

Report of the Head of Planning, Transportation and Regeneration

- Address** LAND AT 3, 233-236 NESTLES AVENUE HAYES
- Development:** Demolition of existing buildings, site clearance and redevelopment to provide a mixed use scheme, including 457 residential units, 264 sqm (GEA) A1 retail use, 229 sqm (GEA) A3 cafe use and 2,273 sqm (GEA) B1 office, together with 237 car parking spaces and 1,070 cycle parking spaces, hard and soft landscaping, refuse and recycling facilities, and public and private amenity space.
- LBH Ref Nos:** 73238/APP/2018/1145
- Drawing Nos:**
- HAY-FAR-AB-DR-PA-05201 (December 2018) (Building A and B, Sector AA)
 - HAY-FAR-CD-DR-PA-05201 (December 2018) (Building C & D - Section AA)
 - HAY-FAR-CD-DR-PA-05202 (December 2018) (Building C & D - Section BB)
 - HAY-FAR-CD-DR-DR-PA-05203 (December 2018) Building C & D - Section CC)
 - Operational Waste Management Strategy, December 2018
 - Volume 1: Environmental Statement - Main Text, March 2018
 - Volume 2: Environmental Statement - Figures, March 2018
 - Volume 3: Environmental Statement - Appendices, March 2018
 - Volume 4: Environmental Statement - Townscape and Visual Assessment, March 2018
 - Environmental Statement - Non-Technical Summary, March 2018
 - Volume 1 - 4: 2018 Environmental Statement Addendum, December 2018
 - Environmental Statement: Non-Technical Summary Updated, December 2018
 - HAY-FAR-SW-DR-PA-03104 (December 2018) (Existing Context - East & West Elevations)
 - HAY-FAR-SW-DR-PA-03111 (December 2018) (Proposed Location Plan)
 - HAY-FAR-SW-DR-PA-03112 (December 2018) (Proposed Block Plan)
 - HAY-FAR-SW-DR-PA-03113 (December 2018) (Proposed Sitewide Ground Floor Plan)
 - HAY-FAR-SW-DR-PA-03114 (December 2018) (Proposed Sitewide First Floor Plan)
 - HAY-FAR-SW-DR-PA-03115 (December 2018) (Proposed Sitewide Second Floor Plan)
 - HAY-FAR-SW-DR-PA-03116 (December 2018) (Proposed Sitewide Third Floor Plan)
 - HAY-FAR-SW-DR-PA-03117 (December 2018) (Proposed Sitewide Typical Fourth to Seventh Floor Plan)
 - HAY-FAR-SW-DR-PA-03118 (December 2018) (Proposed Sitewide Eighth Floor Plan)
 - HAY-FAR-SW-DR-PA-03119 (December 2018) (Proposed Sitewide Ninth Floor Plan)
 - HAY-FAR-SW-DR-PA-03120 (December 2018) (Proposed Sitewide Tenth Floor Plan)
 - HAY-FAR-AB-DR-PA-07103 (December 2018) (Building A and B - Cat. 2

Layouts)
HAY-FAR-AB-DR-PA-07104 (December 2018) (Building A and B - Cat. 2
Layouts)
HAY-FAR-AB-DR-PA-07105 (December 2018) (Building A and B - Cat. 2
Layouts)
Planning & Design Addendum - December 2018
Planning Statement, March 2018
Landscape Strategy, March 2018
Internal Daylight and Sunlight Report, March 2018
Eb7 Ltd letter dated 18/12/18 - Planning Application Amendments - Internal
Daylight and Sunlight
Arboricultural Impact Assessment, March 2018
Historic Environmental Desk-based Assessment, March 2018
Healthy Urban Planning Checklist, March 2018
Socio-economic Statement, March 2018
Socio-economic Statement Addendum, December 2018
Building Services Report, March 2018
Structural Report, March 2018
Statement of Community Involvement, March 2018
Transport Assessment, V. 2 Issued 03/04/18
Transport Addendum, December 2018
Flood Risk Assessment and Drainage Strategy Report, December 2018
Heritage Desk-Based Assessment Addendum, December 2018
Sustainability and Energy Statement, Issue 02, dated 11/12/18
Noise and Vibration Assessment, March 2018
Noise and Vibration Statement Addendum, December 2018
Design and Access Statement, December 2018, Planning Addendum
EXA_1734_P_101 Rev. E
EXA_1734_P_106 Rev. E (Roof Garden - Level 2
HAY-FAR-AB-DR-PA-05102 (December 2018)
HAY-FAR-CD-DR-DR-PA-05204 (December 2018) (Building C & D -
Section DD)
HAY-FAR-CD-DR-DR-PA-05205 (December 2018) (Building C & D -
Section EE)
HAY-FAR-CD-DR-DR-PA-05206 (December 2018) (Building C & D -
Section FF)
HAY-FAR-CD-DR-DR-PA-05301 (December 2018) (Building C & D - South
Elevation)
HAY-FAR-CD-DR-DR-PA-05302 (December 2018) (Building C & D - North
Elevation)
HAY-FAR-CD-DR-DR-PA-05303 (December 2018) (Building C & D - West
Elevation)
HAY-FAR-CD-DR-DR-PA-05304 (December 2018) (Building C & D - East
Elevation)
HAY-FAR-CD-DR-PA-07102 (December 2018) (Building C & D - Cat. 2
Layouts)
HAY-FAR-CD-DR-PA-07103 (December 2018) (Building C & D - Cat. 2
Layouts)
HAY-FAR-CD-DR-PA-07104 (December 2018) (Building C & D - Cat. 2
Layouts)

HAY-FAR-CD-DR-PA-07105 (December 2018) (Building C & D - Cat. 2 Layouts)
HAY-FAR-CD-DR-PA-07106 (December 2018) (Building C & D - Cat. 2 Layouts)
HAY-FAR-CD-DR-PA-07107 (December 2018) (Building C & D - Cat. 2 Layouts)
HAY-FAR-SW-DR-PA-03101 (December 2018)
HAY-FAR-CD-DR-PA-07101 (December 2018) (Building C & D - Cat. 3 Layouts)
HAY-FAR-SW-DR-PA-03102 (December 2018)
HAY-FAR-SW-DR-PA-03103 (December 2018) (Existing Context - North and South Elevations)
HAY-FAR-AB-DR-PA-05103-A (March 2019)
HAY-FAR-AB-DR-PA-05104-A (March 2019)
HAY-FAR-AB-DR-PA-05105-A (March 2019)
HAY-FAR-AB-DR-PA-05106-A (March 2019)
HAY-FAR-AB-DR-PA-05107-A (March 2019)
HAY-FAR-AB-DR-PA-05108-A (March 2019)
HAY-FAR-AB-DR-PA-05109-A (March 2019)
HAY-FAR-AB-DR-PA-05110-A (March 2019)
HAY-FAR-AB-DR-PA-05111-A (March 2019)
HAY-FAR-CD-DR-PA-05102-A (March 2019)
HAY-FAR-CD-DR-PA-05103-A (March 2019)
HAY-FAR-CD-DR-PA-05104-A (March 2019)
HAY-FAR-CD-DR-PA-05105-A (March 2019)
HAY-FAR-CD-DR-PA-05106-A (March 2019)
HAY-FAR-CD-DR-PA-05107-A (March 2019)
HAY-FAR-CD-DR-PA-05108-A (March 2019)
HAY-FAR-CD-DR-PA-05109-A (March 2019)
HAY-FAR-CD-DR-PA-05110-A (March 2019)
HAY-FAR-CD-DR-PA-05101-A (March 2019)
HAY-FAR-SW-DR-PA-03311 (December 2018) (Proposed Context - North & East Elevations)
HAY-FAR-SW-DR-PA-03312 (December 2018) (Proposed Context - East & West Elevations)
HAY-FAR-SW-DR-PA-03313 (December 2018) (Proposed Context - East - West Link Elevations)
HAY-FAR-SW-DR-PA-03314 (December 2018) (Proposed Context - Sitewide West Elevations)
HAY-FAR-SW-DR-PA-03315 (December 2018) (Proposed Context - Sitewide East Elevations)
HAY-FAR-SW-DR-PA-07701 (December 2018) (Facade Detail 01)
HAY-FAR-SW-DR-PA-07702 (December 2018) (Facade Detail 02)
HAY-FAR-SW-DR-PA-07703 (December 2018) (Facade Detail 03)
HAY-FAR-SW-DR-PA-07704 (December 2018) (Facade Detail 04)
HAY-FAR-SW-DR-PA-07705 (December 2018) (Facade Detail 05)
HAY-FAR-CD-DR-PA-05111 (December 2018) (Building C & D - Roof Plan)
EXA_1734_P_301 Rev. C (Landscape Section A-A)
EXA_1734_P_107 Rev. E
EXA_1734_P_120 Rev. D

HAY-FAR-AB-DR-PA-05112 (December 2018) (Building A & B - Roof Plan)
 HAY-FAR-AB-DR-PA-05101-A (March 2019
 EXA_1734_P_102 Rev. E
 EXA_1734_P_105 Rev. D (Roof Garden - Level 1
 EXA_1734_P_302 Rev. C
 HAY-FAR-AB-DR-PA-05202 (December 2018) (Building A and B, Sector
 BB)
 HAY-FAR-AB-DR-PA-05203 (December 2018) (Building A and B, Sector
 CC)
 HAY-FAR-AB-DR-PA-05301 (December 2018) (Building A and B, North
 Elevation)
 HAY-FAR-AB-DR-PA-05302 (December 2018) (Building A and B, South
 Elevation)
 HAY-FAR-AB-DR-PA-05303 (December 2018) (West Elevation - Building B)
 HAY-FAR-AB-DR-PA-05304 (December 2018) (East Elevation - Building B)
 HAY-FAR-AB-DR-PA-05305 (December 2018) (East Elevation - Building A
 HAY-FAR-AB-DR-PA-07101 (December 2018) (Building A and B - Cat. 3
 Layouts)
 HAY-FAR-AB-DR-PA-07102 (December 2018) (Building A and B - Cat. 3
 Layouts)
 HAY-FAR-SW-DR-PA-07706 (December 2018) (Facade Detail 06)
 HAY-FAR-SW-DR-PA-07707 (December 2018) (Facade Detail 07)
 HAY-FAR-SW-DR-PA-07708 (December 2018) (Facade Detail 08)

Date Plans Received:	03/04/2018	Date(s) of Amendment(s):	10/04/2018
Date Application Valid:	10/04/2018		21/12/2018

1. SUMMARY

The application seeks full planning permission for the demolition of all existing buildings on the site, which forms part of the Nestles Avenue Industrial and Business Area (IBA), adjacent to the Great Western mainline, just south of the Hayes and Harlington and the Hayes Town Centre and its comprehensive redevelopment to provide a residential led mixed use scheme. In total, it would provide 457 residential units, flexible workspace (Use Class B1 - 2,273 sqm (GEA)), a retail unit (Use Class A1 - 264 sqm (GEA)), a cafe/restaurant (Use Class A3 - 229 sqm (GEA)), amenity areas, parking, and associated development.

The scheme is considered to be in accordance with emerging policy on this site and conforms to the Masterplan principles which have been formulated for this and adjoining sites. Importantly, the scheme will maximize residential densities close to the new Hayes and Harlington Station whilst the scheme provides for an east/ west link that will tie this and adjoining sites to the station.

The scheme proposes an acceptable design, with the scale and massing of buildings providing a 11 storey screen, adjacent to the railway, with the buildings stepping down towards the existing residential houses on the southern side of Nestles Avenue. The buildings would be grouped around a northern and southern internal courtyard, either side of the east/ west link and the overall design respects and takes its cues from the industrial heritage of the site.

The scheme provides for an acceptable level of residential amenity and with its massing and set backs from the side boundaries would not negatively impact upon adjoining residents or unduly impinge upon the prospects of adjoining sites being re-developed.

The scheme would provide an acceptable level of off-street car parking, given the site's PTAL score and proximity to the station, and the site connectivity to public transport will only improve with the arrival of the Elizabeth line (Crossrail).

The scheme would provide a commensurate package of s106 contributions that will mitigate its adverse impacts. It is recommended accordingly.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Transportation and Regeneration to grant planning permission, subject to the following:

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

B. That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

(i) 80 affordable units (17.5% on a per unit basis and 21.3% on a habitable room basis), with a tenure mix of 24 units - London Affordable Rent, 32 units - London Living Rent and 24 units - Shared Ownership,

(ii) Affordable Housing Review Mechanism, in accordance with GLA guidance,

(iii) Commercial Travel Plan, including a £20,000 Bond,

(iv) Residential Travel Plan, including a £20,000 Bond,

(v) Safeguarding of 'Gilbert Place' to ensure reconfiguration to 2 way traffic movements only once this or the adjoining Access Storage site is redeveloped, a minimum of 2 years post completion of whichever development is completed last,

(vi) £25k contribution towards further works/ studies of Bulls Bridge and the A312 corridor to improve severance of the area (Healthy Streets),

(vii) £140k public transport contribution,

(viii) £25k contribution per annum for 3 years towards introduction and establishment of new Heathrow Airport to Ruislip via Hayes 278 bus service,

(ix) Car club provision of two spaces,

(x) £80k Grand Union Canal quietway contribution

(xi) transfer of land for implementation of Multi modal transport scheme on Nestles Avenue plus £100k contribution and Nestles Avenue widening to be reserved for future improvements to accommodate buses, improved pedestrian and cycle links (MTS),

(xii) £80,000 Contribution towards public open space improvements at Cranford Park etc.

(xiii) £20k contribution towards linking Grand Union Canal Quietway with the M4 St Dunstons subway which provides access to Cranford Park

(xiv) Public Art to be agreed for installation on elevation facing railway line,

(xv) £550,080 carbon offset contribution

(xvi) £5k Santander bikes contribution

(xvii) Air quality contribution

(xviii) Construction Training: To agree the basis and methodology of a Construction Training Scheme with the Council's partnership team (linking with nearby schemes), or failing this, the following contribution shall apply:-

£2500 per £1m build costs + Coordinator Costs: 1000/7500 x £71,765 = £9556.66.

(xix) The residents of this development not to be eligible for parking permits, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions,

(xx) S38 works to provide cycle way, footpath and landscaping as part of MTS road widening proposals

(xxi) Unfettered access to public open space being provided on site

(xxii) Project Management & Monitoring Fee: Financial contribution equal to 5% of total cash contributions.

C) That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement/Deed of Variation and any abortive work as a result of the agreement not being completed.

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

E) That if any of the heads of terms set out above have not been agreed and the S106 Agreement has not been finalised before the 17th May 2019, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Transportation and Regeneration to refuse the application for the following reason:

'The development has failed to secure obligations relating to affordable housing, travel plans, road, canal, local public open space and public transport improvements, carbon dioxide off-setting, air quality neutral off-setting and construction training. Accordingly, the proposal is contrary to policies R17, AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policies 3.12, 5.2 and 7.14 of the London Plan (March 2016) and the Council's Planning Obligations SPD and the NPPF.'

F) That subject to the above, the application be deferred for determination by the Head of Planning, Transportation and Regeneration under delegated powers, subject to the GLA not calling in the application and on completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

G) 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:-

HAY-FAR-SW-DR-PA-03112, December 2018 (Proposed Block Plan)
HAY-FAR-AB-DR-PA-07103, December 2018 (Building A and B - Cat. 2 Layouts)
HAY-FAR-AB-DR-PA-07104, December 2018 (Building A and B - Cat. 2 Layouts)
HAY-FAR-AB-DR-PA-07105, December 2018 (Building A and B - Cat. 2 Layouts)
HAY-FAR-AB-DR-PA-05101-A, March 2019 (Building A & B - Ground Floor Plan)
HAY-FAR-AB-DR-PA-05102, December 2018 (Building A & B - First Floor Plan)
HAY-FAR-AB-DR-PA-05103-A, March 2019 (Building A & B - Second Floor Plan)
HAY-FAR-AB-DR-PA-05104-A, March 2019 (Building A & B - Third Floor Plan)
HAY-FAR-AB-DR-PA-05105-A, March 2019 (Building A & B - Fourth Floor Plan)
HAY-FAR-AB-DR-PA-05106-A, March 2019 (Building A & B - Fifth Floor Plan)
HAY-FAR-AB-DR-PA-05107-A, March 2019 (Building A & B - Sixth Floor Plan)
HAY-FAR-AB-DR-PA-05108-A, March 2019 (Building A & B - Seventh Floor Plan)
HAY-FAR-AB-DR-PA-05109-A, March 2019 (Building A & B - Eighth Floor Plan)
HAY-FAR-AB-DR-PA-05110-A, March 2019 (Building A & B - Ninth Floor Plan)
HAY-FAR-AB-DR-PA-05111, December 2018 (Building A & B - Tenth Floor Plan)
HAY-FAR-AB-DR-PA-05112, December 2018 (Building A & B - Roof Plan)
HAY-FAR-AB-DR-PA-05201, December 2018 (Building A and B, Section AA)
HAY-FAR-AB-DR-PA-05202, December 2018 (Building A and B, Section BB)
HAY-FAR-AB-DR-PA-05203, December 2018 (Building A and B, Section CC)
HAY-FAR-AB-DR-PA-05301, December 2018 (Building A and B, North Elevation)
HAY-FAR-AB-DR-PA-05302, December 2018 (Building A and B, South Elevation)
HAY-FAR-AB-DR-PA-05303, December 2018 (West Elevation - Building B)
HAY-FAR-AB-DR-PA-05304, December 2018 (East Elevation - Building B)
HAY-FAR-AB-DR-PA-05305, December 2018 (East Elevation - Building A)
HAY-FAR-AB-DR-PA-07101, December 2018 (Building A and B - Cat. 3 Layouts)
HAY-FAR-AB-DR-PA-07102, December 2018 (Building A and B - Cat. 3 Layouts)
HAY-FAR-CD-DR-PA-05101-A, March 2019 (Building C & D - Ground Floor)
HAY-FAR-CD-DR-PA-05102-A, March 2019 (Building C & D - First Floor)
HAY-FAR-CD-DR-PA-05103-A, March 2019 (Building C & D - Second Floor)
HAY-FAR-CD-DR-PA-05104-A, March 2019 (Building C & D - Third Floor)
HAY-FAR-CD-DR-PA-05105-A, March 2019 (Building C & D - Fourth Floor)
HAY-FAR-CD-DR-PA-05106-A, March 2019 (Building C & D - Fifth Floor)
HAY-FAR-CD-DR-PA-05107-A, March 2019 (Building C & D - Sixth Floor)
HAY-FAR-CD-DR-PA-05108-A, March 2019 (Building C & D - Seventh Floor)
HAY-FAR-CD-DR-PA-05109-A, March 2019 (Building C & D - Eighth Floor)
HAY-FAR-CD-DR-PA-05110-A, March 2019 (Building C & D - Ninth Floor)
HAY-FAR-CD-DR-PA-05111, December 2018 (Building C & D - Roof Plan)
HAY-FAR-CD-DR-PA-05201, December 2018 (Building C & D - Section AA)
HAY-FAR-CD-DR-PA-05202, December 2018 (Building C & D - Section BB)
HAY-FAR-CD-DR-DR-PA-05203, December 2018 (Building C & D - Section CC)
HAY-FAR-CD-DR-DR-PA-05204, December 2018 (Building C & D - Section DD)
HAY-FAR-CD-DR-DR-PA-05205, December 2018 (Building C & D - Section EE)
HAY-FAR-CD-DR-DR-PA-05206, December 2018 (Building C & D - Section FF)
HAY-FAR-CD-DR-DR-PA-05301, December 2018 (Building C & D - South Elevation)
HAY-FAR-CD-DR-DR-PA-05302, December 2018 (Building C & D - North Elevation)
HAY-FAR-CD-DR-DR-PA-05303, December 2018 (Building C & D - West Elevation)
HAY-FAR-CD-DR-DR-PA-05304, December 2018 (Building C & D - East Elevation)
HAY-FAR-CD-DR-PA-07101, December 2018 (Building C & D - Cat. 3 Layouts)
HAY-FAR-CD-DR-PA-07102, December 2018 (Building C & D - Cat. 2 Layouts)
HAY-FAR-CD-DR-PA-07103, December 2018 (Building C & D - Cat. 2 Layouts)
HAY-FAR-CD-DR-PA-07104, December 2018 (Building C & D - Cat. 2 Layouts)
HAY-FAR-CD-DR-PA-07105, December 2018 (Building C & D - Cat. 2 Layouts)
HAY-FAR-CD-DR-PA-07106, December 2018 (Building C & D - Cat. 2 Layouts)

HAY-FAR-CD-DR-PA-07107, December 2018 (Building C & D - Cat. 2 Layouts)
HAY-FAR-SW-DR-PA-03311, December 2018 (Proposed Context - North & East Elevations)
HAY-FAR-SW-DR-PA-03312, December 2018 (Proposed Context - East & West Elevations)
HAY-FAR-SW-DR-PA-03313, December 2018 (Proposed Context - East -West Link Elevations)
HAY-FAR-SW-DR-PA-03314, December 2018 (Proposed Context - Sitewide West Elevations)
HAY-FAR-SW-DR-PA-03315, December 2018 (Proposed Context - Sitewide East Elevations)
HAY-FAR-SW-DR-PA-07701, December 2018 (Facade Detail 01)
HAY-FAR-SW-DR-PA-07702, December 2018 (Facade Detail 02)
HAY-FAR-SW-DR-PA-07703, December 2018 (Facade Detail 03)
HAY-FAR-SW-DR-PA-07704, December 2018 (Facade Detail 04)
HAY-FAR-SW-DR-PA-07705, December 2018 (Facade Detail 05)
HAY-FAR-SW-DR-PA-07706, December 2018 (Facade Detail 06)
HAY-FAR-SW-DR-PA-07707, December 2018 (Facade Detail 07)
HAY-FAR-SW-DR-PA-07708, December 2018 (Facade Detail 08)
EXA_1734_P_101 Rev. E (General Arrangement Plan - Option 1)
EXA_1734_P_102 Rev. E (General Arrangement Plan - Option 2)
EXA_1734_P_105 Rev. D (Roof Garden - Level 1)
EXA_1734_P_106 Rev. E (Roof Garden - Level 2)
EXA_1734_P_107 Rev. E (Roof Garden - Level 8)
ExA_1734_P_120 Rev. D (Roof Garden Plan - Site)
EXA_1734_P_301 Rev. C (Landscape Section 'A-A')
EXA_1734_P_302 Rev. C (Landscape Section 'B-B' and 'C-C')

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 (March 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:

Reduction in energy use and renewable technology installation [Sustainability & Energy Statement, December 2018]

SUDS [Flood Risk Assessment and Drainage Strategy Report, December 2018]

Accessibility Measures [Design and Access Statement]

Refuse and Recycling Storage [Operational Waste Management Strategy, December 2018]

Noise Mitigation Measures [Noise and Vibration Assessment and Noise and Vibration Statement Addendum, December 2018]

Contaminated Land Mitigation [Environmental Statement (Volume 1, Chapter 9 - Ground Conditions and Construction) and the Desk Study Report, Ref. JI 8005 Issue 1 dated 12 February 2018]

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 OE1, OE3, OE8 and OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 3.8, 5.2, 5.21, 7.2 and 7.15 of the London Plan (March 2016).

4 COM6 Levels

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

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM7 Materials (Submission)

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

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

REASON

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

6 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

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

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

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

7 RES9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping (to include details of the provision to be made for defensible adjacent to windows)

1.a Planting plans to include pollution absorbing semi-mature trees (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 Cycle Storage to include cycle parking spaces

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 48 spaces are served by electrical charging points, with 48 spaces being made capable of easy conversion in the future (passive provision))

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (including details of the designated children's play area, play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs

3.b Justification as to why no part of the development can include living walls and roofs

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 surfing/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

6. Other

6.a Existing and proposed functional services above and below ground

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 Policies

5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (March 2016).

8 RES10 Tree to be retained

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

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

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 RES13 Obscure Glazing

The following windows shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence:-

Buildings A and B

The side secondary open plan kitchen/dining/living area windows of Units A1 208, A1 308, A1 408, A1 508, A1 608, A1 708, A1 808, A1 908 and A1 1008 of Building A and Units B1 204, B1 304, B1 404, B1 504, B1 604, B1 704, B1 804, B1 904 and B1 1004 of Building B on the second to tenth floors.

Buildings C and D

The side secondary open plan kitchen/dining/living area windows of Units C1 205, C1 206, C3 203, C3 204, C1 305, C1 306, C3 303 and C3 304 on the second and third floors, C1 405, C1 406, C1 505, C1 506, C1 605, C1 606, C1 705, C1 706, C1 805, C1 806, C1 905 and C1 906 on the fourth to ninth floors of Building C and Units D1 205, D1 206, D3 203, D3 204, D1 305, D1 306, D3 203 and D3 204 on the second and third floors, D1 405, D1 406, D1 505, D1 506, D1 605, D1 606, D1 705, D1 706, D1 805, D1 806, D1 905 and D1 906 on the fourth to ninth floors of Building D.

REASON

To prevent overlooking to adjoining properties in accordance with Policy BE24 Hillingdon

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

10 NONSC Privacy Mitigation Measures

Details of the measures to ensure that the units provide adequate privacy, which may include side privacy screens for the balconies, vertical fins to buildings, obscure glazing etc. to include details of design, construction and materials shall be submitted to and approved in writing by the Local Planning Authority.

The measures shall be installed prior to the occupation of the residential unit and thereafter retained for so long as the development remains in existence.

REASON:

To prevent overlooking to adjoining properties in accordance with Policy of the BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

11 NONSC Revised Studio Unit Balcony Details

Notwithstanding the detail shown on the approved plans, revised details of the studio units shall be provided in order to maximize the number of studios with balconies.

REASON

In order to ensure that the residential amenity by the smaller units are maximized, in accordance with Policy 3.5 of the London Plan (March 2016).

12 NONSC Non Standard Condition

Notwithstanding the detail including on the floors plans for Building A, revised plans shall be submitted a fire/emergency door fitted between the two lifts, dividing the core into two.

The scheme shall be implemented in accordance with the revised plans prior to the residential occupation of the block.

REASON

To ensure that the block has appropriate access arrangements, in accordance with Policy 3.5 of the London Plan (March 2016).

13 NONSC Radar Mitigation Scheme (1)

No construction shall commence on site until a Radar Mitigation Scheme (RMS), (including a timetable for its implementation during construction), has been agreed with NATS (En Route) plc and approved in writing by the Local Planning Authority.

REASON

In the interests of aircraft safety in compliance with Policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

14 NONSC Crane Operation Plan

Prior to the commencement of development, full details of a "Crane Operation Plan" shall be submitted to and approved in writing by the Local Planning Authority in consultation with the "Radar Operator" (NATS) and BAA Safeguarding. Construction at the site shall only thereafter be operated in accordance with the approved "Crane Operation Plan".

Reason:

To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport, in accordance with Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

15 NONSC 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

In order to manage the flat roofs so as to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

16 NONSC Photographic Record

Prior to the commencement of any works on site, the building shall be recorded to English Heritage level 1-2 and discs/ copies of the document shall be submitted to the Council, local library and Uxbridge Local History Library.

REASON

To ensure that a record of the building is provided, in accordance with Policy 7.8 of the London Plan (March 2016) and Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

17 NONSC Sustainable Water Management Scheme

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall follow the strategy set out in 'Flood Risk Assessment' and 'Surface Water Drainage Strategy', produced by Heyne Tillet and Steel

The scheme shall clearly demonstrate how it, Manages Water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where identified in an area at risk of surface water flooding, include additional provision within calculations for surface water from off site
- iv. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

- b) Capacity of Receptors
 - i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.
 - ii. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;
- c) Minimise water use.
 - i. incorporate water saving measures and equipment.
 - ii. provide details of how rain and or grey water will be recycled and reused in the development.
- d) Long Term Management and Maintenance of the drainage system.
 - i. Provide a management and maintenance plan
 - ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).
 - lii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
 - iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.
- f) From commencement on site
 - i. How temporary measures will be implemented to ensure no increase in flood risk from commencement on site including any clearance or demolition works.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012),

Policy DME1 10 Water Management, Efficiency and Quality in emerging Hillingdon Local Plan Part 2 Development Management Policies,

Policy 5.12 Flood Risk Management of the London Plan (March 2016) and

To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016), and

Conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016).

National Planning Policy Framework (July 2018), and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

18 NONSC CEMP

Before the development hereby approved commences, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with Network Rail. 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 arrangements 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 Unitary Development Plan.

19 NONSC Internal Noise Level

The noise level in habitable residential rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance with policies OE1 and OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

20 NONSC Sound Insulation

The approved development shall have an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely living room and kitchen above bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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).

21 NONSC Air extraction system noise and odour

Prior to use, any machinery, plant or equipment, extract/ ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason:

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

22 NONSC External Plant Noise

The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 5dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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).

23 NONSC Ecological enhancement scheme

Details of a scheme to enhance the ecological diversity of the site shall be submitted to

and approved in writing by the Local Planning Authority.

The approved scheme shall be retained on site for so long as the development remains in existence.

REASON

To ensure that biodiversity is enhanced, in accordance with Policy EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

24 NONSC Contaminated Land Condition

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

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).

25 NONSC Accessible hard and soft landscaping

All areas of hard and soft landscaping shall be constructed to accord with the prescribed standards and tolerances set out in BS8300:2018.

REASON:

To ensure development achieves a high standard of inclusive design in accordance with London Plan policy 7.2.

26 NONSC Accessible play equipment

Prior to occupation of the development, details in respect of the play equipment accessible to disabled children, including those with a sensory impairment, or complex multiple disabilities, shall be submitted and approved in writing by the Local Planning Authority.

REASON:

To ensure development achieves a high standard of inclusive design in accordance with London Plan policy 7.2.

27 NONSC M4(2)/M4 (3)

The development hereby approved shall ensure that ten percent of the residential units are constructed to meet the standards for Category 3 M4(3) wheelchair user dwelling. 16 Affordable Housing units shall be constructed to a Wheelchair Accessible standard, with 31 wheelchair user private for sale dwellings, constructed to a Wheelchair Adaptable standard, 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 d, is achieved and maintained.

28 NONSC M4(2)/M4 (3)

Ninety percent of the dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) Accessible and Adaptable 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 c, is achieved and maintained.

29 NONSC M4(2)/M4 (3)

Prior to the occupation of the dwellings hereby approved, evidence of compliance with the prescribed standards for M4(2) and M4(3) dwellings, as set out in Approved Document M to the Building Regulations (2010), 2015 edition, shall be submitted to the Local Planning Authority.

REASON:

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

30 NONSC Revised Details of Main Bin Store

Prior to any works above ground level, notwithstanding the detail shown on Drw. No. HAY-FAR-SW-DR-PA-03113 and contained within the Operational Waste Management Strategy, December 2018, revised details of the main bin store in Block C or an alternative collection point shall be submitted to and approved by the Local Planning Authority.

The revised details shall be retained for so long as the development remains in existence.

REASON:

To ensure that appropriate waste/recycling facilities are provided, in accordance with Policy 5.17 of the London Plan (March 2016).

31 COM31 Secured by Design

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

REASON

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

32 NONSC External amenity area Noise Level

The noise level within external amenity areas at the development hereby approved shall meet the noise standard specified in BS8233:2014.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance with policies OE1 and OE5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

33 NONSC Radar Mitigation (2)

No construction work shall be carried out above 12m above ground level unless and until the approved Radar Mitigation Scheme has been implemented and the development shall thereafter be operated fully in accordance with such approved Scheme.

REASON

In the interests of aircraft safety in compliance with Policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

34 COM22 Operating Hours

The commercial premises shall not be used except between:-
07:00 and 23:00 hours, Mondays - Saturdays
09:00 to 18:00 hours 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).

35 NONSC Delivery and Servicing Hours

There shall be no loading or unloading of vehicles, including the collection of waste from the site outside of the hours of:-

07:00 and 23:00 hours, Monday to Saturday, and
09:00 and 18:00 hours on Sundays, Public or Bank Holidays.

REASON

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

36 NONSC Imported Soils

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

37 SUS1 Energy Efficiency

Prior to above ground works, full details of the low and zero carbon technology shall be submitted to and approved in writing by the Local Planning Authority. The details shall reflect the following requirements and must demonstrate compliance with the CO2 reductions identified in the Sustainability and Energy Statement (MTT, issue 02 - 11.12.18):

- 1 - Details of the CHP should also include the heat network, the plant type and its location. Full details of the fuel inputs and energy outputs shall also be presented.
- 2 - Details of the PVs, including fixing mechanisms, pitch, orientation and plans (roof and elevations) shall also be included.
- 3 - Details of the annual monitoring and reporting to the Local Planning Authority regarding the operational performance of the completed development.

The development must proceed in accordance with the approved plans.

REASON:

To ensure the proposals contribute to a reduction in CO2 in accordance with London Plan 5.2.

38 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 the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water and Network Rail. 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).

39 NONSC Non Standard Condition

There shall be no increase in the use of car parking stackers and/or pallet parking systems, unless agreement to any changes is provided by the Local Planning Authority.

REASON

To ensure availability and management of parking, in accordance with policies AM2, AM7 and AM14 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policies 6.3 and 6.13 of the London Plan (March 2016).

40 NONSC Parking Allocation Plan

Prior to occupation of the development, a Parking Allocation Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking shall be for residential use of the flats and ancillary commercial use hereby approved and as agreed within the Parking Allocation Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure availability and management of parking, in accordance with policies AM2, AM7 and AM14 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policies 6.3 and 6.13 of the London Plan (March 2016).

41 NONSC No roof gardens

Access to the flat roof areas not within private balconies or terraces hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

42 NONSC Estate Management

Prior to the first occupation of any residential units, details of an Estate Management Plan shall be submitted and approved in writing by the LPA. Details shall include, but not be limited to the control of parking on Canal and Milk Street, Maintenance of the publicly accessible areas, maintenance of all blocks within the estate.

REASON

To safeguard the living environment of the future residential occupiers.

43 NONSC Vehicle Stacker Details

Prior to the occupation of the development, details and design specifications of the proposed vehicle stacker system shall be submitted to and approved in writing by the Local Planning Authority. This should include details of the management and maintenance regime of the proposed car parking stackers, which should include a strategy for dealing with any stackers that fail. The stackers and their layout shall only be installed in strict accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

The parking stackers shall be retained and maintained in good order to the reasonable satisfaction of the Local Planning Authority for so long as the development remains in existence.

REASON

To ensure that accessible off-street car parking is provided, in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

44 NONSC Noise and Vibration

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.

- | | |
|----------|---|
| NPPF- 2 | NPPF-2 2018 - Achieving sustainable development |
| NPPF- 5 | NPPF-5 2018 - Delivering a sufficient supply of homes |
| NPPF- 6 | NPPF-6 2018 - Building a strong, competitive economy |
| NPPF- 8 | NPPF-8 2018 - Promoting healthy and safe communities |
| NPPF- 9 | NPPF-9 2018 - Promoting sustainable transport |
| NPPF- 11 | NPPF-11 2018 - Making effective use of land |
| NPPF- 12 | NPPF-12 2018 - Achieving well-designed places |
| NPPF- 14 | NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change |
| NPPF- 15 | NPPF-15 2018 - Conserving and enhancing the natural environment |
| NPPF- 16 | NPPF-16 2018 - Conserving & enhancing the historic environment |
| LPP 1.1 | (2016)Delivering the strategic vision and objectives for London |
| LPP 2.1 | (2016) London in its global, European and United Kingdom context |
| LPP 2.2 | (2016) London and the wider metropolitan region |
| LPP 2.3 | (2016) Growth Areas and Co-ordination Corridors |
| LPP 2.6 | (2016) Outer London: vision and strategy |
| LPP 2.7 | (2016) Outer London: Economy |
| LPP 2.8 | (2016) Outer London: Transport |
| LPP 2.13 | (2016) Opportunity Areas and Intensification Areas |
| LPP 2.17 | (2016) Strategic Industrial Locations |
| LPP 2.18 | (2016) Green Infrastructure: the multi functional network of open and green spaces |
| LPP 3.1 | (2016) Ensuring equal life chances for all |
| LPP 3.2 | (2016) Improving health and addressing health inequalities |

LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.6	(2016) Children and young people's play and informal recreation facilities
LPP 3.7	(2016) Large residential developments
LPP 3.8	(2016) Housing Choice
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 3.10	(2016) Definition of affordable housing
LPP 3.11	(2016) Affordable housing targets
LPP 3.12	(2016) Negotiating affordable housing on individual private residential and mixed-use schemes
LPP 3.13	(2016) Affordable housing thresholds
LPP 3.15	(2016) Co-Ordination of Housing Development and Investment
LPP 3.16	(2016) Protection and enhancement of social infrastructure
LPP 4.1	(2016) Developing London's economy
LPP 4.3	(2016) Mixed use development and offices
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 4.8	(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 4.9	(2016) Small Shops
LPP 4.12	(2016) Improving opportunities for all
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.6	(2016) Decentralised Energy in Development Proposals
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 6.1	(2016) Strategic Approach
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2016) Cycling
LPP 6.10	(2016) Walking
LPP 6.11	(2016) Smoothing Traffic Flow and Tackling Congestion
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.2	(2016) An inclusive environment
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 7.8	(2016) Heritage assets and archaeology
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE28	Shop fronts - design and materials
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
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R3	Indoor sports, leisure and entertainment facilities

R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
LE2	Development in designated Industrial and Business Areas
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM3	Proposals for new roads or widening of existing roads
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM10	Incorporation in new developments of additions to the proposed cycle network
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM13	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
AM16	Availability for public use of parking spaces in commercial developments in town centres and other areas
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3 112 **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor

(including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

4 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

5 I14A Compliance with Legislation Administered by EPU

Your attention is drawn to the attached note 'Environmental Control on Construction Sites'

6 I21 Street Naming and Numbering

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

7 I70 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

8 I73 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

9

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 Heathrow Airside Operations staff. In some instances it may be necessary to contact Heathrow 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 will need to object to these proposals unless the above mentioned conditions are applied to any planning permission.

10

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

11

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 and renewal 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 and within Network Rail's boundary must also not be disturbed.

Drainage

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure.

Proper provision must be made to accept and continue drainage discharging from Network Rail's property. (The Land Drainage Act) is to be complied with. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Once water

enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

Full details of the drainage plans are to be submitted for acceptance to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers: Network Rail has various drainage standards that can be provided Free of Charge should the applicant/developer engage with Network Rail's Asset Protection Engineers.

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. The developer must liaise with Network Rail's Asset Protection at the earliest point, with at least 3 months' notice, prior to work starting, to ensure the continued safe operation of the railway. The close proximity of the proposed site could bring a risk to the railway and Asset Protection involvement may be required. The applicant/developer may need to sign into a Basic Asset Protection Agreement, contact Richard Selwood at Network Rail on AssetProtectionWestern@networkrail.co.uk before works begin.

12

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 1.56 hectare broadly rectangular shaped plot located on the northern side of Nestles Avenue in Hayes. It currently accommodates four, two-storey, warehouse buildings, associated sheds and ancillary development which mainly date from the 1930s and have been built in an art deco style. The buildings are currently in D1 (London Motor Museum, a private car museum hosting a collection of privately owned vehicles), B1 (car mechanics), and Sui generis (car sales garage and chauffeur business) uses.

The site is bounded to the north by the Great Western mainline and Hayes and Harlington

Station and its car park, which is due to be served by the Elizabeth line (Crossrail). On the opposite side of the railway line is a modern aparthotel complex, which extends up to 10-storeys in height and forms part of the wider Highpoint Village development. To the east, the site is bounded by Viveash Close, beyond which are various two-storey industrial/warehouse buildings and associated sheds, including those falling within the Squirrels Trading Estate. Parking along Viveash Close is uncontrolled and it is characterised by numerous parked cars and vehicular movements associated with the industrial units along either side. It also provides the only access to the Hayes and Harlington Station Car Park to the north. Nestles Avenue bounds the site to the south, beyond which is a residential area predominantly comprising two-storey semi-detached houses and to the west, the site is bounded by a large Access Self-Storage building.

The site currently falls within the Nestles Avenue Industrial and Business Area (IBA), the Hayes/West Drayton Corridor and an Air Quality Management Area (AQMA) as designated in the Hillingdon Local Plan. It also falls within the Hayes Housing Zone and the Heathrow Opportunity Area, as designated in the London Plan (March 2016).

3.2 Proposed Scheme

The application seeks full planning permission for the demolition of all existing buildings on the site and its comprehensive redevelopment to provide a residential led mixed use scheme. In total it would provide 457 residential units, flexible workspace (Use Class B1), a retail unit (Use Class A1), a cafe/restaurant (Use Class A3), amenity areas, parking, and associated development.

The development would effectively comprise four main blocks, shown on the plans as Buildings A, B, C and D. Buildings A and B would be located towards the north (rear) of the site and would provide a Class A3 use and 4 workshop units on the ground floor, linked at ground floor level to create a covered car park and cycle parking areas and a first floor communal garden above. The workshop units and part of the A3 use would extend into the first floor above. Building A, a largely triangular shaped building, would extend to 11-storeys and would be located in the north west corner of the site. Building B, a 'L' shaped building would also extend to 11-storeys, and would be located towards the north east corner of the site.

A green corridor, known as Sandow Avenue, would run east-west through the middle of the site. This would be a continuation of the greened public realm approved as part of the former Nestle Factory scheme and, in the long-term, should adjacent sites come forward for redevelopment, it is envisaged that a continuous east-west green link would be created.

Buildings C and D would be located towards the south of the site and south of Sandow Avenue. These would be arranged around a central courtyard and would range in height from four-storeys (fronting Nestles Avenue) to ten-storeys (towards the centre of the site). 6 Class B1 units would span the ground and first floor levels which front onto Sandow Avenue and along part of Viveash Close forming a T-shape workspace frontage. A double height retail unit would also be provided at the western end of Sandow Avenue on the ground (and first) floor of Building C. The Nestle Avenue frontage on the ground and first floors would comprise three bedroom duplex units (10 in total) which would also return a short distance along the building's side elevations.

All residential units are design to be compliant with building regulations, 90% of the residential units are compliant with M4(2) and the remaining 10% of units are compliant with M4(3a) that is wheelchair adaptable. The overall mixes of residential units are made up

of the following:

- 23 units (5%) are Studios
- 233 units (51%) are 1 Bedroom
- 152 units (33%) are 2 Bedroom
- 49 units (11%) are 3 Bedroom

There are two residential car parks within the proposed plans, totalling 232 available spaces, with a ratio of 0.51 spaces per unit in the forms of both traditional and stacker parking. The car park located within the ground level of Building A and B will be accessed at the northern end of Viveash Close. The car park in Building C and D spans over two levels, accessed via a central ramp. Access to the parking would be gained from Gilbert Place, a newly proposed road located along the west side of Building C which will provide a shared access to serve the proposed development and the redevelopment of the neighbouring Access Storage site to the west. There are 5 on street visitor parking available along Viveash close adjacent to the workspace units. A total of 1,033 cycle spaces are available across the site, two of the cycle parking areas are located in Building A and B and one in Building C and D and along Gilbert Place.

The total commercial floorspace proposed is 2,766 sqm with 264 sqm (GEA) for A1 retail use, 229 sqm (GEA) for A3 cafe use and 2,273 sqm (GEA) for B1 office use. There are ten workspace units that are double storey with private internal staircases and two retail spaces that are single storey along Sandow Avenue and Viveash Close. All commercial units are step free and can be accessed directly from the public realm on Ground level.

The landscaping strategy adopted in the application shows a series of public open space, totalling to 2,579 sqm of public realm along Sandow Avenue that brings connectivity to the north and south buildings. Along Sandow Avenue, three designated children's play spaces, multiple green spaces and seating steps are proposed on Ground Level, together with the east-west shared surface access route. Podium/ roof gardens are proposed on Level One of Block A and B, Level Two and Level Eight of Block C and D. In addition, there is a natural eco park/rain garden spanning across 1,229 sqm of land separating the pedestrian walkway and the duplexes along the Building C and D frontage. Brown roofs are to be implemented across all buildings.

The proposal has been subject to Financial Viability Appraisal and the scheme would provide 80 affordable units (17.5% on a per unit basis and 21.3% on a habitable room basis), with a tenure mix of 24 units - London Affordable Rent, 32 units - London Living Rent and 24 units - Shared Ownership.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is planning history relating to the existing industrial units on site. However, this predominantly relates to their historic industrial and business use and is of limited relevance to the current proposals.

The site is included within the Hayes Town Centre Housing Zone, a 238 ha area which was selected in March 2016 by the Mayor of London as one of 31 new Housing Zones in London and the Council's emerging Local Plan: Part 2 identifies this as one of three sites (this being site C) along Nestles Avenue, due to be released for their current Industrial and Business Area (IBA) designation and allocated for mixed-use redevelopment. The principle of the development will be discussed in Part 7.1 of this report. However, it is notable that

planning permission (ref: 1331/APP/2017/1883) was granted in 2018 for the comprehensive mixed use redevelopment of the former Nestles Factory site (Site A). The applicant for that site is now in the process of discharging their planning conditions and has commenced works on site. The strategic vision is that sites B, C (and now D, which comprises the Access Self-Storage building located at the very western end of Nestles Avenue) will follow suit.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2016)
National Planning Policy Framework (2018)
Hillingdon Supplementary Planning Document: Accessible Hillingdon
Hillingdon Supplementary Planning Document: Residential Layouts
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Noise
Hillingdon Supplementary Planning Document - Air Quality
Hillingdon Supplementary Planning Document - Land Contamination
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Document - Affordable Housing

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.E1 (2012) Managing the Supply of Employment Land
PT1.E3 (2012) Strategy for Heathrow Opportunity Area
PT1.E7 (2012) Raising Skills
PT1.HE1 (2012) Heritage
PT1.BE1 (2012) Built Environment
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM11 (2012) Sustainable Waste Management
PT1.EM4 (2012) Open Space and Informal Recreation
PT1.EM5 (2012) Sport and Leisure
PT1.EM6 (2012) Flood Risk Management
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.H1 (2012) Housing Growth
PT1.H2 (2012) Affordable Housing
PT1.T1 (2012) Accessible Local Destinations
PT1.T2 (2012) Public Transport Interchanges

- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.CI2 (2012) Leisure and Recreation
- PT1.CI3 (2012) Culture

Part 2 Policies:

- NPPF- 2 NPPF-2 2018 - Achieving sustainable development
- NPPF- 5 NPPF-5 2018 - Delivering a sufficient supply of homes
- NPPF- 6 NPPF-6 2018 - Building a strong, competitive economy
- NPPF- 8 NPPF-8 2018 - Promoting healthy and safe communities
- NPPF- 9 NPPF-9 2018 - Promoting sustainable transport
- NPPF- 11 NPPF-11 2018 - Making effective use of land
- NPPF- 12 NPPF-12 2018 - Achieving well-designed places
- NPPF- 14 NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
- NPPF- 15 NPPF-15 2018 - Conserving and enhancing the natural environment
- NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment
- LPP 1.1 (2016) Delivering the strategic vision and objectives for London
- LPP 2.1 (2016) London in its global, European and United Kingdom context
- LPP 2.2 (2016) London and the wider metropolitan region
- LPP 2.3 (2016) Growth Areas and Co-ordination Corridors
- LPP 2.6 (2016) Outer London: vision and strategy
- LPP 2.7 (2016) Outer London: Economy
- LPP 2.8 (2016) Outer London: Transport
- LPP 2.13 (2016) Opportunity Areas and Intensification Areas
- LPP 2.17 (2016) Strategic Industrial Locations
- LPP 2.18 (2016) Green Infrastructure: the multi functional network of open and green spaces
- LPP 3.1 (2016) Ensuring equal life chances for all
- LPP 3.2 (2016) Improving health and addressing health inequalities
- LPP 3.3 (2016) Increasing housing supply
- LPP 3.4 (2015) Optimising housing potential
- LPP 3.5 (2016) Quality and design of housing developments
- LPP 3.6 (2016) Children and young people's play and informal recreation facilities
- LPP 3.7 (2016) Large residential developments
- LPP 3.8 (2016) Housing Choice
- LPP 3.9 (2016) Mixed and Balanced Communities
- LPP 3.10 (2016) Definition of affordable housing

- LPP 3.11 (2016) Affordable housing targets
- LPP 3.12 (2016) Negotiating affordable housing on individual private residential and mixed-use schemes
- LPP 3.13 (2016) Affordable housing thresholds
- LPP 3.15 (2016) Co-Ordination of Housing Development and Investment
- LPP 3.16 (2016) Protection and enhancement of social infrastructure
- LPP 4.1 (2016) Developing London's economy
- LPP 4.3 (2016) Mixed use development and offices
- LPP 4.4 (2016) Managing Industrial Land and Premises
- LPP 4.8 (2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
- LPP 4.9 (2016) Small Shops
- LPP 4.12 (2016) Improving opportunities for all
- LPP 5.1 (2016) Climate Change Mitigation
- LPP 5.2 (2016) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2016) Sustainable design and construction
- LPP 5.6 (2016) Decentralised Energy in Development Proposals
- LPP 5.7 (2016) Renewable energy
- LPP 5.9 (2016) Overheating and cooling
- LPP 5.10 (2016) Urban Greening
- LPP 5.11 (2016) Green roofs and development site environs
- LPP 5.12 (2016) Flood risk management
- LPP 5.13 (2016) Sustainable drainage
- LPP 5.14 (2016) Water quality and wastewater infrastructure
- LPP 5.15 (2016) Water use and supplies
- LPP 5.17 (2016) Waste capacity
- LPP 5.18 (2016) Construction, excavation and demolition waste
- LPP 6.1 (2016) Strategic Approach
- LPP 6.3 (2016) Assessing effects of development on transport capacity
- LPP 6.5 (2016) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.9 (2016) Cycling
- LPP 6.10 (2016) Walking
- LPP 6.11 (2016) Smoothing Traffic Flow and Tackling Congestion
- LPP 6.12 (2016) Road Network Capacity
- LPP 6.13 (2016) Parking
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.2 (2016) An inclusive environment
- 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 7.8	(2016) Heritage assets and archaeology
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE28	Shop fronts - design and materials
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SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **22nd May 2018**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 213 local owner/occupiers on the original application. 5 site notices were also displayed surrounding the site, with a closing date of 22/5/18 and the application was also advertised in the press. No neighbour responses have been received. The 213 local owner/occupiers were also re-consulted on the revised plans on 14/1/19 with a closing date for responses of 28/1/19. Again, no neighbouring responses have been received.

HAYES TOWN PARTNERSHIP

Principle of redevelopment

The Partnership recognises and accepts that this site is suitable for a mixed-use development because of its strategic position close the Hayes & Harlington Station, the need for local housing and the concept of a Hayes Housing Zone. However it questions the balance between the residential and non-residential elements of the proposed scheme. The number of jobs seems very small. The Partnership is concerned that the continuing loss of employment land in Hayes Town is reducing job opportunities for local people and believes that the maintenance of local employment opportunities is an essential element of the good planning needed for a viable town centre and a sustainable community.

In making a presentation to the Steering Group of the Hayes Town Partnership the applicants stated that the employment aspects of their proposed development would be looked at together with those for the adjoining Access Storage site which includes more jobs. We doubt whether this is the right approach and we also understand that the proposals for the latter site are now being revised.

Housing provision

The applicants informed us that they are in discussion with the Council about the proportion of the development that will be allocated for affordable housing. In the light of the pressing local needs and the relative economic disadvantage of local families we believe strongly that the current Mayoral requirement of 35% should be maintained.

Employment and training

The construction of a development on the scale envisaged will involve a large number of jobs and we wish to see every effort being made to give the opportunity of employment to local people.

If the development is approved there is also a very good case for linking the construction training arrangements with those agreed by the Council with SEGRO and Barratts London for the nearby Nestles factory site.

Green spaces

There is a shortage of green spaces in this part of Hayes Town and for a development of 474 residential units there appears to be little provision on site and that being proposed seems to be restricted to only parts of the development. It is also unclear what will be provided for the people in the affordable homes.

The approved scheme for the redevelopment of the Nestles site will open up Wallis Gardens for general public use and Cranford Park is within reach. The green space at Fairey's Corner (the junction of Nestles Avenue and Station Road) could also form part of a wider plan to provide facilities for those who will be living in the development. The Partnership would expect the developers to make a substantial contribution to the Council by way of a Section 106 Agreement to improve the facilities available to residents.

Grand Union Canal

Although the site does not directly abut the Grand Union Canal it should be noted that the canal forms a green corridor through the built-up area and is close enough to act as an informal recreation area for walking and enjoyment of the natural environment.

The towpath is also an important cycling route and this needs to be linked with the proposed provision of 703 cycle parking spaces as part of a green travel plan. The Canal and River Trust already has proposals in hand to improve the towpath from Bulls Bridge to West Drayton for both cyclists and pedestrians as part of its 'Quietways' programme and the Partnership would expect the developers to make a financial contribution to this project.

Impact on local infrastructure

The main concern of the Partnership about granting approval to another housing development in Hayes continues to be the added pressure that this will put on local infrastructure, particularly in relation to health services, school places, youth provision and other facilities. In the absence of an overall plan for Hayes Town Centre it is important that the contribution from the developers by means of the Community Infrastructure Levy will be used to meet the specific needs generated by this development in the event that it receives approval.

Conclusion

The Partnership does not believe it is possible to 'substitute' obligations to other sites in the immediate area as the applicant appears to be proposing. It is clear that the provision of employment and community facilities on sites that are not related to the application in question, nor in the ownership of the applicant cannot be acceptable.

Whilst no details of the financial viability of the scheme were offered, the applicant made it clear that it was unlikely to commit to 35% affordable housing. The Partnership has serious concerns over the reluctance of the applicant to commit to the Mayor for London's baseline requirement.

The Partnership is of the opinion that the applicant needs to address the issues of affordable housing, employment and community amenities before it could endorse the application.

HAYES VILLAGE CONSERVATION PANEL

No response received.

GREATER LONDON AUTHORITY (Summary)

London Plan and draft London Plan policies on the principle of development; employment; affordable housing; housing; urban design; historic environment; inclusive design; transport; and climate change are relevant to this application. The application does not comply with the London Plan and the draft London Plan, for the reasons set out below; however, the possible remedies set out could address these deficiencies:

- Principle of development: In view of the plan-led consolidation of the Nestles Avenue SIL, the proposed residential-led mixed use redevelopment of this Opportunity Area site to deliver increased housing is supported, subject to an increase in the level of on-site employment floorspace proposed.
- Employment: The significant reduction in employment floorspace on the site raises concerns and

the applicant should provide further on-site employment floorspace.

- Affordable housing: 16% affordable housing, made up of 100% shared ownership, is wholly unacceptable. The financial viability assessment is currently undergoing robust interrogation by GLA officers to ensure that the maximum contribution is delivered in accordance with policies H5 and H6 of the draft London Plan and policies 3.11 and 3.12 of the London Plan. The tenure of the affordable housing should be diversified in accordance with Policy H7 of the draft London Plan and full details of affordability secured. As proposed, early and late stage viability reviews are also required.
- Urban design: The proposals are generally of a high quality; however, on-street parking should be reduced; the lack of external amenity space for studio units should be rectified; and the layout of Building A clarified.
- Transport: Parking levels should be reduced and cycle parking increased. Contributions should be secured for road junction improvements.
- Climate change: Further information is required on cooling/overheating, worksheet calculations, the district energy network, the site heat network, and combined heat and power, which must be provided before the proposals can be considered acceptable.

TRANSPORT FOR LONDON (TFL) (Summary)

While the principle of the proposal is accepted, the latest proposal remains non-compliant with the London Plan in a number of transport terms. The applicant is therefore required to address the following items satisfactorily before TfL can support more than just the principle of development:

1. Assess the scheme in relation to the Healthy Streets approach including the securing of an appropriate contribution to improved sustainable links across the A312, Bulls Bridge and linkages to Cranford Park, as well as undertake Healthy Street Check for Design against proposed public realm;
2. Undertake Road Safety Audit to proposed vehicular access arrangements;
3. Remove visitor parking; and revise the car parking monitoring strategy only to identify the need of further parking reduction but not to increase parking;
4. Secure a 'Permit Free' restriction and provide contribution toward a local CPZ;
5. Provide EVCP to meet the Draft London Plan standards;
6. Provide details of cycle parking design conforming the LCDS and split the cycle storage into smaller clusters;
7. Safeguard land at the site's Nestle Avenue frontage for the provision of the planned pedestrian, cycle and public transport link;
8. Secure appropriate financial contribution toward the planned transport link on Nestle Avenue, improvements to local highway network, as well as the proposed Bulls Bridge roundabout/ Healthy Street improvement.
9. Secure the submission of detailed Travel Plan by s106 agreement;
10. Secure the submission of DSP and CLP by planning conditions;
11. Secure the appropriate Mayor CIL payment and Crossrail SPG contributions.

NATIONAL AIR TRAFFIC SERVICES (NATS)

NATS has assessed the proposal and has identified the potential for an impact upon its infrastructure, namely its H10 radar located at Heathrow Airport.

NATS has evidence of buildings in the vicinity causing an impact to its infrastructure which it has taken measures to manage. Due to insufficient detail around the final design of the buildings as well as the timing of construction, also in relation to neighbouring schemes, NATS has concerns over the planning application in question.

The current application may benefit from the shielding provided by other construction, however as NATS has been unable to verify this, it wishes to object to the application unless appropriate

planning conditions are imposed. Should the applicant be able to demonstrate that the scheme is shielded by similar buildings, obstructing the line of sight to the H10 radar, NATS will be in a position to withdraw its objection.

Radar Mitigation Scheme

1. Prior to the commencement of development of any industrial phase of development, the following shall be submitted to and approved in writing by the Local Planning Authority and by the Radar Operator - NATS (En-route) plc either;

- detailed plans for the proposed buildings in that individual phase, demonstrating that there would be no detrimental impact upon the operation of the Heathrow H10 SSR Radar;

OR,

- details of a 'Radar Mitigation Scheme' (including a timetable for its implementation during construction) to mitigate any detrimental impact upon the Heathrow H10 SSR Radar.

2. Where a 'Radar Mitigation Scheme' has been required, no construction above 12m above ground level (AGL) shall take place on site, unless the 'Radar Mitigation Scheme' has been implemented. Development shall not take place other than in complete accordance with such a scheme as so approved unless the planning authority and NATS (En-route) plc have given written consent for a variation.

Reason: In the interests of Air Traffic Safety and of the operations of NATS En-route PLC.

Crane Operation Plan

3. Prior to the commencement of development within the Industrial development hereby approved, full details of a "Crane Operation Plan" shall be submitted to and approved in writing by the Local Planning Authority in consultation with the "Radar Operator" (NATS) and BAA Safeguarding. Construction at the site shall only thereafter be operated in accordance with the approved "Crane Operation Plan".

Reason: In the interests of Air Traffic Safety and of the operations of NATS En-route PLC.

HEATHROW AIRPORT LTD

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 conditions detailed below:

Radar Mitigation Condition

No Development can take place until:

- mitigation has been agreed and put in place to ensure that the proposed development will have no impact on the H10 Radar at Heathrow Airport.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

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.

Informative

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 Heathrow Airside Operations staff. In some instances it may be necessary to contact Heathrow 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 will need to object to these proposals unless the above mentioned conditions are applied to any planning permission.

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>).

NETWORK RAIL

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission. The local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

The applicant/developer should be made aware of the following which are a requirement of the Crossrail project:

Hayes and Harlington Station will be reconstructed by the Network Rail Crossrail Programme during 2018/19.

Viveash Close must remain open at all times as this is the only access in/out of the station car park, which is a commuter car park which will be used as a construction site and access.

If the developer wishes to utilise Viveash Close they are to notify both Network Rail, TfL and the CrossRail project to ensure that any works CRL are undertaking are not impacted.

Crossrail will need to get a crane through Viveash Close for the installation of a new footbridge and therefore the road must not be closed or compromised. Viveash Close is one of the official and approved Crossrail lorry routes for the works and lorry signage has been installed directing lorries from M4/A312 to this site. Therefore access to the site must be maintained at all times.

We do have a concern with regards to the allocation of parking. There are approximately 100 more residential units than parking spaces allocated to the residential properties; therefore, we have concerns that the future residents may use the station car park.

Access to Railway

Network Rail must have 24/7 access to its infrastructure, therefore, at no time must the access gates or right of access be blocked also access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Demolition

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.

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 and renewal 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 and within Network Rail's boundary must also not be disturbed.

Drainage

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure.

Proper provision must be made to accept and continue drainage discharging from Network Rail's property. (The Land Drainage Act) is to be complied with. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.

Full details of the drainage plans are to be submitted for acceptance to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers: Network Rail has various drainage

standards that can be provided Free of Charge should the applicant/developer engage with Network Rail's Asset Protection Engineers.

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. The developer must liaise with Network Rail's Asset Protection at the earliest point, with at least 3 months' notice, prior to work starting, to ensure the continued safe operation of the railway. The close proximity of the proposed site could bring a risk to the railway and Asset Protection involvement may be required. The applicant/developer may need to sign into a Basic Asset Protection Agreement, contact Richard Selwood at Network Rail on AssetProtectionWestern@networkrail.co.uk before works begin.

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.

Open Spaces/Amenities

Open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railing, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should be not able to be climbed.

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.

Signalling

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

Noise

Network Rail would remind the council and the applicant of the potential for any noise/ vibration impacts caused by the proximity between the proposed development and the existing railway, which must be assessed in the context of the National Planning Policy Framework (NPPF) and the local planning authority should use conditions as necessary. The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running and heavy freight trains. There is also the potential for maintenance works to be carried out on trains, which is undertaken at night and means leaving the trains' motors running

which can lead to increased levels of noise. We therefore strongly recommend that all future residents are informed of the noise and vibration emanating from the railway, and of potential future increases in railway noise and vibration.

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.

Safety Barrier

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway or damaging the lineside fencing.

CROSSRAIL

The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction.

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.

HS2 SAFEGUARDING

The application site lies outside the safeguarded area for Phase One of HS2 and accordingly we have no comments to make.

METROPOLITAN POLICE

I met representatives from this application in January, reviewed the proposal and advised. I do not object to this application however I do request that a condition is applied to it that the development achieves Secured By Design accreditation, as this will ensure that the security and crime prevention measures are of an appropriate standard.

LONDON FIRE BRIGADE

No comments received.

THAMES WATER

Waste Comments

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

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information

provided

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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, sewage flooding and pollution to local watercourses.

'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 prosecution 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: "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 prosecution 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. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

CADENT GAS

Should you be minded to approve this application the following notes should be included as an informative note for the Applicant:

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

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.

The applicant's historic environment assessment identifies moderate potential for deeply buried Palaeolithic archaeology. Typically this would manifest as flint artefacts redeposited in gravel, although rare in-situ sites are known. Near surface remains of later periods will have been destroyed or badly damaged by modern development and brickearth extraction.

As the proposed development does not involve the construction of basements the impact at depth appears be limited to piling, and perhaps some other minor works. On balance given the rarity of in-situ Palaeolithic archaeology it seems unlikely that the development will cause harm.

No further assessment or conditions are therefore necessary.

CANAL & RIVER TRUST (CRT)

Do not wish to comment as falls outside statutory consultation area for the CRT.

Comments on Revised plans:

The Canal & River Trust is a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in 2011 under the organisations former name, British Waterways. The 2011 issue introduced a notified area for household and minor scale development and a notified area for EIA and major scale development.

This application falls outside the notified area for its application scale. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

We are happy to comment on particular applications that fall outside the notified areas if you would like the Canal & River Trust's comments in specific cases, but this would be outside the statutory consultation regime and must be made clear to us in any notification letter you send. The document Development Management and British Waterways, issued to all LPAs with the changes to the notified areas in 2011, highlights some areas where specific cases may occur. This and further information on Planning and the Canal & River Trust can be found at: www.canalrivertrust.org.uk

Should you have a query in relation to consultation or notification of the Canal & River Trust on planning applications, please email us at planning@canalrivertrust.org.uk

ENVIRONMENT AGENCY

We recommend, that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be in addition to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our Groundwater Protection guidance (previously covered by the GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by

contamination, as contaminants can remobilise and cause groundwater pollution.

- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

From www.gov.uk:

- The Environment Agency's approach to groundwater protection (2017)
- Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
- Use MCERTS accredited methods for testing contaminated soils at the site

From the National Planning Practice Guidance:

- Land affected by contamination

British Standards when investigating potentially contaminated sites and groundwater:

- BS 5930:2015 Code of practice for site investigations;
- BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated sites
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points
- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING OFFICER:
Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

- The Local Plan: Part 1 - Strategic Policies (2012)
- The Local Plan: Part 2 - Saved UDP Policies (2012)
- The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Local Plan: Part 2

2.1 The Local Plan Part 2 Draft Proposed Submission Version (2015) was submitted to the Secretary of State on 18 May 2018. This comprises a Development Management Policies document, a Site Allocations and Designations document and associated policies maps. This will replace the current Local Plan: Part 2 - Saved UDP Policies (2012) once adopted.

2.2 The document was submitted alongside Statements of Proposed Main and Minor Modifications (SOPM) which outline the proposed changes to submission version (2015) that are being considered as part of the examination process.

2.3 Submission to the Secretary of State on 18th May 2018 represented the start of the Examination in Public (EiP). The public examination hearings concluded on the 9 August 2018. The Inspector has submitted a Post Hearing Advice Note outlining the need to undertake a final consultation on the Main Modifications only. The Council has responded to this note outlining that its preferred dates for doing so would be 27th March 2019 to 8th May 2019. All consultation responses will be provided to the Inspector for review, before the Inspector's Final Report is published to conclude the EiP process.

2.6 Paragraph 48 of the NPPF (2019) outlines that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

2.7 On the basis that the Council is awaiting the final Inspector's Report on the emerging Local Plan: Part 2, the document is considered to be in the latter stages of the preparation process. The degree to which weight may be attached to each policy is therefore based on the extent to which there is an unresolved objection being determined through the public examination process and the degree of consistency to the relevant policies in the NPPF (2019).

Designations

3.1 In the adopted Local Plan: Part 2 - Saved UDP Policies (2012), the site is located within an Industrial and Business Area (IBA).

3.2 In the emerging Local Plan: Part 2 - Site Allocations (2015), the site is located within Site Allocation SA 5, Site C. This allocation is for the redevelopment of the site for mixed use.

Comprehensive Development

4.1 Policy BE14 of the Local Plan: Part 2 - Saved UDP Policies (2012) outlines that permission will not be granted for the development of sites in isolation if the design fails to safeguard the satisfactory redevelopment of adjoining sites which have development potential. The wider site has been identified for development potential through the allocation of SA 5 (C) of the emerging Local Plan: Part 2 - Site Allocations and Designations Document (2015) and is retained within the SOPM (2018).

4.2 The emerging Local Plan: Part 2 - Site Allocations and Designations (2015) outlines that for SA

5, the three parts (A, B and C) should form a comprehensive development scheme as a preference. It is acknowledged however that this is a preference and the principle of the three sites coming forward separately has been accepted where the scheme is not in conflict with Policy BE14, with Site A being approved independently (1331/APP/2017/1883).

4.3 The boundary of this application however forms only part of Site C, albeit the majority of it, with the rest of Site C being in the ownership of Precis Holdings. As such, there is a particular need to ensure the satisfactory redevelopment of adjoining sites is safeguarded, particularly with the remainder of Site C.

4.4 It is considered that this has been achieved through the extensive and ongoing engagement that has taken place between the applicant and Precis Holdings, which has resulted in an agreement between the landowners in terms of design and access. This includes a 10.5m pull back from the red-line boundary on both sides to achieve a 21m separation and an access road agreement regarding the proposed Gilbert Place.

4.4 To the East, SA 5 (B) has also been identified as having development potential for redevelopment as a mixed use scheme. Site C and B are currently separated by Viveash Close.

4.5 It is considered that the opportunity to redevelop this site has been achieved through maintaining the setback with Site B currently provided by Viveash Close, as well as activating the front of the ground and first floors of the buildings along this street with proposals for B1 employment space. This proposal is considered to support and encourage active frontages directly opposite as part of the redevelopment of Site B, whilst also acting as a complementary neighbour to existing users in the interim, so that the new development is integrated effectively with existing businesses in line with Paragraph 182 of the NPPF (2019).

4.6 To the North of the site is a car park owned by Network Rail, which is not within the boundary of SA 5. As outlined within the Section 3.1.3 of the Design & Access Statement, an extensive process was undertaken to try and include this within the scheme, however ultimately Network Rail have stated that the land cannot be developed and will be retained as a station car park. It is not considered that the scheme compromises the ability of the Network Rail site to perform this function.

Principle of mixed use development:

5.1 In the adopted Local Plan: Part 2 - Saved UDP Policies (2012), the site is located within an Industrial and Business Area (IBA). However, in the emerging Local Plan: Part 2 - Site Allocations (2015), the site is located within SA 5 (C) for redevelopment as a new mixed use scheme.

5.2 The release of SA 5 from its designation as an IBA is justified within the employment land studies that form part of the Local Plan evidence base. The allocation is deemed to be consistent with the wider principles of the Hayes Housing Zone and the introduction of a new Crossrail Station at Hayes & Harlington Station. Furthermore, it is also consistent with the implementation of Policy H1 of the Local Plan: Part 1 - Strategic Policies (2012), particularly in that it:

- Ensures development makes the most efficient use of brownfield land;
- Promotes high quality mixed use development; and
- Represents the release of sites in non-residential use, subject to policies in the Development Plan.

5.3 However, as part of the justification for releasing such a large quantity of employment land, SA 5 is for a new mixed use scheme that includes a proportion of employment floorspace to be re-provided onsite. The latest requirement submitted within the Statement of Proposed Main Modifications (SOPM) (2018) is for all three sites within SA 5 to:

Comprise a proportion of employment generating uses to be agreed with the Council. Suitable uses will include B1 and elements of B2 and B8 that are compatible with the residential elements of the scheme.

5.4 The initial proposal only consisted of 341 sqm (GEA) B1 office use. Following further discussion with the Council and other consultees, the applicant has agreed to increase this amount to 2,273 sqm (GEA).

5.5 The B1 ground floorspace only compromises 1,150 sqm (35.9%) of the total 3,202 sqm usable ground floorspace, which excludes the floorspace required for parking and circulation/ servicing space. However, an additional 1,123 sqm has been provided on the first floor level to increase the overall provision on site to 2,273 sqm. This additional floorspace on the first floor will assist in creating a critical mass of employment floorspace at the centre of the scheme to be named Sandow Village. This new employment floorspace will both benefit from having two-storey frontages and integrating with the new proposed public realm, as well as being more compatible with the existing industrial uses currently located on Viveash Close than additional residential units. It will also be of sufficient quantity to make it viable for number of potential commercial users.

5.6 The scheme also proposes the inclusion of 264 sqm (GEA) of A1 retail use and 229 sqm (GEA) of A3 Cafe use. It is considered that these uses will provide ancillary support to the employment uses within Sandow Village and serve to improve the viability of the new B1 office space, without being of a scale that would detract from the vitality of the Town Centre. As such, the combination of the quantity, quality and viability of the newly proposed B1 floorspace on the site is deemed sufficient to resolve the Policy Team's original objection.

Residential Mix

6.1 Policies H4 and H5 of the Local Plan: Part 2 - Saved UDP Policies (2012) relate to the mix of housing to be provided on new schemes. Policy H4 notes that within town centres, predominantly one and two bedroom developments will be preferable. Policy H5 however also notes that the council will encourage new homes for large families where required, including through the provision of larger dwellings by the private sector in new development.

6.2 The latest evidence of local housing need comes from the Strategic Housing Market Assessment (2016) which indicates a substantial borough-wide requirement for larger private market units, particularly 3 bedroom properties. In regards to affordable housing specifically, the need is for 2 and 3 bedroom properties.

6.3 The scheme is proposing a mix of unit sizes at the following proportions:

- Studio: 23 (5%)
- 1 bedroom: 233 (51%)
- 2 bedroom: 152 (33%)
- 3 bedroom: 49 (11%)

6.4 Whilst there is a focus on one and two bedroom units in the scheme, the approach to family sized accommodation slightly improves on the approved application on the Former Nestle Factory Scheme (10%) to the East of the site.

6.5 Noting that a substantial part of the ground and first floors of the site are required for employment floorspace, which are typically the most appropriate locations for family sized accommodation, as well as the closer proximity to Hayes Town Centre than the Former Nestle Factory Scheme, this housing mix is considered to be acceptable.

Affordable Housing

7.1 The applicant is not proposing 35% affordable homes by habitable rooms in line with the Council's preferred tenure mix and as such has submitted a Financial Viability Appraisal (FVA) to justify why it is not viable to do so.

7.2 This FVA is being independently assess by the Council's own consultants. If viability is demonstrated to be an issue, the tenure mix should be the starting point for negotiations where this could support a greater number of affordable homes. Final options, showing different affordable housing levels with different tenures, should be provided to Housing Officers for final determination.

URBAN DESIGN/ CONSERVATION OFFICER:

A number of revisions have been made for this application. The latest set of proposals increase the employment space and improve the ground floor activity/ interface with the public realm which is supported.

- Active uses at ground floor levels provide a positive response to the streetscene, especially where new 'streets' are being introduced through the scheme. This includes the ability for the future Sandow Square to be a fully utilised public open space for the wider community and future residents. The limited vehicular access onto Sandow Square also re-emphasises the need to promote this space as a public space rather than one where vehicles dominate.

- The design of the proposed buildings reflects the site and surroundings and the industrial heritage of the site. The brick balconies reflect the quality of the proposed scheme at street level and re-emphasise the rooflines. The design however fully respects the low lying suburban nature of the existing properties on Nestles Avenue whilst utilising the sites potential away from this suburban character.

- The delivery of the new bus route on Nestles Avenue is also fully considered and welcomed and should be secured through the S106 agreement to enable its delivery. This also enables a greater set back of the development from the 2 storey properties on the southern side of Nestles Avenue, affording the delivery of an open boulevard and sense of space and place to be created.

- Gilbert Place is also a well considered public thoroughfare, however there have been extensive discussions between both this site and the adjoining Access Self Storage site to avoid the delivery of 4 lanes of vehicular traffic (2 serving this site and a further 2 lanes serving Access Self Storage in any redevelopment proposals). It is therefore essential that as part of this application, and part of any future proposals on the access self storage site, that vehicular access be reconfigured to only 2-way traffic, to prevent a detrimental impact on the future of the bus route on Nestles Avenue and also for all future highway users.

Overall, the proposed scheme is considered a good design that responds to the requirement to optimise the site for a residential led mixed use development (SA5). The design, layout and fenestration are high quality and positively respond to Nestles Ave and deemed comprehensive when considering the adjoining former proposals for No.1 Nestles Avenue. S106 will need to be secured for the Nestles Ave widening/ MTS, Gilbert Place requiring the developers to implement a single scheme (2-way traffic) a minimum of 2 years post completion of whichever development is completed last and off-site amenity space contribution for Cranford Park. No objection.

HIGHWAY ENGINEER:

Site Context

The development site is situated just south of Hayes town centre bordered by the Great Western Mainline to the north, Nestles Avenue to the south, Viveash to the east and a business use to the west. The site is currently occupied by low-rise light industrial employment use class B2 buildings

and one D1 building. The development proposals seek to demolish these and build two sets of individual buildings. The new development comprises of 457 new homes as well as small amounts of retail, restaurant and business land uses.

A planning application for this development was first submitted in April 2018, the main changes pertinent to highway, traffic and transportation impacts are:

- A decrease in the number of residential units from 474 to 457;
- An increase in the total employment area from 834 sqm to 2,766 sqm (GEA); and
- A decrease in the total number of residential car parking spaces from 284 to 232, this represents a reduction in the ratio of spaces per unit from 0.6 to 0.51. The new parking arrangements will be a mix of traditional and 'stacker' car parking.

Access to the site is provided by Nestles Avenue which is a straight road with a north east to south west alignment. There is a priority junction at its western where Nestles Avenue intersects with Station Road with a banned right hand turn out. At its eastern vehicular access to North Hyde Gardens once open is now closed, however cyclist and pedestrians are still able to pass. Nestles Avenue benefits from street lighting and a 30 mph speed limit.

There is on-street parking along much of Nestles Avenue controlled by a parking management scheme introduced in 2018. There are off and on-road and cycle facilities along the eastern side of Station Road between the railway station and the signalised junction of Station Road with North Hyde Road, this junction is locally known as Fairey Corner.

Hayes is designated a District Centre in the Hillingdon Local Plan: Part 1 - Strategic Policies (Adopted November 2012). The town centre supports approximately 200 retailers, 30,900 sqm gross of retail floorspace and 40,000 sqm of office space. Similar to most town centres of its size, Hayes offers a full range of services and facilities - pharmacists, a Post Office, convenience stores and banks etc. Hayes also has a leisure centre and library. Just 400 metres south of the Nestles Avenue/Station Road priority junction at Fairey Corner is a large ASDA supermarket. Both the town centred and ASDA supermarket is within convenient walking distance of the development site.

Hayes and Harlington station is on the Great Western Mainline with direct train services to London Paddington, Reading, Heathrow airport as well as Didcot and Oxford. From 2019 Hayes will also be served by the new Elizabeth Line (Crossrail) currently under construction. The Elizabeth Line is a new railway line across Central London serving the West End, City and Docklands and running from Reading and Heathrow in the west across to Shenfield and Abbey Wood in the east.

Hayes is also well connected to the local bus network, eight different bus services pick up and set down in the town providing access Uxbridge, Harrow Weald, Greenford, Charville Estate, Northolt, Heathrow Terminal Five, Heathrow Central Bus Station, Feltham, Brentford and Bulls Bridge Roundabout. Many of these bus services pick up and drop off directly outside Hayes and Harlington station. There are firm proposals to change the West London bus network in response to the opening of the Elizabeth Line. These proposals include a new north/south bus route linking Ruislip with Heathrow Airport; there is a good opportunity to route this new service along Nestles Avenue, thereby widening the occupiers of 233 - 236 Nestle Avenue range of travel options. However this will require Nestles Avenue to be remodelled so that it will be able to cater for 2-way bus traffic.

Hayes town centre also offers access directly onto the under construction Grand Union Canal Quietway. When complete early in 2020, Phase 1 of the The Grand Union Quietway will link Hayes town centre with Yiewsley via Stockley Park and West Drayton. Works involve resurfacing the existing unmade towpath with a 2 metre wide bitumen macadam surface for pedestrians and cyclist to use. Eastbound the Grand Union Canal Quietway when complete will provide cyclists with a direct, pleasant and off-road route all the way to Central London. This Quietway provides a further opportunity to extend the recently launched Brunel University Santander bicycle hire scheme to

include Hayes, Stockley Park and West Drayton. Once introduced, this would increase the travel choice available to all including the occupiers of 233 - 236 Nestle Avenue.

Transport for London (TfL) use a system called PTAL (Public Transport Access Level) to measure access to the public transport network. For any given location, PTAL assesses walk times to the public transport network taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b is best. The land at 233 - 236 Nestles Avenue has a PTAL of between 3 and 4 which is moderate/good.

The housing along Nestles Avenue comprises mainly of semi-detached town houses and a small number of bungalows. Many of these properties, though not all, have driveways with vehicle crossovers providing off street parking. There are four minor side roads leading off the southern side of Nestles Avenue all of which provide access to housing similar to the type along Nestles Avenue. Just one of these side roads, Harold Avenue is a through road which leads to the A437 North Hyde Road. There are footways with street trees on either side of Nestles Avenue. There are currently no buses services operating along Nestles Avenue. There have been just 43 road traffic accidents over the 3 year period up March 2018 of which just 4 were serious and none fatal.

Access and Car Parking

Vehicular access will be taken from Gilbert Place and Viveash Close both via Nestles Avenue. Gilbert Place will provide access to an off-street podium parking before leading on to Sandow Avenue. Between Nestles Avenue and the podium parking access Gilbert Place will have 2-way operation, beyond the podium parking entrance Gilbert Place will become one-way shared space. There will be a banned right hand turn for vehicle leaving the podium parking, the only option will be for drivers to head south back towards Nestles Avenue. This arrangement will stop most vehicles from entering the core of the site, thereby helping to safeguard residential amenity and improve road safety. Refuse and service vehicles will be allowed to proceed past the podium parking access onto Sandow Avenue where there will be three loading bays and one refuse collection point. Sandow Avenue then connects with Viveash Close - the second point of access also leading off Nestles Avenue approximately 100 metres east of Gilbert Place.

Viveash Close provides access to the northern most boundary of the site, and the station car park beyond and the car parking for buildings A and B. To maximise the quantum of parking provided within a limited amount of space, this parking will include both 'stacker' and 'pallet' parking. Viveash Close will have 2-way operation along its full length. There will be a further 2 loading bays along Viveash Close.

The developer has provided tracking drawings that show how a refuse vehicle would manoeuvre within the site. If this planning application is approved, vehicle tracking will continue to be kept under review through to detailed design stage.

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy states that new development will only be permitted where it is in accordance with the Council's adopted parking standards. As part of the development the following car and cycle parking spaces will be provided:-

- Car parking- 204
- Cycle parking - 1,070
- Disabled car parking - 33
- Motorcycle parking - 15

Twenty per cent of all car parking spaces at the development would have active electric vehicle charging points provided; a further 20% would have provision for an electric vehicle charging point to be installed at some point in the future in response to demand.

A total of 237 on-plot residential spaces are proposed which equates to a ratio of 0.5 spaces per dwelling. Planning permission (Ref 1331/APP/2017/1883) has recently been granted for a 1,386

residential development also along Nestles Avenue, the ratio of car parking spaces to residential units approved was 0.6. That site had a lower PTAL and greater distance from the station. The car parking spaces to be provided are to be arranged in buildings A and B on the ground floor and in buildings C and D on the ground floor with an upper deck above.

Utilising the Hillingdon saved UDP parking standards; the maximum number of parking spaces permitted would be 686 spaces. At the pre-application stage a 0.6 parking ratio was suggested, taking into account the site's location.

As mentioned above, to help maximise the amount of car parking provided within a limited amount of space, the developer proposes to use 'stacker' and 'pallet' parking. 'Stacker' parking, this is a system whereby one car parks above another on a pallet over another and another below. The 'stacker' parking mechanism works by having a raised point of entry - a platform. The 'stacker' pivots up and down rather like a 'see-saw' providing both the car above and car below the opportunity to drive on/off. 'Pallet' parking allows cars to double park as the base upon which the car is parked can be moved sideways, cars can be 'shuffled' around.

'Stacker' parking is only initially being proposed within Blocks A and B, there would be traditional parking only with the two levels of parking beneath the podium of Blocks C and D. The use of 'stacker' parking provides flexibility to change the quantum of car parking provided across the site. The developers do offer to monitor the uptake of the car parking across the development - the developer highlights that should there be greater demand for car parking once the development is occupied then more stackers could be provided in the parking area within Blocks C and D. Alternatively, should demand for parking be lower than that provided, then some stackers could be removed. The Highway Authority recognises that 'stacker' parking provides flexibility to respond to parking demand, however any changes to the number of parking spaces provided should be first approved by the Council. A suitable condition is required to allow the Council to retain control over parking supply.

In addition to the parking for residents, five car parking spaces would be provided for visitors, it is also proposed that the B1 office workshops will be provided with 5 accessible parking bays.

The development as proposed would have a total of 1,070 cycle parking spaces, 1,033 for residents and 37 for visitors.

Trip Generation

The number of trips that a new development will generate is a key consideration when determining a planning application as any increase may lead to traffic congestion on the surrounding road network and overcrowding on public transport services. The impact on road safety, air quality and residential amenity are other considerations to be taken into account. To help the Council decide whether the development is acceptable on traffic, highway and transportation grounds the developer has calculated the number trips that the development is forecast to generate and presented the finding of this work in a Transport Assessment (TA) that accompanies the planning application.

Existing Site Trips

The developer describes the existing site as being a piecemeal arrangement of low-rise light industrial B2 buildings and a single D1 use building. In November 2017 traffic surveys were undertaken which counted 201 vehicle trips generated over the 12 hour period 07:00 to 19:00 hours. Of these 15 were movements that took place in the AM Peak 07:00 to 08:00 hours, 11 arrivals and 4 departures and 7 in the PM Peak 17:00 to 18:00 hours, 2 arrivals and 5 departures.

Committed Developments

The developer recognises that there are a number of potential new developments within the vicinity of the site. The developer has included the following sites within the scope of the Transport

Assessment

1. The Old Vinyl Factory
2. Union House
3. Enterprise House
4. Trident House
5. Former EMI site
6. Hayes Swimming Pool site
7. Southall Gas Works
8. Hyde Park Hayes
9. 20 to 30 Blyth Road
10. Asda Site, Station Road

Furthermore the Transport Assessment takes into full account the highway works that have recently been implemented as part of the Transport for London, Hayes Town Centre, Major scheme.

The developers are aware of the other developments proposed along Nestles Avenue, including

1. Squirrel Trading Estate
2. Barratt and SEGRO - former Nestle Factory site
3. Access Self - Storage

Trip Generation and Mode Split

The trip rates quoted by the developer for the new development have been taken from the TRICS - the 'industry standard' national database of trip generation. This works by selecting a comparable site from the data base in terms development type and location and applying those observed trip rates to the proposed development. The sites selected by the developer have been validated to confirm that the forecast number of trips generated by the development is a reasonable approximation.

To help forecast how many of the new residents will travel to work by car, bus, walk or cycle etc the developers have referred to the results of the 2011 population census method of travel to work results. The census results show that in 2011 51% of residents in the Botwell ward travel to work by car, 22% by bus and 16% by train/underground. Using census information is considered a reasonable indicator of how the new residents will travel to work; if the characteristics of the new householders and the travel options available remain broadly similar it is assumed that people will be motivated to make the same travel choices.

The developer forecasts that over a 12 hour period 07:00 to 19:00 hours, the development will generate 2,499 person trips. As would be expected, the residential part of the development generates most of these, 1,546 or 61.9% of the total. The time of day when the development generates the highest amount of trips (residential and office) is in the PM Peak 17:00 to 18:00 hours. According to the developer 305 people either arrive or leave the development during this period. At this time, 116 or 38.0% of people (2-way flow) will be travelling by car most of whom 73 will be arriving, most likely people driving along Nestles Avenue on their way home from work. Forty three vehicles will be leaving the site travelling in the opposite direction. Taking into account that the site in its existing use already generates a total of 7 PM Peak 2-way vehicular trips the net uplift is 109 (116 with the new development less 7 existing trips already on the network).

The developers report that the new development would have an insignificant impact on the demand for bus and rail travel, just one extra trip per bus and two extra trips per train during the busiest bus trip and would be generated.

Trip Distribution

Having considered the amount of vehicular trips the development will generate, the Transport Assessment then discusses to which road these trips will be assigned and whether the local road

network now and in the future has the capacity to absorb these extra vehicles. The developers have forecast which roads the occupiers to the development will use by referring to 2011 population census information. Similar to mode split, it is assumed that if the characteristics of the new householders, travel options and trip attracters remain broadly similar then peoples trip making will remain broadly similar. Nearly half (46%) of all vehicular trips from the development will assign to North Hyde Road and the A312 southbound, over a quarter (28%) will assign to North Hyde Road and the A312 northbound.

In accordance with standard practice, the developers have sourced traffic survey data for 2018 - existing flows and applied growth factors to provide representative traffic flows for the year of occupancy 2021. Additional traffic flows associated with the committed and cumulative developments listed above have then be added to the 2018 existing flows to provide a 2021 Baseline Do Minimum Scenario. The development traffic has then been distributed onto the network to provide the 2021 Occupancy Year assessment scenario. The ability of the network cope with the extra trips generated by 233 - 236 Nestle Avenue, background growth, committed developments and all other developments along Nestle Avenue has then been tested. These tests assume that committed capacity improvement works at North Hyde Road/Station Road and North Hyde Road/Harold Avenue as proposed in relation to the Old Vinyl Factory and Former Nestle Factory have been implemented.

Taking into account, trip generation and the roads to which development traffic will assign the developer has then tested the impact of the development on the following junctions:-

- Nestle Avenue/Station Road;
- Harold Avenue/North Hyde Road;
- Dawley Road/Blyth Road roundabout;
- Dawley Road/North Hyde Road roundabout;
- Station Road/North Hyde Road; and
- Bulls Bridge roundabout.

The only junctions with an increase in traffic of around 2% or greater are:-

- Nestle Avenue/Station Road - 2.4%;
- Harold Avenue/North Hyde Road - 4.4%; and
- Station Road/North Hyde Road - 1.9%.

The impact of the development on Bulls Bridge roundabout is marginal; the development will lead to traffic volumes on the roundabout to increase by 1.3% in 2018, falling to 1.0% in 2026. Compared to existing flows the impact of 233 - 236 Nestles Avenue on Bulls Bridge Roundabout is marginal, though a slight increase in traffic can lead to a disproportionate increase in congestion. The Council is aware that studies are underway to improve the operation of the roundabout not just to help the efficient flow of traffic but also to improve the safety and convenience with which vulnerable road users - cyclists and pedestrians can use the roundabout. A contribution is sought towards a larger project that aims to transform the subways and shared cyclist footways beneath the roundabout into a place characterised by TfL's Ten Healthy Street Indicators.

The three junctions above as well as North Hyde Gardens/North Hyde Road have then been investigated in greater detail to determine what potential mitigation measured might be needed to allow the network to operate as efficiently as possible with 233 - 236 Nestle Avenue built and occupied. The results of this modelling show that Station Road (north) will operate over capacity at the Station Road/North Hyde Road junction and this will result in queuing having an impact upon the Station Road/Nestle Avenue - Faireys Junction. The other junction most effected is North Hyde Road/North Hyde Gardens which will experience queuing.

Travel Plan

To help reduce the amount of road traffic 233-236 Nestles Avenue generates a Framework Travel Plan has been submitted to accompany the planning application. This Framework Travel Plan

makes a commitment to appoint a Travel Plan Coordinator and outlines the Coordinators responsibilities. The Transport Assessment refers to TfL's thresholds for producing a Travel Plan and gives and undertaking to produce a Travel Plan for both the residential and office element of the development.

The Transport Assessment includes details of the type of measures that the Travel Plan will contain which include

- Upgrade of the urban realm in the immediate vicinity of the site, providing an amenable and inviting environment for pedestrians to use
- To encourage and enable cycling showers and changing facilities will be provided
- The usage level of cycling will be monitored and if demand for cycle parking facilities exceeds supply, further cycle parking facilities should be provided.
- Travel plan coordinator will to establish a Bicycle Users Group (BUG). This will take active steps to encourage cycling by providing ongoing reviews of parking, changing facilities and equipment storage.
- Every 12 months after the implementation of a travel plan, travel plan coordinator to review the performance of public transport in the area to meet the development users' needs. This will include checking timetables, routes, information, maintenance and accessibility. After this review the coordinator will liaise with LBH and TfL regarding any matters arising.
- Promote the use of Car Clubs in the area.

A travel plan is a "living" document, and therefore requires monitoring, review and revision to ensure it remains relevant to the site and its users.

- Staff travel pattern surveys;
- The level of cycle usage, and cycle parking;
- Usage of car share and car club schemes;
- Usage and/or demand for car park spaces;
- Use of public transport, including a check on levels of comfort and congestion;
- Impact of urban realm improvements, and general walkability of the area;
- Impact of any promotional events.

To ensure that the Travel Plan is delivered, a Bond is required. In the event of the Travel Plan not being delivered, this Bond will be used by the Council implement the Travel Plan itself.

Summary and Conclusion

233 - 236 Nestle Avenue is located close to and midway between Hayes Town Centre and a large ASDA supermarket. Within convenient walking and cycling distance of the site there is the full range of shops and services available to satisfy peoples everyday needs without having to resort to making trips in the private car. Furthermore Hayes town centre offers a range of genuine transport opportunities including buses, rail and access to the under construction Grand Union Canal Quietway. Later in 2019 the first Elizabeth Line (Crossrail) trains will start operation from Hayes and Harlington Station. The development will also have a Travel Plan to help with the ease and convenience with which people can utilise these opportunities to maximum benefit.

The development will have a ratio of 0.5 parking spaces per dwelling - around half of its residents will not have a car available for their own use parked within the development. There is little risk of residents being tempted to buy a car with the intension of parking it on-street as a residents parking scheme is in operation along Nestles Avenue, it is recommended that the new occupiers of the development are prohibited from joining this scheme by way of a S106 agreement.

The developers have undertaken a thorough assessment of the impact the development will have on the surrounding road network. This road network is typical of most places in outer London - it is characterised by peak hour traffic congestion. The developers report that with the development Station Road (north) will operate over capacity at the Station Road/North Hyde Road junction as will

Station Road/Nestle Avenue - Faireys Junction. The other junction most effected is North Hyde Road/North Hyde Gardens which will experience significant queuing. However the developer is prepared to contribute funds toward alternative or additional off-site highway improvements that are related to the impact of the development. It should be borne in mind that the amount of trips generated by the development would be more acute if the development had more generous car parking provision and if on-street parking along Nestles Avenue was not controlled by a residents parking management scheme. Many of the new occupiers will be obliged to travel by public transport, walk or cycle as they will not have access to a private car for their own use, although the scheme would make provision for a car club, which should be secured with the S106 Agreement.

The development at 233 - 236 Nestles Avenue will have a parking ratio of 0.5 car parking spaces per dwelling. The Highway Authority is not concerned that this will lead to parking being displaced on site as parking along Nestles Avenue is controlled by a residents parking management scheme. Those residents without a parking space and access to a private car will still however be able to satisfy their daily needs as 233 - 236 Nestles Avenue occupiers an edge of town centre site with convenient access to shops, services, public transport and active travel opportunities. These 0.5 parking spaces to dwellings ratio in turn limits the amount of vehicular trips that the development generates, limiting the impact of the development on the surrounding road network. Where traffic generated by the development does contribute to junctions becoming over capacity, the developer has shown willingness to contribute to those mitigation measures deemed necessary. This should include not only making contribution to highway works but also include investment in measure that widen travel choice such as investment in bus services, Car Clubs, bike hire schemes, investment in the public realm so that places exhibit the Ten Health Street Indicators as well as investment in and cycling infrastructure. Taking the above into account there are no Highway Authority objections to this development.

ENVIRONMENTAL PROTECTION UNIT

No objection subject to conditions requiring the following:

1. A demolition method statement and a construction management plan;
2. That the development complies with the requirements of BS83233:2014 relating to sound insulation and noise reduction;
3. Details of enhanced sound insulation values for floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings;
4. Details of sound insulation;
5. That external noise from plant complies with the requirements of BS4142:2014, relating to methods for rating industrial and commercial sound; and
6. Remediation and verification reports relating to contamination.

AIR QUALITY OFFICER

No objection. Final comments to be given in Committee Addendum.

TREES/LANDSCAPE OFFICER

This site is occupied by warehouses / commercial premises situated to the west of Viveash Close and the main Nestles site to the south of Hayes and Harlington Station car park.

Dominated by grey infrastructure, there are few trees or other green infrastructure associated with the site.

There are no TPO's or Conservation Area designations affecting the site, which might pose a planning constraint.

Comment:

This application follows a request for a scoping opinion under application ref. 2017/3709 (when the scheme was referred to as the Buccleuch site) and subsequent preapplication meetings.

An initial tree report was issued by Waterman's in September 2017. The current submission includes a final version, dated March 2018.

Five individual trees have been identified and assessed, with no grade 'A' trees. One tree, T4 a lime, is assessed to be a 'B' grade tree and should be considered worthy of retention. T3 a goat willow is a 'U' grade tree and can be removed in the interests of sound arboricultural management. The remaining trees are all 'C' (poor) specimens: T1 and T2 sycamores and T5 lime. This grade of tree is not considered to be a constraint on development. However, they may be considered for retention, subject to the site layout and possible management / maintenance requirements.

All trees will be removed to facilitate the development with the exception of T5, the 'C' grade lime on the front boundary for which tree protection measures are provided.

A Landscape strategy document has been prepared by Exterior Architecture. This analyses the constraints and opportunities of the site and explains the design concept and objectives, including the strong pedestrian link with Sandow Square on the Nestle site - subject to the intervening connection through the Viveash site.

The document shows the site masterplan, pedestrian and vehicular circulation, landscape spatial typologies, play spaces, an option for a rain garden on the site frontage, roof garden treatments, brown roofs, lighting and palettes of hard and soft materials.

The following drawings provide further landscape details:
EXA_1734_p_120 Rev C Roof plan with external spaces
EXA_1734_P_105 Rev C Roof garden: Level 1
EXA_1734_P_107 Rev D Roof garden: Level 8
EXA_1734_A_301 Rev C and 302 Rev B Nestles Avenue plans and sections.

Recommendations:

The landscape proposals are generally in line with those discussed earlier last year.

The suggested tree selection for the main pedestrian plaza / Sandow Way link needs to be carefully considered.

The roof gardens indicate a commitment to creating interesting and attractive spaces including 'structure planting' (trees and hedges) and the use of pergolas.

Earlier last year it was noted that the zig-zag path along the site frontage was very angular and the space might be more pleasant to walk through if the path was less angular or shallow curvilinear / meandering. This does not appear to have been amended.

Landscape conditions should include: RES8, RES9 (parts 1, 2, 3, 4, 5 and 6) and RES10.

Officer comment:

The applicant has advised that T4 "was considered for retention as part of the landscaping strategy for the site. However, it was noted that it would be required to be lost as part of the proposed future upgrade/widening works for Nestles Avenue. The chosen landscaping strategy therefore seeks to mitigate its loss through the introduction of a number of new trees along the new green route forward of the new buildings. Its loss is considered to be outweighed by the considerable improvements to the pedestrian environment along Nestles Avenue."

The applicant also clarifies that Tree T5 is proposed to be retained. T1 and T2 will be lost, and that the design of the zig-zag path area has been amended since pre-application stage, taking into account comments regarding front amenity spaces etc. It is less angular that it was previously and it

almost mirrors the footpath proposed further down Nestles Avenue. However, the treatment of this area will require further amendment as the footpath will need widening to create a segregated joint footpath/cycleway to replicate that proposed on the adjoining Nestle site.

The applicant's comments are noted and accepted.

FLOOD AND WATER MANAGEMENT OFFICER

Following the submission of an amended report to reduction in run off from the site limited now to 50.6ls a significant reduction over the 1 in 100 year event and will be provided through a blue roof.

However further details are indicated will need to evolve at detailed design, and therefore the following condition is required:

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall follow the strategy set out in 'Flood Risk Assessment' and 'Surface Water Drainage Strategy', produced by Heyne Tillet and Steel

The scheme shall clearly demonstrate how it, Manages Water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where identified in an area at risk of surface water flooding, include additional provision within calculations for surface water from off site
- iv. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Capacity of Receptors

i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.

ii. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

c) Minimise water use.

i. incorporate water saving measures and equipment.

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

d) Long Term Management and Maintenance of the drainage system.

i. Provide a management and maintenance plan

ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).

lii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.

iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services.

f) From commencement on site

i. How temporary measures will be implemented to ensure no increase in flood risk from commencement on site including any clearance or demolition works.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy DMEI 10 Water Management, Efficiency and Quality in emerging Hillingdon Local Plan Part 2 Development Management Policies,

Policy 5.12 Flood Risk Management of the London Plan (March 2016) and

To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2016), and

Conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016).

National Planning Policy Framework (July 2018), and the Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

SUSTAINABILITY OFFICER:

I have no objections to the proposed development subject to the following S106 contribution and planning condition:

S106 Contribution

The development fails to meet the zero carbon standards required by the London Plan. It has achieved the 35% minimum reduction target for the residential element but is still short of the overall 100% reduction target. The non residential target of 35% is also missed.

The level of detail is broadly sufficient and the options of full onsite compliance are complicated. The applicant has achieved an overall minimum reduction of 35% and therefore I have no objections subject to policy compliance being achieved through a combination of onsite measures (as proposed) and an offsite contribution through the application of Policy 5.2e of the London Plan.

Based on the details submitted the onsite shortfall equates 305.6tCO₂/annum.

This results in an offsite contribution of £550,080

Planning Condition

In addition the following condition is necessary to ensure the details coming forward relate to the broad energy strategy and show suitable compliance with the onsite reduction targets.

Condition:

Prior to above ground works, full details of the low and zero carbon technology shall be submitted to and approved in writing by the Local Planning Authority. The details shall reflect the following requirements and must demonstrate compliance with the CO₂ reductions identified in the Sustainability and Energy Statement (MTT, issue 02 - 11.12.18):

1 - Details of the CHP should also include the heat network, the plant type and its location. Full

details of the fuel inputs and energy outputs shall also be presented.

2 - Details of the PVs, including fixing mechanisms, pitch, orientation and plans (roof and elevations) shall also be included.

3 - Details of the annual monitoring and reporting to the Local Planning Authority regarding the operational performance of the completed development.

The development must proceed in accordance with the approved plans.

Reason:

To ensure the proposals contribute to a reduction in CO2 in accordance with London Plan 5.2.

ACCESS OFFICER:

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 2015 (ADM 2015).

Reference is also made to the council's Supplementary Planning Document 'Accessible Hillingdon', adopted September 2017.

An Access Statement has been prepared by Peter Connell Associates which provides detail on the accessibility provisions. Typical unit plans which demonstrate furniture items and layouts for M4(2) & M4(3) are included within the submitted Design & Access Statement.

The agents have confirmed that the M4(3) have been designed for 'day one occupation', with all M4(3) units served by minimum of two lifts and providing step free access via the principal private entrance.

However, the outstanding concerns could be dealt with by way of suitable planning conditions, attached to any grant of planning permission, as set out below:

Planning Conditions

1. All areas of hard and soft landscaping shall be constructed to accord with the prescribed standards and tolerances set out in BS8300:2018.

REASON: to ensure development achieves a high standard of inclusive design in accordance with London Plan policy 7.2.

2. Prior to occupation of the development, details in respect of the play equipment accessible to disabled children, including those with a sensory impairment, or complex multiple disabilities, shall be submitted and approved in writing by the Local Planning Authority.

REASON: to ensure development achieves a high standard of inclusive design in accordance with London Plan policy 7.2.

3. The development hereby approved shall ensure that ten percent of the residential units are constructed to meet the standards for Category 3 M4(3) wheelchair user dwelling. 16 Affordable Housing units shall be constructed to a Wheelchair Accessible standard, with 31 wheelchair user private for sale dwellings, constructed to a Wheelchair Adaptable standard, 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 d, is achieved and maintained.

4. Ninety percent of the dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) Accessible and Adaptable 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 c, is achieved and maintained.

5. Prior to the occupation of the dwellings hereby approved, evidence of compliance with the prescribed standards for M4(2) and M4(3) dwellings, as set out in Approved Document M to the Building Regulations (2010), 2015 edition, shall be submitted to the Local Planning Authority.

REASON:

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

CONTAMINATED LAND OFFICER:

I have reviewed the details within two reports submitted as follows:

1. Waterman Infrastructure and Environment Limited, Environmental Statement, WIE 10928-101 233-236 Nestles Avenue, ES Volume 1, Chapter 9 Ground Conditions and Construction.

2. Geotechnical & Environmental Associates Limited: Desk Study Report, Ref JI 8005 Issue 1 dated 12 February 2018

Conclusions within section 5 of the Desk Study, (which includes the CSM and PRA) as produced by Geotechnical & Environmental Associates Limited (and summarised within the Waterman Infrastructure and Environment Limited, Environmental Statement), state:

"On the basis of the findings of the research carried out there is considered to be a MODERATE RISK of there being a significant contamination linkage at this site.

It will be necessary to carry out intrusive investigations prior to the redevelopment of the site, to allow the risks associated with any potentially contaminated soils that may be present due to past activities on the site to be determined. Measures to deal with any contamination can then be proposed. It is possible that remedial measures will be required. A ground investigation will also be required to confirm the ground conditions and to provide parameters for a pile design.

A Preliminary UXO Risk Assessment has indicated a need for further work in the form of a Detailed UXO Risk Assessment in order to determine the risk of encountering UXO beneath the site. In lieu of this assessment, appropriate UXO risk mitigation measures will be essential for any intrusive works. This usually entails site specific UXO awareness briefings are recommended for all personnel conducting intrusive works, with on-site support for shallow intrusive works. Intrusive magnetometer surveying will be required for all borehole and pile locations down to a maximum bomb penetration depth".

The completion of a suitably designed and implemented Phase 2 investigation will provide additional details for revising the initial Conceptual Site Model (CSM) and Preliminary Risk Assessment (PRA) in accordance with the findings from a site specific investigation.

It is therefore recommended that, for clarity (see observations below), the following conditions should be applied:

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

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).

S106 OFFICER:

The amended scheme includes an overall total 457 residential units. The Council has appointed third party Financial Viability Appraisal (FVA) assessor for an FVA Review.

We have been liaising with Housing officers and the third party FVA assessor regarding the latest affordable housing provision.

The third party FVA assessor addendum report should be read in conjunction with their Draft Report dated 23 August 2018 and subsequent addendum dated 3 December 2018.

The latest FVA assessor addendum report includes below:

(1) Applicant Amended Proposal - the amended appraisals are based on an amended scheme, with increased commercial space, fewer residential units and a marginally higher number of Affordable Housing units (AH). The agent contends that 77 units can be provided, with a tenure mix of 23 London Affordable Rent (LAR), 29 London Living Rent (LLR), 25 Shared Ownership (SO).

(2) FVA Assessor Review - they have modelled what they consider would be viably provided as affordable housing. A number of scenarios have been taken. Two options were suggested:

- (a) Option 1 : a scheme with a higher number of Affordable Housing units can be viably provided than the 77 being proposed by the agent. The Assessor conclude that 80 units, assuming a mix of 24 LAR, 32 LLR, 24 SO; This equates to 17.5% Affordable Housing on a per unit basis and 21.3% on a habitable room basis; and

- (b) Option 2: the overall units that could be provided if the LLR intermediate product was amended to Shared Ownership would be 95 units, with a tenure mix of 29 LAR units and 66 SO. This equates to 20.8% Affordable Housing on a per unit basis and 23.6% on a habitable room basis.

(3) Review Mechanism- given the scheme is not meeting policy required level, it is recommended a review mechanism is agreed and a late stage review is undertaken, in line with GLA guidance. This would reflect actual costs and values in due course.

(4) Affordable Housing Tenure

(i) The Council's policy requirement for the mix of affordable housing is 70% rented and 30% intermediate. The draft London Plan suggests a mix of 30% London Affordable Rent (LAR), 40% to be determined by the Local Authority, and 30% Shared Ownership (SO). As the Council own policy includes a requirement for 70% rented, our preference is for a mix of 30% LAR, 40% LAR if possible and if not London Living Rent (LLR), and 30% SO.

(ii) The FVA assessor has shown that the policy compliant mix of affordable housing is not viable on this development. Having considered the options suggested by the FVA Assessor, the preference based on housing need is option 1 as this is closest to our preferred mix.

(iii) In addition, officers are aware from consented schemes that the market in this area is likely to see a substantial amount of SO development already. Additional rented property is needed to provide greater choice of product.

In view of the above, the preference is with Option 1, that is 80 AH units, assuming a mix of 24 LAR, 32 LLR, 24 SO. This equates to 17.5% Affordable Housing on a per unit basis and 21.3% on a habitable room basis. An affordable housing review mechanism should be required.

The Councils Housing Officers have indicated they prefer option 1 and I suggest this is referenced in the Head of terms in the report, in the interim I will secure the applicants agreement to this option.

OFFICER COMMENT:

Option 1 has been agreed and will be secured in the Heads of Terms.

WASTE STRATEGY:

We are happy with the capacities for waste and recycling and the method of moving bins to the main storage location.

Contrary to the statement that: 'bins will be held in the central bin store, the entrance of which is within 10m of the RC stopping point', made in Table 9 of the operational waste management

strategy, the distance from the bin store to the stopping point is in excess of 10 metres.

Minor alterations should be made to reduce this pull distance in line with the national standard, or an alternative collection point allocated.

OFFICER COMMENT:

A condition required revised details to be submitted forms part of the officer recommendation.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Planning law requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. For Hillingdon, this currently comprises of:

- The Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
- The Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
- The London Plan (March 2016)

The National Planning Policy Framework (February 2019) is also a material consideration in planning decisions, together with relevant supplementary planning documents and guidance.

In the adopted Local Plan: Part 2 - Saved UDP Policies (2012), the site is located within an Industrial and Business Area (IBA).

The saved UDP policies of the development plan are being replaced and the new plan with its emerging policies and designations are at a fairly advanced stage in the process.

The Council's Policy Officer advises that the Examination in Public process commenced on 18th May 2018, when the Local Plan Part 2 Draft Proposed Submission Version (2015) was submitted to the Secretary of State. In addition to the Development Management Policies document, a Site Allocations and Designations document and associated policy maps and a Statements of Proposed Main and Minor Modifications (SOPM) have also been submitted which outline the proposed changes to the submission version (2015) that the Council is seeking as part of the examination process.

Following the conclusion of public examination hearings on the 9 August 2018, the Inspector has submitted a Post Hearing Advice Note outlining the need to undertake a final consultation on the Main Modifications only. The Council has responded to this note outlining that its preferred dates for doing so would be 27th March 2019 to 8th May 2019. All consultation responses will be provided to the Inspector for review, before the Inspector's Final Report is published to conclude the EiP process.

Paragraph 48 of the NPPF (2019) states that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

On the basis that the Council is awaiting the final Inspector's Report on the emerging Local Plan: Part 2, the document is considered to be in the latter stages of the preparation process. The degree to which weight may be attached to each policy is therefore based on the extent to which there is an unresolved objection being determined through the public examination process and the degree of consistency to the relevant policies in the NPPF (2019).

In terms of the emerging Local Plan: Part 2 - Site Allocations (2015), the site is located within Site Allocation SA 5, Site C. This allocation is for the redevelopment of the site for mixed use and this designation is retained within the SOPM (2018). The emerging Local Plan: Part 2 - Site Allocations and Designations (2015) envisages that for SA 5, the three parts (A, B and C) should form a comprehensive development scheme, although it is acknowledged that this is a preference and the principle of the three sites coming forward separately has been accepted where the scheme is not in conflict with Policy BE14 (which seeks to ensure that permission will not be granted for the development of sites in isolation if the design fails to safeguard the satisfactory redevelopment of adjoining sites which have development potential), with Site A being approved independently (App. No. 1331/APP/2017/1883 refers).

The Council's Policy Officer goes on to advise that the boundary of this application site however only forms part of Site C, albeit the majority of it, with the rest of Site C (the Access Storage site to the west) being in separate ownership. As such, there is a particular need to ensure the satisfactory redevelopment of adjoining sites is safeguarded, particularly with the remainder of Site C.

The officer considers that as regards the remainder of Site C, this has been achieved through the extensive and ongoing engagement that has taken place between the applicant and adjoining landowner, which has resulted in an agreement between the landowners in terms of design and access, to include a 10.5m setback from the red-line boundary on both sides to achieve a 21m separation and an access road agreement regarding the proposed Gilbert Place.

Also, to the East, SA 5 (B) has also been identified as being suitable for mixed use and these sites are currently separated by Viveash Close. The opportunity to redevelop this site has been achieved through maintaining the setback with Site B currently provided by Viveash Close, as well as activating the front of the ground and first floors of the buildings along this street with proposals for B1 employment space. This proposal is considered to support and encourage active frontages directly opposite as part of the redevelopment of Site B, whilst also acting as a complementary neighbour to existing users in the interim, so that the new development is integrated effectively with existing businesses in line with Paragraph 182 of the NPPF (2019).

The Policy Officer further advises that to the North of the site is a car park owned by Network Rail, which is not within the boundary of SA 5. As outlined within the Section 3.1.3 of the Design & Access Statement, an extensive process was undertaken to try and include this within the scheme, however ultimately Network Rail have stated that the land cannot be developed and will be retained as a station car park. It is not considered that the scheme compromises the ability of the Network Rail site to perform this function.

The release of SA 5 from its designation as an IBA is justified within the employment land studies that form part of the Local Plan evidence base. The allocation is deemed to be consistent with the wider principles of the Hayes Housing Zone and the introduction of a

new Crossrail Station at Hayes & Harlington Station. Furthermore, it is also consistent with the implementation of Policy H1 of the Local Plan: Part 1 - Strategic Policies (2012), particularly in that it:

- Ensures development makes the most efficient use of brownfield land;
- Promotes high quality mixed use development; and
- Represents the release of sites in non-residential use, subject to policies in the Development Plan.

However, as part of the justification for releasing such a large quantity of employment land, SA 5 is for a new mixed use scheme that includes a proportion of employment floorspace to be re-provided onsite. The latest requirement submitted within the Statement of Proposed Main Modifications (SOPM) (2018) is for all three sites within SA 5 to:

Comprise a proportion of employment generating uses to be agreed with the Council. Suitable uses will include B1 and elements of B2 and B8 that are compatible with the residential elements of the scheme.

The initial proposal only consisted of 341 sqm (GEA) B1 office use. Following further discussion with the Council and other consultees, the applicant has agreed to increase this amount to 2,273 sqm (GEA).

The B1 ground floorspace only comprises 1,150 sqm (35.9%) of the total 3,202 sqm usable ground floorspace, which excludes the floorspace required for parking and circulation/ servicing space. However, an additional 1,123 sqm has been provided on the first floor level to increase the overall provision on site to 2,273 sqm. This additional floorspace on the first floor will assist in creating a critical mass of employment floorspace at the centre of the scheme to be named Sandow Village. This new employment floorspace will both benefit from having two-storey frontages and integrating with the new proposed public realm, as well as being more compatible with the existing industrial uses currently located on Viveash Close than additional residential units. It will also be of sufficient quantity to make it viable for number of potential commercial users.

The scheme also proposes the inclusion of 264 sqm (GEA) of A1 retail use and 229 sqm (GEA) of A3 Cafe use. It is considered that these uses will provide ancillary support to the employment uses within Sandow Village and serve to improve the viability of the new B1 office space, without being of a scale that would detract from the vitality of the Town Centre. As such, the combination of the quantity, quality and viability of the newly proposed B1 floorspace on the site is deemed sufficient to be acceptable and accords with adopted and emerging planning policies.

As regards the residential mix, Policies H4 and H5 of the Local Plan: Part 2 - Saved UDP Policies (2012) relate to the mix of housing to be provided on new schemes. Policy H4 notes that within town centres, predominantly one and two bedroom developments will be preferable. Policy H5 however also notes that the council will encourage new homes for large families where required, including through the provision of larger dwellings by the private sector in new development.

The latest evidence of local housing need comes from the Strategic Housing Market Assessment (2016) which indicates a substantial borough-wide requirement for larger private market units, particularly 3 bedroom properties. In regards to affordable housing specifically, the need is for 2 and 3 bedroom properties.

The scheme is proposing a mix of unit sizes at the following proportions:

- Studio: 23 (5%)
- 1 bedroom: 233 (51%)
- 2 bedroom: 152 (33%)
- 3 bedroom: 49 (11%)

Whilst there is a focus on one and two bedroom units in the scheme, the approach to family sized accommodation in this central location is supported.

Noting that a substantial part of the ground and first floors of the site are required for employment floorspace, which are typically the most appropriate locations for family sized accommodation, as well as the closer proximity to Hayes Town Centre that the Former Nestle Factory Scheme, this housing mix is considered to be acceptable.

7.02 Density of the proposed development

London Plan Policy 3.4 (March 2016) seeks to maximise the potential of sites, compatible with local context, design principles and public transport accessibility. Boroughs are encouraged to adopt the residential density ranges set out in the density matrix within Table 3.2 of the plan (habitable rooms and dwellings per hectare) in order to encourage sustainable residential quality.

Although this is a mixed use scheme, the majority of the proposed floor space would provide residential accommodation. The site has an area of 1.56 ha and the revised proposal would have a density of 293 units and 728 habitable rooms per hectare. Having regard to the urban character of the site and its PTAL score of 4, the Mayor recommends that an appropriate density on this site would range from 70 - 260 units per hectare and 200 - 700 habitable rooms per hectare.

The proposal, even without factoring in the commercial floor space, exceeds the Mayor's guidance. However, the Council's design guidance also advises that numerical densities, whilst useful for undertaking an initial assessment, should not be relied upon as the sole means of assessing housing proposals, as density is only a general indicator of the likely acceptability of a scheme and a more fuller assessment is required in order to gauge the suitability of the scheme within its surroundings, together with a consideration of the overall environmental quality and impacts of the development. These are provided within the relevant chapters in this report. The GLA in their Stage 1 response, having regard to the emerging London Plan consider the scheme to be broadly in accord with guidance ranges and at paragraph 45 state 'the density of the proposals is supported'.

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

The NPPF (February 2019) advises at paragraph 189 that planning applications should describe the significance of any heritage assets affected, including any contribution made by their setting and the level of detail should be proportionate to the assets' importance. It goes on to advise that:-

'Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

Paragraph 190 goes on to advise LPAs are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal and this should be taken into account when considering the impact of a proposal on a heritage asset, to avoid

or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

London Plan policies 7.8 and 7.9 recognise the potential of heritage assets as catalysts for regeneration and seek to ensure that development proposals conserve, restore and re-use heritage assets wherever possible.

Adopted local policies HE1 of the Local Plan Part 1 and saved policies BE4 and BE8 and BE12 of the UDP 2012, seek to secure the preservation or enhancement of conservation areas and locally listed buildings and structures.

The application is supported by a Historic Environment Desk-based Assessment.

The application site does not form part of a Conservation Area nor an Area of Special Local Character. The Botwell Nestle Conservation Area, which is centred upon the large Nestle factory buildings, is located to the east of the site, with its main area sited some 90m away on the opposite side of the Squirrels Trading Estate. A thin tapering spur of the Conservation Area does project towards the application site along the top of the trading estate, adjacent to the railway, but at its nearest point, it would still be some 40m away and it is considered that given its relationship with the application site, the Conservation Area would not be adversely affected as it would largely be screened by existing buildings on the adjoining site.

The site itself currently comprises four, two-storey, warehouse buildings, associated sheds and ancillary development which mainly date from the 1930s and have been built in an art deco style, although they appear to be of a fairly standard design and are not of any significant architectural or historical interest. The layout of the site has remained unaltered since these original buildings were constructed and the proposal will result in this built form being demolished. However, these buildings are not locally or statutorily listed and there are no objections to their loss, subject to a pictorial survey being undertaken, as recommended by the submitted assessment.

As regards listed buildings, the nearest heritage assets to the application site are the Nestle factory buildings and an associated Canteen building within the Botwell Nestle Conservation Area, which are locally listed and the Hayes and Harlington Station building, on the other side of the mainline which is also locally listed.

The scheme does however, seek to enhance the overall setting of the Conservation Area and its locally listed buildings, by incorporating the open east/ west link along Sandow Avenue, which if adhered to by all the other sites along Nestles Avenue, would allow long views of the retained historic facade of the locally listed Nestle building.

The Council's Conservation/ Urban design Officer does not raise any objections to the scheme.

In terms of archaeology, the application has also been referred to GLAAS. They advise that the applicant's historic environment assessment identifies moderate potential for deeply buried Palaeolithic archaeology, but typically, this would manifest as flint artefacts redeposited in gravel, although rare in-situ sites are known. Near surface remains of later periods will have been destroyed or badly damaged by modern development and brickearth extraction.

As the proposed development does not involve the construction of basements the impact at depth appears be limited to piling, and perhaps some other minor works. On balance given the rarity of in-situ Palaeolithic archaeology it seems unlikely that the development will cause harm.

They conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and consider that no further assessment or conditions are therefore necessary.

Therefore, subject to a photographic record being made of the on site buildings, there are no objections to the scheme and it is in accordance with the NPPF (January 2019) and Policies 7.8 and 7.9 of the London Plan and Policy HE1 of the Local Plan Part 1 and saved policies BE4 and BE8 and BE12 of the UDP 2012.

7.04 Airport safeguarding

NATS and Heathrow Airport Ltd have been consulted on the application. NATS advise that the scheme, due to insufficient detail around the final design of the buildings, the timing of construction, which will also be important in relation to neighbouring schemes coming forward etc, has the potential to impact upon its infrastructure, namely obstruction of the line of sight to its H10 radar located at Heathrow Airport. However, they do go on to advise that the current application may benefit from the shielding afforded by other buildings, but this has not as yet been verified and therefore wish to object to the proposals, unless appropriate planning conditions are imposed. These conditions form part of the officer recommendation. Heathrow also advises of the need for a radar mitigation scheme, a bird hazard management scheme and two informatives to provide further clarification on the bird hazard management plan and to advise of the precautions required if cranes are to be used in construction.

There are therefore no safeguarding objections to the proposal, subject to the imposition of the recommended conditions and informatives. These form part of the officer's recommendation.

7.05 Impact on the green belt

The application site does not form part of the Metropolitan Green Belt, nor is it located close to the Green Belt boundary so that there are no Green Belt issues raised by the development proposals.

7.07 Impact on the character & appearance of the area

Policy 7.1 of the London Plan (March 2016) sets out a series of overarching design principles for development in London and Policy 7.6 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 7, London Plan policies relating to optimizing the housing potential/density of sites (Policy 3.4) and sustainable design and construction (Policy 5.3) are also relevant.

Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements or improves the character and amenity of the area.

The buildings would be arranged around raised internal courtyards, that will enable a sense of enclosure to be provided and particularly in the case of Buildings A and B sited next to the railway, help to screen the space from external noise.

Proposed Buildings A and B adjacent to the railway are 11 storeys, with Buildings C and D to the south of Sandow Avenue being 10 storeys, before dropping down to 8 storeys and

then to 4 storeys fronting Nestles Avenue.

The massing of the buildings would be broken up by the gaps between the buildings and the articulation of the frontages and use of materials.

Building C and D has been set well back from Nestles Avenue, which as well as allowing road widening to support buses, will provide a generous open frontage which will help to assimilate the four storey frontage with the predominant two storey character of the semi-detached properties with more modest front gardens opposite.

On the eastern and western side boundaries, the proposed building will be set back some 10.5m from the boundary, which with this being duplicated by the adjoining landowner, will allow a 21m wide street to be maintained along Viveash Close and a similar width of roadway would be created on the other side with the formation of the new Gilbert Close.

The current proposals provide the east/west link that will tie the site back to the station whilst making suitable provision to allow views of the retained heritage facades of the former Nestle Factory to the east. The siting of the workshop units and the Class A3 and A1 uses along Sandow Avenue will activate these frontages with some of the activity spilling out into the public space. The character of this part of Sandow Avenue will therefore be more commercial, which would be appropriate, given its location closer to Hayes Town Centre as opposed to the more residential character of the route further east.

The submitted Design and Access Statement advises that the design of the scheme has been influenced by 4 primary themes:-

- London Brick Vernacular
- Industrial Heritage
- Art Deco and Modernist Heritage
- The Factory in a garden

The Hayes area around the Grand Union Canal was a centre for brick making in the 1750s and the buildings mainly use brick as the main facing material, albeit it is to be used in contemporary methods of construction, with brick slip panels that will enable decorative patterns and precise detailing to be created. The industrial heritage of the site is further picked up by the saw tooth pattern along some of the buildings and the bold, simple forms of the buildings which will use exposed flues, rain water attenuation tanks, pipework, gantries, stair cases, ducting and windows, often using metal components to reflect typical features and materials found on industrial buildings. The design of the buildings, with clean horizontal lines, square facades, flat roofs and round corners, with bright feature colours and geometric window detail is also influenced by Art Deco inspired modernism. The curved prow of Building A is influenced by the Art Deco style, a particularly striking feature which will help to define the scheme from the railway. The layout of the scheme, with its green spaces also reflects the former Nesltes factory, with its large garden areas. The wall adjoining the railway will also benefit from a public art feature and this is included in the Heads of Terms.

The Council's Conservation/ Urban Design Officer considers the scheme to be acceptable and the GLA in their Stage 1 report are generally supportive of the proposals and advise at paragraph 37 that:-

'The proposals for the comprehensive development of the site relate well to the wider

emerging context and are in line with the wider Masterplan principles.'

As such, it is considered that the scheme complies with Policies 7.1 and 7.6 of the London Plan (March 2016) and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to protect the amenities of surrounding residential properties from new development in relation to loss of sunlight, dominance and loss of privacy respectively. The Council's Supplementary Planning Document HDAS: Residential Layouts provides further clarification in that it advises that buildings of two or more storeys should maintain at least a 15m separation distance from adjoining properties to avoid appearing overdominant and a minimum 21m distance should be maintained between facing habitable room windows and private amenity areas such as balconies and patio areas (considered to be a 3m deep area adjoining the rear elevation of a property) in order to safeguard privacy.

There are no residential properties that immediately adjoin the site, with the nearest residential properties being the residential properties on the opposite side of Nestles Avenue. These would be separated by Nestles Avenue itself and as a result of setting the development back into the application site itself, there would be a separation distance of some 34m between the nearest part of proposed Buildings C and D on the ground floor and the Nestles Avenue properties. The main elevations of these buildings have been set back some 2m further on the first to third floor levels, above which, the upper floors would be set back further into the site so that the fourth to seventh levels would have a setback of over 50m and the eight and ninth levels a setback of over 80m from the properties opposite.

To the east and west of the site are industrial/ storage premises whereas to the north, the site is immediately adjoined by the station car park and then the Great Western Mainline and the Hayes and Harlington Station, beyond which is a 10 storey apart hotel which would be sited over 50m from the nearest part of the proposal.

As part of the Environmental Statement, an assessment has been made of the impact of the development in terms of daylight, sunlight and overshadowing of surrounding residential properties and the proposed amenity space. As all the nearest residential properties are to the south of the site, in terms of daylight, the assessment advises that the impacts range from minimal for the majority of the residential properties adjoining the site to minor reduction against target for one or two windows for 1 - 6 Griffiths Court and 42 to 56 Nestles Avenue. The report advises that due to the marginal nature of the deviations beyond the target, no mitigation measures are required.

Given the surrounding relationship, there would be no significant adverse impact on any surrounding residential occupiers by reason of loss of sunlight, dominance or loss of privacy, in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Potential impacts of noise and general disturbance on surrounding residential occupiers are considered in Section 7.17 below.

7.09 Living conditions for future occupiers

- Internal living space

In terms of the residential amenities provided for the future occupiers of the new residential units, following the receipt of revised plans, all of the proposed 457 residential units would

have internal floor areas which would satisfy the relevant National Housing /London Plan standards for the type of unit proposed which are indicated within brackets. As regards the flatted accommodation, the studios with showers would have an internal area of 38sqm (37sqm), those with baths would either be 39 or 40sqm (39sqm), 1 Bed, 2 Person Units would range from 50sqm to 65sqm (50sqm), 2 Bed, 3 Person Units - 61sqm to 76sqm (61sqm); 2 Bed, 4 Person - 70 to 90sqm (70sqm); 3 Bed, 4 Person - 97sqm (74sqm); 3 Bed 5 Person Units - 100 to 102sqm (86sqm) and 3 Bed, 6 Person Units - 100 - 102 sqm (95sqm). As regards the duplex units, the 3 Bed, 5 Person Units would range from 102 to 107sqm (93sqm) and the 3 Bed, 6 Person Units would be 112sqm (102sqm). Furthermore, all the single and double bedrooms would satisfy minimum standards.

The vast majority of the proposed units would have their main aspect facing either south, east or west, with a total of 66 units (or 14.4%) being north or north-east facing. The original scheme was supported by an Internal Daylight and Sunlight Report. This provides the standard caveat of stressing that although the guidance is based on numerical guidelines, these should be interpreted flexibly as natural lighting is only one of many factors in achieving good site layout design. It goes on to advise that only the lower floor windows have been assessed as these rooms would be the most constrained/sensitive and that light levels will improve further up the building. Both the daylight and sunlight levels have been assessed in the original proposed scheme, in accordance with Building Research Establishment (BRE) good practice. With regard to the windows in the proposed development, the report states that in terms of the Average Daylight Factor calculation (ADF), the proposal is excellent, with 96% of habitable rooms exceeding the BRE targets. In terms of sunlight, the assessment advises that as would be expected for a scheme of this size, the results of the Annual Probable Sunlight Hours (APSH) sunlight assessment have shown that in some instances, direct sunlight to the window face will be limited, often as a result of the presence of balconies, however, with an overall compliance rate of 70% (which would improve if the upper floors had been assessed), the results are considered very good for such a scheme and are in line with BRE guidance.

The report also considers the impact upon the proposed amenity areas and advises that the scheme has been developed to allow suitable light penetration to these areas where possible and that the assessment undertaken demonstrates that all the amenity areas would experience direct sunlight across more than 50% of their area for 2 hours or more on the 21st of March and therefore the areas are considered acceptable.

In terms of dominance and overlooking, the proposed buildings are sufficiently setback from Nestles Avenue and the cumulative 21m separation distance that the development will maintain across Viveash Close with any adjoining development would ensure that the residential units facing these roads would have adequate amenities in terms of dominance and overlooking, both in terms of the new residential accommodation proposed on this site with existing industrial buildings on the adjoining site and in connection the adjoining site's future re-development. Similarly, the proposed Gilbert Close and set back of development from this side boundary (main elevation being set in some 11.2m) would ensure that residential amenity across this road on both sites would be safeguarded. At the rear, the site immediately adjoins the station car park and the width of the mainline railway to the north would ensure that the units facing this boundary would be in excess of 52m from development to the north of the railway so that they would not experience any undue dominance or loss of privacy. The width of the public open space along Sandow Avenue, some 22.8m at the closest point between the proposed buildings would also ensure that the properties fronting this space would be afforded adequate amenity.

The size of the internal courtyards would also ensure that the internal flats would have an adequate separation distance between them. The gap between Buildings A and B does reduce to around 16m along the northern boundary and between the northern and southern wings of Buildings C and D, but there are only secondary windows proposed to the open plan kitchen/dining/living area in these elevations which can be obscure glazed to prevent overlooking, which has been secured through condition. The Design and Access Statement does state that further measures will be required to ensure that adequate privacy is provided such as opaque films to glazing, balcony screens and vertical fins to windows. The use of opaque films would not be acceptable as they can be removed. However, full details of other privacy measures such as obscure glazing, privacy screens and vertical fins has been secured by condition.

Two internal units (C3 302 and D3 302) on the third floor of the southern wing of Buildings C and D would have bedroom windows which look directly out onto neighbouring balconies sited some 1.5 metres away from the windows. Side privacy screens would mitigate against overlooking, but the balconies, particularly with privacy screens would obstruct the outlook from the bedrooms. However, as these are both studio units, the bedrooms would have the benefit of being served by other windows so that it is considered, a reasonable degree of amenity would be afforded.

In terms of the internal corners of Buildings C and D, the siting of the windows has been carefully considered so as to avoid any overlooking within the 45 degree splay. The only other issue is the need to provide defensible space to those units which adjoin the amenity space, but this would be secured as part of the landscaping condition.

The GLA in their Stage 1 Report do advise that clarification is needed in terms of core access in Building A as this appears to allow two back to back cores (although no division between cores is shown on the drawings) and one of the cores has no lift access which is not acceptable in an 11 storey building. Building A does contain two stairwells and 2 lifts and therefore it would be an easy remedy to divide the core by a fire door between the two lifts so that each would service 5 units on each floor and would have 1 stairwell and 1 lift each. This would be controlled by condition.

- External amenity space

Policy BE23 of the Hillingdon Local Plan: Part Two Saved UDP Policies (September 2012) requires residential development proposals to contain an adequate amount of private usable amenity space.

The Council's HDAS 'Residential Layouts' advises at paragraph 4.17 that the space should be usable, attractively laid out and conveniently located in relation to the flats they serve and that as a minimum, 20sqm per unit should be provided for studios/1 bedroom units, 25sqm for 2 bedroom units and 30sqm for units with 3 or more bedrooms. Paragraph 4.18 advises that 'balconies should be provided wherever possible for upper floor flats, along with private patio or garden areas for ground floor units. Where usable balconies or private garden space has been provided for individual units, the floorspace can be deducted from the calculation of outdoor amenity space.' Having regard to these minimum guidelines, the communal space required amounts to a total of 10,390sqm (256 x 20 (studios/ 1 bed units), 152 x 25 (2 bed units) and 49 x 30 (3 bed units)).

Of the 457 units, 396 (87%) would be provided with balconies and/or private patio areas which would predominantly be in excess of 5sqm and 1.5m or more deep to satisfy the Mayor's guidance. The units without balconies predominantly face the railway and would be

oversized, however, the studio units which are not over-sized also do not provide balconies. Whilst the overall design, with some of the studios being sited close to internal corners may prevent all the units from having balconies it is not clear why some of the other studios do not provide them and therefore a condition has been added which requires revised details to be submitted.

Communal podium/rooftop amenity areas would be provided within the internal courtyards on Level 1 in Building A and B and on the second floor level for Building C and D. In addition to this, there would be two roof top amenity areas on Level 8 of Building C and D.

In total, approximately 2,535sqm of balcony/ private garden/patio space and 3,164sqm of communal usable amenity space would be provided. This amounts to some 5,699 sqm or 55% of that required to satisfy the Council's minimum standard. However, in addition to this, the proposal also includes an area of public open space in excess of 2,500sqm between the two blocks of buildings along Sandow Avenue. Although this is not private space and includes a shared vehicle/ pedestrian surface, the space would also provide landscaped areas and 3 children's play areas and it is clear that the space would be conveniently located and provide a valuable additional amenity area for the occupiers of the scheme. Details of the children's play areas would be secured as part of the a Landscaping condition.

Furthermore, as part of the S106 Agreement, a £70,000 contribution is sought for improvements to Cranford Park which lies some 800m to the south east of the application site with the expectation that with the completion of the re-development of the wider site to the south of the railway on Nestles Avenue, including the Nestles Site (Policy SA 5 refers), the landscaped public area along Sandow Avenue will provide the main length of a convenient and safe access route to the park. Therefore, it is considered that a reason for refusal on the ground that the scheme fails to provide an adequate amount of amenity space could not be justified.

It is therefore considered that subject to the recommended conditions, overall, the scheme would afford a suitable standard of residential amenity for future occupiers and make adequate provision for an acceptable quantitative and qualitative standard of amenity space, in accordance with Policies BE20, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 3.6 of the London Plan (March 2016).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The National Planning Policy Framework (NPPF) at paragraph 108 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; paragraph 109 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe and paragraph 110 states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

The London Plan (March 2016) requires development proposals to fully assess their impacts on transport capacity and the transport network (policy 6.3); provision for cyclists are considered and cycle parking facilities are provided in line with minimum standards (Policy 6.9); high quality pedestrian environments are provided (Policy 6.10) and maximum parking standards and other standards should be used in considering planning applications (Policy 6.13).

Local requirements in relation to impacts on traffic demand, safety and congestion are set out in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Policy AM2 requires development proposals to be assessed on their contribution towards traffic generation, policy AM7 requires the traffic generation of proposed development to be acceptable in terms of the capacity and safe and efficient functioning of existing roads and policies AM9 and AM14 require development proposals to satisfy cycle and car parking standards.

The application is supported by a Transport Assessment, V. 2 issued on 3/4/18, which as a result of the plans and mix of development being revised in December 2018, has been updated by a Transport Addendum, December 2018. These have been reviewed by the Council's Highway Engineer.

Car Parking Residential

The Council's adopted car parking standards set a maximum limit of 1.5 spaces per unit, where residential properties have no individual curtilages. This provides for a maximum limit of residential parking spaces on site of 686, whereas the proposal would provide a total of 237 car parking spaces, which equates to a ratio of 0.52 spaces per unit including 5 spaces proposed on Viveash Close as visitor parking. The Transport Assessment advises that the uptake of parking will be monitored through the S106. If there is a demand for greater parking once the development is complete, then a pallet car parking system could be introduced and alternatively if lower than anticipated the stacker system could be removed. The site does lie immediately adjacent to the Hayes and Harlington Railway station and the adjoining bus stops which give the application site a moderate PTAL score of 4. Nestles Avenue is also subject to parking management, where on-street parking is restricted to permit holders only. The Council's Highway Engineer raises no objections to this level of car parking, given the site's location, next to the station and the town centre with all of its services. The Highway Engineer welcomes the monitoring of the car parking take-up, but does raise concern about the use and reliability of stacker systems. A condition has been added to ensure that details of the stacker system and its maintenance regime is submitted to the LPA prior to the building's occupation.

The development would provide a total of 1,070 cycle parking spaces, 1,033 for residents and 37 for residents. The Highway Engineer raises no objection to this level of provision.

The assessment addendum advises that the commercial uses will essentially be car free, as they would only be served by 5 accessible spaces.

Trip Generation

From traffic surveys undertaken in November 2017, 201 vehicle trips were generated by the existing uses on site during the 12 hour period from 07:00 to 19:00 hours. Of these, 15 were undertaken in the AM peak hour of 07:00 - 08:00 (11 arrivals and 4 departures) and 7 in the PM peak period (2 arrivals and 5 departures).

The assessment uses the 2011 Census to identify the transport mode split of residents travelling to work in the Botwell ward. This reveals that 51% of residents travel by car, 22% by bus and 16% by train/underground.

The assessment uses TRICS, the 'industry standard' national database to predict trip generation from the site by using comparable uses and sites elsewhere. The Council's Highway Engineer has confirmed that the sites selected by the developer are valid in order

for them to provide a reasonable approximation of trip generation by the proposed development. The assessment also takes into account committed development and the Council's Highway Engineer is satisfied that the developments selected give a realistic representation of the trip generation changes likely in this area which would be attributable to new development. The assessment forecasts that 2,499 trips would be generated in the 12 hour period from 07:00 to 19:00 hours (with the residential element accounting for most of these (1,546 or 61.9% of the total). The highest trip generation is predicted in the PM peak (17:00 to 18:00 hours) with 305 trips of which 116 or 38% will be by car. Taking into account the existing use of the site, which generates a total of 7 vehicle movements in the PM peak, the uplift is 109 vehicle trips.

As regards public transport, in terms of buses, the additional trips (from March 2018 assessment) would only equate to 1 additional trip per bus in busiest period which is not significant. In terms of trains, equates to 2 additional trips per service during busiest peak hour/direction which is insignificant particularly as Crossrail would be in operation in the year of occupation, 2021.

As regards vehicle trip distribution, the Transport Assessment then models the additional traffic, based on existing travel habits identified from the 2011 Census and nearly half (46%) of all vehicular trips from the development would use the North Hyde Road and the A312 southbound and over a quarter (28%) will use the North Hyde Road and the A312 northbound.

Of the surrounding junctions modelled, only 3 would experience an increase in traffic of around 2% or greater, namely:-

Nestles Avenue/ Station Road - 2.4%
Harold Avenue/ North Hyde Road - 4.4% and
Station Road/ North Hyde Road - 1.9%

The Highway Engineer advises that these junctions and the North Hyde Gardens/ North Hyde Road junction have been investigated in greater detail in order to determine the potential mitigation measures that might be needed. Station Road (north) will operate over capacity at the Station Road/ North Hyde Road junction and this will result in queuing upon the Station Road/ Nestle Avenue junction. The other junction most affected would be the North Hyde Road/ North Hyde Gardens which will experience significant queuing.

The impact of the development on Bulls Bridge roundabout is marginal but a slight increase in traffic can lead to a disproportionate increase in congestion. The Council is aware that studies are underway to improve the operation of the roundabout, not just in terms of traffic flow but also to improve its safety and convenience, particularly as regards to its more vulnerable users such as cyclists and pedestrians and therefore it is considered a contribution would be justified to help fund these works.

As part of the S106 Heads of Terms, residential and commercial travel plans are sought which will hopefully assist in reducing traffic. In addition to securing Gilbert Place, the S106 will also secure contributions towards further works/ studies of Bulls Bridge and the A312 corridor to improve severance of the area (Healthy Streets); public transport; 3 year contribution towards the introduction and establishment of new Heathrow Airport to Ruislip via Hayes 278 bus service; Grand Union Canal quietway; car club; Nestles Avenue widening to be reserved for future improvements to accommodate buses, improved pedestrian and cycle links (MTS), linkage between Grand Union Canal Quietway with the

M4 St Dunstons subway and Santander bikes. These all have the potential to assist in improving alternative means of travel and reduce the amount of traffic on the roads.

Servicing and Deliveries:

The commercial units would be serviced from adjoining roads, including the vehicle bays on Sandow Avenue. The Council's Highway Engineer raises no objections to this arrangement and the scheme would also be subject to a Servicing Management Plan to help safeguard residential amenities.

Overall, the Highway Engineer is satisfied with the proposals and raises no objections.

7.11 Urban design, access and security

URBAN DESIGN

This issue is addressed in Section 7.07 of the report.

MIX OF UNITS

The scheme, comprising 5% studios, 51% one bed, 33% two bed and 11% three bed units provides a good mix of unit size to which the Council's Housing Officer raises no objections. As such, the application complies with Policy H4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

ACCESS

This issue is addressed in Section 7.12 of the report.

SECURITY

The Metropolitan Police's Secure by Design Officer has reviewed the application and raises no objections subject to the development adhering to the security principles of Secured by Design and to this end, recommends a condition. This forms part of the officer recommendation.

7.12 Disabled access

Policies 3.8 and 7.2 of the London Plan (March 2016) require new housing to offer a range of housing choices, with 90% of new housing meeting Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' with the remaining 10% meeting Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users and that the principles of inclusive design are applied to new development. Further guidance is provided in the Council's Supplementary Planning Document 'Accessible Hillingdon' (adopted September 2017).

The application is supported by a Design and Access Statement which describes the access strategy and provisions to be made within the scheme and goes on to provide typical floor plans for M4(2) & M4(3) units.

The Council's Access Officer has reviewed the application and advises that the agents have confirmed that the M4(3) units have been designed for 'day one occupation', with all M4(3) units served by a minimum of two lifts and providing step free access via the principal private entrance.

However, there are outstanding concerns which could be dealt with by way of suitable planning conditions, attached to any grant of planning permission. The Access Officer's

recommended conditions form part of the officer's recommendation.

7.13 Provision of affordable & special needs housing

The London Plan (March 2016) sets the policy framework for affordable housing delivery in London. Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to their affordable housing targets. Policy 3.13 sets the threshold for seeking affordable housing as schemes with 10 or more units.

The development would introduce a total of 457 dwellings, thereby triggering the Mayor's affordable housing requirement threshold. Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council's Planning Obligations Supplementary Planning Document (supplementary planning guidance) adopted in July 2014 notes at paragraph 4.16 that subject to the provision of robust evidence, it will adopt a degree of flexibility in its application of Policy H2 to take account of tenure needs in different parts of the borough as well as the viability of schemes.

As the proposal was not offering a policy compliant 35% affordable housing by habitable room, (the originally submitted scheme proposed 16% affordable housing), a Financial Viability Appraisal (FVA) was submitted, and then revised to take account of the floor space amendments made to the scheme. Hillingdon has appointed its own third party FVA assessor.

The Council's FVA assessor has reviewed the appraisals and advises that the policy compliant mix of affordable housing is not viable on this development. However, they have re-modelled the schemes financing and have suggested two possible options which they consider would be viable:-

- (a) Option 1 : a scheme with 80 units, assuming a mix of 24 LAR, 32 LLR, 24 SO; This equates to 17.5% Affordable Housing on a per unit basis and 21.3% on a habitable room basis; and
- (b) Option 2: the overall units that could be provided if the LLR intermediate product was amended to Shared Ownership would be 95 units, with a tenure mix of 29 LAR units and 66 SO. This equates to 20.8% Affordable Housing on a per unit basis and 23.6% on a habitable room basis.

The Council's S106 Officer, in association with the Housing Officer advise that they prefer Option 1 as this is closest to the Council's preferred mix and that having regard to the local market, additional rented property is needed to provide greater choice of product.

Option 1 has now been agreed by the applicant.

As the scheme remains non-compliant, the assessor also advises that a Review Mechanism, in line with GLA guidance is agreed to ensure that the affordable housing element can be re-viewed at a later date to reflect actual costs and values in due course.

The affordable housing and review mechanism are included within Heads of Terms of the S106 Agreement.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that new development should retain topographical and landscape features of merit

and that new planting and landscaping should be provided wherever it is appropriate.

The site is dominated by existing industrial buildings and hardstanding, and there are few trees or other green infrastructure associated with the site. There are also no TPO's or Conservation Area designations affecting the site, which might pose a planning constraint.

The Council's Tree/Landscaping Officer advises that the current submission includes a final version of a tree report, dated March 2018. This identifies and assesses 5 individual trees, with no grade 'A' trees; one tree, T4 a lime, is assessed to be a 'B' grade tree and should therefore be considered worthy of retention; T3 a goat willow is a 'U' grade tree and can be removed in the interests of sound arboricultural management and the remaining trees are all 'C' (poor) specimens: T1 and T2 sycamores and T5 lime. This grade of tree is not considered to be a constraint on development. However, they may be considered for retention, subject to the site layout and possible management / maintenance requirements.

Initially, all trees were proposed to be removed to facilitate the development with the exception of T5, the 'C' grade lime on the front boundary. However, the applicant has advised that this may need to be lost as part of the proposed future upgrade/widening works for Nestles Avenue. The chosen landscaping strategy therefore seeks to mitigate its loss through the introduction of a number of new trees along the new green route forward of the new buildings. The detail of the works along Nestles Avenue have not been finalized and it is anticipated that the works would include a joint pedestrian footpath/cycleway which would be segregated from the road. As such, these plans are likely to change, as would be the potential to retain the tree, but it is considered that the improvement works would outweigh the loss of the tree, particularly if replacement tree planting was secured.

A Landscape strategy document has been prepared by Exterior Architecture. This analyses the constraints and opportunities of the site and explains the design concept and objectives, including the strong pedestrian link with Sandow Square on the Nestle site - subject to the intervening connection through the Viveash site.

The document shows the site masterplan, pedestrian and vehicular circulation, landscape spatial typologies, play spaces, an option for a rain garden on the site frontage, roof garden treatments, brown roofs, lighting and palettes of hard and soft materials, with further detail provided within Drw Nos. EXA_1734_p_120 Rev. C (Roof plan with external spaces), EXA_1734_P_105 Rev. C (Roof garden: Level 1), EXA_1734_P_107 Rev. D (Roof garden: Level 8), EXA_1734_A_301 Rev. C and 302 Rev B (Nestles Avenue plans and sections).

The Council's Tree Officer advises that the landscape proposals are generally acceptable but the suggested tree selection for the main pedestrian plaza / Sandow Way link needs to be carefully considered. The roof gardens indicate a commitment to creating interesting and attractive spaces including 'structure planting' (trees and hedges) and the use of pergolas. As such, the scheme is acceptable subject to landscape conditions RES8, RES9 (parts 1, 2, 3, 4, 5 and 6) and RES10. These form part of the officer recommendation.

ECOLOGY

Policy EC5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that there may be a requirement to retain on-site ecological features in new development and seek enhancements to the nature conservation and ecological interest of the site or create new habitats.

The existing site with its commercial/ industrial uses and lack of green space would not provide any significant ecological interest. The proposals including an ecological buffer zone along Nestles Avenue, central green space on Sandow Avenue, amenity and landscaping areas with tree planting and brown roofs offers the potential to significantly enhance biodiversity on site. A condition has been added requiring that a suitable scheme of ecological enhancement, which would have to be sensitive to the needs of aviation is provided.

7.15 Sustainable waste management

London Plan Policy 5.17 requires adequate provision to be made for refuse and recycling facilities for new development.

The application is supported by a revised Operational Waste Management Strategy, December 2018. In terms of the residential elements, the report advises that each of the four blocks will have residential bin storage locations at ground level within each of the stairwell core areas which will prevent residents from having to carry their waste more than 30m (horizontal distance). The core bin stores will store at least three 1,280 litre Eurobins and facilities management will be responsible for the collection and management of all waste, including ensuring there is sufficient capacity within each of the core bin stores at all times. Facilities management staff will swap full bins within the core bin stores with empty bins which will be stored in the large, centralised bin store within Block C where full bins will be stored ahead of collection.

The report goes on to advise that it is anticipated that refuse collection vehicles (RCVs) will stop adjacent to the north of Block C, in line with the door to the corridor to the central bin store, in order to collect the residential bins. The stopping point will be reserved for RCVs servicing residential waste one day a week and on all other days will be able to be used for commercial waste collections from the retail and workspace units. In readiness for refuse collection days, facilities management staff will move all residential bins from each of the core bin stores to the central bin store, placing one empty bin of each type in each core bin store to ensure continual access for residents. The central bin store will be serviced directly by LBH operatives who should not have to move a 1,280 litre bulk bin more than 10m from the point of storage (the entrance of the central bin store) to the collection vehicle.

Facilities management staff will also arrange for the storage and removal of bulky waste items. A single, centralised store for bulky waste items will be located at ground floor level within Block C.

In terms of commercial waste, the report advises that waste and recycling from the proposed commercial uses will be managed separately from the residential waste and commercial tenants will be responsible for managing their own wastes. Each of the commercial use types will have separate areas for the storage of their wastes with the required refuse and recycling storage areas for the retail and cafe units being accommodated within the curtilage of each of these units and that workspace bins will be stored in a designated area within the central bin store in Block C. Staff of the workspace units will be expected to leave bagged waste at a specified location, as instructed by facilities management. Facilities management staff will then transfer the waste to the central bin store where it will be stored in an appropriate bulk bin ahead of collection. On collection day, tenants of the retail and cafe units would have their bins collected from their units, pulled to the RCV at the stopping point (to the north of Block C) for servicing with the bins returned to the units by the refuse collection operatives.

Access to the central bin store and bulky waste store will be off limits to commercial tenants. Only facilities management staff will be able to access these areas. All commercial waste bins are expected to be serviced from the RCV stopping point adjacent to the north of Block C.

The Council's Waste Officer has reviewed the application and the proposed waste strategy and advises that there are no concerns regarding the capacities for waste and recycling and the method of moving bins to the main storage location. They do advise that although the Waste Strategy makes mention of the necessity to have a maximum of 10 metres pull distance for the waste and recycling crews, the entrance to the bin store appears to be further than 10 metres from the indicated collection point and that minor alterations should be made to reduce this pull distance in line with the national standard, or an alternative collection point allocated.

A condition has been added requiring revision of the waste store.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (March 2016) establishes the energy hierarchy for minimizing carbon dioxide emissions, Policy 5.3 states that the highest standards of sustainable design and construction should be employed, Policy 5.6 requires an assessment of the use of Combined Heat and Power systems, Policy 5.7 seeks to increase the use of renewable energy and Policy 5.9 seeks to address impacts of overheating and excessive heat generation.

A Sustainability Statement & Energy Statement, December 2018 has been submitted in support of the revised application. This describes the measures that will be applied to the development such as enhanced passive design, use of solar glazing where necessary, water efficient fittings, and assesses the feasibility of using alternative renewable technologies. It goes on to identify surrounding energy networks and the feasibility of connecting to them. It then goes on to calculate a contribution to offset any missed carbon reduction target.

The Council's Sustainability Officer has reviewed the information and advises that the development fails to meet the zero carbon standards required by the London Plan. It achieves the 35% minimum reduction target for the residential element but is still short of the overall 100% reduction target and the non residential target of 35% is also missed.

The officer goes on to advise that the level of detail supplied with the application is broadly sufficient and the options for full onsite compliance are complicated. However, the officer advises that the applicant has achieved an overall minimum reduction of 35% and therefore raises no objections, subject to policy compliance being achieved through a combination of onsite measures (as proposed) and an offsite contribution through the application of Policy 5.2e of the London Plan.

The officer goes on to advise that based on the details submitted, the onsite shortfall equates 305.6tCO₂/annum which results in a requirement for an offsite contribution of £550,080.

A Heads of Term has been added to include this contribution and the officer's recommended condition has also been added.

The GLA in their Stage 1 Report in considering the early Energy Report did advise that further information has been requested on cooling/ overheating, worksheet calculations, the

district energy network, the site heat network and combined heat and power, which must be submitted to demonstrate that all opportunities to provide further on-site savings have been exhausted before the proposals can be fully assessed and any residual shortfall mitigated via a carbon offset payment. The GLA will review the latest Energy Sustainability Statement & Energy Statement, December 2018 in their Stage 2 Report.

7.17 Flooding or Drainage Issues

Policy OE7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies seeks to prevent development in areas liable to flood unless appropriate flood protection measures are proposed and Policy OE8 seeks to resist developments that would result in an increased risk of flooding elsewhere. Policy 5.13 of the London Plan (March 2016) also requires development proposals to utilize sustainable drainage techniques.

The application is supported by a revised Flood Risk Assessment and Drainage Strategy Report, December 2018. This advises that the site is within Flood Zone 1, which has a low probability of flooding. This considers the options available to provide surface water drainage with the aim of achieving greenfield runoff rates or if this is not possible, justification would be needed. Due to Thames Water sewers being close to the surface, attenuation tanks are not feasible as any surface water system should avoid the need for waters to be pumped. The strategy, based on detailed calculations proposes the use of permeable paving with further storage capacity provided by 'blue roofs' on roof and podium levels. A rain garden is also proposed along Nestles Avenue. All surface and foul water systems will be kept separate.

As regards foul water drainage, the report advises that this will be connected to the existing Thames Water network via gravity. Until more detailed information is available, there is a potential risk of pumping, primarily from Block A due to the shallow sewers. In such a case, foul water will be pumped to the nearest manhole on site and then continue to be drained by gravity.

The report concludes by detailing a management and maintenance schedule.

The Council's Water and Flood Management Officer has reviewed the proposal and supporting documentation and advises that with a reduction in run off from the site limited now to 50.6ls, a significant reduction over the 1 in 100 year event will be provided through a blue roof.

However further details are indicated will need to evolve at detailed design, and therefore a sustainable water management condition is required. This forms part of the officer's recommendation.

7.18 Noise or Air Quality Issues

Policies 7.14 and 7.15 of the London Plan (March 2016) requires development proposals amongst other criteria, to be at least 'air quality neutral' and to manage noise respectively and Policies OE1 and OE3 of the Hillingdon local Plan: Part Two - Saved UDP Policies (November 2012) advise that planning permission will not normally be granted for uses and structures that are likely to be detrimental to the area or amenities of surrounding properties due to amongst other criteria, noise and vibration or the emission of dust, smell or other pollutants unless sufficient mitigation measures are utilised.

Noise

The layout of the units has taken into consideration the need to mitigate external noise, particularly from the railway. The siting of Blocks A and B would help to screen the development from this noise source. In terms of the units facing the railway, these units do

not include a balcony due to noise exposure concerns. The units on this side of the building do tend to have generous floor areas and the building does have a stepped frontage on this site so that the living spaces would have more of a dual aspect to lessen the face to face aspect with the railway.

A Noise and Vibration Assessment has been submitted with the original application. This assesses background noise and vibration levels and compares these with relevant standards and then advises of the mitigation measures that would be required to ensure the units and amenity areas would be compliant.

A Noise and Vibration Statement Addendum, December 2018 has also been submitted which advises that there has been no material change to the baseline conditions or policy (the only exception being the replacement NPPF in July 2018 which does not result in the need to change the methodology or alters the noise criteria, and only introduces the 'agent of change' principle whereby the developer takes more responsibility to ensure suitable mitigation is in place to ensure compatibility with surrounding land uses) that would now render the conclusions of the assessment invalid.

The Council's Environmental Health Officer has reviewed the application and its submissions and advise that they have no objections to the scheme, subject to conditions to require the following:-

1. A demolition method statement and a construction management plan;
2. That the development complies with the requirements of BS83233:2014 relating to sound insulation and noise reduction;
3. Details of enhanced sound insulation values for floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings;
4. Details of sound insulation;
5. That external noise from plant complies with the requirements of BS4142:2014, relating to methods for rating industrial and commercial sound.

These conditions form part of the officer recommendation. It is also noted that the applicants Noise and Vibration assessment sets out a number of mitigation measures which require implementation to prevent noise disturbance to future residents and these will be secured by condition. Other recommendations require submission of details for balcony designs (subject to their detailed design) to ensure that the noise and vibration are adequately mitigated during the design phase. Again, this will be conditioned to ensure the amenity of future residents.

Air Quality

The site is located within the Air Quality Management Area (AQMA).

The Council's Environmental Protection (Air Quality) Officer raises no objection to the proposal but their more detailed assessment will be provided on the Committee Addendum.

7.19 Comments on Public Consultations

No consultations from the public have been received.

7.20 Planning obligations

Policy R17 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) is concerned with securing planning benefits related to the scale and type of development. The policy is supported by more specific supplementary planning guidance.

The following would be required to mitigate the impact of the development:

- (i) 80 affordable units (17.5% on a per unit basis and 21.3% on a habitable room basis), with a tenure mix of 24 units - London Affordable Rent, 32 units - London Living Rent and 24 units - Shared Ownership,
- (ii) Affordable Housing Review Mechanism, in accordance with GLA guidance,
- (iii) Commercial Travel Plan, including a £20,000 Bond,
- (iv) Residential Travel Plan, including a £20,000 Bond,
- (v) Safeguarding of 'Gilbert Place' to ensure reconfiguration to 2 way traffic movements only once this or the adjoining Access Storage site is redeveloped, a minimum of 2 years post completion of whichever development is completed last,
- (vi) £25k contribution towards further works/ studies of Bulls Bridge and the A312 corridor to improve severance of the area (Healthy Streets),
- (vii) £140k public transport contribution,
- (viii) £25k contribution per annum for 3 years towards introduction and establishment of new Heathrow Airport to Ruislip via Hayes 278 bus service,
- (ix) Car club provision of two spaces,
- (x) £80k Grand Union Canal quietway contribution
- (xi) transfer of land for implementation of Multi modal transport scheme on Nestles Avenue plus £100k contribution and Nestles Avenue widening to be reserved for future improvements to accommodate buses, improved pedestrian and cycle links (MTS),
- (xii) £80,000 Contribution towards public open space improvements at Cranford Park etc.
- (xiii) £20k contribution towards linking Grand Union Canal Quietway with the M4 St Dunstons subway which provides access to Cranford Park
- (xiv) Public Art to be agreed for installation on elevation facing railway line,
- (xv) £550,080 carbon offset contribution
- (xvi) £5k Santander bikes contribution
- (xvii) Air quality contribution
- (xviii) Construction Training: To agree the basis and methodology of a Construction Training Scheme with the Council's partnership team (linking with nearby schemes), or failing this, the following contribution shall apply:-

£2500 per £1m build costs + Coordinator Costs: $1000/7500 \times £71,765 = £9556.66$.

- (xix) The residents of this development not to be eligible for parking permits, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions,
- (xx) S38 works to provide cycle way, footpath and landscaping as part of MTS road widening proposals
- (xxi) Unfettered access to public open space being provided on site
- (xxii) Project Management & Monitoring Fee: Financial contribution equal to 5% of total cash contributions.

The applicant has agreed to the above heads of terms. As such, the scheme complies with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

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 and £35 per square metre of gross internal office floor area. 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 £4,946,664.43.

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 £1,936,869.55.

The Mayor of London's Community Infrastructure Levy (CIL) is due to introduce an increased charging system within Hillingdon of £60 per square metre (as of the 1st of April 2019) of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. As this application is CIL Liable, it will be liable to the £60 psqm charge, and the sum calculated for this application based on the floor area proposed is £3,320,347.80.

7.21 Expediency of enforcement action

No enforcement issues are raised by the application site.

7.22 Other Issues

Land Contamination

The Council's Land Contamination Officer has reviewed the submitted Environmental Statement (Volume 1, Chapter 9 - Ground Conditions and Construction) and the Desk Study Report, Ref. JI 8005 Issue 1 dated 12 February 2018 and does not raise any objections to the proposal, subject to a condition to require further assessment and verification of the ground conditions. This forms part of the officer recommendation. Subject to conditions, the proposals accord with Saved policy OE11 of the Hillingdon Local Plan Part 2 (2012).

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

N/A

10. CONCLUSION

The scheme is considered to be in accordance with emerging policy on this site and conforms to the Masterplan principles which have been formulated for this and adjoining sites. Importantly, the scheme will maximize residential densities close to the new Hayes and Harlington Station whilst the scheme provides for an east/ west link that will tie this and adjoining sites to the station.

The scheme is acceptable in layout and design terms and would provide an acceptable level of residential amenity for its occupiers and makes adequate provision for the re-development of adjoining sites.

The scheme would provide an acceptable level of off-street car parking, given the site's PTAL score and proximity to the station, and the site connectivity to public transport will only improve with the arrival of the Elizabeth line (Crossrail).

The scheme would provide a commensurate package of s106 contributions that will mitigate its adverse impacts. It is recommended accordingly.

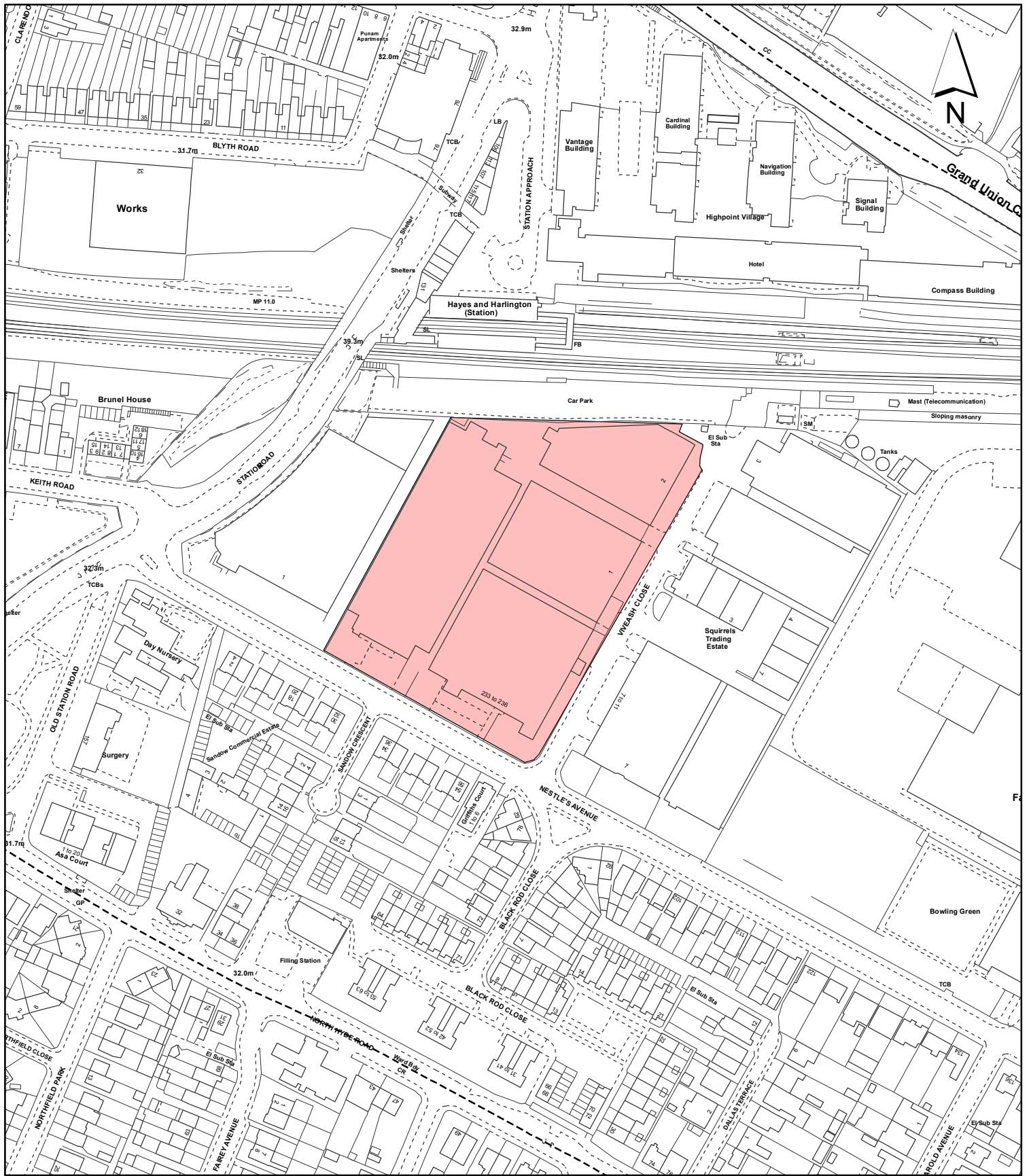
11. Reference Documents

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 (February 2019)
Hillingdon Supplementary Planning Document: Accessible Hillingdon
Hillingdon Supplementary Planning Document: Residential Layouts
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Noise
Hillingdon Supplementary Planning Document - Air Quality
Hillingdon Supplementary Planning Document - Land Contamination
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Document - Affordable Housing
Emerging Hillingdon Local Plan: Part 2 - Site Allocations and Designations
Emerging Hillingdon Local Plan: Part 2 - Development Management Policies
Emerging Hillingdon Local Plan: Part 2 - Policies Map

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Notes:

 Site boundary

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Site Address:

**Land at 3, 233-236 Nestles Avenue
 Hayes**

Planning Application Ref:

73238/APP/2018/1145

Planning Committee:

Major

Scale:

1:2,250

Date:

April 2019

**LONDON BOROUGH
 OF HILLINGDON**
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 Planning Section
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