

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

- Address** THE MACHINE STORE & PRESSING PLANT, THE OLD VINYL FACTORY  
BLYTH ROAD HAYES
- Development:** Mixed use redevelopment of the Pressing Plant, at The Old Vinyl Factory site, including the partial demolition of the Pressing Plant (formerly Apollo House), retention of front facade and part of the western facade of the Pressing Plant and construction of a 3 screen cinema, with retail, bar, restaurant and exhibition spaces and construction of the Machine Store, comprising 81 residential units, a health centre, bars/cafes, associated parking, landscaping, and access works. (AMENDED PLANS - Increased scale of Health Centre provision plus 1 no. additional residential unit)
- LBH Ref Nos:** 59872/APP/2016/3454
- Drawing Nos:** 1601 MP SKM (00) 103 P8  
Environmental Noise Survey and Noise Impact Assessment  
1601 REA SKM (00) 108  
Planning Statement  
Heritage Impact Assessment  
Geo-Environmental Assessment  
Machine store + pressing plant DAS  
1601 REB SKM (00) 107 P2  
1601 REA SKM (00) 200 P2  
1601 REA SKM (00) 201 P2  
Drainage Strategy  
1601 CI SKM (00) 200 P2  
1601 CI SKM (00) 201 P2  
1601 CI SKM (00) 202 P2  
1601 CI SKM (00) 203 P2  
1601 CI SKM (00) 100 P1  
1601 CI SKM (00) 101 P1  
1601 CI SKM (00) 102  
1601 CI SKM (00) 103 P1  
1601 CI SKM (00) 300 00  
1601 MP SKM (00) 100 P9  
1601 MP SKM (00) 101 P9  
1601 MP SKM (00) 102 P8  
0275-SEW-ZZ-ZZ-DR-L-00321  
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0275-SEW-ZZ-ZZ-DR-L-307101  
0275-SEW-ZZ-ZZ-DR-L-307102  
0275-SEW-ZZ-ZZ-DR-L-307104  
0275-SEW-ZZ-ZZ-DR-L-307105  
0275-SEW-ZZ-ZZ-DR-L-307106  
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1601 MP SKM (EX) 001 0C  
1601 MP SKM (EX) 002 0C  
1601 MP SKM (00) 104 P8  
1601 MP SKM (00) 105 P8  
1601 MP SKM (00) 106 P8  
1601 MP SKM (00) 107 P8  
1601 MP SKM (00) 108 P8  
1601 MP SKM (00) 109 P1  
1601 MP SKM (00) B01 P9  
1601 REA SKM (00) 203 P2  
1601 REA SKM (00) 300 P1  
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1601 REB SKM (00) 104 106  
1601 REA SKM (00) 101 102 0C  
1601 REA SKM (00) 103 105 0C  
1601 REA SKM (00) 106 P2  
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1601 REA SKM (00) B01 P2  
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1601 MP SKM (EX) 304 P1  
1601 MP SKM (00) 300 P4  
1601 MP SKM (00) 301 P5  
1601 MP SKM (00) 302 P4  
Daylight and Sunlight Report  
1601 MP SKM (00) 303 P4  
1601 MP SKM (00) 304 P4  
1601 MP SKM (00) 200 P5  
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1601 MP SKM (00) 203 P5  
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1601 MP SKM (DEM) 001 0C  
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0275-SEW-ZZ-ZZ-SP-L-45000C  
0275-SEW-ZZ-ZZ-SH-L-45100C  
1601 REA SKM (00) 202 P2  
CCTV Plan  
Construction Management Plan  
Landscaping drawings and detailed landscaping scheme  
Remediation Method Statement  
Piling Works Risk Assessment  
Structural Engineering Notes  
Sustainability and Energy Report  
Transport Statement (including car park allocation)  
External Building Fabric for Residential Report

**Date Plans Received:** 16/09/2016                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 03/10/2016

## 1. SUMMARY

The application proposes the mixed use redevelopment of the Pressing Plant, at The Old Vinyl Factory site in Hayes, including the partial demolition of the Pressing Plant building, with the retention of the front facade and part of the western facade of the Pressing Plant and construction of a 3 screen cinema, plus retail, bar, restaurant and exhibition spaces. Also proposed to the south of the Pressing Plant is the construction of the Machine Store, comprising 81 residential units, a 926 sqm health centre, bars/cafes, associated parking, landscaping, and access works.

The proposed development is considered an appropriate mix of uses, scale and built form that will enhance the locality. The provision of the health facility would provide an important community service to the local area which is supported by local policy and the London Plan (2016). The application is therefore recommended for approval.

## 2. RECOMMENDATION

**1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to:**

**A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:**

**1. Timescale for the agreed transfer of the Health Facility for NHS use and associated parking: within 5 years from date of permission or within 3 years from date of commencement (whichever occurs first)**

**2. Employment Training Initiatives**

**3. Construction Training: A financial contribution to the sum of: Training costs: £2500 per £1m build cost plus Coordinator Costs - up to £9,600 per phase or an in kind scheme to be provided.**

4. **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.
5. **Highway Works:** S278/S38 for required Highways Works
6. **Travel Plan:** to include £20,000 Bond
7. **Project Management & Monitoring Fee:** A financial contribution equal to 5% of the total cash contributions.

**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/or 278 Agreements and any abortive work as a result of the agreement not being completed.**

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

**D) If the Legal Agreements have not been finalised by 25th October 2017 (or such other timeframe as may be agreed by the Head of Planning and Enforcement), delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:**

**'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of health facility, employment and construction training, community facility, off site highways works and travel plan). The proposal therefore conflicts with Policy AM2, AM7 and R17 of the adopted Hillingdon Local Plan Saved Policies (November 2012).'**

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

**1 COM3 Time Limit**

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

**REASON**

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

**2 COM4 Accordance with Approved Plans**

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

1601MP SKM (EX)001 00  
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0275-SEW-ZZ-ZZ-DR-L-307105  
0275-SEW-ZZ-ZZ-DR-L-307106 Rev 01  
0275-SEW-ZZ-ZZ-DR-L-307107 Rev 01  
0275-SEW-ZZ-ZZ-DR-L-307108  
0275-SEW-ZZ-ZZ-DR-L-307109  
0275-SEW-ZZ-ZZ-DR-L-307110  
0275-SEW-ZZ-ZZ-DR-L-307111 Rev 01  
0275-SEW-ZZ-ZZ-DR-L-307112  
0275-SEW-ZZ-ZZ-DR-L-00321  
0275-SEW-ZZ-ZZ-DR-L-00322  
0275-SEW-ZZ-ZZ-SH-L-451000  
0275-SEW-ZZ-ZZ-SP-L-450000  
0275-SEW-ZZ-ZZ-SP-L-450001

1615-240-103; and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

### **3 COM5 General compliance with supporting documentation**

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

Outline Construction Management Plan  
CCTV Plan  
Daylight and Sunlight Report  
Design and Access Statement  
Drainage Strategy  
Drainage Notes 09/01/17  
Stage 2 Fire Safety Strategy Residential  
Geo-Environmental Assessment  
Heritage Impact Assessment  
Landscaping drawings and detailed landscaping scheme  
Environmental Noise Survey and Noise Impact Assessment  
Planning Statement  
Remediation Method Statement  
Piling Works Risk Assessment  
Structural Engineering Notes  
Sustainability and Energy Report  
Transport Statement (including car park allocation)  
External Building Fabric for Residential Report

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

#### REASON

To ensure that the development complies with the objectives of Policies contained within the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 COM7 Materials (Submission)**

No development (with the exception of demolition) shall take place in connection with the relevant building until:

- a. details of all materials and external surfaces, including details of doors, windows and balconies (including privacy screening) for The Pressing Plant building have been submitted to and approved in writing by the Local Planning Authority. Thereafter The Pressing Plant building shall be constructed in accordance with the approved details and be retained as such: or
- b. details of all materials and external surfaces, including details of doors, windows and balconies (including privacy screening) for The Machine Store building have been submitted to and approved in writing by the Local Planning Authority. Thereafter The Machine Store building shall be constructed in accordance with the approved details and be retained as such.

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

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**5 COM9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place [excluding demolition] until a landscape scheme for the relevant building and its associated space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage (130 spaces)
- 2.c Means of enclosure/boundary treatments
- 2.d Hard Surfacing Materials
- 2.e External Lighting

4. Details of Landscape Maintenance

- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

5. Schedule for Implementation and phasing

6. Other

- 6.a Existing and proposed functional services above and below ground
- 6.b Proposed finishing levels or contours

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

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and 5.17 (refuse storage) of the London Plan (2016).

#### **6 COM31 Secured by Design**

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). The building shall not be occupied until accreditation has been achieved for that building.

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

#### **7 NONSC Sound Insulation and Ventilation Scheme**

Development of the relevant building [excluding demolition] shall not begin until a sound insulation and ventilation scheme for protecting the proposed residential units and health facility from road traffic, rail traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal and external noise design criteria to be agreed with the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

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

#### **8 NONSC Noise Level**

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5dB 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.

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).

#### **9 NONSC Air Extraction System**

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

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).

**10 NONSC Noise Transmission**

The development of the relevant building shall not begin [excluding demolition] until a sound insulation scheme for the control of noise transmission to the adjoining dwellings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

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).

**11 NONSC Amplified Music**

The ground floor commercial units in the Machine Store building shall not be occupied until a scheme for the control of amplified music emanating from the commercial units has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures and noise limits and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

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).

**12 NONSC Delivery and Loading/Unloading of Goods**

The delivery and the loading or unloading of goods associated with the approved bars, restaurants and cinemas shall not take place outside the hours of 08:00 and 18:00, Monday to Friday, or outside the hours of 08:00 and 13:00 on Saturdays. There should be no deliveries on Sundays and Bank and Public 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).

**13 COM23 Hours of Use (Restaurant etc.)**

The commercial premises shall not be open for customers outside the following hours: -  
0800 to 2300, Mondays - Fridays  
0800 to 2300 Saturdays  
1000 to 1800 Sundays, Public or Bank Holidays.

REASON

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

**14 COM27 Traffic Arrangements - submission of details**

Development of the relevant building shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing for the relevant building) have

been submitted to and approved in writing by the Local Planning Authority. Car Parking Layouts shall demonstrate that 15 spaces shall be equipped with active Electric Vehicle Charging (EVC) points and an additional 15 spaces with passive EVC points. Detailed design drawings, based on the use of swept paths with a 300mm error margin, to ensure sufficient manoeuvrability and adequate road safety, shall also be submitted.

Each individual building shall not be occupied until all such approved works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

#### REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016)

#### **15 NONSC Construction Environmental Management Plan**

Before the development of the relevant building hereby approved commences, a Construction Environmental Management Plan (CEMP) for that building shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

Reason: To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Local Plan (November 2012) and London Plan (2016).

#### **16 COM30 Contaminated Land**

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

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

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

(c) A written method statement providing details of the remediation scheme and how the

completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

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

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

#### REASON

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

#### **17            A23            Design to Wheelchair Standards on Residential Developments**

The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

#### REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan (2016) Policy 3.8, is achieved and maintained.

#### **18            NONSC            Non Standard Condition**

The development hereby approved shall ensure that spectator seating within the cinema will allow people with a physical and/or sensory impairment to sit amongst the audience without being separated from friends or family. Seating within the auditorium shall provide a choice of position for a non-transferring wheelchair user and provide clear, comfortable sightlines without obstructing the view of others. The auditorium should be fully accessible and otherwise designed to conform to BS 8300.

#### REASON:

To ensure an appropriate standard of development in accordance with London Plan (2016) Policy 7.2, is achieved and maintained.

#### **19            SUS1            Energy Efficiency Major Applications (full)**

Prior to commencement of development of the relevant building an energy assessment for that building shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

1 - set out the annualised baseline energy demand (kWhr) and CO2 levels (KgCO2) of the development built to 2013 Building Regulations.

2 - set out the design measures and features that reduce the baseline emissions relative to the London Plan Hierarchy (be lean, be clean, be green)

3 - provide the impacts of the measures and features from [2] on the baseline energy demand and emissions [1]

4 - provide full details, including (but not limited to), of types of lighting, boiler specifications, Combined Heat and Power networks and plant technology, zero carbon technology including roof plans and PV specifications.

5 - methods to monitor and maintain the development to ensure the targets are achieved and met consistently

The development must proceed in accordance with the approved assessment.

Reason

To ensure the development contributes to a reduction in CO2 in accordance with London Plan Policy 5.2.

## **20 NONSC Piling**

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason

To prevent any detrimental impact on local underground sewerage utility infrastructure and/or 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).

## **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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) 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
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM13	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
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
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
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE7	Provision of planning benefits from industry, warehousing and business development
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
LPP 4.1	(2016) Developing London's economy
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies
LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction

LPP 5.7	(2016) Renewable energy
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
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LPP 7.3	(2016) Designing out crime
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LPP 7.6	(2016) Architecture
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy

### **3            159                    Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### **4**

1. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.
2. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.
3. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

#### **5**

The red-line plan submitted with the application documents indicates that part of the development site boundary is within Crossrail safeguarded limits and also encroaches onto Network Rail (NR) freehold land. Network Rail are undertaking 'cable pulling' works in connection with the construction of Crossrail at this location. Information relating to the works and the timescales involved for the works are available through the following contact email address 'CRCrossrail@networkrail.co.uk'

The applicant is advised to confirm with Network Rail the land title boundaries and also the current works programme before commencing of any of their proposed works in order to avoid any conflicts of interest for either the land ownership or the disruption to the Crossrail/NR construction programme.

## 6

### Fencing

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance without encroachment upon Network Rail land. Network Rail's existing fencing/wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land within Network Rail's boundary must also not be disturbed.

### Drainage

Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 20 metres of Network Rail's boundary. Any surface water run-off from the site must drain away from the railway boundary and must NOT drain in the direction of the railway as this could import a risk of flooding and / or pollution onto Network Rail 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 particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on [AssetProtectionWestern@networkrail.co.uk](mailto:AssetProtectionWestern@networkrail.co.uk) before works begin.

### Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

### Site Layout

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

### Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

### Excavations/Earthworks

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and

earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

#### Party Wall

Where works are proposed adjacent to the railway it may be necessary to serve the appropriate notices on Network Rail and their tenants under the Party Wall etc Act 1996. Developers should consult with Network Rail at an early stage of the preparation of details of their development on Party Wall matters.

The applicant is reminded that any works close to the Network Rail boundary, and any excavation works are also covered by the Party Wall Act of 1996. Should any foundations, any excavations or any part of the building encroach onto Network Rail land then the applicant would need to serve notice on Network Rail and they would be liable for the costs. An applicant cannot access Network Rail without permission (via the Asset Protection Team) and in addition to any costs under the Party Wall Act, the applicant would also be liable to all Network Rail site supervision costs whilst works are undertaken.

No works in these circumstances are to commence without the approval of the Network Rail Asset Protection Engineer.

#### Method Statements/Fail Safe/Possessions

Method statements may be required to be submitted to Network Rail's Asset Protection Engineer for prior approval of works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period of booking of 20 weeks. The applicant will be liable for all costs incurred by Network Rail (including all possession costs, site safety supervision, asset protection presence). The applicant is reminded that Network Rail can refuse any third party works that would impact adversely on its infrastructure.

#### Signalling

The proposal must not interfere with or obscure any signals that may be in the area.

#### Environmental Issues

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

#### Landscaping

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

#### Plant, Scaffolding and Cranes

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.



### Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

### Security of Mutual Boundary

Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Engineer.

## 7

The Council's Waste Strategy Officer has provided the following guidance regarding waste management:

### 1) Flats

a) I would estimate the waste arising from the development to be as shown below: -

Size of household - Studio / one bedroom

Number in development - 42

Projected Weekly Waste & Recycling per household - 140 litres

Waste & Recycling produced from all households - 5880 litres

Size of household - Two bedroom

Number in development - 34

Projected Weekly Waste & Recycling per household - 170 litres

Waste & Recycling produced from all households - 5780 litres

Size of household - Three bedroom

Number in development - 4

Projected Weekly Waste & Recycling per household - 240 litres

Waste & Recycling produced from all households - 720 litres

Total Weekly Waste Arising

12380 litres

Minimum number of 1,100 litre bins required = 12.

I would suggest that all bins are for refuse initially owing to contamination issues. Additional recycling bins can then be added.

The storage space for the waste and recycling bins should take into account the following list described below

b) The bin enclosures must be built to ensure there is at least 150 mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections. The dimensions of an 1,100 litre bulk bin are shown in the table below: -

Bin Size 1,100 litre Eurobin

Height 1,370 mm

Depth 990 mm  
Width 1,260 mm

c) Arrangements should be made for the cleansing of the bin stores with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

d) The material used for the floor should be 100 mm thick to withstand the weight of the bulk bins. Ideally the walls of the bin storage areas should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

e) The gate / door of the bin stores need to be made of metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150 mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

f) Internal bin chambers should have appropriate passive ventilators to allow air flow and stop the build up of unpleasant odours. The ventilation needs to be fly proofed.

g) If the chambers are inside the building they should have a light. The lighting should be a sealed bulked fitting ( housings rated to IP65 in BS EN 60529:1992).

h) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

i) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

k) The access roads must be made strong enough to withstand the load of a 26 tonne refuse collection vehicle.

#### 4) Commercial Units

4a) The occupiers would have to make an arrangement with either the Council or a licensed waste carrier for the collection of the waste produced from the premises.

4b) The producers of waste from commercial premises have a Duty of Care to contain the waste safely until it is collected by the Council or a licensed waste carrier. They can best comply with this through the use of bulk bins or presenting sacks on the day of collection. Larger waste producers could use a 12 cubic yard 'front end loader type bin or if there was shared usage of waste containers a 40 cubic yard bin could be used fed by a compactor system.

4c) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres or sack 15 metres from the point of storage to the collection vehicle (BS 5906 standard).

4d) The gradient of any path that the bulk bins have to be moved on should ideally be no

more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

4e) The access roads must be made strong enough to withstand the load of a 32 tonne refuse collection vehicle (if using 40 cubic yard roll on roll off bins).

#### General Points

The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

### 8

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

### 9

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecutions under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

### 10

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

### **3. CONSIDERATIONS**

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

The application site is located within the eastern section of a broader redevelopment site titled The Old Vinyl Factory (TOVF). The broader site is situated on Blyth Road, approximately 260 metres to the southwest of Hayes Town Centre. The 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 Machine Store and Pressing Plant form Phase 6 of the TOVF side wide masterplan as amended by the a Section 73 amendment (ref: 59872/APP/2013/3775). The application site has an area extending to approximately 0.6 hectares. The Pressing Plant (formerly Apollo House) is situated at the eastern end of The Old Vinyl Factory's masterplan site. It has been partially demolished (in conjunction with the demolition of Jubilee House, in accordance with planning permission APP/2012/3153 (dated 30 April 2013). The site of the former Jubilee House is currently being developed as part of phase 2 of the masterplan to create the Material Store. The Pressing Plant is locally listed, predominantly for its front/northern facade. The Machine Store and Pressing Plant site is located to the east of the consented Boiler House and Material Store, which consist of 54 and 189 residential units respectively. The south of the site abuts the embankment to the main railway line. To the east of the site is the Gatefold Building, which is currently being developed for a 4-7 storey height building comprising 132 residential units, a cafe, community room and workshop units with associated car parking pursuant to planning permission APP/2011/2253 dated 27 March 2012 (as amended).

Approved building heights within the TOVF typically range from 16m to 32m (excluding lower level podiums) as shown on approved parameter plan. Vehicular access to the site is via Blyth Road and pedestrian access is provided throughout the site. To the north and beyond the boundary of TOVF masterplan site is Enterprise House, which is a Grade II listed industrial building for which planning permission and listed building consent was granted in October 2014 for the restoration, refurbishment and conversion of the building as part of a mixed use development comprising approximately 4,500sqm GIA of employment space (Use Class B1 and B8 with ancillary cafe) and 96 residential units (Use Class C3), ref. 11623/APP/2013/3606.

Much of the TOVF 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 Local Plan (November 2012) and a Strategic Industrial Location (SIL) as designated within the London Plan (2016).

#### **3.2 Proposed Scheme**

Planning permission is sought for the partial demolition of the Pressing Plant, retaining the existing northern facade and part of the western facade and the construction of a mixed use development forming the Pressing Plant and Machine Store buildings. The detailed planning application comprises:

### Machine Store

Erection of two connected buildings (Block A and Block B) of 7 storeys in height (above a 1.5 storey podium) comprising 81 residential units, 228sq.m (GEA) of A1/A3/A4 floorspace, 926sq.m (GEA) of D1 floorspace, a 1.5 storey height car park (below podium level) and associated public realm, landscaping and access works. Amenity space is to be provided at podium level between blocks A and B. The podium will provide soft landscaping and amenity space.

### Block A

Comprises a 7 storey building (above a 1.5 storey podium) including residential units and 228sq.m (GEA) of A1/A3/A4 floor space. The entrance to Block A is at the northwest corner of the building and includes the resident concierge space. Step-free access to all dwellings and the podium level is provided by the use of lifts.

### Block B

Comprises a 7 storey building (above a 1.5 storey podium) including residential units and 926sq.m (GEA) of D1 floor space (Health Centre), located to the south of the site at the semi basement, ground and first floor levels. Block B is accessible to residents by a stairwell from Pressing Plant Lane as well as by two lift cores. Block B will provide a local health centre (the proposed D1 floorspace).

### Pressing Plant

The proposals comprise partial demolition of the Pressing Plant, retaining the existing north facade and part of the western facade and construction of a 1,450sq.m (GEA) three screen boutique cinema (Use Class D2), including retail A1/A3/A4/A5 floorspace (262sq.m GEA). Following a detailed design and structural review of the current Pressing Plant, it was concluded that the building is neither structurally safe nor viable to maintain/repair as part of the redevelopment works. These proposals therefore seek to partially retain the facade and incorporate it into the development of a new building that will house the cinema and associated uses. The outline consent for the wider TOVF site detailed below included the provision of a Museum. It is proposed to create an exhibition space within the Cafe/Bar/Retail area of the Pressing Plant, where the aim is to house some of the EMI archive as a rolling exhibition.

The proposed 1.5 storey car park is located at sub-basement level below the podium and Blocks A and B; will be served by three pedestrian accesses, one from each of the resident accesses to Blocks A and B, which will also both give access to the podium, and one from the Groove. The enclosed car park will contain 67 car parking spaces, of which 7 will be accessible spaces. Further, 11 car parking spaces will be provided at street level. Four motorcycle spaces will be provided. With respect to cycle parking, 130 spaces are proposed; 102 double stack spaces in the Machine Store basement car park, 14 single stack spaces on the upper car park level and further 14 spaces being provided in the public realm for short-stay visitors.

## **3.3 Relevant Planning History**

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

The application site forms part of The Old Vinyl Factory site for which outline consent was granted under application reference 59872/APP/2012/1838. Unlike previous phases of TOVF development, the Machine Store and Pressing Plant application is an application for full planning permission and not a reserved matters application. This is because the proposed uses and scale of development materially departs from the outline planning permission, requiring a fresh full planning application. The outline planning permission is however a material consideration as it establishes the principle of a residential led mixed

use development (including a cinema) at the site.

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.

Application reference 59872/APP/2013/3775 granted a variation of the original outline permission to allow variations to phasing of the approved development.

Application reference 59872/APP/2016/1931 granted a Non-material Amendment to planning permission ref: 59872/APP/2013/3775 to amend the approved parameter plans in connection with the Music Box development.

#### **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 (March 2016)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations  
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.E1 (2012) Managing the Supply of Employment Land  
PT1.EM1 (2012) Climate Change Adaptation and Mitigation  
PT1.EM6 (2012) Flood Risk Management  
PT1.EM8 (2012) Land, Water, Air and Noise  
PT1.EM11 (2012) Sustainable Waste Management  
PT1.HE1 (2012) Heritage  
PT1.T1 (2012) Accessible Local Destinations  
PT1.T3 (2012) North-South Sustainable Transport Links

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
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM13	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
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
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
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE7	Provision of planning benefits from industry, warehousing and business development
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 4.1	(2016) Developing London's economy
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.11	(2016) Green roofs and development site environs

- LPP 5.12 (2016) Flood risk management
- LPP 5.13 (2016) Sustainable drainage
- LPP 5.15 (2016) Water use and supplies
- LPP 5.21 (2016) Contaminated land
- LPP 5.3 (2016) Sustainable design and construction
- LPP 5.7 (2016) Renewable energy
- LPP 6.12 (2016) Road Network Capacity
- LPP 6.13 (2016) Parking
- LPP 6.3 (2016) Assessing effects of development on transport capacity
- LPP 6.9 (2016) Cycling
- LPP 7.13 (2016) Safety, security and resilience to emergency
- LPP 7.14 (2016) Improving air quality
- LPP 7.19 (2016) Biodiversity and access to nature
- LPP 7.3 (2016) Designing out crime
- LPP 7.4 (2016) Local character
- LPP 7.5 (2016) Public realm
- LPP 7.6 (2016) Architecture
- LPP 7.7 (2016) Location and design of tall and large buildings
- LPP 7.8 (2016) Heritage assets and archaeology
- LPP 8.2 (2016) Planning obligations
- LPP 8.3 (2016) Community infrastructure levy

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

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

## **6. Consultations**

### **External Consultees**

Consultation letters were sent to circa 120 local owner/occupiers on 07.10.16. The application was also advertised by way of site and press notices. Following amendments to the scheme in which the Health Facility was increased in scale and an additional residential unit added to the development the applicant was subject to reconsultation that expired on 10.04.17.

One comment was received from a local resident in support of the application stating that the addition of a cinema and associated bar and restaurants will help further develop the area.

### **CLINICAL COMMISSIONING GROUP (CCG)**

Further to our recent discussions I can confirm that the CCG supports the inclusion of 926 m2 GEA for health use in the planning application for the former Vinyl Factory machine store.

The requirement of this space for health use derives from the significant increase in demand that the proposed residential development will place on local health services.



#### HAYES CONSERVATION AREA ADVISORY PANEL

We are deeply disappointed in the design for the cinema complex as it is not sympathetic to and does not complement the retained brick structure. We would have been happier if the new part of the Blyth Road frontage was a continuation of the brick structure with the same regular divisions in the facade. In the same vein we feel the mono-pitch roof should be replaced by a roof with a central ridge, similar to that on the retained part of the structure; the direction of projection shown in the plans does not require the extra height the proposed roof would provide. In the light of these comments, we hope that permission will not be granted for the current proposals. As the colour palette of the retained structures on the site are mainly white render or red brick we find the black and grey colour chosen for this building and the two residential block to the south most unsympathetic. We hope that a look and feel that fits better with their surroundings will be chosen and that the current schemes will not be approved.

As far as the residential element of the application goes, we see the current proposal as an intensification of the usage approved under the masterplan with a 33% increase in the number of units, from 60 to 80 and, with every iteration of the design, an increase in the height of the tower blocks. While acknowledging that the proposed height is similar to that of the surrounding buildings on this and adjacent sites, we had looked to the large area of the Old Vinyl Factory site to provide more variation to the streetscape, which would allow the early 20th-century buildings that are being retained to stand out, rather than be submerged in the morass of poorly-designed 21st century structures which are producing deep canyons between high monolithic rectangular blocks. The pastiche 'industrial' forms suggested for the roofs of the residential units do not read as such, as at the height proposed the detail cannot be appreciated from ground level. It would therefore be better to provide a more conventional roof form which would have the additional benefit of somewhat reducing the overall height. We are unhappy with the residential accommodation and hope the application will be refused until a less unsatisfactory proposal is submitted.

#### HAYES CONSERVATION AREA ADVISORY PANEL 2nd comments

We welcome the provision of a larger space for the proposed health centre as the large number of residential units on the site will create an equally large demand for health services. However, we are dismayed that this improved provision is presented as part of a package that sees an increase in the number of stories in Residential Block A, which will have a negative impact on what is already an over-tall development that is dwarfing the retained industrial buildings in the Conservation Area. It also increases the overall residential floor area and the proposed number of residential units, with the mix of housing units being further weighted to the lower end with more studios and 1-bed flats but fewer 2-bed flats. If there is a need for a larger health centre, space for it must be provided by the developer. However using this provision as a lever for increasing the size of the development is not acceptable; we therefore hope the current proposals will be amended to avoid adding an extra floor to Block A.

#### Case Officer's comments:

The proposed development has been reviewed at length by the Council's Design and Conservation Officer who has been involved throughout the pre-application discussions, minor amendments have been requested and provided. No objections have been made to the design of the proposals or the impact on the Conservation Area or Listed Building.

#### GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. This site has been subject to archaeological field evaluation which did not identify any remains of interest.

No further assessment or conditions are therefore necessary.

## CROSSRAIL

The implications of the Crossrail proposals for the application have been considered and the proposed development needs to take account of the construction of Crossrail and the following Informative:

### Crossrail concurrent working

The red-line plan submitted with the application documents indicates that part of the development site boundary is within Crossrail safeguarded limits and also encroaches onto Network Rail (NR) freehold land. Network Rail are undertaking 'cable pulling' works in connection with the construction of Crossrail at this location. Information relating to the works and the timescales involved for the works are available through the following contact email address 'CRCrossrail@networkrail.co.uk'

The applicant is advised to confirm with Network Rail the land title boundaries and also the current works programme before commencing of any of their proposed works in order to avoid any conflicts of interest for either the land ownership or the disruption to the Crossrail/NR construction programme.

## NETWORK RAIL

After studying the details submitted and consultation with our maintenance Protection co-ordinator, Engineer, Network Rail has safety concerns and requests further information.

Can the applicant confirm that this will not affect any access points or compounds currently used by Network Rail.

We also require confirmation as to how close proposed works will be to the retaining wall. Would the applicant/developer agree to a site visit with Network Rail to discuss how close the proposal will be to our boundary, as we require 24/7 access to inspect our assets?

### Fencing

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for it's future maintenance without encroachment upon Network Rail land. Network Rail's existing fencing/wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land within Network Rail's boundary must also not be disturbed.

### Drainage

Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 20 metres of Network Rail's boundary. Any surface water run-off from the site must drain away from the railway boundary and must NOT drain in the direction of the railway as this could import a risk of flooding and / or pollution onto Network Rail 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 particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on AssetProtectionWestern@networkrail.co.uk before works begin.

### Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

### Site Layout

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

### Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

### Excavations/Earthworks

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

### Party Wall

Where works are proposed adjacent to the railway it may be necessary to serve the appropriate notices on Network Rail and their tenants under the Party Wall etc Act 1996. Developers should consult with Network Rail at an early stage of the preparation of details of their development on Party Wall matters.

The applicant is reminded that any works close to the Network Rail boundary, and any excavation works are also covered by the Party Wall Act of 1996. Should any foundations, any excavations or any part of the building encroach onto Network Rail land then the applicant would need to serve notice on Network Rail and they would be liable for the costs. An applicant cannot access Network Rail without permission (via the Asset Protection Team) and in addition to any costs under the Party Wall Act, the applicant would also be liable to all Network Rail site supervision costs whilst works are undertaken. No works in these circumstances are to commence without the approval of the Network Rail Asset Protection Engineer.

### Method Statements/Fail Safe/Possessions

Method statements may be required to be submitted to Network Rail's Asset Protection Engineer for prior approval of works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period of booking of 20 weeks. The applicant will be liable for all costs incurred by Network Rail (including all possession costs, site safety supervision, asset protection presence). The applicant is reminded that Network Rail can refuse any third party works that would impact adversely on its infrastructure.

### Signalling

The proposal must not interfere with or obscure any signals that may be in the area.

#### Environmental Issues

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

#### Landscaping

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

#### Plant, Scaffolding and Cranes

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

#### Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

#### Security of Mutual Boundary

Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Engineer.

#### Case Officer's comments:

Network Rail's comments were relayed to the applicant who then produced an in depth response, including confirmation that the scheme will not affect any access points or compounds currently used by Network Rail and detailing how close the proposed works will be to the retaining wall. The applicant has also agreed to a site visit with Network Rail to discuss how close the proposal will be to the boundary and confirmed that Network Rail require 24/7 access to inspect their assets. The response has been provided to Network Rail who have raised no objections to the scheme or applicant's response.

The information provided by Network Rail is also recommended to be included within an informative should the application be approved.

#### THAMES WATER

##### Waste Comments

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewerage flooding and pollution to the local watercourses.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal

of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecutions under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

#### Informative

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecutions under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

#### Condition

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

Thames Water requests that the applicant should incorporate within their proposal, protection to the property by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

#### Case Officer's comments:

The condition and informative requested by Thames Water are recommended to be attached to any planning consent for the proposals.

#### METROPOLITAN POLICE

No objections. I met with the architect back in July 2016 and discussed this in detail.

I would ask for a SBD condition to be imposed.

Case Officer's comments:

The condition requested by The Metropolitan Police Designing Out Crime Officer is recommended to be attached to any planning consent for the proposals.

#### HEATHROW AIRPORT LIMITED

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

Submission of a Bird Hazard Management Plan

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

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'.

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

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

Informatives:

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

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We would also make the following observation:

Cranes

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

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above condition is applied to any planning permission.

Case Officer's comments:

The comments from Heathrow Airport Ltd were provided to the applicant who subsequently submitted a Bird Hazard Management Plan (BHMP) as part of the application's supporting documents. The BHMP was forwarded to Heathrow Airport Ltd who provided the following further comments:

HEATHROW AIRPORT LIMITED 2nd comments

I have now assessed the proposed Bird Hazard Management Plan for the above application against safeguarding criteria, and I can now recommend that this condition is discharged from a Heathrow Airport Ltd point of view.

HISTORIC ENGLAND

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

### **Internal Consultees**

#### **CONSERVATION AND URBAN DESIGN OFFICER**

The site falls within the Botwell Thorn EMI Conservation Area and the building is included on the Council's Local List. The demolition of the rear part of the structure was agreed in 2012, although the current proposal includes slightly more extensive demolition than was previously agreed (application ref 59872/APP/2012/1840). The building has been recorded under the discharge of conditions applications 59872/APP/2013/2825 and 2826.

The scheme has been subject to pre application discussions with the Conservation and Design Team and there are no objections in principle to the proposed new structures or the design approach to these buildings. In terms of detailed design and layout these proposals are considered to be an improvement on those previously agreed and would fit more comfortably into the emerging context of the site, creating a better flow along the Groove and forming a new public space. There are still some concerns over the narrowness of the gap between block A and the cinema building, however, if this does not create any amenity or over looking issues, the nearest elements of the residential building are cloaked balcony spaces, then given the very dense urban character of the wider site, this could be considered acceptable. The brick detailing on the upper east and west elevations of blocks A and B also needs to be given consideration as these include large areas of potentially unrelieved brickwork.

External materials will need to be conditioned and also details re glazed screens, balconies, balustrades, external windows, doors and stairs.

With regards to the demolition of the Pressing Plant, as the extent of demolition is slighter greater than approved previously, the detailed design and structural review reports referred to in section 12.01 of the D&A statement should be appended as supporting documents.

The integration of part of the existing structure into the new cinema building is welcomed, as is the creation space for the EMI archive. However, it is requested that the existing windows, or appropriate Crittal type modern replacements with a solid backing, are included on the frontage and also on the retained side elevation; rather than the proposed silver corrugated metal cladding, which would give the building the appearance of being boarded up as a temporary measure. Similarly, the rear elevation should be finished in a more permanent way, ideally in brickwork to create the appearance of a complete building.

No objection in principle, some additional information and minor revisions required.

Case Officer's comments:

In response to comments received from the Conservation and Design Officer the applicant has

amended the scheme to retain the critical windows on the north and west elevations (with solid infill backing). In response to concerns raised regarding the materiality they have amended the south elevation of the pitched gable end to brick with a new brick pier to provide a sense of material permanence. The west/east brick facades are broken down to be read as two/three storey panels via an expressed joint in the brick facade.

#### WASTE STRATEGY OFFICER

Information has been provided regarding waste requirements. This has been included within an informative that is recommended to be attached to a decision notice.

#### ACCESS

In assessing this application, reference has been made to the London Plan 2016, Policy 3.8 (Housing Choice), and Approved Document M to the Building Regulations 2010 (ADM 2016).

The Design & Access Statement refers The technical Housing standards and compliance of the residential units in accordance with sections M4 (2) and M4 (3) of Approved Document M to the Building Regulations.

In addition, the 1.5 storey car park will contain 62 car parking spaces, of which 10 would be accessible. A further 11 car parking spaces are to be provided at street level. Of the 73 car parking spaces, 58 are proposed for residential and 15 non-residential.

#### Retail/Cinema Element

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

1. Spectator seating within a cinema should allow people with a physical and/or sensory impairment to sit amongst the audience without being separated from friends or family. Seating within the auditorium should provide a choice of position for a non-transferring wheelchair user and provide clear, comfortable sightlines without obstructing the view of others. The auditorium should be fully accessible and otherwise designed to conform to BS 8300.

#### Conclusion:

- a) further details should be submitted in respect of point 1 above.
- b) any planning permission notice should include the conditions set out below

The development hereby approved shall ensure that 10% of the residential units are constructed to meet the standards for Category 3 M4(3) dwelling, with all remaining units designed to the standards for Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

#### REASON:

To ensure an appropriate standard of housing stock in accordance with London Plan Policy 3.8, is achieved and maintained.

#### Recommended Informatives:

1. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.
2. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.
3. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they



remain within the technical thresholds not to adversely affect people with epilepsy.

#### FLOOD AND WATER MANAGEMENT

The proposals appear to indicate that there is control of the surface water within attenuation tanks as agreed at the outline design. However further areas to reduce run off further were agreed would be explored within the detailed design or each parcel such non infiltration permeable paving. These do not appear to feature within this plan or any alternative options to reduce surface water run off combined with and integrated within the landscaping plans particularly where there are planting areas planned.

#### Case Officer's comments:

The Flood and Water Management Officer's comments have been reviewed by the applicant and additional information submitted (plan reference 1615-240-103) as part of the application. The Council's Flood and Water Management Officer has reviewed this additional information and provided the following response:

#### FLOOD AND WATER MANAGEMENT 2nd comments:

If it is built in accordance with the plans submitted I have no objections.

#### TREES AND LANDSCAPING

The site forms Phase 6 of TOVF and is situated to the east of the Boiler House and west of the Gatefold building. The Pressing Plant on the edge of Blyth Road will become a cinema. This is separated from the Machine Store, to the south, by the start of the ground level pedestrian route, The Groove, which threads its way through the whole Vinyl Factory site. The Machine Store is a residential development comprising two blocks, north and south, attached by podium level communal amenity space.

The D&AS explains the design concept for the public realm (and private / communal external areas) in section 10.0. The objectives for the main components of the scheme are set out and illustrative images and palettes of materials are specified. The design rationale addresses:

The Groove (planting and design), the podium level communal garden (hard and soft details), the play strategy and the rooftop terrace (amenity planting design). Drawings by Studio Egret West include planting plans for The Groove (105), podium garden (108, 109 and 110) and roof (111). These are supported by a Specification of Soft works and a Landscape Management and Maintenance Plan.

Dwg OO522 Rev 00 provides details of typical planting details for trees in hard and soft landscape conditions - but there is no detail of the podium level tree planting? Dwg No 00321 indicates Typical Paving details - as previously approved for other areas of The Groove.

This is a fairly comprehensive scheme. However, there is some additional technical information required, such as the podium level tree pit and shrub planted areas (construction) and irrigation detail.

#### Recommendation

No objection subject to landscaping condition.

#### HIGHWAYS

The Council's Highways Engineer raised a number of queries with regards to the original submission. The developer responded to these queries through the provision of an additional highways note on the 24/03/17. This additional information has been reviewed by the Council's Highways Engineer with the following comments provided:

#### Visibility

The Council's comments have been accepted and incorporated into the design. The proposed

layout now provides an acceptable level of forward visibility

#### Ramps

As the ramp in question has a rise of 1.65m, the proposed gradient 1:8.5 is acceptable and in line with national guidance.

#### Tracking

The suggested 300mm error margin has not been added to the proposed swept paths. This is contrary to the Council design guidelines and might result in horizontal alignment insufficient for the required vehicular manoeuvres. It is recommended that a condition be imposed to the planning consent to the effect that detailed design drawings, based on the use of swept paths with a 300mm error margin, should be submitted to and approved in writing by the council prior to commencement of works. This is to ensure sufficient manoeuvrability and adequate road safety.

#### Vehicle Parking - Residential

81 residential units are now proposed. As the approved parking ratio for the wider site is 0.75, this equates to 61 parking spaces for residents. The response states that 61 parking spaces would be allocated to residents plus 2 parking spaces for visitors.

#### Vehicle Parking - Non Residential

The Council's initial highways comments issued on 21 December 2016 require the use of 20 parking spaces for the combined non residential uses, of which 10 allocated to the Health Centre and the remaining 10 to other non residential uses. 15 parking spaces are proposed and as a result, there is a shortfall of 5 parking spaces for non residential uses.

#### Bicycle Parking

116 spaces are proposed. No further comments or objections.

#### Servicing

A condition should be imposed to the planning consent for the development of a Servicing Plan for the site. Road markings should be added to ensure servicing takes place away from the car park entrance. The supplied swept paths are satisfactory.

#### Refuse

The clarification is noted. The supplied swept paths are satisfactory.

#### Case Officer's comments:

Whilst the shortfall of 5 car parking spaces for the non-residential uses is noted, the location of the site adjacent to the new Crossrail Station and the inclusion of a requirement for a Travel Plan within the accompanying S106 legal Agreement is considered sufficient to mitigate against the detrimental impact of a slight shortfall in parking provision.

#### ENVIRONMENTAL PROTECTION UNIT (CONTAMINATION)

The site investigation covers the above area of the Old Vinyl Factory, 'OVF' using eleven fairly shallow trial pits (up to 1.6 metres, with three deep 30 metre boreholes. Some previous work is referenced has been undertaken across the OVF generally particularly by RPS consultants prior to Meerbrook's work. The testing involved 10 soil samples and analysis of the groundwater. There appears to be a basement and mostly hard standing which will help remove the pathway to any non mobile contamination. The soil testing results although limited for the area of the site showed only four elevated lead levels , one elevated arsenic level and a raised alkaline pH. Remediation is required in the case of limited soft landscaping for the development. 300 mm of soil is proposed. The site has made ground and this is where the contamination is likely , the natural ground (including gravels) was found to be clean and no pollution hot spots are recorded. No visual or olfactory evidence of contamination was noted. In addition to asbestos and hydrocarbons in any service ducts

if on this part of the OVF site (see below) would need to be remediated or rendered innocuous. As regards the ducts this is rather complicated on the wider OVF site and Gatefold Building Site and considerable works were carried out by Soil Fix to investigate the asbestos and hydrocarbon contamination. It appears on this part of the OVF (machine shop / pressing plant) there is not much work on the ducts. It is not within the geo environmental investigations, and remediation summary. As regards gas protection it does not appear as though this is an issue as at the adjacent Gatefold Building. No gas protection measures are proposed. This is based on two rounds at two boreholes (MBH 02/16 and 03/16). I think the conclusions may also be based on results from the wider OVF area. Some further gas monitoring is advised. We must await the remediation strategy. I would advise our contaminated land condition.

#### ENVIRONMENTAL PROTECTION UNIT (NOISE)

With reference to the above planning application I reviewed the Environmental Noise Survey and Noise Impact Assessment report by Hann Tucker Associates (report ref: 22178/NIA-Rev1 dated 7 September 2016), I have the following comments:

1. The proposed internal noise levels criteria (section 8.3, page 8 of the report) are acceptable, however, a criteria for LAMax,F of 45dB for bedrooms at night facing the railway should also be set.
2. The report does not address the noise levels in external amenity areas i.e. balconies etc. which should be as low as practicable and less than 50dB LAeq,T.
3. Section 10 of the report recommends a minimum Rw of 41dB to achieve the levels recommended in the table in section 8.3 of the report. There is a recommendation for secondary glazing to achieve the Rw but then goes on to recommend thermal double glazing which will only achieve around 36dB reduction.
4. There is no proposal for ventilation strategy to the residential elements of the development.
5. With regards to the cinema and other commercial elements of the development, details of the proposed sound insulation should be provided.
6. The report does not address other potential noise issues including but not limited to noise from patrons visiting the commercial premises, cars parking and loud music breakout.
7. The background noise levels is likely to be lower over the weekend, however, the noise survey was only carried out over weekdays.
8. The construction management plan is acceptable to us. However, I understand my colleague, will provide comments regarding contaminated waste materials.

In addition to the above I also recommend the following as conditions/informative respectively:

#### Sound insulation scheme

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road traffic, rail traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal and external noise design criteria to be agreed with the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road and rail traffic and other noise in accordance with policy OE5 of the Hillingdon Local Plan (November 2012).

#### Noise affecting residential property

The rating level of noise emitted from the plant and/or machinery 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.

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan (November 2012).

#### Air extraction system noise and odour

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan (November 2012).

#### Sound insulation of commercial/entertainment premises

The development shall not begin until a sound insulation scheme for the control of noise transmission to the adjoining dwellings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan (November 2012).

#### Control of amplified music

The development shall not begin until a scheme for the control of amplified music emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical administrative measures and noise limits and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan (November 2012).

#### Loading/unloading/deliveries

The commercial premises including bars, restaurants and cinemas shall not be used for delivery and the loading or unloading of goods outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 13:00 on Saturdays. there should be no deliveries on Sundays and Bank and Public 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 (November 2012).

I would also recommend that proposed opening hours for the commercial premises are agreed with the EPU.

#### Control of environmental nuisance from construction work (Informative)

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155)

## **7. MAIN PLANNING ISSUES**

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

Paragraph 17 of the National Planning Policy Framework states that one of the core principles of the document is the "effective use of land by reusing land that has been previously developed (brownfield land)."

The application site forms part of The Old Vinyl Factory site for which outline consent was granted under application reference 59872/APP/2012/1838. Unlike previous phases of TOVF development, the Machine Store and Pressing Plant application is an application for full planning permission and not a reserved matters application. This is because the proposed uses and scale of development materially departs from the outline planning permission, requiring a fresh full planning application. The outline planning permission is however a material consideration as it establishes the principle of a residential led mixed use development (including a cinema) at the site.

Policy R10 of the Hillingdon Local Plan (November 2012) states that the Local Planning Authority will regard proposals for new community and health services as acceptable in principle, subject to the other policies within the Plan. The proposed development is considered to accord with other policies contained within the Hillingdon Local Plan (November 2012). In addition Policy 3.17 of the London Plan (2016) states 'Development proposals which provide high quality health and social care facilities will be supported in areas of identified need, particularly in places easily accessible by public transport, cycling and walking'. This approach is also supported by London Plan (2016) Policies 2.2 and 3.2. As such the principle of the health facility is deemed acceptable.

The principle of a residential led mixed use development, including a cinema and health facility is therefore considered acceptable in this location.

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

Density was considered as part of the originally approved outline application for the wider TOVF site and was deemed acceptable. The site wide density of the development is not proposed to change significantly as a result of this full planning application.

The application proposes the erection of 81 units, which is an increase of 29 flats in the Machine Store building compared to the original masterplan that proposed 52. This follows design development, including a more efficient layout, for the Machine Store. These

changes have been subject to various lengthy pre-application discussions with officers at the Council.

The site has a PTAL score of 3/4 and Policy 3.4 of the London Plan seeks for new developments to achieve the appropriate density which is compatible with the local context. Table 3.2 of the London Plan recommends that for a PTAL of 3, with smaller sized units of 2.7 to 3 habitable rooms that a density of 70-170 could be achieved. For a PTAL of 4, with smaller sized units of 2.7 to 3 habitable rooms a density of 70-260 is appropriate. The proposed scheme has a density of 135 units per hectare which sits within the density range recommended by the London Plan (March 2016).

#### Unit Mix

In ensuring a range of housing choice is provided to residents, London Plan Policy 3.8 states that new developments should offer a range of choices, in terms of the mix of housing sizes and types. Saved Policies H4 and H5 of the Hillingdon Local Plan (November 2012) seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres and given the location of the site in close proximity to Hayes town centre the mix proposed is deemed acceptable and appropriate.

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

#### Listed Building/Conservation Area

The proposals comprise partial demolition of the Pressing Plant, retaining the existing north facade and part of the western facade, plus construction of a 1,450sq.m (GEA) three screen boutique cinema (Use Class D2), including retail A1/A3/A4/A5 floorspace (262sq.m GEA). Following a detailed design and structural review of the current Pressing Plant, it was concluded that the building is neither structurally safe nor viable to maintain/repair as part of the redevelopment works. These proposals therefore seek to partially retain the facade and incorporate it into the development of a new building that will house the cinema and associated uses. The retention of the northern section of the building will ensure that the section of the building which has the greater historic interest is retained, whilst removing the southern sections of the building which are of less architectural quality and in a very poor state of repair.

The Council's Conservation Officer has been involved throughout the pre-application discussions and has requested some minor amendments. These have been incorporated into the scheme and no objections have been made to the proposals. As such the impact of the proposals on the Listed Building and the Conservation Area are considered acceptable.

#### Archaeology

The Greater London Archaeological Advisory Service were consulted on the proposals and concluded that the development is unlikely to have a significant effect on heritage assets of archaeological interest. This site has been subject to archaeological field evaluation which did not identify any remains of interest.

### **7.04 Airport safeguarding**

Heathrow Airport Limited were consulted on the proposed development and they have confirmed that they have no objections to the proposal subject to an appropriate condition regarding the implementation of a Bird Hazard Management Plan (BHMP) and supporting informative relative to cranes. The applicant was informed of the request for a BHMP condition and duly submitted one as part of the proposals. Heathrow Airport have reviewed the submitted BHMP and confirmed that it is acceptable. As such, subject to the Bird Hazard Management Plan being listed as an approved document, the scheme is

considered to have an acceptable impact on airport safeguarding.

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

The site is not located within or close to the Green Belt, as such there are no Green Belt issues relating to this application.

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

The objectives for the wider site included in the master plan, include amongst other things, the promotion of a high quality scheme reflective of the area's general character as well as reinforcing local distinctiveness.

The site lies in the Hayes Botwell: Thorn EMI Conservation Area, and forms part of the old EMI factory site, which played an important part in the history of Hayes. It retains a number of large historic industrial buildings from the 19th and 20th centuries, a number of which are Locally Listed.

The proposed building height of the Pressing Plant is in accordance with the approved parameter plan and the podium has a height of 36.9m AOD, whilst the Machine Store Block A is 61.7m AOD and Block B is 61.2m AOD. The Machine Store therefore slightly exceeds the approved parameter plans.

However, in comparison, the neighbouring sites range between 2-7 storeys (Gatefold Building) and 7-10 storeys (Material Store). The roof level of Block C of the Material Store has a height of 65.950m AOD, the enclosed roof garden above Block C extends the total height to 67.575m AOD. The neighbouring Enterprise House also has a height of 66.52m AOD. The Cabinet Building has height of 58.16m AOD, with an outline approval for extensions that rise to 62.45m AOD. The proposed heights are therefore considered appropriate given the surrounding context.

The Council's Design Officer has reviewed the submitted details and they have raised no objections to the amended proposals.

The proposed new buildings have been subject to pre-application discussion with the Council's Conservation and Design Team. They have also reviewed the submitted details and raised no objections to the proposals. The overall development is considered to be a well designed and will have a positive impact on the visual amenities of the surrounding area, in accordance with Policies BE13 & BE19 of the Hillingdon Local Plan.

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

The proposed development accords with the layout approved as part of the wider site's outline planning consent (application reference 59872/APP/2012/1838), as such the location of the buildings are already considered acceptable in principle. The element of the scheme that would be located closest to existing buildings is also the retained element of The Pressing Plant listed building, so no new development will be encroaching on existing separation distances.

The Council's Environmental Protection Unit have reviewed the submitted details and requested that a number of conditions be attached to any planning consent. These conditions relate to noise pollution, air extraction and delivery/servicing times in order to protect the amenity of adjacent occupiers. Subject to the attachment of these conditions it is considered that the impact of the proposal on neighbouring properties is deemed acceptable.

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

Internal Floor Area

The proposed development is for the creation of 81 flats within the site. Each of the dwellings would be erected in accordance with the floor space standards contained within Policy 3.5 of the London Plan (2016). Therefore, each dwelling would be considered to create residential accommodation of an acceptable size for the number of bedrooms and inhabitants being proposed.

#### External Amenity Space

The overall amenity requirements of the proposal are as follows:

1B - 20sqm per dwelling x 46 units - 920sqm

2B - 25sqm per dwelling x 31 units - 775sqm

3B - 30sqm per dwelling x 4 units - 120sqm

Total amenity requirement- 1815sqm

The majority of the amenity space for the Machine Store is proposed within the public podium on level 1 (860sqm), the roof of block A (390sqm) and within private balconies that are provided to individual flats (Block A 275sqm and Block B 290sqm). The total amenity provision is 1815sqm and therefore the proposed development is considered to be provided with sufficient outdoor amenity space for the occupiers of the development, in accordance with Policy BE23 of the Hillingdon Local Plan.

#### Light and Outlook

All of the habitable rooms within the dwellings would be provided with an acceptable source of light and outlook in accordance with Policies BE20 of the Hillingdon Local Plan and the London Plan (2016).

#### Overlooking

In terms of outlook for future residents, Policy BE21 of the Local Plan seek to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

In this regard, it is considered that the site layout would provide a high standard of amenity for future occupiers. The layout provides sufficient space to ensure that there is adequate separation between the units. This will result in a satisfactory outlook from the proposed units in the blocks and reduces the potential for nuisance and disturbance to the future occupiers. As such, the development is considered to be consistent with relevant design guidance and policies BE21 and OE1 of the UDP.

All of the units would benefit from an acceptable level of privacy and light, in compliance with the Council's standards given in The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts'.

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

#### Vehicle Parking - Residential

81 residential units are now proposed and as the approved parking ratio for the wider site is 0.75, this equates to 61 parking spaces for residents. The application proposes that 61 parking spaces would be allocated to residents plus 2 parking spaces for visitors. As such the level of parking proposed for residential units is considered acceptable.

#### Vehicle Parking - Non Residential



The Council's initial highways comments issued on 21 December 2016 require the use of 20 parking spaces for the combined non residential uses, of which 10 allocated to the Health Centre and the remaining 10 to other non residential uses. 15 parking spaces are proposed and as a result, there is a shortfall of 5 parking spaces for non residential uses.

Whilst the shortfall of 5 car parking spaces for the non-residential uses is noted, the location of the site adjacent to the new Crossrail Station and the inclusion of a requirement for a Travel Plan within the accompanying S106 legal Agreement is considered sufficient to mitigate against the detrimental impact of a slight shortfall in parking provision.

#### Bicycle and Motorcycle Parking

116 cycle spaces are proposed and 4 motorcycle spaces. The Council's Highways Engineer has raised no objections to this level of parking provision and as such it is deemed acceptable.

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

#### Security

The Metropolitan Police Designing Out Crime Officer was consulted as part of the application process and has reviewed the submitted details, notably section 5.16 of the Design and Access Statement which refers to the Secure By Design requirements. They have raised no objections to the submitted details and as such the proposals are considered acceptable.

### **7.12 Disabled access**

The Council's Access Officer has reviewed the application and requested further information be submitted regarding the spectator seating arrangements within the cinema element of the proposal. The applicant has confirmed that the internal layout has not been designed to this level of detail at present. Therefore it is recommended that a condition is attached to any consent that requires additional details to be submitted and approved in writing by the Council that demonstrates that the auditorium shall be fully accessible and designed to conform to BS 8300.

The Design & Access Statement refers to the Technical Housing Standards and compliance of the residential units in accordance with sections M4(2) and M4(3) of Approved Document M to the Building Regulations. However the Council's Access Officer has requested that a condition is also attached to any consent to ensure the development will provide an appropriately level of 10% M4(3) units to accord with Policy 3.8 of the London Plan 2016. Informative relating to Induction loops and flashing/strobe lighting are also recommended.

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

The Applicant has provided a Financial Viability Appraisal which demonstrates that the proposed development would be unable to financially support the inclusion of the any affordable housing in addition to the provision of the health facility and the retention and partial refurbishment of the locally listed building. Given the increase in population in the immediate locality and the pressures placed on the health services it is considered that the inclusion of the health facility, which is strongly supported by local policy and the London Plan (2016), mitigates against the loss of affordable housing provision within the development.

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

There are no existing trees within the site that require protection. The Council's Landscape Architect has reviewed the submitted details and requested a condition be attached to any consent that requires further landscaping details to be submitted and approved in writing by the Council. Subject to such a condition being attached there are no objections to the

proposal from a landscaping prospective.

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

The Council's Waste Management Officer has reviewed the submitted details and subject to the attachment of a suitable informative raises no objection to the proposals.

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

The Applicant has submitted a Sustainability & Energy Report in support of the proposals, however the report concludes that the scheme as proposed would achieve only a 33.2% CO2 reduction against Building Regulations 2013 Part L baseline. This is below the 35% reduction required by Policy 5.2 of the London Plan (2016).

The Council's Sustainability Officer has reviewed the submitted details and requested a condition that requires the applicant to provide a further energy assessment and details of how the required reductions will be achieved. Subject to the attachment of such a condition the application is considered to accord with Policy 5.2 of the London Plan (2016).

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

The Council's Flood and Water Management Officer has reviewed the application and following the request for further information on sustainable drainage arrangements, which has been provided by the applicant, raises no objection to the development.

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

The Council's Environmental Protection Unit have reviewed the submitted details and raised no objection to the development subject to the attachment of a number of conditions that require further details of noise attenuation measures to protect the amenity of adjacent and future occupiers.

An additional condition has been added to control hours of use of the commercial units. Officers are not recommending hours of use controls for the health facility of cinema. The cinema would be subject to robust sound insulation measures and officers do not wish to restrict usage of the health facility given it's wider community benefits.

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

One comment was received in support of the application.

#### **7.20 Planning obligations**

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

Should the application be approved, a range of planning obligations would be sought to mitigate the impact of the development, in line with saved policy R17 of the Council's Unitary Development Plan.

The obligations sought are as follows:

1. Timescale for the agreed transfer of the Health Facility for NHS use and associated parking: within 5 years from date of permission or within 3 years from date of commencement (whichever occurs first)
2. Employment Training Initiatives
3. Construction Training: A financial contribution to the sum of: Training costs: £2500 per £1m build cost plus Coordinator Costs - up to £9,600 per phase or an in kind scheme to be provided.

4. 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.
5. Highway Works: S278/S38 for required Highways Works
6. Travel Plan: to include £20,000 Bond
7. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

In addition to S106 contributions the Council has adopted its own Community Infrastructure Levy (CIL) with a charge of £95 per square metre of gross internal residential floor area. This application is CIL liable with respect to new residential floorspace being created, and the sum calculated for this application based on the floor area proposed is £754,304.81.

In addition to the London Borough of Hillingdon CIL, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £479,184.22.

#### **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**

The application proposes the mixed use redevelopment of the Pressing Plant, at The Old Vinyl Factory site in Hayes, including the partial demolition of the Pressing Plant building, with the retention of the front facade and part of the western facade of the Pressing Plant and construction of a 3 screen cinema, plus retail, bar, restaurant and exhibition spaces. Also proposed to the south of the Pressing Plant is the construction of the Machine Store, comprising 81 residential units, a health centre, bars/cafes, associated parking, landscaping, and access works.

The proposed development is considered an appropriate mix of uses, scale and built form that will enhance the locality. The provision of the health facility would provide an important community service to the local area which is supported by local policy and the London Plan (2016). The application is therefore recommended for approval.

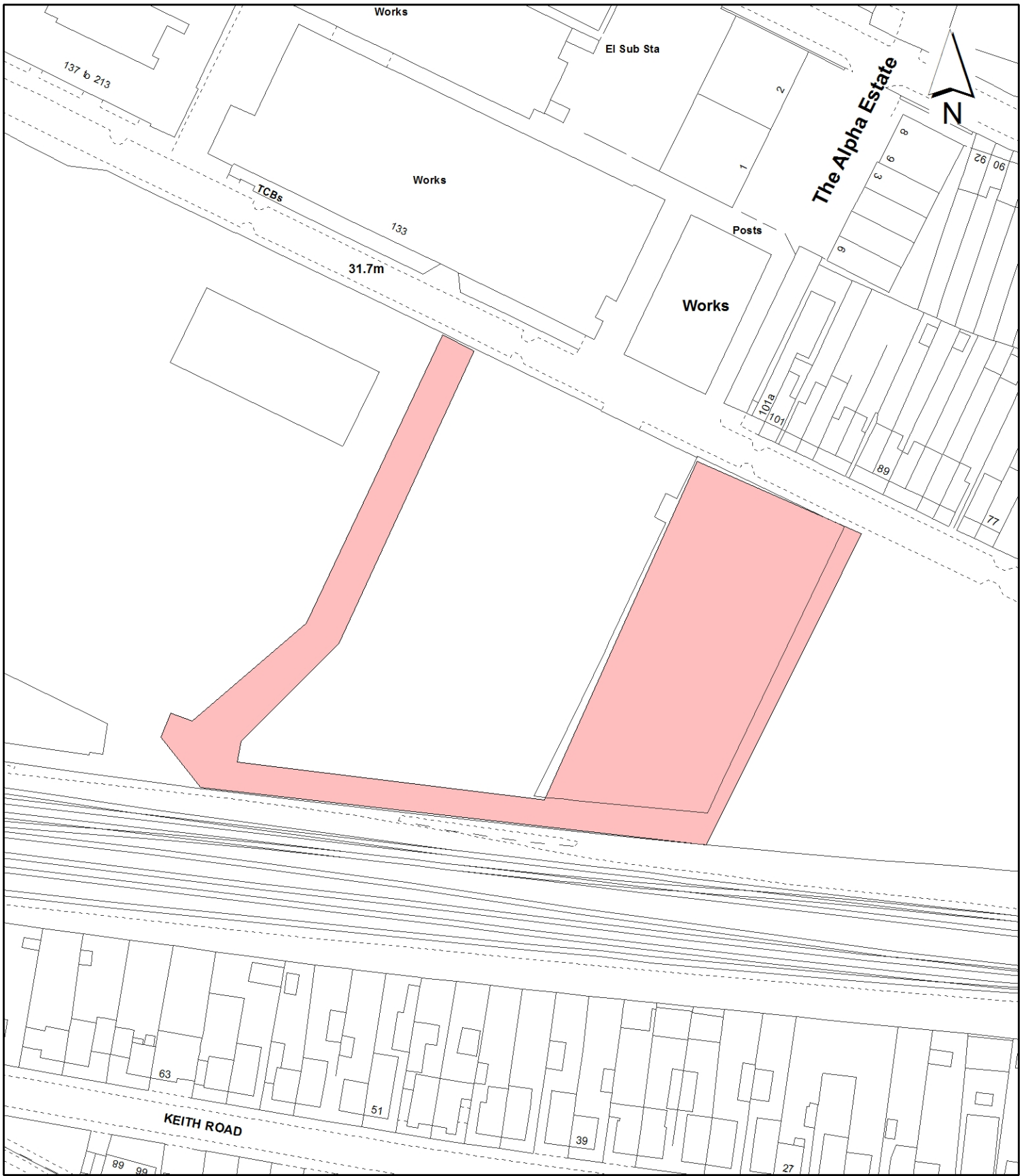
#### **11. Reference Documents**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (March 2016)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design

Hillingdon Supplementary Planning Guidance - Land Contamination

**Contact Officer:** Ed Laughton

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**Notes:**

 Site boundary

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Site Address:

**The Machine Store & Pressing Plant  
 The Old Vinyl Factory**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**59872/APP/2016/3454**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**April 2017**

