of this condition can be addressed on a phased basis in line with the agreed phased implementation of the approved development.

#### REASON

To ensure that risks from land contamination to the future users of the land neighbouring land are minimised, together with those to controlled waters, property ecological systems and the development can be carried out safely without risks to workers, neighbours and other offsite receptors in accordance policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **9 NONSC Contamination During Building Works**

If, during development, contamination not previously identified is found to be present at the site then no further construction of that phase of the 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 unanticipated contamination is to be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

#### REASON

To ensure that risks from land contamination to the future users of the land neighbouring land are minimised, together with those to controlled waters, property ecological systems and the development can be carried out safely without risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **10 NONSC Infiltration of Surface Water Drainage**

Unless otherwise agreed in writing by the Local Planning Authority, no new 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 controlled waters. The development shall be carried out in accordance with the approval details.

#### REASON

To prevent the contamination of controlled waters from existing land mobilised by the building work and new development in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **11 NONSC Piling**

Unless otherwise agreed in writing by the Local Planning Authority, no piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable

risk to groundwater. The development shall be carried out in accordance with the approved details.

#### REASON

To prevent the contamination of controlled waters from existing land mobilised by the building work and new development in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **12 NONSC Air Quality - Emissions from Energy Provision**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the installation of the Combined Heat & Power (CHP) Plant, details of the energy provision and the emissions from the CHP shall be assessed as part of a comprehensive air quality assessment for the proposed development and shall be submitted and approved in writing by the Local Planning Authority.

Details of the means to control and limit air pollution from the CHP shall be submitted and approved in writing by the Local Planning Authority. These measures shall be provided prior to the first operation of the CHP engine and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

#### REASON

In order to safeguard the amenities of the area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.14 of the London Plan (July 2011).

#### **13 NONSC Historic Building Recording**

Unless otherwise agreed in writing by the Local Planning Authority, the applicant shall submit for approval in writing a programme of recording of up to Level 4, as defined by English Heritage, of the Pressing Plant and Powerhouse, prior to the partial demolition of the Pressing Plant and prior to the refurbishment of the Powerhouse. The programme shall then be implemented before partial demolition or any work to the Pressing Plant or Powerhouse. Copies of the documents are to be sent to the Uxbridge Local History Library archive and English Heritage for inclusion in the London Heritage Environmental Record.

#### REASON

To safeguard the special architectural and historic interest of the building in accordance with policy BE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **14 NONSC Acoustic Barrier to Railway**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of development of any phase involving working to either the Assembly Building, Materials Store or Machine Store, detailed designs, including the technical specifications of an acoustic (imperforate) buffer wall of a minimum of 1.8 metre high, shall be submitted to any approved in writing by the Local Planning Authority. Included in the technical specifications shall be details of the protective acoustic buffering qualities.

The acoustic buffer wall shall commence in the most south easterly part of the site, adjacent to the railway line, up to the eastern edge of the rear of the 'Record Store' building. The buffer wall shall be permanently retained and maintained in accordance with the approved details for so long as the development remains in existence.

#### REASON

To separate pedestrians from rail traffic and to protect future occupiers and users of the spaces hereby approved from noise disturbance and to accord with policies OE3 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **15 NONSC Soil to Landscaped Areas**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the first occupation of any building within each relevant phase, site derived soils and imported soils within each phase shall be tested for chemical contamination. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

#### 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 Local Plan: Part Two Saved UDP Policies (November 2012).

#### **16 NONSC Archaeological Investigation**

a) Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place in each phase until the applicant has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.

b) No development or demolition shall take place in any relevant phase other than in accordance with the Written Scheme of Investigation approved under Part (a) of this condition.

c) The development of any relevant phase shall not be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (a), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

#### REASON

Heritage assets of archaeological interest may exist on this site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance contained within the National Planning Policy Framework and in accordance with policy BE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy PT1.HE1 of the Local Plan Part 1 (November 2012).

#### **17 NONSC Demolition**

Unless otherwise agreed in writing by the Local Planning Authority, no demolition of the Pressing Plant Building shall take place until a contract for the associated redevelopment for the rear of the site, provided for in planning permission and Conservation Area Consent [ref. 59872/APP/2012/1838 and 59872/APP/2012/1840], has been made.

#### REASON

To ensure that the premature demolition of a locally listed building within a Conservation Area does not occur, in accordance with policy BE4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **18 NONSC Energy Centre**

Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of the development of the phase containing the 60th dwellings or

1,000sqm (GEA) of commercial development, a detailed scheme for the Energy Centre (the Powerhouse) will be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide full specifications for the technology to be used as well as details of the piping network throughout the site (including allowances for offsite connections for future developments). It shall also include specifications of the CHP unit to be installed, when it will come online, and how this will be linked to the rest of the development site including calculations showing the impacts on CO2 and energy reduction. Finally the scheme shall include details for maintenance of the operation of the energy centre as well as methods for measuring and reporting its performance. The development must proceed in accordance with the approved scheme and accompanying plans.

#### REASON

To ensure the development contributes a minimum 25% reduction in CO2 emissions in order to mitigate against climate change in accordance with policy 5.2 of the London Plan (July 2011).

#### **19 NONSC Energy Assessment**

a) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of each phase. A detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate how the relevant phase will reduce regulated CO2 emissions by 25% and comply with the Outline Energy Statement (report no. 5319.003.006 MTT. July 2012).

b) The assessment shall demonstrate that any residential units will achieve the mandatory CO2 emissions requirement for Code for Sustainable Homes Level 4. It will also demonstrate how the energy strategy will contribute to all non-residential development achieving a minimum of BREEAM Very Good (with the relevant credits awarded for a minimum of a 25% CO2 reduction) unless otherwise agreed in writing by the Local Planning Authority.

d) Roof plans to show PVs for each building contained within the relevant phase, demonstrating compliance with the detailed energy assessment.

#### REASON

To ensure the development contributes a minimum 25% reduction in regulated CO2 emissions in accordance with policy 5.2 of the London Plan (July 2011).

#### **20 NONSC Code for Sustainable Homes**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of each phase of development plans and details of each building within the relevant phase shall be submitted to the Local Planning Authority for approval in writing. The plans and details shall demonstrate that each residential building will achieve a minimum standard of Code for Sustainable Homes Level 4 and each non-residential building achieving BREEAM 'Very Good'.

The development must be completed in accordance with the approved details and the applicant shall ensure that completion stage certificates have been attained and provided to the Council within 3 months of the first operation of the CHP Unit or within 3 months of completion of the phase, whichever is later.

#### REASON

To ensure that the objectives of sustainable development in accordance with policies 5.1

and 5.3 of the London Plan (July 2011).

**21 NONSC Play Area Provision of Details**

Unless otherwise agreed in writing by the Local Planning Authority, no phase of development shall commence until details of play areas (as required by Condition 3) d) viii)) for children in the relevant phase have been submitted to and approved in writing by the Local Planning Authority. The details shall provide dedicated children's play areas in accordance with the Council standards and shall accord to the principles and designs as provided within Section 9 of the Design and Access Statement, July 2012.

Thereafter, the play areas shall be erected in accordance with the approved details prior to the occupation of the relevant block and maintained for the life of the development.

**REASON**

To ensure that the development makes adequate provision of children's play space in accordance with policy R1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 3.16 of the London Plan (July 2011).

**22 NONSC Air Extraction System Noise and Odour**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of each phase of development, details of ventilation and associated ductwork to serve any Class A3 - A5 uses within the relevant phase shall be submitted to and approved in writing. Thereafter, the relevant phase shall be implemented in accordance with the approved details and maintained for the lifetime of the development.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**23 NONSC Hours of Use (Restaurant etc.)**

Unless otherwise agreed in writing by the Local Planning Authority, any premises in use for Class A1, A2, A3, A4 or A5 purposes shall not be open for customers outside the following hours:

0700 to 2300 Mondays - Saturdays

0900 to 2200 Sundays, Public or Bank Holidays.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**24 NONSC Hours of Loading/unloading/deliveries**

Unless otherwise agreed in writing by the Local Planning Authority, there shall be no commercial loading or unloading of vehicles, including collections, outside the hours of 0800 and 1800 Monday to Friday and outside of the hours of 0800 and 1300 on Saturdays. There shall be no commercial loading or unloading on Sundays, Public or Bank Holidays.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

NONSC

~~25~~ Unless otherwise agreed in writing with the Local Planning Authority, all residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with policies 3.1, 3.8, and 7.2 of the London Plan (July 2011).

**26 NONSC Secured by Design**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of each phase, a detailed CCTV strategy and camera location plan, together with the details of the fixtures and fittings of the CCTV cameras for the relevant phase, shall be submitted to and approved in writing by the Local Planning Authority.

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

REASON

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

**27 NONSC Construction Management Plan**

Prior to the development of each phase commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its written approval. The plan shall detail:

- (i) The phasing of development works for the relevant phase
- (ii) The hours during which development works will occur
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site. The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with policy OE1 of the

Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**28 NONSC Sound Insulation Scheme**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of development of each phase a sound insulation scheme for protecting the proposed residential development (including balconies and podium level & rooftop outdoor amenity areas) from rail, commercial and other noise shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved mitigation measures shall be fully implemented in accordance with the approved details and shall be retained and maintained in good working order for so long as the buildings remains in use.

**REASON**

To ensure that the amenity of the occupiers of the proposed residential development is not adversely affected by road traffic, railway noise, commercial noise and other noise in accordance with policy OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.15 of the London Plan (July 2011).

**29 NONSC Plant Level of Noise**

Unless otherwise agreed in writing by the Local Planning Authority, the individual and cumulative rating level of noise emitted from plant and/or machinery at the development hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**30 NONSC Acoustic Assessment of Multi-Storey Car Parks**

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of development of any phase containing a multi-storey car park, a full acoustic assessment in relation to the impact of the noise associated with the car parks on the dwellings on Dawley Road , to include appropriate mitigation measures as required, shall be submitted to and approved in writing by the Local Planning Authority. hereafter, the approved mitigation measures shall be fully implemented in accordance with the approved details and shall be retained and maintained in good working order for so long as the buildings remains in use.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**31 NONSC Public Realm**

The detailed designs of the multi-storey car parks, public realm and landscaping shall be in accordance with the principles as stated within Chapter 9 of the approved Design and Access Statement.

**REASON**

To ensure the appearance of the locality is protected and enhanced in accordance with policies BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).



### **32 NONSC Approved Details**

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

P\_0001 rev 00 - Planning Application Boundary  
P\_0002 rev 00 - Existing Ground Levels  
P\_0003 rev 00 - Existing Buildings to be Retained, Demolished or Altered  
P\_0004 rev 02 - Proposed Minimum and Maximum Plot Extents and Heights  
P\_0005 rev 03 - Proposed Lower Level Uses  
P\_0006 rev 01 - Proposed Upper Level Uses  
P\_0007 rev 01 - Proposed Ground Levels  
P\_0008 rev 02 - Proposed Enclosed Car Park Extent - Ground Level  
P\_0009 rev 01 - Proposed Enclosed Car Park Extent - above Ground Level  
P\_0010 rev 01 - Proposed Critical Distances  
P\_0011 rev 01 - Proposed Range of Building Heights  
P\_0012 rev 02 - Proposed Ground Level Landscape and Open Space Plan  
P\_0013 rev 01 - Proposed Podium and Roof Landscape and Open Space Plan  
P\_0014 rev 01 - Tree Removal Plan  
P\_0015 rev D - Access, Circulation and Streets  
Development Specification Rev 5, 29.11.2013

#### **REASON**

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and the London Plan (July 2011).

### **33 NONSC Height**

No building hereby permitted, other than the chimney stack of the Powerhouse, shall exceed 67.93m AOD.

#### **REASON**

Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome. See Advice Note 1 Safeguarding an Overview for further information (available at [www.aoa.org.uk/publications/safeguarding.asp](http://www.aoa.org.uk/publications/safeguarding.asp)).

## **INFORMATIVES**

### **1 I52 Compulsory Informative (1)**

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

### **2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

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

AM7	Consideration of traffic generated by proposed developments.
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
AM13	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) Shopmobility 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
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R7	Provision of facilities which support arts, cultural and entertainment activities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 2.13	(2011) Opportunity Areas and intensification areas
LPP 2.17	(2011) Strategic Industrial Locations
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 4.1	(2011) Developing London's economy
LPP 4.2	(2011) Offices
LPP 4.3	(2011) Mixed use development and offices
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.8	(2011) Innovative energy technologies
LPP 5.10	(2011) Urban Greening
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 5.15	(2011) Water use and supplies
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.7	(2011) Better Streets and Surface Transport
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.7	(2011) Location and design of tall and large buildings
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.9	(2011) Heritage-led regeneration

LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 8.1	(2011) Implementation
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

### 3

#### Archaeology:

The development of this site may damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines. Should significant archaeological remains be encountered in the course of field evaluations, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.

### 4

#### Glazing:

It is important that the double glazing acoustic specification recommendations in Environmental Noise Assessment report 12348A-R1 are implemented in full. Failure to comply with the recommendations could result in a requirement for expensive remedial works.

### 5            I15            **Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

### 6            I19            **Sewerage Connections, Water Pollution etc.**

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

01895 250804 / 805 / 808).

**7            I21            Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

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

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

**9            I3            Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

**10          I34          Building Regulations 'Access to and use of buildings'**

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

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

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

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

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

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

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

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

**11            I45            Discharge of Conditions**

Your attention is drawn to conditions 3, 4, 5, 6, 7, 8, 11, 13, 14, 16, 17, 18, 19, 20, 21, 25, 26, 27, 28& 29 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

**12            I47            Damage to Verge**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**13            I49            Secured by Design**

The Council has identified the specific security need(s) of the application site to be the need to comply with Secure By Design requirements. You are advised to submit details to comply with the specified security need(s) in order to comply with condition 26 of this planning permission.

**14            I6            Property Rights/Rights of Light**

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

**15            I60            Cranes**

Given the nature of the proposed development it is possible that a crane may be required

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

## **16**

Building Regulations:

The applicant is advised to make sure the plans accord to Part B of the Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

### **3. CONSIDERATIONS**

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

The whole of Old Vinyl Factory (TOVF) site consists of approximately 6.6 hectares of land set in an irregular quadrilateral shaped site. The multi-phase site was originally constructed between 1907 and 1935 by the Gramophone Company and was later the production centre of EMI Ltd, producing the majority of vinyl records for distribution worldwide. Associated record production works had ceased by the 1980s after which time the site has been largely vacant with many buildings falling into disrepair.

The TOVF site is bounded by Blyth Road to the north and by the Great Western Mainline railway to the South, with Hayes and Harlington rail station 420 metres to the east of the site. Opposite the site on Blyth Road lies the Grade II Listed Enterprise House, an eight storey office building, together with a variety of industrial and office buildings. The wider area is a mixture of residential, industrial and office uses with Hayes Town Centre located to the northeast of the site.

Much of the application site, as well as The Record Store, The Cabinet Building and The Shipping Building, which lie immediately outside of the application boundary, is situated within a Developed Area, The Botwell: Thorn EMI Conservation Area and partly within a Industrial and Business Area, as identified in the Policies of the Hillingdon adopted UDP, and a Strategic Industrial Location (SIL) as designated within the London Plan.

Contained within the wider TOVF site are seven main buildings which, from west to east are, The Marketing Suite, The Shipping Building, The Cabinet Building, The Record Store, The Powerhouse, Jubilee House and the Pressing Plant.

This application site comprises some 5ha and excludes the three largest employment buildings located to the south of the site, The Shipping Building, The Cabinet Building and The Record Store. This is because the refurbishment of these buildings has already been approved in earlier permissions. There is a separate application with the Council for alterations and extensions to the Cabinet Building.

Many of the existing building buildings are in a derelict condition arising from long term vacancy. They require a substantial investment to return them to a habitable and thus lettable state.

The public realm is dominated by a large extent of tarmac surfacing providing for surface

car parking.

### 3.2 Proposed Scheme

The application seeks a variation of Condition 4 (Phasing) of planning permission 59872/APP/2012/1838 dated 19/04/2013, to allow variations to phasing of approved development to allow the Boilerhouse and the Material Store to come forward as Phases 1 and 2, and to allow the Veneer Store and/or Record Stack carparks to come forward earlier than in the approved phasing.

The original phases for the scheme were approved as follows:

1. The Picture House (cinema) and The Powerhouse (energy centre)
2. The Boiler House (commercial ground floor, and 34 flats)
3. The Assembly Buildings (commercial units and 150 flats)
4. The Record Stack (car park)
5. The Veneer Building (commercial ground and first floors, and 88 flats)
6. The Material Store (commercial ground and first floors, and 155 flats)
7. The Machine Store (commercial ground and first floors, and 52 flats) and The Pressing Plant (museum)
8. The Veneer Store (car park)

This application proposes the following phasing:

1. The Boiler House
2. The Material Store
3. The Picture House and The Assembly Buildings
4. The Powerhouse
5. The Record Stack
6. The Machine Store and The Pressing Plant
7. The Veneer Building
8. The Veneer Store

The phasing plan allows for Phases 3 and 4 to be interchangeable, and for Phases 5 and 8 (both car parks) to be developed earlier if required.

The phasing of the provision of affordable housing and other S106 obligations would also be revised to reflect the change of phasing.

### 3.3 Relevant Planning History

59872/APP/2012/1838     The Old Vinyl Factory Site     Blyth Road Hayes

Outline planning application for a mixed use development of the Old Vinyl Factory site including the demolition of up to 12,643 sqm of buildings and construction of up to 112,953 sqm (112,953 sqm includes the retention and re-use of 784 sqm of the Power House and 901 sqm Pressing Plant) of new floorspace. Uses to include up to 510 residential units (maximum area of 49,000 sqm GEA), up to 7,886 sqm of new B1 floorspace, up to 4,000 sqm of A class uses (A1, A2, A3, A4, A5), up to 4,700 sqm of D1 and D2 uses, an energy centre (up to 950 sqm), car parking, works to access and creation of new accesses and landscaping.

**Decision:** 19-04-2013     Approved

59872/APP/2013/3640     The Old Vinyl Factory Site     Blyth Road Hayes

Non-Material amendment to planning permission 59872/APP/2012/1838, dated 19/04/2012, for revisions to site-wide drainage strategy, revisions to development specification, revisions to



phasing of energy centre, and amendments to demolition and construction management plan.

**Decision:** 30-01-2014    Approved

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

The relevant history is listed above.

Application reference 59872/APP/2013/3640 granted permission for a non-material amendment to the scheme, due to the proposed revised phasing of the site, and some revisions to documents. This resulted in changes to the wording of conditions 6, 18, 27, and 32 of the original planning permission. These revised conditions have been carried across to this decision for clarity.

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

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (July 2011)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Residential Layouts  
Hillingdon Supplementary Planning Document - Residential Extensions  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations; and Revised Chapter 4, Education Facilities: September 2010.  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.BE1        (2012) Built Environment  
PT1.CI1        (2012) Community Infrastructure Provision  
PT1.CI2        (2012) Leisure and Recreation  
PT1.E1         (2012) Managing the Supply of Employment Land  
PT1.E6         (2012) Small and Medium-Sized Enterprises (SME)  
PT1.E7         (2012) Raising Skills  
PT1.EM1        (2012) Climate Change Adaptation and Mitigation  
PT1.EM4        (2012) Open Space and Informal Recreation  
PT1.EM5        (2012) Sport and Leisure  
PT1.EM6        (2012) Flood Risk Management

- PT1.H1 (2012) Housing Growth
- PT1.H2 (2012) Affordable Housing
- PT1.HE1 (2012) Heritage
- PT1.T1 (2012) Accessible Local Destinations

Part 2 Policies:

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- 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
- AM13 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) Shopmobility 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
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE4 New development within or on the fringes of conservation areas
- BE10 Proposals detrimental to the setting of a listed building
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- 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.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE25 Modernisation and improvement of industrial and business areas
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H4 Mix of housing units

H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R7	Provision of facilities which support arts, cultural and entertainment activities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 2.13	(2011) Opportunity Areas and intensification areas
LPP 2.17	(2011) Strategic Industrial Locations
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 4.1	(2011) Developing London's economy
LPP 4.2	(2011) Offices
LPP 4.3	(2011) Mixed use development and offices
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.8	(2011) Innovative energy technologies
LPP 5.10	(2011) Urban Greening
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 5.15 (2011) Water use and supplies
- LPP 5.21 (2011) Contaminated land
- LPP 6.1 (2011) Strategic Approach
- LPP 6.3 (2011) Assessing effects of development on transport capacity
- LPP 6.5 (2011) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.7 (2011) Better Streets and Surface Transport
- LPP 6.9 (2011) Cycling
- LPP 6.10 (2011) Walking
- LPP 6.13 (2011) Parking
- LPP 7.1 (2011) Building London's neighbourhoods and communities
- LPP 7.2 (2011) An inclusive environment
- LPP 7.3 (2011) Designing out crime
- LPP 7.4 (2011) Local character
- LPP 7.5 (2011) Public realm
- LPP 7.6 (2011) Architecture
- LPP 7.7 (2011) Location and design of tall and large buildings
- LPP 7.8 (2011) Heritage assets and archaeology
- LPP 7.9 (2011) Heritage-led regeneration
- LPP 7.15 (2011) Reducing noise and enhancing soundscapes
- LPP 8.1 (2011) Implementation
- LPP 8.2 (2011) Planning obligations
- LPP 8.3 (2011) Community infrastructure levy

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

**5.1 Advertisement Expiry Date:- 31st January 2014**

**5.2 Site Notice Expiry Date:- 12th February 2014**

## **6. Consultations**

### **External Consultees**

GREATER LONDON AUTHORITY:

The application does not raise any new strategic issues. Therefore, under article 5(2) of the order, the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA.

TRANSPORT FOR LONDON:

In regards to phasing the developer will have to carry out a car parking review prior to the commencement of each phase. This will review the proposed parking at the site to see if a

reduction in the parking level could be accommodated, and further reduce the parking levels at the site. The developer will also have to carry out parking study on the neighbouring streets to assess whether or not a controlled parking zone is required. The cost of any scheme has to be met by the developer. This obligation should remain.

#### LONDON BOROUGH OF HOUNSLOW:

No objection. The Local Planning Authority considers that the changes to the phasing of the development would not have an adverse visual impact, affect highway safety or harm the living conditions of neighbouring residents of the London Borough of Hounslow. The proposed development therefore complies with policy ENV-B.1.1 (New Development) of the London Borough of Hounslow's adopted UDP.

#### ENGLISH HERITAGE:

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

#### ENGLISH HERITAGE GLAAS:

We have no comment on this.

#### HEATHROW:

We have now assessed the proposed variation of condition 4 (phasing) against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

#### NATS:

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

#### CROSSRAIL:

The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction. The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.

#### NETWORK RAIL:

Whilst there is no objection in principle to this proposal I give below my comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

#### Safety:

No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary the developer must contact Network Rail on [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk) before works begin.

#### **Internal Consultees**

#### HIGHWAYS:

The submitted drawings show that the revised phasing of the development will provide adequate car parking by way of utilising the existing parking facilities and providing temporary parking facilities on-site. Whilst there is no objection on the revised phasing plan from the highways point of view, discussions have been held with the developer regarding phasing and implementation of the S278 and S38 highway works, however the developer's proposals have not yet been agreed. Also with the revised phasing, it is required to ensure that suitable access and residential, office, and visitor car arrangements are in place for each of the proposed phases of the development.

#### TREES AND LANDSCAPING:

Nathaniel Lichfield's letter of 18 December 2013, supported by SEW's drawing No. 9004 Rev 07 and a series of drawings by Alan Baxter, Proposed Phasing, Phases 1-9, explain the rationale for an amendment to the phasing of the development. The timing and implementation of the comprehensive landscape proposals for the site will be affected by the phasing. However, the ultimate layout and landscape proposals should be unaffected. No objection.

#### FLOODWATER MANAGEMENT:

No concerns with amendments to phasing.

#### ENVIRONMENTAL PROTECTION UNIT:

CHP Condition and Issues with Phasing of the Development and the Energy Provision (NOx):

The energy centre/CHP (condition 12) requires a further air quality assessment and means of controlling air pollution, but it is anticipated this work will not be carried out for some time, and the outline sustainable energy strategy indicates CHP will be part of the phase 6 development in 2018. This has air quality implications for the protection of all phases in the vicinity of the Powerhouse which will be developed prior to the installation of the CHP. The possible change in chimney height (indicated as 3 metres above the tallest adjacent building) may provide some limited mitigation. Any mitigation effect would need to be clearly demonstrated as part of the air quality assessment, however it is not clear if the extension in chimney height is viable or adequate to prevent exceedances at the facade of nearby tall buildings. We would strongly recommend emissions are initially reduced by using the lowest emission CHP and boilers available.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

As stated in the assessment of the original outline application, the existing site is largely vacant, with the exception of part of the Shipping Building which was refurbished following the granting of planning permission in 2001. The applicant has provided a detailed and confidential review of the measures taken to market the immediately available Shipping Building and the, still to be refurbished, Cabinet Building, with both offers struggling to attract tenants. The report concludes that including a mixed use residential, retail and leisure offerings alongside the employment land within the scheme would improve the attractiveness of the commercial offer to potential B1 occupiers.

The applicant has stated that the scheme will deliver up to 4000 jobs at the site and will also provide up to 510 dwellings, both of which accord with the objectives of the Heathrow Opportunity Area. In addition the proposal would result in a net increase of up to 10,800 square metres of B1 floor space (including 2,914 square metres in a separate application for the cabinet building) at TOVF site.

Although it is noted that the revised phasing would result in some of the employment uses being delayed until later in the development of the site, commercial floorspace would still

be provided as parts of the earlier phases. The applicant has stated that the site is not currently viable for the provision of the leisure uses at such an early stage. The revised phasing would allow the provision of the leisure quarter to be put back, while allowing work to commence on site. It is considered that allowing work to begin is an important step to the regeneration of the site, and in establishing the commercial floorspace on the site.

#### **7.02 Density of the proposed development**

Density was considered as part of the originally approved outline application, and was considered acceptable. The density of the site is not proposed to change as part of this application.

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

The impact on the heritage of the borough was considered as part of the originally approved outline application, and was considered acceptable, subject to conditions. The proposed revised phasing does not impact on this previous assessment.

#### **7.04 Airport safeguarding**

BAA and NATS Safeguarding have reviewed the application and raise no objection to the application from an airport safeguarding perspective. As such, it is considered that the proposal would not impact on the safe operation of any airport.

#### **7.05 Impact on the green belt**

The site is not located within the Green Belt, so there are no Green Belt issues relating to this application.

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

The impact on the character and appearance of the area was considered as part of the originally approved outline application, and was considered acceptable. The proposed revised phasing does not impact on this previous assessment.

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

The impact on neighbours was considered as part of the originally approved outline application, and was considered acceptable. The proposed revised phasing does not impact on this previous assessment.

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

The living conditions for potential occupiers was considered as part of the originally approved outline application, and was considered acceptable, subject to appropriate conditions. The proposed revised phasing does not impact on this previous assessment.

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

The traffic and parking implications of the proposal was considered as part of the originally approved outline application, and was considered acceptable. The proposed revised phasing does not impact on this previous assessment. The Council's Highway Officer states that the scheme is required to ensure that suitable access and residential, office, and visitor car arrangements are in place for each of the proposed phases of the development. The applicant has provided revised phasing plans showing the car parking provided for each phase, and this will be ensured through appropriate conditions.

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

The urban design and security of the proposal was considered as part of the originally approved outline application, and was considered acceptable. The proposed revised phasing does not impact on this previous assessment.

#### **7.12 Disabled access**

The access of the proposal was considered as part of the originally approved outline application, and was considered acceptable, subject to conditions. The proposed revised phasing does not impact on this previous assessment.

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

As per the original outline approval, the applicant proposes to provide 5% social/affordable housing. The quantum of affordable housing has been dictated by the Viability Assessment and given that the Assessment has been independently assessed and found to be robust, this level of provision is considered acceptable in this context. It is to be secured through the accompanying S106 legal agreement.

#### **7.14 Trees, Landscaping and Ecology**

The impact on the heritage of the borough was considered as part of the originally approved outline application, and was considered acceptable. The timing and implementation of the comprehensive landscape proposals for the site will be affected by the phasing. However, the ultimate layout and landscape proposals will be unaffected, and are controlled via suitable conditions.

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

Sustainable waste management was considered as part of the originally approved outline application, and was considered acceptable. The proposed revised phasing does not impact on this previous assessment.

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

Given the proposed change in phasing, it has been agreed with Council Officers that the Boiler House development is, by itself, too small to justify the implementation of the Energy Centre. The previous non-material amendment application approved the revisions to the condition to ensure that the long term Energy Centre can alternatively be brought forward as a later phase. The earlier phases built before The Power House, will be built to connect to the site wide energy network following the construction of the Power House.

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

Flood risk and the drainage of the site, including sustainable drainage was considered as part of the originally approved outline application, and was considered acceptable, subject to conditions. The proposed revised phasing does not impact on this previous assessment.

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

Noise and air quality was considered as part of the originally approved outline application, and was considered acceptable, subject to appropriate conditions. The conditions require an air quality assessment to be carried out prior to the construction of the CHP, and this will remain in place on the permission. The proposed revised phasing does not impact on this previous assessment.

#### **7.19 Comments on Public Consultations**

No public responses were received as a result of the consultation on this application.

#### **7.20 Planning Obligations**

The original planning application (ref: 59872/APP/2012/1838) was subject to a legal agreement and the Mayor's Community Infrastructure Levy (CIL). The proposed amendments to the approved scheme would not affect the level of planning benefits which have already been secured, which are considered adequate and commensurate with the scale and nature of the proposed development, in compliance with policy R17 of the Local Plan Part 2 and the Council's Planning Obligations SPD.

However, it will be necessary to complete a Deed of Variation, in order to insert the new planning reference number into the existing agreement, and to ensure matters relating to phasing are consistent.

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

No enforcement action is required in this instance.

#### **7.22 Other Issues**



None.

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

### GENERAL

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

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

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

### PLANNING CONDITIONS

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

### PLANNING OBLIGATIONS

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

### EQUALITIES AND HUMAN RIGHTS

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

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

Members should also consider whether a planning decision would affect human rights, in

particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

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

None.

#### **10. CONCLUSION**

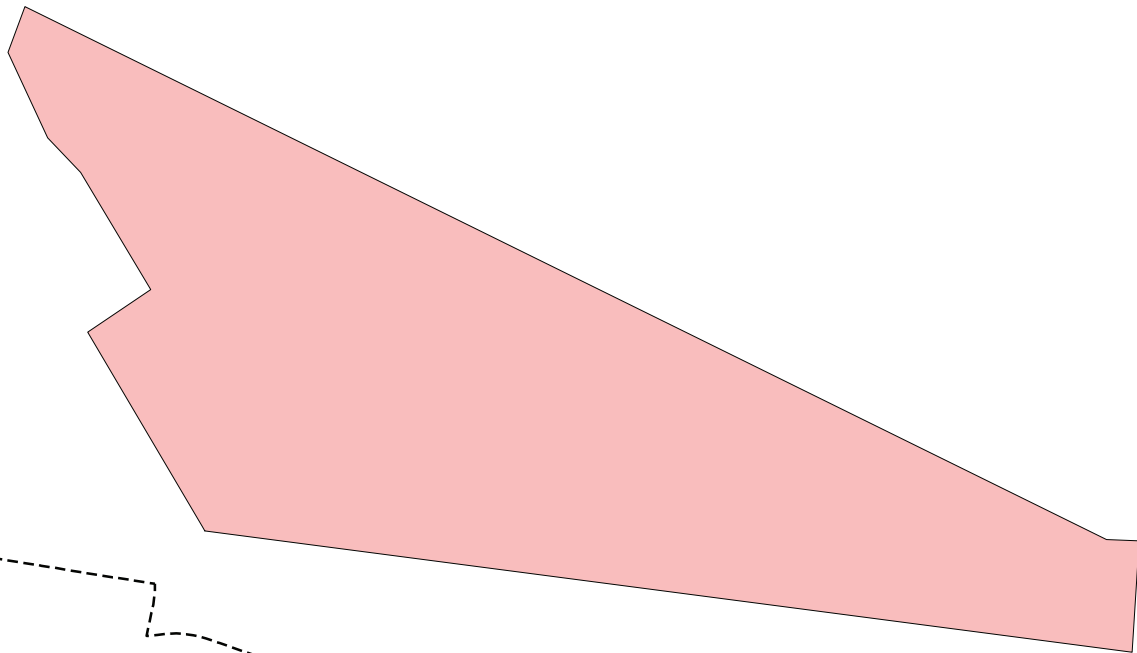
For the reasons provided throughout this report, the application is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

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


Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (July 2011)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Residential Layouts  
Hillingdon Supplementary Planning Document - Residential Extensions  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations; and Revised Chapter 4, Education Facilities: September 2010.  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

**Contact Officer:** Adam Flynn

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**The Old Vinyl Factory Site  
Blyth Road  
Hayes**

Planning Application Ref:

**59872/APP/2013/3775**

Scale

**1:3,500**

Planning Committee

**Major Application**

Date

**March 2014**

**LONDON BOROUGH  
OF HILLINGDON  
Residents Services**

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



**HILLINGDON**  
LONDON