

Report of the Head of Planning, Transportation and Regeneration

Address	STANFORD HOUSE, 9 NESTLES AVENUE HAYES
Development:	Demolition of existing buildings and redevelopment to provide a building up to 10 storeys, comprising 84 (44 x 1 bed, 28 x 2 bed and 12 x 3 bed) Build to Rent residential units, associated landscaping, access, car parking and cycle parking
LBH Ref Nos:	51175/APP/2019/187
Drawing Nos:	Transport Assessment Framework Travel Plan Arboricultural Impact Assessment Preliminary Ecological Appraisal Daylight and Sunlight Report Design and Access Statement Flood Risk Assessment and Drainage Strategy Report Landscape Design Report Rev. 03 Noise and Vibration Assessment Planning Statement Statement of Community Involvement Energy and Sustainability Statement Economic Viability Appraisal Report Delivery and Servicing Plan Archaeological Desk Based Assessment Desk Study and Ground Investigation Report Air Quality Assessment Covering Letter 1820-1021 Design and Access Statement Part 1 Design and Access Statement Part 2 1820-1022 Rev A 1820-0100 1820-0101 1820-0102 1820-0300 1820-1130 Rev B 1820-1131 Rev B 1820-1132 Rev A 1820-1133 Rev A 1820-1134 Rev A 1820-1135 Rev A 1820-1136 Rev A 1820-1137 Rev A 1820-1138 Rev A 1820-1139 Rev A 1820-1140 Rev A 1820-1230 Rev A 1820-1330 Rev A 1820-1331 Rev B 1820-1332 Rev A

Date Plans Received: 17/01/2019

Date(s) of Amendment(s):

Date Application Valid: 17/01/2019

1. SUMMARY

The application seeks permission for the demolition of existing building and redevelopment to provide a building of 10 storeys, comprising 84 (44 x 1-bed, 28 x 2-bed and 12 x 3-bed) Build to Rent self contained residential units with associated landscaping, access, car parking and cycle parking.

The application site is a part of Site B within Policy SA 5 (Land to the South of the Railway, including Nestle Site, Nestle Avenue, Hayes) of the Emerging Local Plan: Part 2 Site Allocations and Designations (March 2019). This application fails to provide any employment uses or appropriate community infrastructure on site and fails to satisfactorily deliver a comprehensive development that responds to the context and policy requirements of the whole of site B. The proposal fails to provide a maximum reasonable amount of affordable housing.

The proposed development is considered unacceptable by virtue of its footprint and site coverage. The proposal provides dead frontages at ground floor level providing a poor quality residential entrance for residents using the access core. The large expanse of blank elevations results in poor relationships with the surrounding environment. The proposed development also fails to provide sufficient set back from the western boundary of the site and compromises No. 7 Nestles Avenue from coming forward as a comprehensive development.

The development fails to provide sufficient private and communal amenity space and fails to provide sufficient car parking in an area where such parking is at a premium thereby leading to conditions which would be detrimental to the free flow of traffic and to highway and pedestrian safety. The servicing and delivery arrangements are considered unacceptable as it is likely to result in the conflict of movement between cyclist and pedestrians.

Overall, the proposal would fail to provide a development that will improve the economic, social and environmental conditions of the area contrary to the Development Plan and it is recommended that this application is refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Reason for Refusal: Contrary to Policy SA 5

In the absence of a comprehensive scheme, the development of this site in isolation would result in a piecemeal development that would fail to safeguard the satisfactory redevelopment of this strategic site 'B' as identified within Policy SA 5 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Site Allocations and Designations (2019). The proposed development is therefore contrary to Policy H1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); Policy BE14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); and Emerging Policy SA 5 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Site Allocations and Designations (2019).

2 NON2 Reason for Refusal: Loss of Employment

The proposal fails to provide a mix of uses including the provision of employment generating floorspace and appropriate community infrastructure onsite required as part of a comprehensive scheme. The proposal is therefore considered to be contrary to Policy 2.17 of the London Plan (2016), Policy LE1 and LE2 the Local Plan: Part 2 - Saved UDP Policies (2012), Policy DMHB 11 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) and Policy SA 5 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Site Allocations and Designations (2019).

3 NON2 Reason for Refusal: Affordable Housing

The proposed development fails to provide maximum reasonable amount of affordable housing on site. The proposal is therefore contrary to Saved Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012); Policy H2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations and policies Policies 3.10 -3.13 of the London Plan (March 2016); and National Planning Policy Framework, Para. 62 -64 (2019) or the Mayor's Affordable Housing and Viability SPD 2017.

4 NON2 Reason for Refusal: Overdevelopment

The proposed development, by reason of its overall size, scale, bulk and detailed design would result in a disproportionately large, dominating and incongruous form of development, which represents an over-development of the site, in particular the ten and eight storey blank elevations against the southern boundary which would be highly visible from Nestles Avenue which would fail to respect the pattern and scale of development in the immediate area. The proposal would be detrimental to the visual amenities of the street scene and the character and appearance of the wider area and the Botwell/Nestles Conservation Area, contrary to Policies 3.4 and 7.6 of the London Plan (2016), Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); Policies DMHB 1, DMHB 2, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

5 NON2 Reason for Refusal: Urban Design

The proposed development, due to its footprint and site coverage would create a narrow corridor along the eastern boundary of the site and fails to provide sufficient landscaping along the eastern boundary. Moreover, the eastern boundary provides entrances to residential units on a secondary elevation which is hidden along this access road. The principal elevation, along the eastern boundary, fails to provide a sense of arrival for future occupants and results in a poor streetscape. The narrow eastern corridor fails to provide

a safe, suitable and convenient access for future residents. The proposal would fail to provide a sense of arrival and would be detrimental to the visual amenities of the street scene and character and appearance of the wider area, contrary to the National Planning Policy Framework, Policies BE13, BE14, BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); Policies DMHB 1, DMHB 2, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) and the adopted Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Layouts SPD (2006); Policies 3.5 and 7.5 of the London Plan (2016) and Chapters 2, 11 and 12 of the National Planning Policy Framework (2019).

6 NON2 Reason for Refusal: Noise

The development provides a high proportion of single aspect dwellings and dwellings with their sole aspect facing towards Strategic Industrial Land. The development fails to provide sufficient separation from the western boundary of the site to mitigate against a potential noise generating use on the neighbouring site and as such, the proposal fails to take responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive residential development and thereby fails to provide a suitably high quality of residential amenity for future occupiers contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 7.15 of the London Plan (2016) and Paragraph 182 of the National Planning Policy Framework (2019).

7 NON2 Reason for Refusal: Car Parking

The proposed development would lead to an increase in kerbside parking and the waiting of cars on the highway, due to the operation of the car park stacking system. The proposed development fails to provide sufficient usable and sustainable car parking provision for the proposed development and would therefore result in an increase in on-street car parking in an area where such parking is at a premium thereby leading to conditions which would be detrimental to the free flow of traffic and to highway and pedestrian safety. The proposal is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMT 6 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

8 NON2 Reason for Refusal: Highways Safety

The proposed development, by virtue of its layout, vehicular access, and servicing and delivery arrangements along Nestles Avenue, would compromise highway and pedestrian safety by virtue of the proposed vehicular access into the site and the servicing and delivery arrangements, giving rise to conditions prejudicial to the free flow of traffic and would be detrimental to highway and pedestrian safety. The development is therefore contrary to Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), Policies DMT 2 and DMT 5 of the the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019), Policy 6.12 of the London Plan (2016) and Chapter 9 of the National Planning Policy Framework (2019).

9 NON2 Reason for Refusal: Highways Safety (Manoeuvrability)

The proposed shared vehicular and pedestrian path contained within an undercroft fails to provide a manoeuvring distance of 6m in accordance with Manual for Streets Standards. The proposed layout gives rise to conditions prejudicial to future users of this development

as future occupants are required to use the shared vehicular and pedestrian footpath to access the residential and commercial entrances, whilst navigating vehicular traffic. The proposal is contrary to Policy AM7 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

10 NON2 Reason for Refusal: Private Amenity Space

The proposed development fails to provide on site private and communal amenity and children's play space of a quantity and quality commensurate to the size and layout of the proposals. Furthermore, the communal amenity areas are situated directly outside habitable rooms and balconies which would result in overlooking from communal spaces into balconies and habitable rooms. Such an arrangement would be detrimental to the residential amenity of the future occupiers the proposal would provide a substandard form of accommodation for future residents contrary to Policies BE21 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMCI 4 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) , the adopted Supplementary Planning Document HDAS: Residential Layouts and Policy 7.1 of the London Plan (2016).

11 NON2 Reason for Refusal: Sustainable Drainage

The proposed development, in the absence of a comprehensive surface drainage strategy fails to demonstrate suitable sustainable urban drainage systems have been utilised and it is therefore contrary to Policy DMEI 10 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019), Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy 5.13 of the London Plan (2016).

12 NON2 Reason for Refusal: Air Quality

In the absence of a comprehensive Air Quality Assessment that considers the development's the cumulative impacts alongside other consented developments within the area and in the absence of an Air Quality Neutral Assessment, the proposal fails to demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants. The proposal could therefore lead to further deterioration of existing poor air quality contrary to Policy DMEI 14 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) and Policy 7.14 of the London Plan (2016).

13 NON2 Reason for Refusal: Section 106

The proposed development, in the absence of a Section 106 legal agreement fails to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of children's play space, CO2 emissions, public realm improvements, air quality, construction training, canal quiet way, public transport and affordable housing). Given that a legal agreement to address this issue has not at this stage been offered or secured, the proposal is considered to be contrary to Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), DMCI 7 of the Hillingdon Revised Proposed Submission Version of the Local Plan: Part Two - Development Management Policies (2019) , Policy 3.6, 3.10, 3.13, 5.2 and 8.2 of the London Plan (2016) and the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations.

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

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

2 I52 Compulsory Informative (1)

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

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

LPP 1.1	(2016)Delivering the strategic vision and objectives for London
BE14	Development of sites in isolation
BE25	Modernisation and improvement of 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
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
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
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE28	Shop fronts - design and materials
BE29	Advertisement displays on business premises
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.
BE39	Protection of trees and woodland - tree preservation orders
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
H4	Mix of housing units
H5	Dwellings suitable for large families
H6	Considerations influencing appropriate density in residential development.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
R1	Development proposals in or near areas deficient in recreational open space
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

R3	Indoor sports, leisure and entertainment facilities
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG	Residential layouts and house design.
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
LPP 2.1	(2016) London in its global, European and United Kingdom context
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.18	(2016) Green Infrastructure: the multi functional network of open and green spaces
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 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 3.19	(2016) Sports Facilities
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 4.1	(2016) Developing London's economy
LPP 4.2	(2016) Offices
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 5.1	(2016) Climate Change Mitigation
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 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.3	(2016) Sustainable design and construction

LPP 5.7	(2016) Renewable energy
LPP 6.1	(2016) Strategic Approach
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 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 7.1	(2016) Lifetime Neighbourhoods
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.24	(2016) Blue Ribbon Network
LPP 7.3	(2016) Designing out crime
LPP 7.30	(2016) London's canals and other rivers and waterspaces
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF1	NPPF - Delivering sustainable development
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF12	NPPF - Conserving & enhancing the historic environment
NPPF4	NPPF - Promoting sustainable transport
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF8	NPPF - Promoting healthy communities
NPPF9	NPPF - Protecting Green Belt land

4 I74 Community Infrastructure Levy (CIL) (Refusing Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application be allowed at appeal, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

5 I71 LBH worked applicant in a positive & proactive (Refusing)

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. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a 2-storey industrial building located on the northern side of Nestles Avenue, south of Hayes town centre and Hayes & Harlington Station. The existing building sits on a 0.23 hectare site which is split into two distinct elements, the larger portion to the rear comprises a large open plan factory and a two-storey administrative block fronting onto Nestles Avenue. The building was built in the late 1930s and has an Art Deco influenced formal facade with horizontal steel windows and concrete dressings.

Stanford House is set back from Nestles Avenue by 15 metres with a hard landscaped forecourt and green hedging and trees to the boundary. The site is one of a number of light industrial units along Nestles Avenue which also accommodate education and self storage uses and a former car museum and car rental & repair shops. Surrounding buildings are of a similar functional industrial style ranging from one to three-storeys in height.

The buildings have large windows and are built from metal cladding or brick many with Art Deco influences. The site is located within the wider Nestles Avenue industrial cluster - designated within the Hillingdon Saved UDP Policies (November 2012) as Strategic Industrial Location (SIL). However, more recently, the site is included as part of Site B within Policy SA 5 (Land to the South of the Railway, including Nestle Site, Nestle Avenue, Hayes) of the emerging Local Plan: Part 2 Site Allocations and Designations (Proposed Modifications 2019).

To the south west, on the opposite side of Nestles Avenue, lies a predominantly residential area, largely characterised by two-storey semi-detached properties.

The Nestles Avenue industrial cluster comprises approximately 34 hectares of land south of the railway, and extends eastwards from Station Road, across Squirrels Trading Estate and North Hyde Gardens, encompassing the electricity substation and land beneath the Hayes Bypass.

It is immediately bounded to the east by Botwell/Nestles Conservation Area. The wider site's heritage significance relates to the site's industrial design and its manufacturing history. There are locally listed structures within the wider site, which include the Main Factory, the Canteen Building, the Lodge and the gates/railings at the front of the site.

The site currently falls within 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 (2016).

The Hayes Town Centre Housing Zone, is a 238 ha area which was selected in March

2016 by the Mayor of London as one of 31 new Housing Zones in London. The Council's emerging Local Plan: Part 2 identifies this as one of three sites (this forming a part of site B) along Nestles Avenue, due to be released from 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 (28-06-18) was granted for the comprehensive mixed use redevelopment of the former Nestle Factory site (Site A), to provide 1,386 dwellings; office, retail, community and leisure uses (Use Class A1/A3/A4/B1/B8/D1/D2); commercial floorspace (Use Classes B1c/B2/B8); a Data Centre (sui generis); amenity and playspace; allotments; car parking; and associated development. Planning applications have also been submitted for the comprehensive mixed use redevelopment of nos.3 & 233-236 Nestle Avenue (Site C) under planning ref: 73238/APP/2018/1145 which was approved at planning committee on 14-04-19 and 3 Viveash Close (part of site B) under planning ref: 36678/APP/2017/1774 (18-10-18) which was refused and is currently at appeal.

3.2 Proposed Scheme

The application proposal seeks full planning permission for the demolition of the existing warehouse and redevelopment of the site to provide 84 residential self contained units providing the following mix:

- 44 x 1 bedroom;
- 28 x 2 bedroom; and
- 12 x 3 bedroom.

The scheme is proposed to deliver residential accommodation solely in the form of Build to Rent accommodation. The development would be arranged in one single block with staggering heights with the tallest element of the proposal situated to the northern part of the site.

Pedestrian and vehicular access provided to the eastern part of the site and the site has been set back from Nestles Avenue by approximately 17m to allow for the future implementation of the Multi Modal Transport Scheme (MMTS) along Nestles Avenue. The application provides 51 car parking spaces including 9 disabled spaces for residents of the building. The remaining 42 spaces will be provided in the form of triple height car stackers.

Storage for bicycles is provided at the two cores, with 142 spaces for the residents, and 4 short-stay / visitor cycle parking spaces.

The proposal has been subject to a Financial Viability Appraisal which has critically assessed the applicants affordable housing offer.

The landscaping strategy proposes to provide private and communal space through private balconies and communal terraces.

3.3 Relevant Planning History

51175/APP/2018/4260 Stanford House, 9 Nestles Avenue Hayes

Demolition of existing building and redevelopment to provide a building up to 10 storeys, with 86 sq.m of commercial or community space (Use Class B1 or D1) at ground floor level and 81 (44 x 1-bed, 28 x 2-bed and 9 x 3-bed) residential units to the upper floors, with associated landscaping, access, car parking and cycle parking.

Decision:

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.

Under planning ref: 51175/APP/2018/4260 a planning application sought the demolition of existing building and redevelopment to provide a building up to 10 storeys, with 868 sq.m of commercial or community space (Use Class B1 or D1) at ground floor level and 81 (44 x 1-bed, 28 x 2-bed and 9 x 3-bed) residential units to the upper floors, with associated landscaping, access, car parking and cycle parking.

The applicants lodged an appeal against non determination on this planning application (before officers were able to determine the case). Following the lodging of the appeal to the Planning Inspectorate, the planning was taken to Major Applications Planning Committee on 19 June 2019 with a resolution to refuse planning permission. This was ratified by Members and the appeal is still ongoing.

The key difference between this application and the proposal under ref: 51175/APP/2018/4260 is that this application does not seek to provide a commercial unit at ground floor level and proposes onsite car parking.

SURROUNDING AREA

3 Viveash Close

Under planning ref: 36678/APP/2017/1774 an application for the demolition of the existing building (Use Class B8) and the redevelopment of the site to include the erection of a part 8, part 10 storey building linked by podium level comprising 68 residential units (21 x 1 bedroom, 24 x 2 bedroom and 23 x 3 bedroom) (Use Class C3) and 1620 m2 commercial floorspace at ground, mezzanine and first floor levels (Use Class B1) with associated parking and landscaping was refused and is currently under appeal.

FORMER NESTLE FACTORY (SITE A - Policy SA 5)

Under planning ref: 1331/APP/2017/1883 permission was granted for part demolition of existing factory buildings and associated structures, and redevelopment to provide 1,386 dwellings (Use Class C3), office, retail, community and leisure uses (Use Class A1/A3/A4/B1/B8/D1/D2), 22,663sq.m (GEA) of commercial floorspace (Use Classes B1c/B2/B8 and Data Centre (sui generis)), amenity and playspace, landscaping, allotments, access, service yards, associated car parking and other engineering works.

LAND AT 3, 233-236 NESTLES AVENUE HAYES (SITE C - Policy SA 5)

Under planning ref: 73238/APP/2018/1145 there was a resolution to grant planning consent subject to a Section 106 legal agreement for the 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.

1 NESTLES AVENUE

Under planning ref: 1699/APP/2017/2201 the application was withdrawn for the demolition of existing building and redevelopment of the site to provide three basement levels for Class B8 (self-storage) and car parking, ground floor podium and five buildings above arranged over six, seven and ten floors for 7081sq.m of Class B8 (self-storage), 1349sq.m of Class B1 (office), 115sq.m of Class A3 (cafe) and 164 Class C3 residential units; creation of a pedestrian walkway adjacent to the railway station; creation of a vehicular access and route from Nestles Avenue; provision of associated plant and landscaping.

4. **Planning Policies and Standards**

The Local Plan Part 2 Draft Proposed Submission Version (2015) was submitted to the Secretary of State on 18th May 2018. This comprises of 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.

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.

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 9th August 2018. The Inspector submitted a Post Hearing Advice Note outlining the need to undertake a final consultation on the updated SOPM (2019) only. The Council undertook this consultation between 27th March 2019 and 8th May 2019. All consultation responses have been 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) 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).

On the basis that the public hearings have concluded and 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 EiP process and the degree of consistency to the relevant policies in the NPPF (2019).

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.CI1	(2012) Community Infrastructure Provision
PT1.CI2	(2012) Leisure and Recreation
PT1.E1	(2012) Managing the Supply of Employment Land
PT1.E3	(2012) Strategy for Heathrow Opportunity Area
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM11	(2012) Sustainable Waste Management
PT1.EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
PT1.EM4	(2012) Open Space and Informal Recreation
PT1.EM5	(2012) Sport and Leisure
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.H1	(2012) Housing Growth
PT1.H2	(2012) Affordable Housing
PT1.HE1	(2012) Heritage
PT1.T1	(2012) Accessible Local Destinations
PT1.T2	(2012) Public Transport Interchanges

Part 2 Policies:

LPP 1.1	(2016) Delivering the strategic vision and objectives for London
BE14	Development of sites in isolation
BE25	Modernisation and improvement of 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
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
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
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE28	Shop fronts - design and materials
BE29	Advertisement displays on business premises
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.
BE39	Protection of trees and woodland - tree preservation orders
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
H4	Mix of housing units
H5	Dwellings suitable for large families
H6	Considerations influencing appropriate density in residential development.
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE2	Assessment of environmental impact of proposed development

OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
R1	Development proposals in or near areas deficient in recreational open space
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
R3	Indoor sports, leisure and entertainment facilities
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG	Residential layouts and house design.
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
LPP 2.1	(2016) London in its global, European and United Kingdom context
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.18	(2016) Green Infrastructure: the multi functional network of open and green spaces
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 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 3.19	(2016) Sports Facilities
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 4.1	(2016) Developing London's economy
LPP 4.2	(2016) Offices
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 5.1	(2016) Climate Change Mitigation
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 5.17	(2016) Waste capacity
LPP 5.18	(2016) Construction, excavation and demolition waste
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 6.1	(2016) Strategic Approach
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 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 7.1	(2016) Lifetime Neighbourhoods
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.24	(2016) Blue Ribbon Network
LPP 7.3	(2016) Designing out crime
LPP 7.30	(2016) London's canals and other rivers and waterspaces
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture

LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF1	NPPF - Delivering sustainable development
NPPF10	NPPF - Meeting challenge of climate change flooding costal
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF12	NPPF - Conserving & enhancing the historic environment
NPPF4	NPPF - Promoting sustainable transport
NPPF6	NPPF - Delivering a wide choice of high quality homes
NPPF7	NPPF - Requiring good design
NPPF8	NPPF - Promoting healthy communities
NPPF9	NPPF - Protecting Green Belt land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **15th February 2019**

5.2 Site Notice Expiry Date:- **15th February 2019**

6. Consultations

External Consultees

A site notice was displayed and a press notice advertised in a local paper on 25-01-2019, with a closing date of 15-02-2019.

26 responses were received including 8 objections were received which are summarised below:

The number of units being proposed is excessive. The area is already significantly congested, and traffic on the adjoining roads is extremely heavy and Council have already added and continue to add (Nestles) hundreds of units within a 1,000 metre radius. There is no park. The amenity space proposed on the top of the roofs is not adequate.

- The proposal features a poor layout
- The proposal would result in overlooking and the loss of privacy for future occupants of the neighbouring site
- The proposal would be in breach of HDAS 21m separation distances
- The proposal would result in the loss of light
- The proposal would be detrimental to the delivery of the neighbourhood
- The proposal would provide insufficient distance to boundary and the proposal provides a cramped form of development
- The proposal does not adequately consider the comprehensive integration with the surrounding sites
- The proposal fails to provide sufficient car parking
- The proposal relies on car stackers for car parking, this is unsustainable
- Too much housing being built in Hayes with not much demand because of Brexit

10 letters of support were received noting:

- the proposal would deliver more homes within the area
- more home would sustain local businesses
- the proposal would be good for the community

1 Comment was received noting there are too many chicken shops in the area and beauty salons and not enough car parking.

STATUTORY CONSULTEES

TRANSPORT FOR LONDON (TfL)

A total of 51 car parking spaces are proposed, above draft London Plan minimum standards and is therefore unacceptable. Draft London Plan policy T6.1 states that developments in Outer London in areas of PTAL 4 should have a maximum of 0.5 spaces per unit. It is noted that under the previous application, the development was proposed as car-free and the site is very close to areas of PTAL 5 and 6, which should be car-free. Furthermore, the TA notes that research has identified that typically BTR schemes have lower parking demand than owner-occupied households.

Free car club membership has been agreed for new residents to make use of existing car club bays within the Nestles Factory site which further decreases the need for permanent resident car parking.

Car parking should be reduced to a maximum provision of 42 parking spaces, however it is strongly recommended that the applicant reduce car parking further, given the above context.

Of the spaces proposed, 9 are proposed as disabled bays, which equates to 10% of dwellings from the outset, therefore conforming to draft London Plan policy T6.1 from the outset and future scenarios. The applicant has committed to ensuring that a 'permit-free' arrangement will be secured via S106 agreement in the surrounding CPZ, which is welcomed.

HEATHROW AERODROME SAFEGUARDING

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:

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 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 to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

Information

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 observations:

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>)

Landscaping

The development is close to the airport and the landscaping which is included may attract birds which in turn may create an unacceptable increase in bird strike hazard. Any such landscaping should, therefore, be carefully design to minimise its attraction to hazard species of birds. Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/operation&safety/safeguarding.htm>)

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

MINISTRY OF DEFENCE

This development falls within the Statutory Safeguarding Birdstrike Zone surrounding RAF Northolt and is located 5.7km south from the centre of the aerodrome. There are no Aerodrome Height Safeguarding Concerns.

Birdstrike

Within this zone, the principal concern of the MOD is that the creation of new habitats may attract and support populations of large and or flocking birds close to an aerodrome. The proposed building will have stepped green landscaped roofs and there will be other landscaping with no significant above ground water attenuation. The roof spaces will have a combination of landscaped areas, children's play areas, planters and photovoltaic panels. Where areas are frequently used it is unlikely that hazardous birds such as gulls will nest but when less used such as the area on the top floor where the photovoltaic panels are located, large gulls could use the site to breed.

In this respect, we require a Bird Hazard Management plan to be implemented to ensure roof spaces are not used by hazardous large gulls for nesting or roosting and monitored during the breeding season and take action as appropriate or at the request of the airport.

In summary, I can confirm that the MOD does not object to these proposals. Subject to the above being implemented as part of any planning permission granted, the MOD maintains a No Safeguarding Objection.

I would be grateful if you could confirm receipt of this letter and confirm that a relevant condition covering the MOD's requirement is included in any consent granted.

It is important that the conditions requested in this response are included in any planning permission granted. As per Planning Circular 01/03: Safeguarding Aerodromes, Technical Sites & Military Explosives Storage Areas, if Hillingdon Council decides to grant planning permission contrary to our advice then we must be notified 28 days prior to a decision being made.

THAMES WATER

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

The proposed development is located within 15m of a strategic sewer. Thames Water request that the following condition be added to any planning permission. 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. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

'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."

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.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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

Water Comments

With regard to water supply, this comes within the area supplied by the Essex and Suffolk Water Company. For your information the address to write to is -Essex and Suffolk Water Company, Sandon Valley House, Canon Barns Road, East Hanningfield, Essex CM3 8BD Tel - (03457) 820996

NATS

No objection to this application.

METROPOLITAN POLICE

Lack of residential use on ground floor. From the proposals that I have seen for the major redevelopment of the Nestles site and neighbouring sites this is to be a residential led redevelopment of the area. Owing to this it is vital that there is natural surveillance and activity on ground floor and a residential street scene that can only be created by positioning residential units on ground floor.

The proposal contained here show little residential usage on ground floor. A small amount of commercial use can assist but depends on what the commercial type (e.g a cafe orientated to look outwards would assist, a shop with advertising hoardings preventing visual connectivity with the outside would not.

Access and the pathway between this development and proposal neighbouring to the east. There is little natural surveillance on this area owing to this aspect of the building. I am concerned that owing to little oversight of this area it could become an undesirable area as it is relatively long and narrow and could feel like an alleyway that residents of Core A would have to walk down to get to their entrance. In this design I would encourage that everything is done to visually open up this area and the sight lines from the north to the south of this building are completely clear and devoid of visual

obstruction and any legitimate activity and informal surveillance that can be brought to this area is.

The car park must be protected with a security rated gate/barrier with access control to allow only access to those who require it.

All other points that are required for SBD accreditation are contained in the letter attached. I request that if planning permission is granted to this proposal then a condition is adhered to it that Secure By Design accredited must be achieved.

This condition is to ensure that the appropriate minimum levels of security are installed in this proposal that are suitable for the crime trends that it will experience in this area. If further justification for this condition is required please contact me again.

GREATER LONDON AUTHORITY

Principle of development: The proposed under-provision of employment floorspace at this site leads to conflict with London Plan Policy 2.17. Moreover, there is strategic concern that allowing this site to come forward in isolation could undermine the delivery of wider policy and design objectives.

Housing: The absence of an affordable housing offer is unacceptable. The proposals are currently being scrutinised by GLA officers to determine the maximum reasonable amount the scheme could sustain. The necessary clawback, covenants and reviews would need to be secured on any future permission.

Urban design: GLA officers seek a more comprehensive approach to redevelopment at Squirrels Trading Estate in order to ensure the best design outcome for this part of the Hayes Housing Zone.

Sustainable development: The applicant must provide further details on the proposed energy strategy and sustainable drainage proposals to demonstrate London Plan compliance.

Transport: The applicant is required to make submissions in respect to; a travel plan, a healthy streets check, a construction logistics plan and a delivery and servicing plan. The applicant must also address transport issues with respect to; vehicle parking and cycle parking.

Principle of development (GLA Response)

Heathrow Opportunity Area

The site is located within the Heathrow Opportunity Area. London Plan Policy 2.13 states that development in Opportunity Areas is expected to optimise residential and non-residential outputs and contain a mix of uses. London Plan paragraph 2.58 states that Opportunity Areas are the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility, which is echoed in the supporting text to draft London Plan Policy SD1. Paragraph 2.61 of the London Plan confirms that Opportunity Areas are expected to make particularly significant contributions towards meeting London's housing needs.

London Plan Policy 2.13 identifies the Heathrow Opportunity Area as having capacity to accommodate a minimum of 9,000 homes and 12,000 jobs. Through draft London Plan Policy SD1 this is revised to 13,000 homes and 11,000 jobs. The London Plan also specifically recognises the Hayes-West Drayton corridor as offering a range of redevelopment opportunities - including small business parks, logistics and mixed uses. The draft London Plan acknowledges the area contains a range of opportunities to support London's economic development and deliver new housing and environmental improvements. Draft London Plan Policy SD1 identifies Opportunity Areas as the

capital's most significant locations for development capacity and seeks to ensure that this capacity is delivered in a sustainable and integrated way to ensure the successful delivery of the growth targets outlined above. The proposed residential use is complimentary to the strategic policy context of the site and would enhance the residential offer in Hayes. High density residential-led redevelopment of this previously developed site is in conformity with the aspirations of the London Plan and draft London Plan, both for the Opportunity Area and generally, subject to the appropriate re-provision of employment capacity at the site.

Strategic Industrial Land

It is noted that as part of the emerging local plan the site is proposed to be de-designated from its SIL allocation. However, the site is still characterised by industrial uses. London Plan Policy 2.17 seeks to promote, manage and, where appropriate, protect SILs. Further to this, the latest evidence of strategic demand (London industrial land demand study 2017) suggests that boroughs need to intensify industrial land and retain overall levels of floorspace in order to safeguard future capacity to service the London economy and its growing population. This new evidence underscores the importance of a carefully managed plan-led approach to employment land management in line with London Plan Policy 2.17.

Having regard to the new evidence there remain opportunities to sustainably consolidate certain areas of SIL in accordance with Policy 2.17 and draft London Plan E7 in order to: deliver operational efficiencies for SIL occupiers; intensify employment densities; and, contribute towards wider London Plan objectives. However, approaches that would effectively reduce the reservoir of SIL land in order to introduce a mix of non-compliant SIL uses must be strategically coordinated as part of a robust evidence-based planning process, i.e. via an Opportunity Area Planning Framework or Development Plan Document.

In this particular case, Hillingdon Council has been engaged with the GLA since 2014 on a plan-led process of rebalancing a local surplus of employment land. The approach evidenced within the Council's draft Hillingdon Local Plan part 2 (awaiting Inspectors report post examination) advocates the release of 16 hectares of SIL from the Nestles Avenue Industrial Cluster (including this site). However, this release is predicated on a requirement (through emerging Local Plan Policy SA5) to re-provide a specific proportion of employment space as part of any mixed use redevelopment. The key drivers for the proposed release of SIL land at the Nestles Avenue Industrial Cluster (rather than elsewhere in the borough) are: the proximity of this land to the Hayes and Harlington Crossrail 1 station (which is due to benefit from Elizabeth Line services once operational); and, the potential for comprehensive redevelopment of this land to support sustainable suburban intensification of homes and jobs and the regeneration of Hayes town centre, in line with London Plan Policy 2.15.

The Local Plan will require the masterplan area to deliver 50% industrial re-provision. In order to ensure that the strategic target of 50% re-provision of the pre-existing employment floorspace is made across the wider site allocation, individual plots may need to commit to providing more than 50% in order enable this target will be met given the areas of land dedicated to public space and new routes around/through the site.

Whilst London Plan Policy 2.17 resists development on SIL land for non-industrial type uses, noting the evidence for release and emerging mixed use allocation for the wider SA5 site allocation area within the draft Hillingdon Local Plan part 2, GLA officers support the principle of comprehensive mixed use redevelopment of this site, subject to the appropriate provision of new employment space in line with emerging Local Plan Policy SA5 which requires a minimum of 50% re-provision across the wider site. It must therefore be demonstrated that this scheme in itself proportionally contributes to this strategic target, and would not compromise the ability of neighbouring sites to achieve mixed use development in accordance with the emerging Local Plan.

Employment

As part of the coordinated approach to SIL consolidation discussed above, the draft Hillingdon Local Plan part 2 seeks to ensure that a minimum of 50% of each land parcel within Site B contains employment generating uses (including B1 office and suitable B2 light industrial). This policy has been intentionally drafted flexibly, and may be applied in terms of land area or floorspace. In practice, however, given the ambition to deliver high density genuinely mixed use development adjacent to the Crossrail station, the Local Plan target is being implemented on a '50% reprovided floorspace' basis.

The site currently comprises 1,718 sq.m of commercial floorspace across a single storey warehouse and a two-storey office. The proposals do not include the re provision of any commercial floorspace. This equates to a net loss of 1,718 sq.m of commercial floorspace and makes no contribution to the 50% strategic target of re provision for the wider site. Furthermore, given the scheme is being proposed in isolation, GLA officers have no certainty that the necessary employment re provision will be delivered across the wider site allocation as a whole. The applicant has sought to demonstrate that these proposals do not prejudice the realisation of this strategic target by modelling where else in the plots employment capacity could be accommodated. However the land is outside the applicants control and GLA officers have no certainty that these projections will be realised. This raises a significant concern on the basis that the required 50% provision of new employment space is fundamental to the justification for the release of SIL in this location in line with London Plan Policy 2.17. Moreover, the absence of any employment floorspace at this site would effectively load an additional employment space requirement on other land parcels within Site B. Whilst, in principle, a flexible approach to how the emerging Local Plan re provision target is met across the Site B area as a whole may be considered, the absence of a sufficiently comprehensive proposal at this stage makes delivery of this policy objective significantly uncertain. Accordingly, the proposed under-provision of employment space at this site raises strategic concern, and does not comply with the plan-led approach to consolidating the Nestles Avenue SIL-leading to conflict with London Plan Policy 2.17 and draft London Plan E7.

Comprehensive development

20 Site allocation SA5 within the emerging Hillingdon Local Plan Part 2 makes clear that the Council seeks to incorporate this site as part of a wider, comprehensive, redevelopment of land south of the railway. GLA officers strongly support the thrust of this approach and note that, in general, comprehensive redevelopment is essential to ensure that the challenges and incentives of brownfield land development are shared evenly in order to achieve coherent growth and regeneration - whilst integrating delivery of the infrastructure necessary to support sustainable communities.

As part of pre-application engagement across a range of sites in the Hayes Housing Zone, the GLA has been working with Hillingdon Council and various other local stakeholders to develop a strategic masterplan for the area. Whilst non-statutory in status, it is intended to express high level design principles for the SA5 site allocation in order to positively influence development proposals in this area and ensure that design aspirations are aligned (refer to Figure 2 in the urban design section below). Key objectives of the masterplan include a new linear open space to provide an east-west route from Station Road into the heart of site SA5, and a building height strategy which locates the tallest buildings adjacent to the railway and reduces building heights towards the suburban interface at Nestles Avenue.

The application site is adjacent to Nestles Avenue with its northern edge fronting onto the envisaged east/west connection which would run across the masterplan area. GLA officers' concern, however, is that allowing this site to come forward in isolation could undermine the viability and delivery of other policy and strategic design objectives across the wider strategic masterplan area. GLA officers have specific concerns regarding: the balanced re-provision of employment space; delivery of the east-west linear open space; and, other potential forms of necessary infrastructure or mitigation that may effectively require cross-subsidy as part of a large (and more viable) scheme.

Whilst it is noted that the applicant has made several attempts to engage with neighbouring land owners to encourage them to work collaboratively on a more comprehensive scheme and provided evidence of this to GLA officers, this has so far not been successful. Accordingly, the applicant is encouraged to redouble its efforts to engage with neighbouring landowners, and as part of this, to jointly explore the feasibility and viability of a relocation solution for its immediate neighbour to the south. The importance of this is underlined by Hillingdon Council's decision to refuse planning permission for the redevelopment of the site just north beyond the proposed linear route through the site with the principal reason for refusal being the piecemeal nature of the proposals.

Principle of development - conclusion (GLA Response)

The absence of any employment re-provision as part of the proposals means that these proposals make no attempt to contribute to the realisation of the 50% commercial re-provision required for the wider strategic site. The proposed under-provision of employment floorspace at this site leads to conflict with London Plan Policy 2.17. Moreover, there is strategic concern that allowing this site to come forward in isolation could undermine the delivery of wider policy and design objectives that may require cross-subsidy as part of a larger (and more viable) scheme. Accordingly, the applicant is strongly encouraged to redouble its efforts to engage with neighbouring landowners in order to bring forward a more comprehensive proposal.

Housing

This site forms part of the wider Hayes town centre Housing Zone, which has been prioritised for accelerated housing delivery with GLA funding support. The proposed provision of 84 residential units is supported in principle in accordance with London Plan Policy 3.3. Table 1 below sets out the proposed residential schedule.

London Plan Policy 3.3 and draft London Plan Policy H1 seek to increase London's supply of housing and, in order to do so, sets each borough a housing target. The 2016 London Plan respectively sets Hillingdon's at 559 additional homes per year between 2015 and 2025. The draft London Plan updates these figures for the 2019 - 2029 plan period, increasing Hillingdon's annual target to 1,533.

London Plan Policy 3.3 and draft London Plan Policy H1 seek to optimise housing potential. Policy 3.3 directs that boroughs identify and seek to enable additional development capacity to be brought forward. Policy H1 states boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions.

The proposed development would provide 84 homes. This would equate to 15% of the annual target for the Borough as set out in the London Plan. The residential intensification of this accessible, under-utilised site that will provide 84 units in a mixture of one, two and three bed units, including affordable family sized accommodation, is strongly supported and in accordance with policies 3.3 of the London Plan and H1 and H12 of the draft London Plan and would also assist Hillingdon Council in meeting its London Plan target of 559 units a year.

Affordable housing

London Plan Policy 3.11 states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London up to 2031. Draft London Plan Policy H5 goes further by setting a clear strategic target of 50% of all new homes delivered across London to be affordable.

London Plan Policy 3.12 requires that the maximum reasonable amount of affordable housing

should be sought when negotiating on individual private residential and mixed-use schemes. Negotiations on sites should take account of their individual circumstances including development viability, resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

In August 2017 the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG), which sets out his preferred approach to the delivery of affordable housing, introducing a Fast Track Route for applications that deliver at least 50% affordable housing (by habitable room) on industrial land. The document also sets out detailed guidance to the form, content and transparency of viability assessments and the requirements for review mechanisms. The threshold approach to affordable housing is also set out in draft London Plan policies H6 and H7. In November 2016, the Mayor also launched a new Affordable Homes Funding Programme for the period of 2016-21, which introduced new affordable products, rent benchmarks and grant rates.

The Mayor's Affordable Housing and Viability SPG and draft London Plan Policy H13 provide specific guidance on Build to Rent (BTR) schemes. To qualify as BTR, a scheme must meet the criteria within draft London Plan Policy H13, including the following: be comprised of over 50 units; held in a covenant for at least 15 years; be subject to a clawback mechanism, in the event of the covenant being broken; under a unified management; and tenancies of three or more years must be made available. Draft London Plan Policy H13 and the Mayor's Affordable Housing and Viability SPG states that BTR schemes can provide an entirely intermediate rent affordable offer, where the rents proposed are at a genuinely affordable level. The Mayor does not consider that 80% market rent is genuinely affordable in London, as set out in paragraph 4.7.4 of the draft London Plan. The preferred rent level for intermediate rent homes is London Living Rent, which is set at two thirds of median local market rent, i.e. approximately 66%. With regard to rent levels the scheme must respond to the requirements of the paragraph 4.13.6 of the draft London Plan.

The financial viability assessment submitted alongside this application is being rigorously interrogated by GLA officers with the intention of verifying the maximum reasonable amount of affordable housing the scheme can achieve. Early and late stage viability reviews would also need to be secured.

Housing mix

London Plan Policy 3.8 and draft London Plan Policy H12 encourage a full range of housing choice. Draft London Plan Policy H12 recognises that central or urban sites may be most appropriate for schemes with a significant number of one and two beds, whilst new London Plan Policy H12 recognises that the number of family sized affordable homes provided should be driven by local and strategic need and should recognise that some families live in units smaller than three bedrooms. With specific regard to the BTR sector, the Mayor's Affordable Housing and Viability SPG notes that demand for one and two bed properties is higher in this sector than in the owner occupied/social rented sector; as such, the SPG states that borough policies on housing size mix can be applied flexibly.

Of the total development, 86% of units are one or two bedrooms. Given the site specific circumstances and the close proximity to sustainable transport modes (as noted above) a build to rent offer of predominately one and two-bedroom dwellings, is acceptable in this instance.

Children's playspace

London Plan Policy 3.6 and draft London Plan Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG and draft London Plan Policy S4 expect a minimum

of 10 sq.m per child to be provided in new developments.

The scheme proposes 110 sq.m of playspace located on the 5th floor terrace with other public spaces and rooftop amenity spaces also available. The detailed composition of affordable and market units has not been confirmed but once this is finalised the appropriateness of the above provision can be confirmed. Once the child yield has been confirmed the applicant must ensure compliance with London Plan Policy 3.6, draft London Plan Policy S4 and the Mayor's SPG. The playspace provided must be genuinely playable and details of this must be secured as part of any future planning permission.

Urban Design

As discussed above GLA officers have been working with Hillingdon Council and various other local stakeholders to develop a non-statutory strategic masterplan for this area to ensure that design aspirations are aligned (refer to figure 2 below). The masterplan advocates a comprehensive approach to redevelopment, seeking to establish a new east-west route via the Estate into the heart of site SA5 (connecting the historic Nestle factory core with the station and high street). In terms of scale, the masterplan locates taller buildings long the railway, and transitions to low-rise blocks at Nestles Avenue. At pre-application stage the importance of realising this comprehensive vision was highlighted to the applicant, it is acknowledged that the applicant has sought to engage with neighbouring landowners but that these attempts, to date, have been unsuccessful.

Proposed design principles

In general, the high density approach of this proposal (which seeks to optimise development potential next to the future Crossrail station) is supported in response to London Plan policies 2.7, 2.13 and 3.3. The built form of the proposal would not preclude the masterplan objective for a new east-west route, however, as discussed in the principle of development section above, there is concern that allowing this site to come forward in isolation could undermine the viability of delivering this route in future. Hence officers are seeking a more comprehensive scheme to ensure that the strategic objectives for this area would be appropriately secured and delivered.

Height and massing

The scheme would position its tallest element (at 10-storeys) at the northern edge of the site. The profile of the building then steps down at three intervals to 4 storeys at the southern edge of the plot bordering Nestles Avenue. This provides for significantly reduced massing at the southern edge of the plot responding well to its immediate context. The tallest element of the scheme is concentrated to the northern edge of the site and would sit comfortably within the indicative massing proposed for the northern portion of the site as laid out in the indicative masterplan for the area. The stepped elevations of the scheme provide generous amenity space and sufficiently reduce the massing whilst maintaining the privacy of adjacent properties.

Residential quality

The proposed scheme ensures all residential units meet minimum space standards, efficient core ratios of no more than 8 units per core and private amenity space in the form of terraces and balconies. The scheme aims to deliver the majority of units as dual aspect but where this is not possible it is confirmed that none of the single aspect units will be north facing.

Architecture

The applicant is advancing a robust architectural treatment of variegated brickwork with dark grey metal window frames and balcony metal work. The scheme benefits from a regular pattern of

fenestration which ensures internal spaces would be well lit. The proposed architecture is broadly supported and does not present any strategic design concerns.

Density

London Plan Policy 3.4 and draft London Plan Policy D6 seek to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services. Draft London Plan Policy D6 expands upon the current policy, taking a more design-led approach and seeking management plans for schemes that exceed specified density thresholds. The proposed density is equivalent to 420 residential units per hectare. Whilst this exceeds the typical range within the density matrix, this is not intended to be applied mechanistically. Further, given the characteristics of the site and emerging context (in close proximity to a future Crossrail station), the proposed density is acceptable in this instance given the high standard of design.

Notwithstanding the above and in accordance with draft London Plan Policy D6, a management plan should be secured, detailing the management strategy for the development, the day-to-day servicing and the longer-term maintenance plan.

Fire safety

In accordance with Policy D11 of the draft London Plan, the Council should secure the submission of a fire statement, produced by a third party suitable qualified assessor.

Urban design conclusion

Whilst the proposed development could successfully function as a standalone scheme, the absence of a more comprehensive proposal leads to a number of policy and placemaking concerns. In particular, there is concern that allowing this site to come forward in isolation could undermine the viability of delivering the SA5 east-west route in future. GLA officers expect a more comprehensive approach to redevelopment at the wider/whole of Site B in order to ensure the best design outcome for this part of the Hayes Housing Zone. The applicant is therefore strongly encouraged to redouble its efforts to engage with neighbouring land owners, in order to bring forward a more comprehensive proposal.

Inclusive access

London Plan Policy 7.2 and draft London Plan Policy D3 require that all new development achieves the highest standard of accessible and inclusive design. These policies seek to ensure that all new development can be used easily and with dignity by all.

London Plan Policy 3.8 and draft London Plan Policy D5 require that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. The application documents confirm that the scheme would provide 10% of the new housing delivered as accessible as wheelchair accessible/adaptable dwellings from the total residential offer of 84 units. The proposed provision of wheelchair accessible units in this instance is acceptable.

Sustainable development

In accordance with the principles of London Plan Policy 5.2 and Policy SI2 of the draft London Plan, the applicant has submitted an energy statement, setting out how the development proposes to reduce carbon dioxide emissions. In summary the proposed strategy comprises: energy efficiency measures (including a range of passive design features and demand reduction measures). The

applicant has identified that the adjacent Nestle factory site is being developed with a site wide heat network and is liaising with the developer to understand the potential to connect. Renewable technologies comprising photovoltaic panels and Heat Pumps have been proposed. The approach proposed would achieve a 63% carbon dioxide reduction for the scheme. Whilst the principles of the energy strategy are supported, the applicant must explore the potential for additional measures to deliver further carbon dioxide reductions. Once all opportunities for securing further feasible on-site savings have been exhausted, a carbon offset contribution should be secured to mitigate any residual shortfall.

Flood risk

The approach to flood risk management for the proposed development complies with London Plan policy 5.12 and draft London Plan Policy SI.12. The surface water drainage strategy for the proposed development does not comply with London Plan policy 5.13 and draft Policy SI.13, as it does not give appropriate regard to the greenfield runoff rate. Revised attenuation storage volume calculations, consistent between the plans and the text of the FRA, attenuation tank dimensions, and exceedance assessment information should also be provided.

The proposed development does not meet the requirements of London Plan policy 5.15 and draft London Plan Policy SI.5.

Transport

Vehicle parking

London Plan Policy 6.13 and draft London Plan Policy T6 require developments to provide the appropriate level of car parking provision. The applicant is proposing 51 car parking spaces at a parking ratio of 0.6 spaces per unit. A total of 9 disabled bays are proposed this accords with the requirements of the draft London Plan. The quantum of car parking provision should be reduced in accordance with the requirements of the draft London Plan which seeks a maximum car parking ratio of 0.5 spaces per unit for sites with a PTAL of 4 in outer London. The applicant has committed to ensuring that a 'permit-free' arrangement will be secured via S.106 agreement in the surrounding CPZ, which is welcomed.

Cycle parking

Cycle parking should be provided in line with the draft London Plan standards. Cycle parking design should be in accordance with London Cycle Design Standards (LCDS). Short Stay cycle parking should also be provided in line with draft London Plan standards and should be located close to the access points into the development, within the public realm. A minimum of 146 cycle parking spaces would be required to conform with draft London Plan Policy T5. The location of the cycle parking is acceptable, however, 5% of spaces should be designed to accommodate larger cycles.

Delivery, servicing, construction and travel planning

Delivery and servicing is proposed to be undertaken from a new half on/half off street loading bay on Nestles Avenue, which is not supported in strategic terms. Nestles Avenue will be a gateway to the development and wider area, and should provide exemplar streetscape. A finalised Delivery and Servicing Plan (DSP) should be secured by condition.

A full Construction Logistics Plan (CLP) should be submitted to the London Borough of Hillingdon prior to works commencing on site and this requirement should be secured by condition on any consent.

A travel plan has been submitted which includes modal shift targets towards sustainable modes, in line with the Mayor's Transport Strategy (MTS). This document and funding required for implementation should be secured by condition/s106 agreement as appropriate on any consent.

Development impact

The local road network is very congested and will be sensitive to any increase in car use resulting from the development. A Development Infrastructure Funding Study (DIFS) was commissioned jointly by the London Borough of Hillingdon (LBH) and the GLA, with input from TfL. It is expected that all development coming forward will contribute towards interventions to enhance the functioning of the surrounding road network.

Transport conclusion

The applicant is required to make submissions in respect to; a travel plan, a healthy streets check, a construction logistics plan and a delivery and servicing plan. The applicant must address transport issues with respect to; vehicle parking and cycle parking.

THREE RIVERS DISTRICT COUNCIL

No objections.

HOUNSLOW COUNCIL

No feedback received to date.

SOUTH BUCKS DISTRICT COUNCIL

No feedback received to date.

SPELTHORNE BOROUGH COUNCIL

No objections.

Internal Consultees

WASTE STRATEGY OFFICER

The proposed capacity for waste and recycling is suitable for the number of units proposed. 50% of the bins provided should be allocated for dry mixed recycling.

It is unclear where it is intended for waste and recycling collections to be carried out. The 'Framework delivery and servicing plan' makes reference to the refuse lorry lay by on Nestles Avenue, but also states that 'refuse collection vehicles will undertake collections from within the site.' It is not suitable for the refuse lorry to enter the site as there is not a suitable area for the vehicle to turn around and leave in a forwards motion. If the intention is for collections to take place from the lay by on Nestles Avenue, then a management company would be responsible for presenting all waste and recycling bins within 10 metres of the lay by, but off of the public highway on the allocated collection day(s). The bins must be placed on a smooth surface and a suitable dropped kerb should be installed to allow for the safe transfer of bins to the collection vehicle.

CONTAMINATED LAND OFFICER

I have reviewed the document issued from Geotechnical and Environmental Associates Limited (GEA), titled Desk Study and Ground Investigation Report (Ref J18167, dated November 2018).

As a combined report the document provides details of Phase 1 and Phase 2 processes and risk assessments, adopted to assess the risks of contamination at the site. The report identifies the following:

1. Principal Aquifer: Controlled Waters, normally present within the Lynch Hill Gravels that underlie the site.
2. PAH's: These were analysed within samples taken during the ground investigation. The PAH's were detected at relatively relatively shallow depths (between 0.2mbgl and 0.5mbgl).
3. Fuel Storage Tank. Situated above ground in the Northwest of the site
4. Ground gases: Items 2 and 3 represent potential contaminants which may enter controlled waters identified within the Lynch Hill strata. However, the report does not indicate that water sampling was conducted at any of the monitoring boreholes: It is considered that sampling and analyses of groundwaters would serve to provide clear and precise indications of the condition of groundwater at the site and for appropriate risk assessment to be conducted in accordance with laboratory results.

Item 4, the report indicates monitoring of the ground gas regime is not conclusive due to the inaccessibility of all monitoring locations during the return monitoring visits.

The report indicates where further works are considered necessary to obtain more data required to finalise previous investigative works and conduct further risk assessments as necessary. The LPA also requires clarification concerning derivation/selection of the figures used as Assessment Criteria, as indicated in the table titled "Generic Risk-Based Soil Screening Values" which is inserted towards the end of the report (page 66).

It is also recommended that a condition be applied as follows

- (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 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 of the Hillingdon Unitary Development Plan Saved Policies.

FLOOD WATER MANAGEMENT OFFICER

The Flood Risk Assessment produce by Heyne Tillet Steel dated Dec 2018 was reviewed. This proposes to control surface water to 3.8ls from the site for the 1 in 100 year plus climate change allowance and through suitable sustainable methods considered appropriate by Thames Water and the Council. This storage is proposed to be provided through the provision of A blue roof of 260m2 by ABG. Plus 468m2 of Green Roof It is a shame that there is increased dependence on watering of planter proposal of raised planters. As well as a shallow attenuation tank of 300mm providing 106m3 volume to accommodate Thames Water invert Levels. Permeable Paving across the site of 0.195m across 257m2. The frontage of the development must be drained sustainably through as indicated rain garden type arrangement. However the landscaping arrangement of section 2.4 is not acceptable as design of this whole area of frontage needs to take into account best practice and other environmental factors which require a green buffer zone alongside the road way prior to any footway and cycleway and so proposals for this area will need to be revised significantly and the footway cycleway integrated within the development which also links with the wider developments either side and may mean amendments to the landscaping proposals in this area. As there are still details to be finalised particularly to the frontage area and if permitted an appropriate sustainable drainage condition should be implemented and a separate landscaping condition requested specifically integrating highways and landscaping and drainage for the frontage area.

ACCESS OFFICER

Whilst this proposal demonstrates some commitment to the principles of accessibility and inclusion, more detail is required, to ensure the proposal would satisfy accessible housing standards , namely M4(2) and M4(3), as required by London Plan policy 3.8 (c) and (d). Detail should also be submitted on the following design elements to meet London Plan policy 3.1 (Ensuring Equal Life Chances), 3.5 (Quality and Design of Housing) and 7.2 (Inclusive Environment) 1. A drop-off point for door-to-door service providers, to include large Dial-A-Ride vehicles, should be provided 2. 10% of Affordable Housing units would be required to satisfy the design standards for an M4(3) Wheelchair Accessible unit. 3. A floor plan at no less than 1:100 should be submitted for each of the different M4(3) units. All details, to include transfer zones, wheelchair storage area, and other spatial requirements within bedrooms, bathrooms, living and dining areas, should be shown on a separate plan for every different unit type. 4. All remaining units must be designed to the standards for Category 2 M4(2) Accessible and Adaptable dwellings, as set out in Approved Document M 2015. 5. 10% of the affordable units should be suitable for 'day one occupation' by a wheelchair user. These units should be designed and fitted as per the prescribed standards for a Wheelchair Accessible M4(3) unit, as set out in ADM 2015. 6. Details of the materials palette, with particular attention given to the paver types to be installed in accordance with the tolerances set out in BS8300:2018. 7. No details appear to have been submitted on the wheelchair access arrangements to the green roof amenity areas, or play equipment to be installed for disabled children, including those with sensory or complex multiple disabilities. Provisions could include outdoor sound tubes, colour and lighting canopies, and other play equipment that could stimulate the olfactory senses. Inclusive play is a key requirement of any new residential development. Conclusion: further details should be requested.

(Officer Comment: It is noted that disable bays 46 and 47 as proposed do not accord with accessible design standards as the bays would share a single transfer zone.)

TREES AND LANDSCAPING OFFICER

This site is occupied by a two-storey commercial building set back to the north of Nestles Avenue. The former Nestle site (Conservation Area) is located to the east. The site backs onto Squirrels Trading Estate, which is accessed from Viveash Close to the west. Nestles Avenue is characterised by two-storey houses on the south side. There are no TPO's or Conservation Area designations affecting the site with the exception of the off-site trees on the boundary with the former Nestle site. COMMENT A tree report by Ecology Consultancy has identified and assessed 9 trees, 5 hedges and three groups of trees. Most of the trees are 'C' grade (with 2 'U' grade) which do not constitute a

constraint on development. Three trees / groups are 'B' garden, whose condition and value make them worthy of retention; T6 Norway maple, T8 Common lime and G3 (group of Norway maple). All of these trees are off-site / outside the control of the developer, albeit the developer will need to safeguard the off-site trees - including T6, a highway tree. All other trees within the site will be removed to enable the development, to which there is no objection subject to appropriate replacement planting - as part of a comprehensive landscape plan. The D&AS confirms that the front elevation of the proposed flats will be set back from Nestles Avenue to allow for a landscaped frontage and the provision of a reserved strip of land to accommodate a potential new cycle and bus route. To the north of the development the siting of the building will permit a proposed walking route connecting the adjacent developments with Station Road. The cascading building design will provide ground level soft landscaped areas to the south and west. Roof / podium level gardens will be developed on six different levels descending from north to south where each space will be exposed to natural light from the south, east and west. The landscape strategy is described in section 3.9. External amenity space will be provided in the form of private balconies, the communal roof gardens and the parkland walk along the site frontage parallel to Nestles Avenue. More detailed landscape proposals are described in the Landscape Design Report by Outer Space. Defensible space, using planting, will be created around groundfloor windows. The shared cycle / pedestrian corridor along the site frontage will incorporate SUDS. The amenity roof terraces will feature raised planters with integrated seating. Planting will include trees and compositions designed to moderate the microclimate. Aside from providing wind shelter, the terraces should be designed to provide relief from direct sunlight. This report provides a palette of hard and soft landscape elements for use on the site. The hard materials palette includes Grasscrete, which should be re-considered. - If re-inforced grass is considered to be necessary, there are better products available. Artificial grass is proposed for the roof terraces. This may be acceptable if the footfall pressure would render natural grass unsustainable. A lighting strategy is described at 3.8. Lighting should use current LED technology and use warm temperature lights which are directional / designed to minimise light pollution. Management / maintenance requirements of the site have been considered (4.1), as has the promotion of ecology and sustainability (4.2) Subject to detail, the proposal seeks to satisfy policies BE23 and BE38. RECOMMENDATION No objection subject to conditions RES9 (Parts 1,2,3,4,5 and 6) and RES10. Robert Reeves Principal Landscape Architect

AIR QUALITY OFFICER

a) no air quality assessment of the impact of the proposed development was undertaken. Given that we are within a FA we need an AQ to include estimation of exposure levels new residents will be subject to and impacts on existing sensitive receptors (as per GLA map, looking at impacts at residential areas already above annual mean limit value)

b) In addition, no neutral assessment was undertaken. This is a requirement.

c) No consideration of cumulative impacts of the proposal with other already granted planning application was considered.

d) As the development is within a FA, the extant use is not not be considered, with impacts to be assessed for the new permission sought against the current baseline for the site, disregarding the extant permission as this will reflect the real world increase experienced by receptors and also enable the cumulative impacts to be ascertained and the right level of mitigation measures to be defined.

The Applicant will need to

a) include an impact assessment of the proposed development in the air quality assessment via an addendum to include cumulative impacts with other granted permissions in the vicinity of the application site and new exposure. The addendum shall also include an air quality neutral

assessment. This is required for reporting to GLA in April 2019.

b) Once the two above are produced and submitted to the LA, then a suitable list of mitigation measures to be agreed with the LBoH department of transport to actively reduce emissions within the area.

(OFFICER COMMENT: Given the lack of information submitted to consider the proposals against planning policy, the proposals are recommended for refusal on air quality grounds.)

SUSTAINABILITY OFFICER

Energy

The applicant has submitted an energy assessment which broadly meets the London Plan requirements.

However, the proposals are not zero carbon as required by London Plan policy 5.2. The development has a shortfall of 27tCO₂ and therefore a contribution of £48,600 is required as part of a S106.

The following condition is also necessary:

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 following requirements must demonstrate compliance with the reductions set out in the Energy Assessment:

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

Details of the air source heat pumps (including locations, noise emissions, and specifications) shall also be included.

The details must clearly show the low and zero carbon technology will meet the targets set out in the approved energy assessment.

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.

ECOLOGY OFFICER

Condition

Prior to the above ground works, an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate the protection of quality habitats on site, or the replacement and enhancement where protection is suitably justified as not being viable. The scheme shall plans and specifications that demonstrate the incorporation of measures and features within the landscaping and the fabric of the building that support a range of habitats and species, as a minimum it is expected living walls/screens, green roofs, bat and bird boxes and artificial refugia will be included.

The development must proceed in accordance with the approved plans.

Reason

To ensure the development contributes to the protection and enhancement of the natural environment in accordance with Policy EM7 of the Local Plan Part 1.

HIGHWAYS OFFICER

The application site is located along Nestles Avenue which is an unclassified no through road. There is a priority junction at its western point where Nestles Avenue intersects with Station Road with a banned right hand turn out. At its eastern point Nestles Avenue intersects with North Hyde Gardens. Whilst this is closed to vehicular traffic, cyclists and pedestrians are still able to pass. Within the vicinity of the site, the Nestles Avenue is subject to a 30mph speed limit and benefits from pedestrian footways and street lighting. There is on-street parking along much of Nestles Avenue controlled by a parking management scheme introduced in 2018; this is complemented with parking restrictions in the form of single yellow lines Monday to Saturday 08:00 to 18:30. Many of the surrounding roads are also subject to Parking Management Schemes and are already at capacity, similarly there is not enough spare capacity within the Nestles Avenue Parking Management Scheme to cater for forecast future demand. The site currently accommodates a single industrial type building (Use Class B1c/B2 use) which contains a ground floor area of approximately 1,718sqm. Off-street parking is located along the site forecourt with access taken directly off Nestles Avenue. This building is now vacant.

Having reviewed the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has a PTAL rating of 4, which on a scale of 1-6b is considered good. It is noted that the site is within walking distance to the Hayes and Harlington railway station and Hayes town centre which offers a range of local bus services, shopping, services and facilities. Hayes town centre also offers access directly onto the under construction Grand Union Canal Cycle Quietway.

Before considering the traffic impact of the proposed development, the number of trips that could be generated by the existing land use needs to be understood. This is to help understand if the redevelopment of the site for 84 residential units would result in more or fewer person trips. If the number of trips is shown to increase, then the ability of the local transport network to cater for these trips needs to be assessed to determine whether any interventions are needed to increase capacity.

The developer's agents highlights that the building benefits from an extant B1c/B2 use class meaning that it could be reoccupied and used within that class without planning permission. To determine the amount of trips that 9 Nestles Avenue could generate "as is", the agent has referred to the TRICS data base. The developer's agent reports that interrogation of the TRICS data base found two comparable sites upon which the trip generation of the existing site could be based. Both of these are located within LB Hillingdon which is advantageous but the data available was for vehicle trips only - trips by mode was not available. The derived trip rates were applied to the extant floor area of 1,718 sqm, this showed that the now vacant site could potentially generate 13 two-way trips in the AM peak (08:00 - 09:00) and 11 two-way trips in the PM peak (17:00 - 18:00) if put back into productive use.

The developer's agent then calculated trip generation for the proposed development again using the TRICS database. The results showed that the site "with" the new development would generate 8 two-way vehicular trips in the AM peak and 13 two-way vehicular trips in the PM peak. This database also provide person trip counts, using 2011 population census data, it has been possible to derive how these trips would be distributed amongst all other modes. The majority of trips not made by private car would be taken by bus, rail ranked second and walking third. The developer does not include servicing and delivery vehicles such as internet shopping vehicles in the trip generation calculations citing that these vehicles are already present on the road network. The

developer's agent reports that the redevelopment of the site to housing from its extant business use would result in a reduction of 5 two-way vehicle trips in the AM Peak and an additional 2 two-way vehicle trips in the PM peak. The development would generate 15 and 12 additional bus trips in the AM and PM peaks respectively; similarly an additional 7 and 5 trips would be added to train passenger numbers.

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Parking Standards. The application proposes on-site car parking, this includes 51 undercroft car parking spaces, 42 of these would be provided by way of 3 tier stackers; the remaining 9 would all be ground level disabled car parking spaces. Access to the car parking would be achieved via a 67 metre internal access road on the eastern side of the building. This access road would be 5.3 metres wide where it intersects with Nestles Avenue reducing to 3.8 metres some 10.5 metres further along. This access road would be shared by residents walking to one of two entrances to the development as well as serving a refuse and recycling point at the very far northern end.

The development would have 146 cycle parking spaces, 142 of these would be available in one of two cycle stores. This cycle parking would utilise 2 tier bicycle racks. The remaining 4 cycle parking spaces would be for visitors. Visitors would secure their bicycle to one of two Sheffield cycle stands located on the access road approximately 20 metres back from Nestles Avenue. Each Sheffield stand would be able to accommodate 2 bicycles.

The development would provide 51 car parking spaces to serve 84 dwellings; the proposed ratio represents a ratio of 0.6 spaces per unit. The Council's current parking standards contained in Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) would allow for a maximum of 126 car parking spaces. This car parking ratio does not accord with the Council's planning policy requirements and as such highways mitigation measures are required in order to ensure adequate provision of other modes of travel are delivered as part of the planning application, if approved. These contributions would be akin to those secured on adjoining sites and include delivery of Nestle Avenue Multi Modal Spine. There are however concerns regarding the type of car parking provided, 42 would be provided in three tier stackers. This type of parking is considered unsuitable not least because of the "hastle factor" linked to their use. With conventional parking spaces, the driver can park quickly and conveniently. This is not the case with stacker parking. If a vacant platform is not available at ground level, the user must leave their car and then raise or lower a platform. This procedure takes much longer than using a conventional parking space and is a big disincentive to using them, particularly if a resident just needs to "pop into" their home to pick up belongings. This may incentivise them to park elsewhere giving rise to parking stress as well as risks to road safety.

In addition, no specification has been provided of the three tier stackers and it is therefore not possible to assess if the three tier stackers can be accommodated within the space of the undercroft. There is also no mention regarding how these stackers would be maintained and serviced. Their deliverability and reliability is therefore questionable. The transport note accompanying the planning application also highlights that the vehicles able to use these stackers are limited to vehicles up to a maximum height of 1.46m. There appears to be no provision for larger modern day cars to park in the stacker bays proposed which is further reason to deem the stacker arrangement to be unacceptable.

The Highway Authority require provision for electrical vehicle charging points in accordance with the London Plan standards, 20% of all car parking spaces should have active electric vehicle charging points and with a further 20% having passive electric vehicle charging point provision. This requirement should be secured through an appropriate planning condition.

All accesses and associated parking areas should conform to highway guidance contained within the current 'Manual for Streets' (1 & 2) document. This should be assisted with swept path analysis drawings demonstrating tracking of associated vehicles accessing, manoeuvring and egressing the

site. It is noted that the internal access road at its narrowest point is just 3.8 metres wide. This gives insufficient space for on-coming vehicles to pass thereby requiring one driver having to give way and reverse. This raises road safety concerns not least because this internal access road is shared by residents walking to/from the building entrances. Furthermore this conflict between on-coming vehicles is likely to be a regular occurrence further increasing the road safety risk that this narrow access road presents.

There are concerns regarding the collection of this refuse. Refuse would be left on- street waiting for a collection by a refuse vehicle. This left refuse may be an obstruction to people using the footway again raising road safety concerns for pedestrians and cyclists. Furthermore, this arrangement would necessitate refuse vehicle stopping on-street impeding the flow of traffic behind.

The Highway Authority also requires that a Construction and Logistics Plan, Service and Delivery Plan, Parking Management Strategy and Travel Plan are submitted for approval; these documents should be produced based on the guidance produced by TfL tailored to the development and local circumstances. These should be secured by way of suitable planning condition and/or S106 contributions.

Construction and Logistic Plans:-

<http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>

Service and Delivery Plans:-

<http://content.tfl.gov.uk/delivery-and-servicing-plans.pdf>

Travel Plan:-

<https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/travel-plans>

Wherever a Travel Plan is required as part of a planning permission, LB Hillingdon require the developer to provide a £20,000 bond as surety that the Travel Plan will be put into practice. If the Travel Plan is not delivered, then the Council will use this bond itself to implement the Travel Plan itself. This bond should be secured by way of a S106 agreement.

As the new development would create a new access onto the Nestles Avenue a S106 is required to secure a S278 agreement thereby allowing the developer to carryout works on the Council's highway. This S106 agreement should also include agreement that occupiers of the new development will not be allowed to join the Nestles Avenue Parking Management Scheme mentioned above. There are proposals to widen Nestles Avenue to allow two-way bus operation and provide shared use footways whilst retaining on-street parking. The developer would be required to contribute to these works and this undertaking should be secured by way of a S106 agreement.

The Highway Authority welcomes the revisions made to the earlier planning application (ref: 51175/APP/2018/4260) as it now includes 51 car parking spaces as a car free development would not be acceptable. However, 42 of these spaces would be provided by 3 tier stackers. For this reasons mentioned above this type of parking is not considered suitable as they are not convenient to use, they are not considered a genuine parking option. As a result drivers will park on-street adding further to existing parking pressures posing a risk to road safety and hindering the free flow of traffic. The quantity of parking to be provided is considered sufficient but as it is very inconvenient to use there are highway, traffic and transportation objections to this development.

To accord with both the currently adopted UDP standard and the emerging DMT6 Policy, it is required that 10% of parking provision be allocated to blue badge holders. The submissions mentions that 9 spaces would be allocated to disabled drivers which could be considered over provision. Whilst this is welcomed concerns are raised regarding the layout of these spaces, the

developer is requested to review the layout of these parking spaces, reducing the total if necessary if this improves how they work.

Provision for motorcycle/scooter parking should accord with the emerging Local Plan: Part 2 DMT 6 policy which requires 5% of the total car parking provision. In this instance, it is required that 7 spaces be accommodated for. This has been confirmed within the Transport Assessment.

Conclusion

Mindful of the above, it is recommended that this application is refused due to insufficient parking and inappropriate servicing and delivery provision. Should the application be considered, the following would be required:

- Car parking permit restriction for existing and future parking management zone (for residents)
- Framework Travel Plan (plus £20,000 bond)
- Transfer of land to enable provision of the the multi modal transport spine along Nestles Avenue
- £5,000 towards an extension of the parking management zone
- £10,770.11 towards the Nestles Avenue road widening works
- £28,787.64 for additional bus capacity
- A S38 agreement to provide cycle way, footpath and landscaping as part of MTS road
- £17,211.60 Contribution towards Cranford Park improvements

AFFORDABLE HOUSING/S106 OFFICER

1) The application scheme (reference: 51175/APP/2019/187) proposes the demolition of the two storey industrial building to provide 84 residential units (Build to Rent). The applicant agent submitted its original FVA in December 2018 has been supplemented with an additional letter (5th April 2019).

2)The applicant agent included modelling the Build To Rent units through a Discounted Cash Flow (DCF) and inputting the Gross Development Value into a development appraisal, together with the employment uses to derive the residual land value for the scheme. The Applicant's affordable housing offer of 8 units or 9% has not changed, although the figures have been adjusted to reflect adjustments made by the Council appointed independent FVA assessor in its review.

3)The scheme produces a surplus with 8 DMR (Discounted Market Rent) units, which indicates that the additional affordable housing units can be provided. The surplus has been modelled by the Council appointed independent FVA assessor and this provides for another 5 DMR units taking the total to 13 DMR units, which equates to 15% by unit and 23% by habitable room provision of affordable housing.

4)The Applicant's affordable housing offer and The Council appointed independent FVA assessor' review shows that the scheme is unable to comply with Hillingdon's affordable housing policy.

5)The conclusions from the independent FVA consultant's review indicates that the scheme can deliver 13 Discount Market Rent units out of the total of 84 Build To Rent units, which equates to 15% by unit and 23% by habitable room provision of affordable housing.

6)Therefore it is recommended the Council seeks to negotiate the s.106 agreement on this basis ensuring that the DMR units are linked to the London Living Rents for the Botwell ward and the clawback mechanism as advocated by the Mayoral Supplementary Planning Guidance is included.

PLANNING POLICY OFFICER

The draft London Plan (2017) identifies Hayes as an Opportunity Area (OA) with an indicative

capacity for 4,000 new homes and 1,000 new jobs. Whilst this is only a draft policy, the allocation of the Hayes OA is not being objected to by the Council and is deemed to be consistent with the vision for Hayes outlined within the adopted Local Plan: Part 1 and emerging Local Plan: Part 2.

The application site forms part of Site B which is located within a wider 34 hectare expanse of employment land south of the railway at Hayes and Harlington known as the 'Nestles Avenue Industrial Cluster'. All 34 hectares of this cluster is currently subject to designation as a Strategic Industrial Location (SIL). However, through the process of preparing the Draft Local Plan Part 2, this part of the Hayes Industrial Area is proposed for release from SIL and has been allocated for mixed use re-development as part of the wider Hayes Housing Zone and Opportunity Area. Given the advanced stage of the preparation of the Local Plan Part 2 and because the proposed SIL release is not subject to any main modifications requested by the Inspector, the removal of the SIL designation of this site as part of coordinated programme of release through the development plan process can be afforded significant weight.

The proposed scheme is located within Site Allocation SA 5 (Land to the South of the Railway, Nestle Avenue Hayes) of the Draft Local Plan Part 2. The application site makes up only a small portion (0.23 ha) of Site B within Policy SA 5. Policy SA 5 outlines that the three parts (A, B and C) should form a comprehensive development scheme. The release of such a large quantity of Strategic Industrial Land (SIL) has been justified on the basis of a strategically co-ordinated process of SIL consolidation through the emerging Local Plan: Part 2, in line with Policy 2.17 (B) of the London Plan (2016), in order to ensure the necessary infrastructure to make residential use appropriate can be designed into scheme. Releasing small portions of SIL individually would compromise the integrity and effectiveness of the remaining surrounding area to accommodate industrial type activities, contrary to Policy 2.17 (C) and potentially Paragraph 182 of the NPPF (2019).

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. Emerging Policy DMHB 11 continues the requirement to ensure that the design of new development safeguards the satisfactory re-development of any adjoining sites which have development potential. Emerging Policy SA 5 clearly identifies the adjoining sites as having development potential and has done so since the initial publication of the first Proposed Submission Version in September 2014 (Policy SA 10 within this version).

It is acknowledged that the principle of the three sites coming forward separately has been accepted, subject to the scheme not being in conflict with Policy BE14 and other Development Plan policies, with Site A being approved independently (1331/APP/2017/1883) and Site C (73238/APP/2018/1145).

The boundary of this application however only forms a small portion (0.23 ha) of the release of Site B and as such, support for piecemeal development could only be afforded where it does not prejudice the redevelopment of the remainder of Site B and does not compromise the deliverability of the objectives within emerging Policy SA 5. It is not considered that this has been achieved due to reasons outlined within this report.

The applicant's justification for the development of this site in isolation appears to be based on the scheme being in supposed conformity with a draft masterplan produced by the GLA. This draft masterplan was produced by the GLA in June 2016 without input from Officers at the London Borough of Hillingdon. The draft masterplan is not supported by any emerging or adopted evidence base and has never been publicly consulted on. The document simply outlines a position in time in regards to discussions on sites which are now significantly out of date and do not reflect the current position. The process of drafting any OAPF was ceased by the GLA towards the end of 2017. The

document is not endorsed by the London Borough of Hillingdon and it is not considered that significant material consideration should be afforded to this document.

Officers consider that the context for determining this application should be based on extant planning applications and emerging Policy SA 5, as well as the Development Plan. Even if significant weight is afforded to the draft masterplan, it is clear that the development of this scheme in isolation would constrain the redevelopment of adjoining sites for reasons explored further in this statement. Furthermore, the draft masterplan identifies a substantial green pedestrian link from east to west through all three sites, which means a large portion of Site B could not be developed. It is therefore self-evident that a large element of cross-subsidy on Site B would be required to ensure that the remaining landowners could bring this objective forward. The approval of schemes in isolation on Site B, without any element of cross-subsidy, would make the green pedestrian link from east to west unviable and result in Squirrels Trading Estate remaining as such indefinitely. This would be contrary to the wider intention of Policy SA 5 to release and redevelop the site, as well the specific requirement for sites to provide pedestrian links to Hayes Town Centre and key transport nodes.

It is important to note that these are issues that have also been raised within the GLA's Stage 1 Response (10-06-19), who have raised a significant objection to the assertion that this site can both be brought forward in isolation and be in conformity with the GLA's draft masterplan.

It is important to note that the green pedestrian link from east to west has already been well designed into the approved application for Site A (1331/APP/2017/1883) and the live application that has a resolution to grant planning consent subject to the completion of the Section 106 legal agreement on Site C (73238/APP/2018/1145). Later this raises concerns that the proposal fails to provide amenity space of a quantity and quality commensurate to the size and layout of the proposals, resulting in an over-development of the site detrimental to the residential amenity of the future occupiers. Both the aforementioned applications have overcome this policy requirement, largely through the inclusion of substantial public amenity space as part of this east to west green pedestrian link.

The proposed scheme would fundamentally fail to safeguard the satisfactory redevelopment of the remaining land parcels within Site B directly to the north and west of the application. As identified later in this report the density of the proposed development of this small site is exceptionally high, particularly when compared to Table 3.2 of the London Plan (2016).

The proposed development footprint is excessive and remains hard up against the western boundary, leaving little spacing reserved for the future development of No. 7 Nestles Avenue.

The site is currently occupied by a warehouse and provides a total of 1,718 sq.m. of Class B2-B8 employment space. As part of the coordinated approach to SIL consolidation discussed above, the Emerging Local Plan: Part 2 (2019) sought to ensure that a minimum of 50% of each site at Site B contains employment generating uses (including B1 office and suitable B2 light industrial). Within the Council's Statement of Proposed Modifications (2019) this requirement has been amended so that all proposals will be expected 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 applicant is not proposing to provide any non-residential uses as part of this scheme and is therefore contrary to emerging Policy SA 5 to provide mixed use redevelopment on Site B. Furthermore, the site does not include a proportion of employment generating uses on site and does not include any appropriate community infrastructure to support the overall quantum of development. The scheme therefore does not meet the criteria included within Policy SA 5.

The applicant has sought to outline that the requirements of Policy SA 5 can be met elsewhere

within Site B. However the land lies outside the control of the applicant and therefore, in the absence of a comprehensive scheme or formal agreements with all of the Landowners within Site B, there is no guarantee that any of the requirements can or will be delivered elsewhere. The applicant has failed to understand that, as part of the consolidation of large industrial areas for new mixed use redevelopment, there is a requirement to ensure applicants are providing a sufficient mix of uses and infrastructure on site for these neighbourhoods to be successful and that this requirement is spread between landowners.

BUILD TO RENT

Purpose-built build to rent is a distinct asset class within the private rented sector that is becoming increasingly common across London and is now specifically identified in Annex 2 of the NPPF (2019). Policy 3.8 of the London Plan (2016) specifically references that when determining applications, the planning system should provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing housing delivery. The Mayor's Affordable Housing and Viability SPG (2017) also provides support for and specific guidance on build to rent developments, recognising that they differ to the traditional build for sale model. Certain requirements, including those surrounding covenants, clawbacks, management and tenancy length, would need to be integrated into any potential S106 agreement.

At a local level, the latest evidence of housing need comes from the Strategic Housing Market Assessment (2016) which notes an increasing proportion of the Borough relying on private rent as their current tenure. It is important to note however that, whilst they differ to the traditional build for sale model, new purpose-built build to rent is still required to meet adopted local plan policies and needs to be held to the same design standards as schemes of traditional models.

CONSERVATION AND URBAN DESIGN OFFICER

The Greater London Authority started to draw up a 'draft OAPF' for the area covered by Policy SA 5 (Land to the South of the Railway, including Nestle Site, Nestle Avenue, Hayes) of the emerging Local Plan: Part 2 Site Allocations and Designations (Proposed Modifications 2019), but this was not consulted upon, endorsed or adopted by the London Borough of Hillingdon and holds no weight for planning purposes albeit the applicants submission draws from the document.

The desire to create a green pedestrian link via a linear park 'Sandow Avenue' across the three sites to connect through to Station Road has been respected in the consented Nestle Factory (Site A) development and the recently approved redevelopment of the Buccleuch site on a substantial part of Site C. This accords with the aspirations of Policy SA5 of the emerging Local Plan: Part Two (2019).

The consented developments at Sites A and C of Policy SA 5 have provided well considered schemes for the sites in which they cover and have not prejudiced the development of adjoining sites. As previously mentioned the two schemes ensure that 'Sandow Avenue' can be delivered and in delivering their schemes the design teams have integrated their proposals with both the new and existing context and mitigate the impact on the adjacent residential neighbourhoods.

The tallest element (at 10 storeys) would be at the northern edge of the site. The profile of the building then steps down at three intervals to 4 storeys at the southern edge of the plot bordering Nestles Avenue. This provides for significantly reduced massing at the southern edge of the plot responding to its immediate context and the lower two storey suburban houses to the south of Nestles Avenue. The tallest element of the scheme is concentrated to the northern edge of the site. The design has similarities with the adjacent approved Block D of the former Nestle Factory site but does not stretch back as far as the linear park 'Sandow Avenue'.

The development seeks to provide a set-back from Nestles Avenue and the adjoining former Nestle Factory site to the south east, however, the proposed development footprint is very large for a relatively small site (0.23ha). The proposed building sits very close to its boundaries, particularly to the north and west, and leaves no 'breathing space' around the perimeter of the development. The proposed 2m gap between the northern elevation of the neighbouring site would result in awkward gap or dead space that would become susceptible to anti-social behaviour. This would constrain future development opportunities for the 'Site B' land parcels to the north and west of Stanford House.

I have concerns with regards to the proposed ten- storey blank elevation against the north eastern boundary. It will be highly visible from the adjoining streets and views across the estate particularly given the low-scale nature of the adjoining buildings within 'Site B'. The proposal would create an austere building that would detract from the townscape. The applicant has attempted to mitigate the harm by introducing brick detailing to help to visually break up the elevation but it is not an adequate solution or positive contribution to the townscape setting. The north eastern street level elevation would present a dead inactive frontage that would be exacerbated by the large gates to the end of the access road which prevents permeability through the site. The development would in effect turn its back on the proposed Linear Park and as a result will detract from the area and aspirations for the redevelopment of the Nestles Avenue industrial cluster. Future adjoining development (to the west) will have to step back considerably in order not to compromise the outlook and/or sunlight/daylight to occupants of this or future adjoining developments, considerably constraining the future development opportunity for the neighbouring/ adjoining land within 'Site B.'

Use of brickwork, broken up by fenestration, balconies and feature panels is acceptable in principle adding visual interest and articulation that will help to break up its mass. Nevertheless, its overall size, scale, height and mass is still considered to represent a disproportionately large, dominating and incongruous form of development which would be unacceptable in this location. Whilst it is acknowledged that large scale buildings have been approved as part of the former Nestle Factory site, they formed part of a comprehensive development scheme and were carefully considered as part of a much larger site rather than in isolation, which is the case here.

There is little room provided at the ground level for public realm and amenity space. The 15 metre set back from Nestles Avenue provides some welcome relief, however, this is likely to be reduced with road widening works and the provision of a cycle and pedestrian footpath in the near future. The narrow access lane on the eastern side would appear oppressive particularly with the oversailing residential storeys and balconies. It is also unclear what the boundary treatment would consist of between the neighbouring development, Block D, of the former Nestle Factory site.

There is very little in the way of supporting visual material that shows the proposed development in its wider context. Verified views of the building from longer distances would be useful as would more illustrative views of its more immediate context with the existing buildings and consented schemes. The application was not submitted with a townscape and visual impact assessment and it appears that the impact of the scale of the proposed development has not been properly assessed by the applicant's submission.

There is a 60m walk from the entrance of the site to the entrance of Core B. The residents of Core B would be required to walk down a 5m wide corridor like passage between the proposed building and the site boundary, past plant rooms, car parking, refuse stores and cycle stores to reach the entrance. The proposed ground floor treatment is unwelcoming, especially for the residents of Core B.

The proposal fails to provide a comprehensive development referred to in Policy SA 5 of the Emerging Local Plan (2019). An isolated development which potentially prejudices a comprehensive regeneration of this part of Hayes is not supported. Any proposals for this site need to be

comprehensively planned and coordinated. If they are not, like the current approach, they risk constraining the development viability of neighbouring 'Site B' land parcels or risk the lost opportunity for the provision of such vital infrastructures to support all new developments for Nestles Avenue as set out in Policy SA 5. Therefore the application is contrary to Policy BE14 (saved UDP) and Policy SA5 of the Emerging Local Plan (2019).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

COMPREHENSIVE DEVELOPMENT

The draft London Plan (2017) identifies Hayes as an Opportunity Area (OA) with an indicative capacity for 4,000 new homes and 1,000 new jobs. Whilst this is only a draft policy, the allocation of the Hayes OA is not being objected to by the Council and is deemed to be consistent with the vision for Hayes outlined within the adopted Local Plan: Part 1 and emerging Local Plan: Part 2.

It is acknowledged that the principle of the three sites coming forward separately has been accepted, subject to the scheme not being in conflict with Policy BE14 and other Development Plan policies, with Site A being approved independently (1331/APP/2017/1883) and Site C (73238/APP/2018/1145) being recommended favourably at committee.

The boundary of this application however only forms a small portion (0.23 ha) of the release of Site B. As such, support for piecemeal development could only be afforded where it does not prejudice the redevelopment of the remainder of Site B and does not compromise the deliverability of the objectives within emerging Policy SA 5. It is not considered that this has been achieved due to reasons outlined within this report.

Officers consider that the context for determining this application should be based on extant planning applications and emerging Policy SA 5, as well as the Development Plan. The development of this scheme in isolation would constrain the redevelopment of adjoining sites.

It is important to note that lack of comprehensive development have also been raised within the GLA's Stage 1 Response (10-06-19), who have raised a significant objection to the assertion that this site can be brought forward in isolation.

It is important to note that the green pedestrian link from east to west has already been designed into the approved application for Site A (1331/APP/2017/1883) and the live application that has a resolution to grant planning consent subject to the completion of the Section 106 legal agreement on Site C (73238/APP/2018/1145). Later this raises concerns that the proposal fails to provide amenity space of a quantity and quality commensurate to the size and layout of the proposals, resulting in an over-development of the site detrimental to the residential amenity of the future occupiers. Both the aforementioned applications have overcome this policy requirement, largely through the inclusion of substantial public amenity space as part of this east to west green pedestrian link.

The proposed scheme would fundamentally fail to safeguard the satisfactory redevelopment of the remaining land parcels within Site B directly to the north of the application. As identified later in this report the density of the proposed development of this small site is exceptionally high, particularly when compared to Table 3.2 of the London Plan (2016).

The proposed development footprint is excessive and remains hard up against the western boundary, which compromises No. 7 Nestles Avenue from redeveloping the site next door leaving little spacing reserved for future development.

LOSS OF EMPLOYMENT FLOORSPACE

As part of the coordinated approach to SIL discussed above, the Emerging Local Plan: Part 2 (2019) seeks to ensure that a minimum of 50% of each site at Site B contains employment generating uses (including B1 office and suitable B2 light industrial). Within the Council's Statement of Proposed Modifications (2019) this requirement has been amended so that all proposals will be expected 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 site is currently occupied by a warehouse and provides a total of 1,718 sq.m. of Class B2-B8 employment space. The proposal does not include the re-provision of any employment floorspace and makes no contribution to the re-provision of employment generating uses, as required under emerging Policy SA 5.

The applicant has sought to address the requirements under Policy 2.17 of the London Plan (2016) and Policy SA 5 of the emerging Site Allocations (2019) through modelling where employment generating uses could be accommodated elsewhere on Site B. However the land lies outside the control of the applicant and therefore there is no guarantee that this will in fact come forward. In the absence of employment floorspace at this site, the proposal would result in a situation where other sites would need to increase the provision of employment uses on other parts of Site B.

Whilst in principle, a flexible approach can be taken in terms of the delivery of land uses across the site, in the absence of a comprehensive development, the proposal makes the delivery of the the policy objectives within Policy SA 5 less certain. Accordingly the lack of employment floorspace on this site is a significant issue for both to the GLA and the Local Planning Authority.

Whilst the principle of redevelopment of the site is supported, in the absence of a comprehensive scheme there are major strategic issues with allowing this site to come forward in isolation that would undermine the delivery of wider policy and design objectives that may well require cross-subsidy as part of a larger and more viable scheme. The proposal fails to provide a mix of uses including the provision of employment generating floorspace and appropriate community infrastructure on site required as part of a comprehensive scheme. The proposal is therefore considered to be contrary to Policy 2.17 of the London Plan (2016), Policy the Local Plan: Part 2 - Saved UDP Policies (2012), Policy DMHB 11 and Policy SA 5 of the Emerging Local Plan: Part Two with Modifications (2019).

BUILD TO RENT

Purpose-built build to rent is a distinct asset class within the private rented sector that is becoming increasingly common across London and is now specifically identified in Annex 2 of the NPPF (2019). Policy 3.8 of the London Plan (2016) specifically references that when determining applications, the planning system should provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing housing delivery. The Mayor's Affordable Housing and

Viability SPG (2017) also provides support for and specific guidance on build to rent developments, recognising that they differ to the traditional build for sale model. Certain requirements, including those surrounding covenants, clawbacks, management and tenancy length, would need to be integrated into any potential S106 agreement.

At a local level, the latest evidence of housing need comes from the Strategic Housing Market Assessment (2016) which notes an increasing proportion of the Borough relying on private rent as their current tenure. It is important to note however that, whilst they differ to the traditional build for sale model, new purpose-built build to rent is still required to meet adopted local plan policies and needs to be held to the same design standards as schemes of traditional models.

UNIT MIX

Policy DMH 2 of the emerging Local Plan: Part Two (2019) requires developments to provide a mix of housing of different sizes within residential schemes to reflect the Council's latest information on housing need.

The proposal provides the following:

- 44 x 1 bed (53%)
- 28 x 2 bed (33%)
- 12 x 3 bed (14%)

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 Site A, the Former Nestle Factory Scheme (10%) to the East of the site. It is similar to the unit mix proposed on Site C to the west (11%).

Given the site's closer proximity to Hayes Town Centre than the Former Nestle Factory Scheme, the proportion of family units proposed within this scheme should be considered as the minimum required on this site and is therefore 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. The recommended density for this urban setting within the London Plan (2016) is 70-260 u/ha and 200-700hr/ha.

The application site comprises an area of 0.23 ha and the proposal would have a density of 365 u/ha and 956 hr/ha which is far in excess of recommended density for an urban area.

It should be noted that whilst higher densities could potentially be accommodated within areas with good public transport connectivity, this quantum of development proposed at this site is far in excess of the consented developments within the vicinity of the development and therefore the proposal is considered to be incompatible within this context.

On Site C under planning ref: 73238/APP/2018/1145 a density of 293 units and 728 habitable rooms per hectare was accepted and on Site A (Former Nestle Factory) a density of 430 habitable rooms per hectare / 170 units per hectare was consented.

As a high density scheme, the development would be expected to provide an exemplary quality of accommodation, and there are no inherent site constraints which could justify failure to comply in full with the Residential Design Standards. As such it is recommended that permission be refused on the grounds that the scheme exceeds the density threshold for the area. The design quality namely the large number of single aspect units (72%), the lack of amenity space and the overall design quality does not properly address the issues relating to high density living contrary to Policy 3.4 of the London Plan (2016).

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

Policy BE4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that new development within or on the fringes of conservation areas will be expected to preserve or enhance the features, which contribute to the conservation area's special architectural or visual qualities.

The site is not listed nor does it lie within a conservation area, however it is situated on the western boundary of the Botwell/Nestle Conservation Area which comprises two locally listed buildings.

Policy HE1 of the Local Plan Part One (November 2012) notes that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes the Grand Union Canal and its features, listed buildings, conservation areas, historic village cores, locally recognised historic features.

Policy DMHB 1 of the emerging Local Plan: Part Two (March 2019) expects development proposals to avoid harm to the historic environment.

The conservation officer has commented on the application noting the proposal positions its tallest element (at 10 storeys) at the northern edge of the site, the profile of the building then steps down at three intervals to 3 storeys at the southern edge of the plot bordering Nestles Avenue. Whilst the existing building on site almost abuts the boundary of the site and itself, does not make a positive contribution to the setting of the conservation area, future developments are required to preserve and enhance the setting of the neighbouring conservation area. This application fails to preserve or enhance the setting of the conservation area. Further details are set out within 07.07 of this report.

7.04 Airport safeguarding

The proposal does not give rise to any concerns regarding airport or aerodrome safeguarding.

7.05 Impact on the green belt

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

7.07 Impact on the character & appearance of the area

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

Policy SA5 of Site B (Land to South of the Railway, including Nestle Site, Nestle Avenue, Hayes) of the emerging Local Plan: Part 2 Site Allocations and Designations (2019) states that: Site B should provide up to 300 residential units and the provision of appropriate community infrastructure to support the overall quantum of development, including education as necessary. Sites A, B, and C should form a comprehensive development

scheme across the whole site. For clarity, the application site makes up to 18% of Site B.

Policy BE1 of the Local Plan: Part 1 (November 2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents.

Policy BE13 states that new development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance.

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.

Policy BE19 states that the Local Planning Authority will seek to ensure that new development within residential areas complements or improves the amenity and character of the area.

Policy BE21 states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Policy BE38 states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applications for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

Policy HE1 states that the council will conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape, which includes: Historic village cores, Metro-land suburbs, planned residential estates and 19th and 20th century industrial areas, including the Grand Union Canal and its features including designated heritage assets such as statutorily Listed Buildings and Conservation Areas.

Policy DMHB 11 of the emerging Local Plan: Part Two (2019) requires new developments to be designed to the highest standards and, incorporate principles of good design by harmonising with the local context by taking into account scale, height, mass and bulk, building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm.

It also requires development to ensure that the design safeguards the satisfactory redevelopment of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs and holds no weight.

The Greater London Authority started to draw up a 'draft OAPF' for the area covered by Policy SA 5 (Land to the South of the Railway, including Nestle Site, Nestle Avenue, Hayes) of the emerging Local Plan: Part 2 Site Allocations and Designations (Proposed Modifications 2019), but this was not consulted upon, endorsed or adopted by the London Borough of Hillingdon and holds no weight for planning purposes albeit the applicants

submission draws from the document.

The desire to create a green pedestrian link via a linear park 'Sandow Avenue' across the three sites to connect through to Station Road has been respected in the consented Nestle Factory (Site A) development and the recently approved redevelopment of the Buccleuch site on a substantial part of Site C. This accords with the aspirations of Policy SA5 of the emerging Local Plan: Part Two (2019).

The consented developments at Sites A and C of Policy SA 5 have provided well considered schemes for the sites in which they cover and have not prejudiced the development of adjoining sites. As previously mentioned the two schemes ensure that 'Sandow Avenue' can be delivered and in delivering their schemes the design teams have integrated their proposals with both the new and existing context and mitigate the impact on the adjacent residential neighbourhoods.

The tallest element of the proposed scheme (at 10 storeys) would be at the northern edge of the site. The profile of the building then steps down at three intervals to 4 storeys at the southern edge of the plot bordering Nestles Avenue. This provides for reduced massing at the southern edge of the plot responding to its immediate context and the lower two storey suburban houses to the south of Nestles Avenue. The tallest element of the scheme is concentrated to the northern edge of the site. The design has similarities with the adjacent approved Block D of the former Nestle Factory site but does not stretch back as far as the linear park 'Sandow Avenue'.

The development seeks to provide a set-back from Nestles Avenue and the adjoining former Nestle Factory site to the south east, however, the proposed development footprint is very large for a relatively small site (0.23ha). The proposed building sits very close to its boundaries, particularly to the north and west, and leaves no 'breathing space' around the perimeter of the development. The proposed 2m gap between the northern elevation of the neighbouring site would result in awkward gap or dead space that would become susceptible to anti-social behaviour. This would constrain future development opportunities for the 'Site B' land parcels to the north and west of Stanford House.

The conservation and design officer has also expressed concern with regards to the proposed ten- storey blank elevation against the north eastern boundary. It will be highly visible from the adjoining streets and views across the estate particularly given the low-scale nature of the adjoining buildings within 'Site B'. The proposal would create an austere building that would detract from the townscape. The applicant has attempted to mitigate the harm by introducing brick detailing to help to visually break up the elevation but it is not an adequate solution or positive contribution to the townscape setting. The north eastern street level elevation would present a dead inactive frontage that would be exacerbated by the large gates to the end of the access road which prevents permeability through the site. The development would in effect turn its back on the proposed Linear Park and as a result will detract from the area and aspirations for the redevelopment of the Nestles Avenue industrial cluster. Future adjoining development (to the west) will have to step back considerably in order not to compromise the outlook and/or sunlight/daylight to occupants of this or future adjoining developments, considerably constraining the future development opportunity for the neighbouring/ adjoining land within 'Site B.'

Use of brickwork, broken up by fenestration, balconies and feature panels is acceptable in principle adding visual interest and articulation that will help to break up its mass. Nevertheless, its overall size, scale, height and mass is still considered to represent a

disproportionately large, dominating and incongruous form of development which would be unacceptable in this location. Whilst it is acknowledged that large scale buildings have been approved as part of the former Nestle Factory site, they formed part of a comprehensive development scheme and were carefully considered as part of a much larger site rather than in isolation, which is the case here.

The proposed development, by reason of its overall size, scale, bulk and detailed design would result in a disproportionately large, dominating and incongruous form of development, which represents an over-development of the site, in particular the ten and eight storey blank elevations against the southern boundary which would be highly visible from Nestles Avenue which would fail to respect the pattern and scale of development in the immediate area. The proposal would be detrimental to the visual amenities of the street scene and the character and appearance of the wider area and the Botwell/Nestles Conservation Area, contrary to Policies 3.4 and 7.6 of the London Plan (2016), Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); Policies DMHB 1, DMHB 2, DMHB 11, DMHB 12 and DMHB 14 of the emerging Local Plan: Part 2 (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

There is little room provided at the ground level for public realm and amenity space. The 15 metre set back from Nestles Avenue provides some welcome relief, however, this is likely to be reduced with road widening works and the provision of a cycle and pedestrian footpath in the near future. The narrow access lane on the eastern side would appear oppressive particularly with the oversailing residential storeys and balconies. It is also unclear what the boundary treatment would consist of between the neighbouring development, Block D, of the former Nestle Factory site.

There is very little in the way of supporting visual material that shows the proposed development in its wider context. Verified views of the building from longer distances would be useful as would more illustrative views of its more immediate context with the existing buildings and consented schemes. The application was not submitted with a townscape and visual impact assessment and it appears that the impact of the scale of the proposed development has not been properly assessed by the applicant's submission.

There is significant concern over the treatment of the eastern elevation which provides primary residential entrances to the upper floor flats, it is hidden and comprises blank and austere elevations at ground floor level. It fails to provide a welcoming entrance for the residents of the upper floors. There is a 60m walk from the entrance of the site to the entrance of Core B. The residents of Core B would be required to walk down a 5m wide corridor like passage between the proposed building and the site boundary, past plant rooms, car parking, refuse stores and cycle stores to reach the entrance. The proposed ground floor treatment is unwelcoming, especially for the residents using Core B.

The proposed development, due to its footprint and site coverage would create a narrow corridor along the eastern boundary of the site and fails to provide sufficient landscaping along the eastern boundary. Moreover, the eastern boundary provides entrances to residential units on a secondary elevation which is hidden along this access road. The principal elevation, along the eastern boundary, fails to provide a sense of arrival for future occupants and results in a poor streetscape. The narrow eastern corridor fails to provide a safe, suitable and convenient access for future residents. The proposal would fail to provide a sense of arrival and would be detrimental to the visual amenities of the street

scene and character and appearance of the wider area, contrary to the National Planning Policy Framework, Policies BE13, BE14, BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); Policies DMHB 1, DMHB 2, DMHB 11, DMHB 12 and DMHB 14 of the emerging Local Plan: Part 2 (March 2019) and the adopted Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Layouts SPD (2006); Policies 3.5 and 7.5 of the London Plan (2016) and Chapters 2, 11 and 12 of the NPPF (2019).

7.08 Impact on neighbours

Policy DMHB 11 of the Local Plan: Part Two (2019) notes development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. Policy BE21 of the Local Plan: Part Two (November 2012) requires new residential developments to be designed to protect the outlook of adjoining residents. The design guide 'Residential Layouts' advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15 metres is required, although this distance will be dependent on the extent and bulk of the buildings. The Council's HDAS further provides guidance in respect of privacy, in particular, that 'adequate distance should be maintained to any area from which overlooking may occur and regard should be given to the character of the area and the distances between buildings. As a guide, the distance should not be less than 21m, between facing habitable room windows.'

Properties on the southern side of Nestles Avenue are situated some 33m to the south of the site and would not be impacted by the proposal.

Full planning permission was granted under planning 1331/APP/2017/1883 for part demolition of existing factory buildings and associated structures, and redevelopment to provide 1,386 dwellings (Use Class C3). This consent is currently being implemented and proposed Block D of this development lies to the east of the application site. Officers have reviewed the plans for planning permission ref: 1331/APP/2017/1883 and note that there is a 22.2m separation distance between habitable windows of Block D and the nearest habitable windows in the projecting side element sited at the rear of the development. As regards the balconies, on the main elevation, these would maintain a distance of some 20.2m on the main side elevation, which reduces to within 16.9m on the balconies on the projecting side element and those facing the application site on Block D. Balconies are generally considered to be areas which should be private and although the separation distance between the closest of the balconies does not satisfy the minimum 21m distance, it is considered that as the balconies on Block D would essentially overlook a parking court serving this block and there is an access road which runs along the eastern side of the proposal, the privacy of the balconies would already be compromised and would be akin to an across the street relationship so that the shortfall of the 21m separation distance would not be unduly significant. For this reason officers do not consider that a reason for refusal on the loss of privacy between balconies could not be sustained.

On the western boundaries, the proposed habitable rooms lie within 7m from the site boundary. These distances would require adjoining sites to be built approximately 14m away from the habitable windows on the application site. The development fails to provide at least 10.5m separation on the western boundary and therefore the development would prejudice the neighbouring site to the west from delivering a comprehensive scheme and therefore this application fails to accord with Policy BE14 and BE21 of the Local Plan: Part Two (November 2012).

Officers have reviewed the submitted daylight and sunlight assessment and note the

proposal would not impact the sunlight and daylight for neighbouring occupants to the south and future occupants to the east.

7.09 Living conditions for future occupiers

In terms of the layout of the units, the majority of units are single aspect, either east or west facing, however each unit would enjoy good outlook. The daylight and sunlight report submitted confirms habitable rooms would receive adequate levels of daylight and sunlight. However, as noted elsewhere in this report, the proposal fails to provide adequate setback from the western boundary of 10.5m thereby prejudicing the site to the west from delivering a comprehensive scheme in the future contrary to Policy BE14 of the Local Plan: Part Two (November 2012).

Unit Sizes

The London Plan (2016) sets out minimum sizes for various sized residential units. The applicant submitted plans which demonstrate the proposed sizes meet minimum floor space standards. The scheme accords with the London Plan (2016) minimum standard and is therefore considered acceptable.

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

Standard 28 of the London Plan Housing SPG (2016) requires the developments to demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

Paragraph 4.7 of the HDAS (2006) notes consideration will be given to the ability of residential developments to provide high standards of interior qualities to guarantee satisfactory indoor living space and amenities. Significant thought has been given to the design of the units to ensure that their future occupiers receive adequate light and a comfortable living environment.

External Amenity Space

Policy BE23 of the Local Plan: Part Two (November 2012) requires the provision of external amenity space, which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

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

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

Based on the current accommodation schedule, the required amenity space provision would be 1,940 sq.m. The current development proposal provides approximately 1,170 sq.m of amenity space through balconies and rooftop communal terraces. Whilst the applicant has included the linear park at ground floor level, given that this would be a public route it has been excluded in line with Paragraph 4.16 (2) of the HDAS (2006) which notes

areas that are closely overlooked from roads, footpaths or windows to habitable rooms of adjoining properties will not be included in calculations of private useable garden space.

The proposal falls well short of the required amount of on-site private and communal amenity space. Furthermore, where communal amenity space is being provided, it is placed so close to habitable windows particularly at fourth, fifth and sixth floor levels that its use would create a further concern of the loss of privacy to the habitable rooms overlooking the amenity spaces which could not be alleviated with the provision of screening as it would be detrimental to the outlook of these properties. This further demonstrates that the quantum of development is excessive for this site and the proposal is contrary to Policy BE23 of the Local Plan: Part Two (November 2012) and HDAS (2006).

Children's Playspace

Policy 3.6 of the London Plan (2016) requires development proposals make provision for play and informal recreation based on the expected child population generated by the scheme. The Mayor's Play and Recreation SPG expect a minimum of 10 sq.m per child to be provided in new developments.

The scheme proposes 110 sq.m of children's amenity space at fifth floor level. Based upon the proposed housing tenure mix, the proposed child yield of this development comprises 18.5 children which requires the delivery of 185sqm of child play space on site. The proposed development fails to provide on-site child play space in accordance with Play and Informal REcreation SPG by the GLA (2012).

In the absence of a policy compliant level of amenity space, a contribution of £17,211.60 is required to mitigate the intensified use of Cranford Park which is the nearest area of public open space to the site. In the absence of a Section 106 legal agreement securing a contribution towards children's playspace the proposal fails to accord with Policy 3.6 of the London Plan (2016).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Paragraph 109 of the NPPF (2019) notes developments should only be refused on highways grounds if there would be an unacceptable impact on highways safety, or residual cumulative impacts on the road network would be severe.

Policy 6.10 of the London Plan (2016) notes that development should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space and Policy 6.11 seeks to maintain an efficient road network for movement and access.

Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) are concerned with traffic generation, road capacity, onsite parking and access to public transport. In particular AM7 (ii) advises that the Local Planning Authority will not grant permission for developments whose traffic generation is likely to prejudice the conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

Emerging Policy DMT1 (March 2019) requires new development to maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users. Emerging Policy DMT6 (March 2019) requires new developments to comply with car parking standards within the local plan to facilitate sustainable development and address issues relating to congestion and amenity.

TRIP GENERATION

Before considering the traffic impact of the proposed development, the number of trips that could be generated by the existing land use needs to be understood. This is to help understand if the redevelopment of the site for 84 residential units would result in more or fewer person trips. If the number of trips is shown to increase, then the ability of the local transport network to cater for these trips needs to be assessed to determine whether any interventions are needed to increase capacity.

The developer's agent highlights that the building benefits from an extant B1c/B2 use class meaning that it could be reoccupied and used within that class without planning permission. To determine the amount of trips that 9 Nestles Avenue could generate "as is", the agent has referred to the TRICS data base. The developer's agent reports that interrogation of the TRICS data base found two comparable sites upon which the trip generation of the existing site could be based. Both of these are located within LB Hillingdon which is advantageous but the data available was for vehicle trips only - trips by mode was not available. The derived trip rates were applied to the extant floor area of 1,718 sqm, this showed that the now vacant site could potentially generate 13 two-way trips in the AM peak (08:00 - 09:00) and 11 two-way trips in the PM peak (17:00 - 18:00) if put back into productive use.

The developer's agent then calculated trip generation for the proposed development again using the TRICS database. The results showed that the site "with" the new development would generate 8 two-way vehicular trips in the AM peak and 13 two-way vehicular trips in the PM peak. This database also provide person trip counts, using 2011 population census data, it has been possible to derive how these trips would be distributed amongst all other modes. The majority of trips not made by private car would be taken by bus, rail ranked second and walking third. The developer does not include servicing and delivery vehicles such as internet shopping vehicles in the trip generation calculations citing that these vehicles are already present on the road network. The developer's agent reports that the redevelopment of the site to housing from its extant business use would result in a reduction of 5 two-way vehicles trips in the AM Peak and an additional 2 two-way vehicle trips in the PM peak. The development would generate 15 and 12 additional bus trips in the AM and PM peaks respectively; similarly an additional 7 and 5 trips would be added to train passenger numbers.

CAR PARKING

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Parking Standards. The application proposes on-site car parking, this includes 51 undercroft car parking spaces, 42 of these would be provided by way of 3 tier stackers; the remaining 9 would all be ground level disabled car parking spaces. Access to the car parking would be achieved via a 67 metre internal access road on the eastern side of the building. This access road would be 5.3 metres wide where it intersects with Nestles Avenue reducing to 3.8 metres some 10.5 metres further along. This access road would be shared by residents walking to one of two entrances to the development as well as serving a refuse and recycling point at the very far northern end.

The development would have 146 cycle parking spaces, 142 of these would be available in one of two cycle stores. This cycle parking would utilise 2 tier bicycle racks. The remaining 4 cycle parking spaces would be for visitors. Visitors would secure their bicycle

to one of two Sheffield cycle stands located on the access road approximately 20 meters back from Nestles Avenue. Each Sheffield stand would be able to accommodate 2 bicycles.

The development would provide 51 car parking spaces to serve 84 dwellings; the proposed ratio represents a ratio of 0.6 spaces per unit. The Council's current parking standards contained in Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) would allow for a maximum of 126 car parking spaces. This car parking ratio does not accord with the Council's planning policy requirements and as such highways mitigation measures are required in order to ensure adequate provision of other modes of travel are delivered as part of the planning application, if approved. These contributions would be akin to those secured on adjoining sites and include delivery of Nestle Avenue Multi Modal Spine. There are however concerns regarding the proportion of total parking (42 spaces) that is proposed to be provided in three tier stackers. With conventional parking spaces, the driver can park quickly and conveniently. This is not the case with stacker parking. If a vacant platform is not available at ground level, the user must leave their car and then raise or lower a platform. This procedure takes much longer than using a conventional parking space and is a big disincentive to using them, particularly if a resident just needs to "pop into" their home to pick up belongings. This may incentivise them to park elsewhere giving rise to parking stress as well as risks to road safety. In addition, no specification has been provided of the three tier stackers and it is therefore not possible to assess if the three tier stackers can be accommodated within the space of the undercroft. There is also no mention regards to how these stackers would be maintained and serviced. Their deliverability and reliability is therefore questionable. The transport note accompanying the planning application also highlights that the vehicles able to use these stackers are limited to vehicles up to a maximum height of 1.46m. There appears to be no provision for larger modern day cars to park in the stacker bays proposed which is further reason to deem the stacker arrangement to be unacceptable. Whereas stacker parking may have a role in some developments, the proportion and type of stacker parking proposed here is not considered to be acceptable.

CYCLE PARKING

The development would have 146 cycle parking spaces, 142 of these would be available in one of two cycle stores. This cycle parking would be utilise 2 tiers racks. The remaining 4 cycle parking spaces would be for visitors. Visitors would secure their bicycle to one of two Sheffield cycle stands located on the access road approximately 20 meters back from Nestles Avenue. Each Sheffield stand would be able to accommodate 2 bicycles. Should the application have been considered

VEHICULAR ACCESS

All accesses and associated parking areas should conform to highway guidance contained within the current 'Manual for Streets' (1 & 2) document. This should be assisted with swept path analysis drawings demonstrating tracking of associated vehicles accessing, manoeuvring and egressing the site. It is noted that the internal access road at its narrowest point is just 3.8 metres wide. This gives insufficient space for on-coming vehicles to pass thereby requiring one driver having to give way and reverse. This raises road safety concerns not least because this internal access road is shared by residents walking to/from the building entrances. Furthermore this conflict between on-coming vehicles is likely to be a regular occurrence further increasing the road safety risk that this narrow access road presents.

SERVICING AND DELIVERY

There are concerns regarding the collection of this refuse. Refuse would be left on- street waiting for a collection by a refuse vehicle. This left refuse may be an obstruction to people using the footway again raising road safety concerns for pedestrians and cyclists. Furthermore, this arrangement would necessitate refuse vehicle stopping on-street impeding the flow of traffic behind.

It could also result in a situation where delivery vehicles or cars could drive onto the access route on the eastern boundary of the site and casually park in this location creating conflict between road users. The application is not very clear on how such a situation could be deterred thereby compromising the ease of cyclist or pedestrian movement contrary to Policy AM7 (of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and Policy DMT1 of the emerging Local Plan: Part 2 (March 2019).

CONSTRUCTION LOGISTICS PLAN

The Highway Authority also requires that a Construction and Logistics Plan, Service and Delivery Plan, Parking Management Strategy and Travel Plan are submitted for approval; these documents should be produced based on the guidance produced by TfL tailored to the development and local circumstances. These should be secured by way of suitable planning condition.

HIGHWAYS OBLIGATIONS

Mindful of the above, it is recommended that this application is refused due to insufficient parking and inappropriate servicing and delivery provision. Should the application be considered acceptable, the following would have been required:

- Car parking permit restriction for existing and future parking management zone (for residents)
- Framework Travel Plan (plus £20,000 bond)
- Transfer of land to enable provision of the multi modal transport spine along Nestles Avenue
- £5,000 towards an extension of the parking management zone
- £10,770.11 towards the Nestles Avenue road widening works
- £28,787.64 for additional bus capacity
- A S38 agreement to provide cycle way, footpath and landscaping as part of MTS road
- £17,211.60 Contribution towards Cranford Park improvements

7.11 Urban design, access and security

URBAN DESIGN

Policy DMHB 12 of the emerging Local Plan: Part Two (2019) requires new developments to be well integrated with the surrounding area and should be easily accessible include landscaping treatment that is suitable for the location, serves a purpose and, contributes to local green infrastructure, the appearance of the area and ease of movement through the space.

Policy SA5 (connecting the historic Nestle factory core with the station and high street) seeks to provide a comprehensive approach to redevelopment, seeking to establish a new east-west route at the heart of the development. In terms of scale, taller buildings are

generally placed along the railway, and transitions to low-rise blocks along Nestles Avenue. It is noted that the applicant has sought to engage with neighbouring landowners but that these attempts, to date, have been unsuccessful. However, by maximising the site's footprint, the proposal fails to make appropriate setbacks to allow neighbouring sites to re-develop comprehensively which is contrary to Policy SA5 of the Site Allocations and Designations (March 2019) and Policy BE14 of the Local Plan: Part Two (November 2012).

SECURITY and ACCESS

Policy 7.3 of the London Plan (2016) requires developments to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.

The Secured by Design Officer has objected to the application citing the lack of residential use on ground floor. A small amount of commercial use can assist but will depend on what the commercial is delivered and the associated levels of activity and usage.

There are concerns with regards to the access and the pathway between this development and the proposed neighbouring building to the east. There is little natural surveillance of this area and it could become an undesirable area as it is relatively long and narrow and could feel like an alleyway that residents of Core A would have to walk down to get to their entrance.

The proposed development, due to its footprint and site coverage would create a narrow corridor along the eastern boundary of the site and fails to provide sufficient landscaping along the eastern boundary. Moreover, the eastern boundary provides entrances to residential units on a secondary elevation which is hidden along this access road. The principal elevation, along the eastern boundary, fails to provide a sense of arrival for future occupants and results in a poor streetscape. The narrow eastern corridor fails to provide a safe, suitable and convenient access for future residents. The proposal would fail to provide a sense of arrival and would be detrimental to the visual amenities of the street scene and character and appearance of the wider area, contrary to the National Planning Policy Framework, Policies BE13, BE14, BE19 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); Policies DMHB 1, DMHB 2, DMHB 11, DMHB 12 and DMHB 14 of the emerging Local Plan: Part 2 (March 2019) and the adopted Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Layouts SPD (2006); Policies 3.5 and 7.5 of the London Plan (2016) and Chapters 2, 11 and 12 of the NPPF (2019).

Along the sites eastern boundary, the proposed development is dominated by inactive frontages. It is unclear what the boundary treatment with the neighbouring site would be, however if a 2m boundary fence is erected, this area could become an oppressive space and fails to provide a sense of arrival for residents, particularly those occupying the second core. It is unclear what provision would be made to prevent car parking and delivery vehicles accessing this space, there is the potential for this space to become heavily parked and quite oppressive for future occupants.

Furthermore, there is a narrow strip of land to the northern part of the site that is not overlooked due to the lack of windows in the proposed building's rear elevation. Should the site to the north come forward, this part of the site would become an awkward strip of land that fails to provide a meaningful gap between the application site and future development to the north compromising its delivery creating a potential crime corridor contrary to Policy

3.5 and 7.3 of the London Plan (2016).

7.12 Disabled access

There are significant concerns relating to the proposed access route (serving the disabled bays and main pedestrian access points into the building) which measures 5.0m width and narrows down to 4.0m. The access route would be used by drivers, pedestrians and cyclists.

7.13 Provision of affordable & special needs housing

Policy H2 of the Local Plan: Part One (November 2012) require a minimum of 35% of units within developments of 10 or more units to be delivered as affordable housing.

The London Plan (2016) Policies 3.11 and 3.12 require, boroughs to, amongst other matters, identify targets for the level of affordable housing provision to meet the capitals needs and to negotiate the maximum reasonable amount in any scheme.

The Mayor's Affordable Housing and Viability SPG (2017) states the preferred tenure split is for schemes to deliver:

- At least 30% low cost rent (social rent or affordable rent) with rent set at levels that the LPA considers 'genuinely affordable';
- At least 30% as intermediate products; and
- The remaining 40% to be determined by the relevant LPA. The London Borough of Hillingdon has determined that this 40% should be delivered as low cost rent (social rent or affordable rent). This approach is consistent with Policy H2 of the Local Plan: Part One (November 2012) and emerging Policy DMH 7 of the Local Plan: Part Two (March 2019).

There is a requirement to achieve the maximum amount of affordable housing on development sites and that regard will be had to viability. The applicant has submitted a viability report in support of the application which was reviewed independently. The applicant's submitted viability suggests that a 8 affordable housing units (Discount Market Rent), is the maximum reasonable amount that could be provided.

This has been reviewed by an independent financial viability consultant on behalf of the Council who notes the scheme produces a surplus of £359,150 which indicates that additional affordable housing units can be provided. The surplus has been modelled by Carter Jonas and this provides for another 5 DMR units taking the total to 13 units (23% by habitable room), which is greater than the offer put forward by the applicants.

The proposed development fails to provide maximum reasonable amount of affordable housing on site. The proposal is therefore contrary to Saved Policy R17 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012); Policy H2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012); the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations and policies Policies 3.10 -3.13 of the London Plan (2016); and National Planning Policy Framework, Para. 62 -64 (2019) or the Mayor's Affordable Housing and Viability SPD 2017.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Saved UDP Policies (November 2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Policy DMHB 14 of the emerging Local Plan:Part Two (2019) notes all developments will be expected to retain or enhance the existing landscape, trees, biodiversity and natural features of merit. Planning applications for proposals that would affect existing trees will be

required to provide an accurate tree survey showing the location, height, spread and species of trees.

The trees and landscaping Officer has reviewed the submitted tree report. The report has identified and assessed the condition and value of 9 trees, 5 hedges and three groups of trees. Most of the trees are 'C' grade (with 2 'U' grade) which do not constitute a constraint on development. Three trees / groups are 'B' garden, whose condition and value make them worthy of retention; T6 Norway maple, T8 Common lime and G3 (group of Norway maple). All of these trees are off-site / outside the control of the developer, albeit the developer will need to safeguard the off-site trees - including T6, a highway tree. All other trees within the site will be removed to enable the development, to which there is no objection subject to appropriate replacement pollution absorbing trees as part of a comprehensive landscape plan.

The Design and Access Statement confirms that the front elevation of the proposed flats will be set back from Nestles Avenue to allow for a landscaped frontage and the provision of a reserved strip of land to accommodate a potential new cycle and bus route. Roof / podium level gardens will be developed on six different levels descending from north to south where each space will be exposed to natural light from the south, east and west. The landscape strategy is described in section 3.9. External amenity space will be provided in the form of private balconies, the communal roof gardens and the parkland walk along the site frontage parallel to Nestles Avenue. More detailed landscape proposals are described in the Landscape Design Report by Outer Space. Defensible space, using planting, will be created around ground floor windows. The shared cycle / pedestrian corridor along the site frontage will incorporate SUDS. The amenity roof terraces will feature raised planters with integrated seating.

Planting will include trees and compositions designed to moderate the micro climate. Aside from providing wind shelter, the terraces should be designed to provide relief from direct sunlight. This report provides a palette of hard and soft landscape elements for use on the site. The hard materials palette includes Grasscrete, which is not considered appropriate. Artificial grass is proposed for the roof terraces. This may be acceptable if the footfall pressure would render natural grass unsustainable. A lighting strategy is described at 3.8. Lighting should use current LED technology and use warm temperature lights which are directional / designed to minimise light pollution. Management / maintenance requirements of the site have been considered (4.1), as has the promotion of ecology and sustainability (4.2) Subject to detail, the proposal is considered to satisfy policies BE23 and BE38 and emerging Policy DMHB 14 of the Local Plan: Part Two (2019). Should the application have been considered acceptable, a condition would have required final details of hard and soft landscaping.

7.15 Sustainable waste management

Policy EM11 of the Local Plan: Part One (November 2012) requires proposed development to address waste management at all stages of development. London Plan Policy 5.17 requires suitable waste and recycling facilities in all new developments. HDAS - New Residential Layouts provides further details on waste management to guide development proposals.

The waste officer has commented on the application noting that a management company is required which should be responsible for presenting all waste and recycling bins within 10 metres of the lay by, but off of the public highway on the allocated collection day(s).

Whilst this could be subject to a condition, officers are concerned that overall, the proposal

fails to make suitable long term provision for servicing and deliveries. A management condition could be secured whilst the block is under single management, however this may change in the future and there is no way of guaranteeing the management company would remain in place for the duration of the development.

Furthermore, dragging the waste out to the kerb on collection day would still compromise pedestrian or cycle safety if it is left on the Multi Modal Transport Spine. Due to the size of the footprint, the applicant has not been able to secure a suitable area where servicing and deliveries could take place safely. The proposal is therefore contrary to Policy EM11 of the Local Plan: Part One (November 2012).

7.16 Renewable energy / Sustainability

The development as submitted does not comply with planning policy 5.2 of the London Plan (2016) as the scheme is not zero carbon. The sustainability officer has commented on the application noting the information submitted broadly demonstrates compliance with the London Plan requirements for a minimum of 35% onsite reduction in CO2 from a 2013 Building Regulation baseline. Given the site is not zero carbon, a S106 offsite contribution is required in accordance with Policy 5.2E of the London Plan (2016).

The applicant has submitted an energy assessment which broadly meets the London Plan requirements.

However, the proposals are not zero carbon as required by London Plan policy 5.2. The development has a shortfall of 27tCO2 and therefore a contribution of £48,600 is required as part of a S106. Should the application have been considered acceptable details of PV panels would have been required.

7.17 Flooding or Drainage Issues

Policy DME1 10 of the emerging Local Plan: Part Two (March 2019) requires all major developments in Critical Drainage Areas or an area identified at risk from surface water flooding must be designed to reduce surface water run-off rates to no higher than the pre-development greenfield run-off rate in a 1:100 year storm scenario, plus 30% allowance for climate change for the worst storm duration. The assessment is required regardless of the changes in impermeable areas and the fact that a site has an existing high run-off rate will not constitute justification.

Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. The site falls outside any flood zones as defined in the Council's own Strategic Flood Risk Assessment (SFRA) and is within flood zone 1 on the Environment Agency maps. A flood risk assessment has been submitted with the application. The scheme would need to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding in accordance with the requirements of Policies 5.11, 5.12 and 5.13 of the London Plan and the NPPF (2019).

The Greater London Authority has commented on the application noting the approach to flood risk management for the proposed development complies with London Plan policy 5.12. The surface water drainage strategy for the proposed development does not comply with London Plan policy 5.13 as it does not give appropriate regard to the greenfield runoff rate.

Revised attenuation storage volume calculations, consistent between the plans and the text of the FRA, attenuation tank dimensions, and exceedance assessment information is

required. In the absence of this information the proposal is contrary to Policy 5.13 of the London Plan (2016) and Policies OE7 and OE8 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.18 Noise or Air Quality Issues

NOISE

Paragraph 180 of the NPPF (2019) states that planning decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions. According to the government's Noise Policy Statement for England (NPSE) of March 2010, these aims should be achieved within the context of Government policy on sustainable development.

Saved Policies OE1 and OE3 of the Local Plan (2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable. Saved Policy OE3 seeks to ensure that uses which have the potential to cause noise be permitted only where the impact is appropriately mitigated.

The submitted report demonstrates the future occupants would be provided with sufficient levels of insulation. However, the report fails to consider the site to the west and north which are existing industrial sites. Should the current scheme be approved, the adjoining existing units to the north and west which have noise generating uses within them, would cause detriment to the habitable rooms, terraces and balconies on the proposed scheme due to ongoing noise and disturbance.

The development provides a high proportion of single aspect dwellings and dwellings with their sole aspect facing towards Strategic Industrial Land. The development fails to provide sufficient separation from the western boundary of the site to mitigate against a potential noise generating use on the neighbouring site and as such, the proposal fails to take responsibility for mitigating impacts from existing noise-generating activities or uses on the proposed new noise-sensitive residential development and thereby fails to provide a suitably high quality of residential amenity for future occupiers contrary to Policy BE1 of the Local Plan: Part One (November 2012); Policy OE1 of the Local Plan: Part Two (November 2012) and Policy 7.15 of the London Plan (2016) and Paragraph 182 of the NPPF (2019).

AIR QUALITY

Policy 7.14 of the London Plan (2016) requires developments to at least be Air Quality Neutral and not lead to further deterioration of existing poor air quality, particularly in Air Quality Management Areas.

Policy DME1 14 of the emerging Local Plan: Part Two (2019) requires development proposals to demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

Development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to

sensitive receptors, both existing and new; and

iii) actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

The air quality officer has reviewed the application and notes the submitted Air Quality Assessment fails to:

a) assess the impact of the proposed development. Given that we are within a Focus Area, the applicant is required to include estimation of exposure levels new residents will be subject to and impacts on existing sensitive receptors (as per GLA map, looking at impacts at residential areas already above annual mean limit value).

b) In addition, no neutral assessment was undertaken. This is a requirement.

c) No consideration of cumulative impacts of the proposal with other already granted planning application was considered.

d) As the development is within a Focus Area, the extant use is not not be considered, with impacts to be assessed for the new permission sought against the current baseline for the site, disregarding the extant permission as this will reflect the real world increase experienced by receptors and also enable the cumulative impacts to be ascertained and the right level of mitigation measures to be defined.

Whilst further details would usually have been sought as part of the application process, it was clear to officers from the outset that this application could not be supported for the reasons stated elsewhere in the report and therefore further details were not sought on this matter as officers consider any proposal at this site requires a comprehensive redesign. However, should the application be considered acceptable, the applicant would be required to:

a) include an impact assessment of the proposed development in the air quality assessment via an addendum to include cumulative impacts with other granted permissions in the vicinity of the application site and new exposure. The addendum shall also include an air quality neutral assessment. This is required for reporting to GLA in April 2019.

b) Once the two above are produced and submitted to the LA, then a suitable list of mitigation measures to be agreed with the highways department to actively reduce emissions within the area.

In the absence of a comprehensive Air Quality Assessment that considers the development's the cumulative impacts alongside other consented developments within the area and in the absence of an Air Quality Neutral Assessment, the proposal fails to demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants. The proposal could therefore lead to further deterioration of existing poor air quality contrary to emerging Policy DMEI 14 of the Local Plan: Part Two (2019) and Policy 7.14 of the London Plan (2016).

CONTAMINATED LAND

The contaminated land officer has reviewed the document issued from Geotechnical and Environmental Associates Limited (GEA), titled Desk Study and Ground Investigation Report (Ref J18167, dated November 2018).

As a combined report the document provides details of Phase 1 and Phase 2 processes

and risk assessments, adopted to assess the risks of contamination at the site.

The report includes recommendations relating to aspects of the site where supplementary works are deemed necessary to obtain further data, finalise previous investigative works and conduct further risk assessments as necessary. Should the application have been considered acceptable, a condition would have been secured.

7.19 Comments on Public Consultations

Addressed within the main body of this report.

7.20 Planning obligations

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision of recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. The saved UDP policy is supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development. As the application is being recommended for refusal, no negotiations have been entered into with the developer in respect of these contributions. However, if the application were to be considered for approval, the following heads of terms would have been pursued:

1. Highways: in line with the SPD and depending upon the views of the highways engineer any and all highways works will be required to be met by the applicant, including s278 works.
2. Affordable Housing: In line with the SPD and current planning policy 35% of the scheme is required to be delivered as affordable housing with the tenure and mix to be agreed by the Council.
3. Built to Rent restrictive covenants in line with Greater London Authority SPG on Affordable Housing (2017)
4. Construction Training: Either a construction training scheme delivered during the construction phase of the development or a financial contribution.
5. Carbon Off-set of £48,600
6. Contribution towards Cranford Park improvements £17,211.60
7. Travel Plan plus £20,000 Bond
8. Car parking permit restriction for existing and future parking management zone (for residents)
9. Transfer of land to enable provision of the the multi modal transport spine along Nestles Avenue; to provide cycle way, footpath and landscaping as part of MMTS road
10. Contribution of up to £10,770.11 towards the Nestles Avenue multi modal spine
11. TfL additional bus capacity £28,787.64

12. £extension of the parking management zone £5,000

13. Agreement to secure a suitable boundary treatment on the eastern site boundary in discussion with the neighbouring land owner.

14. Project Management and Monitoring Fee a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

No legal agreement to address these issue has been offered. As such, the proposal fails to comply with Policy R17 of the UDP and it is recommended the application should be refused.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of

opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The application seeks permission for the demolition of existing building and redevelopment of the site. The application fails to satisfactorily deliver a comprehensive development that responds to its context and that of the wider site Site B with the Emerging Site Allocations (2019). The proposal fails to provide a maximum reasonable amount of affordable housing.

The proposed development is considered inappropriate by virtue of its footprint and site coverage. The proposal provides dead frontages at ground floor level along the eastern boundary of the site which also provides primary residential entrances. The large expanse of blank elevations results in poor relationships with the surrounding environment.

The development fails to provide sufficient private and communal amenity space and fails to provide sufficient car parking in an area where such parking is at a premium thereby leading to conditions which would be detrimental to the free flow of traffic and to highway and pedestrian safety. The servicing and delivery arrangements are considered unacceptable as it is likely to result in the conflict of movement between cyclist and pedestrians.

Overall, the proposal would fail to provide a development that will improve the economic, social and environmental conditions of the area contrary to the Development Plan and it is recommended that this application is refused.

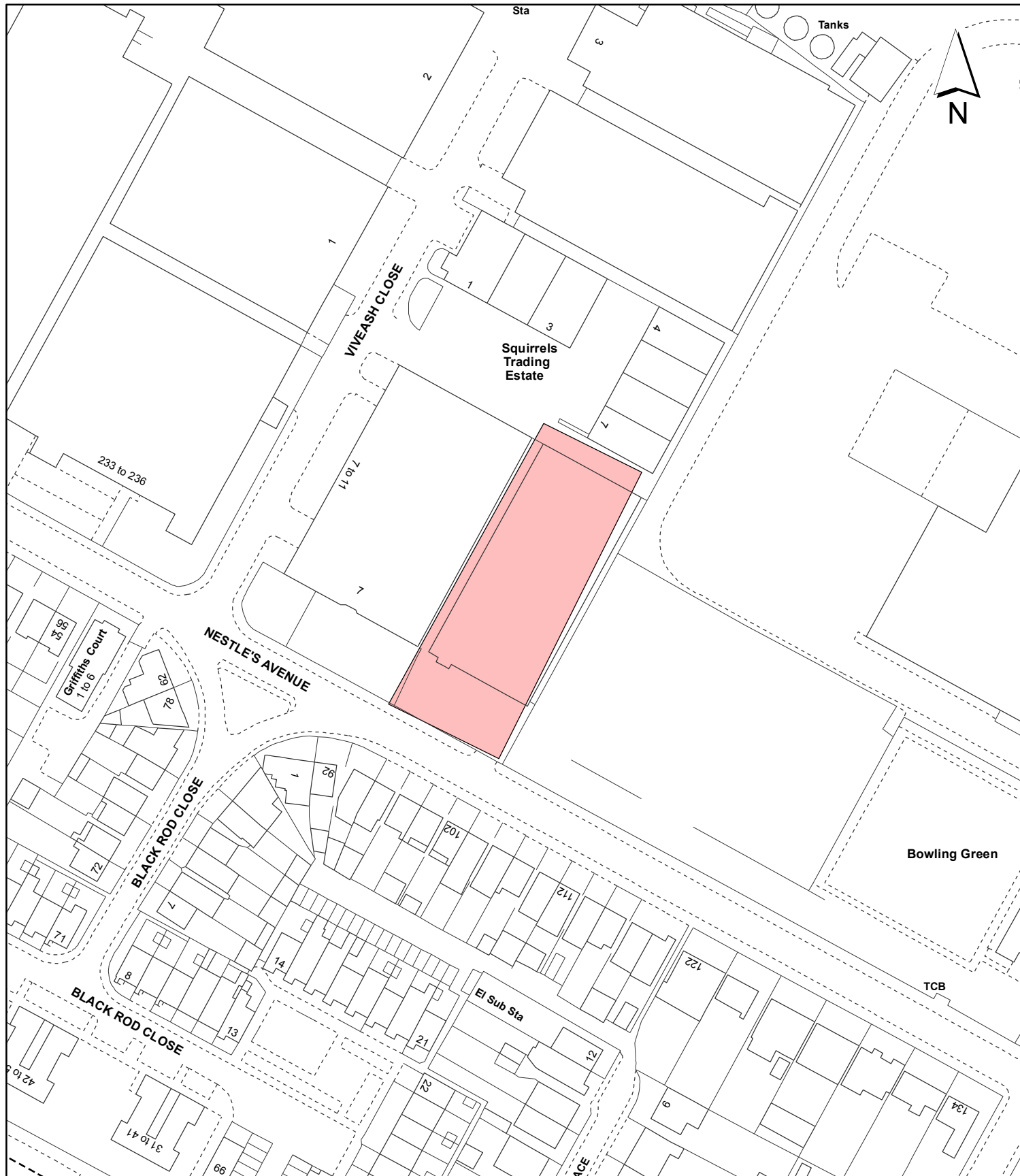
11. Reference Documents

The Hillingdon Local Plan: Part 1- Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan 2016
National Planning Policy Framework (NPPF) 2019
The Greater London Authority Sustainable Design and Construction (2006)
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Document - Air Quality

Council's Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document: Accessible Hillingdon January (2010)
Air Safeguarding Circular 01/03
GLA Affordable Housing and Viability Supplementary Planning Guidance (SPG)
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
The Town and Country Planning (safeguarded aerodromes, technical sites and military explosives storage areas) direction 2002 (2016)
General Aviation Strategy March 2015

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Notes:



Site boundary

For identification purposes only.

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Site Address:

Stanford House

Planning Application Ref:

51175/APP/2019/187

Planning Committee:

Major

Scale:

1:1,250

Date:

July 2019

**LONDON BOROUGH
OF HILLINGDON**

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