

Report of the Head of Planning, Transportation and Regeneration

Address	KEITH HOUSE NORTH HYDE ROAD HAYES
Development:	Demolition of the existing warehouse and re-development of the site to provide a mixed-use development, comprising flexible commercial floorspace (Use Class E(g)(ii) and (iii)) and 376 no. Shared-Living units (Sui Generis) with associated landscaping, amenity, parking and revised vehicle and pedestrian access.
LBH Ref Nos:	27189/APP/2021/2782
Drawing Nos:	Communal Amenity Study (Dated 8th November 2021) RP_04 Design and Access Statement - Keith House Eastern Site Planning Statement (Dated July 2021) Z_(01)_P100 Rev. P01 Z_(01)_P101 Rev. P01 Z_(01)_P200 Rev. P01 Z_(01)_P201 Rev. P01 Z_(01)_P202 Rev. P01 C_(00)_P102 Rev. P01 C_(00)_P108 Rev. P01 C_(00)_P109 Rev. P01 C_(00)_P151 Rev. P01 C_(00)_P210 Rev. P01 Z_(00)_P003 Rev. P01 Z_(00)_P102 Rev. P01 Z_(00)_P108 Rev. P01 Z_(00)_P109 Rev. P01 Z_(00)_P300 Rev. P01 C_(00)_P200 Rev. P01 C_(00)_P201 Rev. P01 C_(00)_P202 Rev. P01 C_(00)_P203 Rev. P01 Z_(00)_P201 Rev. P01 Z_(00)_P202 Rev. P01 C_(00)_P300 Rev. P01 C_(00)_P301 Rev. P01 Z_(00)_P200 Rev. P01 Statement of Community Involvement (Dated July 2021) Acoustic Planning Report Review Responses (Dated 13th October 2021) Independent Daylight, Sunlight and Overshadowing Review Responses (Dated 5th October 2021) 10808 STATS-02 Planning Utilities Report (Dated July 2021) 200514-ED-03a Preliminary Ecological Appraisal (Dated July 2021) 200514-ED-04 Ecological Enhancement Scheme (Dated July 2021) RWDI #2100965 Rev. C Pedestrian Level Wind Desk-Based Assessment (Dated July 2021) Construction Management Plan Rev. 02 (Dated July 2021) Townscape, Visual and Heritage Assessment (Dated July 2021) Contaminated Land Assessment (Dated July 2021) Daylight, Sunlight and Overshadowing Report (Dated July 2021)

Fire Strategy Rev. 3 (Dated July 2021)
 Housing Statement (Dated July 2021)
 Aviation Safeguarding Assessment (Dated July 2021)
 Yodel Site, North Hyde Road Phase II Report (Dated July 2021)
 10808-S-ENER-0002 Rev. 3 Sustainability Report (Dated July 2021)
 10808-S-ENER-0002 Rev. 2 Energy Strategy (Dated July 2021)
 200514-PD-21b Arboricultural Impact Assessment (Dated July 2021)
 5269-WAL-ZZ-SW-PS-D-0300-R1 Below Ground Drainage Philosophy
 Statement (Dated July 2021)
 J4014B/1/F2 Air Quality Assessment (Dated July 2021)
 Transport Assessment v1.2
 Z_(01)_P001 Rev. P02
 Response to LBH Highway Officer Comments (Dated 10th November 2021)
 Z_(00)_P100 Rev. P02
 Community Investment Programme (Dated January 2022)
 C_(00)_P101 Rev. P02
 C_(00)_P103 Rev. P02
 C_(00)_P104 Rev. P01
 C_(00)_P105 Rev. P01
 DAS Addendum: Communal Amenity Provision
 Z_(00)_P101 Rev. P02
 Z_(00)_P103 Rev. P02
 Z_(00)_P104 Rev. P01
 Z_(00)_P105 Rev. P01
 C_(00)_P100 Rev. P02
 Responses to Access Officer Comments (Dated 11th March 2022)
 P20122-00-001-GIL-0101 Rev. 03
 Z_(01)_P002 Rev. P01
 Z_(12)_P102 Rev. P01
 20176-R05-C Acoustic Planning Report (Dated July 2021)

Date Plans Received:	15/07/2021	Date(s) of Amendment(s):	09/03/2022
Date Application Valid:	21/07/2021		11/03/2022
			15/07/2021

1. SUMMARY

This planning application seeks permission for the demolition of the existing warehouse and re-development of the site to provide a mixed-use development, comprising flexible commercial floorspace (Use Class E(g)(ii)(research and development) and (iii)(any industrial process)) and 376 no. shared living units (Sui Generis).

The proposed loss of the existing warehouse use (Use Class B8) is considered acceptable in light of the application (reference 27189/APP/2020/2181) for the western half of the site being recommended for approval. This means that the site is unsuitable for employment re-use and there is no realistic prospect of the site being re-used for industrial purposes. In its place, the proposed Use Class E business space is considered suitable and would provide broadly comparable employment figures when combined with the western site redevelopment.

One particular focus of this application relates to the communal facilities proposed and

ensuring that these facilities will provide residents with a practical, accessible and sociable alternative to using the facilities in their units so they do not operate in all other ways like self-contained units. The proposed shared living units would have a floor area of between 16m² and 24m², including an ensuite shower room and a kitchenette. In addition to the facilities in the rooms, the proposed plans show that residents would also have access to communal areas, including lounges, library/co-working areas, kitchen workstations, private dining areas, laundry room and gym. The layout of the proposed development shows that the majority of these internal communal spaces will be on levels 00 and 01 (ground and first floor), including 25 no. kitchen workstations and 3 no. private dining areas. Following requested amendments to the scheme, 22 no. additional kitchen workstations and further dining space is proposed to be provided on level 04 (fourth floor), and 10 no. kitchen workstations with dining space is proposed on level 08 (eighth floor). This results in a total of 57 no. kitchen workstations (0.15 kitchen workstations per unit) and 5 no. private dining areas. This combines to form 511m² of kitchen and dining space, equating to 1.36m² per unit. The proposal would also provide 5.8m² of internal and external amenity space per unit. All of these indicators either exceed or are comparable to other similar schemes granted planning permission across London. As such, the amended proposal is considered to achieve a form of accommodation which is considered likely to operate as a large-scale purpose built shared living development. The corollary of this is that the units are not considered likely to be operated as substandard self-contained C3 residential units.

The proposed development would not provide on-site affordable housing units that would usually be expected of typical residential development. As per Policy H16 of the London Plan (2021), a cash in lieu contribution towards conventional C3 affordable housing is required. Following consideration of the viability, it is agreed that the proposed contribution towards affordable housing is the maximum reasonable contribution possible. If recommended for approval, this would be secured by a S106 legal agreement.

It is noted that the applicant has been engaging with local stakeholders, neighbours and community groups through a Community Investment Programme (CIP). The CIP process is an important mechanism which can ensure that the local community genuinely benefits from the development coming forward. If recommended for approval, a final CIP document will be secured by the Section 106 legal agreement and weighs in favour of the scheme.

The proposed 9 storey building is viewed within the context of a urban/suburban area, with a mix of characteristics. Specifically, the Hyde Park Hayes estate to the south and south-east of the site establish a precedent for high-rise development, as does the Old Vinyl Factory development to the north. Accordingly, the scale and mass of development is considered to be appropriate in this context.

The proposed development would provide sufficient internal and external communal amenity space. It is important to note that the proposed public open space within the central spine of the site is considered to be a notable benefit of the scheme and planning conditions are proposed to ensure that these elements of the development would be sufficient and acceptable in terms of quality. If recommended for approval, a financial contribution towards the enhancement of public open space within Hillingdon's administrative area and a financial contribution for the enhancement of land to the north of the site along Keith Road would also be secured.

The proposed development would be 'car-light', meaning that only 3 no. blue badge car parking spaces are proposed for the purposes of the shared living accommodation and 4 no. car parking spaces are proposed for the purposes of the ground floor commercial

units. It is important to view the proposed development within the planning policy context of the London Plan (2021). Policy H16 of the London Plan (2021) specifically states that shared living development must be located in an area well-connected to local services and employment by walking, cycling and public transport, and its design must not contribute to car dependency. The application site has a PTAL rating of 4 and is located about 500m (8 min walk) from Hayes and Harlington Station with 4 bus stops within a 400m radius. Evidently, the application site is well connected. The proposed accommodation would not technically fall under Use Class C3 and car parking is therefore considered on a case-specific basis. Although the car parking provision proposed is minimal, significant levels of cycle parking is proposed to encourage more sustainable modes of transport. A significant package of sustainable travel measures are also to be secured by a S106 legal agreement if recommended for approval. Subject to securing these planning obligations, the proposed development would be considered to sufficiently encourage sustainable modes of transport and is acceptable with regard to its impact on the local highway network.

The proposed development is also considered acceptable with regard to its impact on neighbour amenity, access, security, landscaping, ecology, waste, energy, flood and water management, noise, contaminated land, fire safety and health.

In summary, the proposed development is considered to be acceptable subject to conditions and a Section 106 legal agreement. Accordingly, this application is recommended for approval.

2. RECOMMENDATION

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

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

i. Affordable Housing: Planning obligation for a cash in lieu contribution equal to £3,267,188.20 towards conventional C3 affordable housing.

ii. Shared living accommodation management plan, including information on:

a. security and fire safety procedures

b. move in and move out arrangements

c. how all internal and external areas of the development will be maintained

d. how communal spaces and private units will be cleaned

e. how deliveries for servicing the development and residents' deliveries will be managed.

iii. Tenancy Agreement: Planning obligation to secure the minimum tenancy length to three months and ensure that each unit is licensed or leased to a single individual.

iv. Community Investment Programme: Planning obligation for a Community Investment Programme document to be submitted to and agreed by the Local Planning Authority prior to occupation.

v. Air Quality Contribution: A financial contribution amounting to £21,173 shall be

paid to address the air quality impacts of the proposed development.

vi. **Carbon Offset Contribution:** A financial contribution amounting to £196,662 shall be paid to the Council's carbon offset fund.

vii. **Public Open Space:** A financial contribution amounting to £173,500 shall be paid to the Council for the enhancement of existing public open space within Hillingdon's administrative area.

viii. **HUDU Health Contribution:** A financial contribution amounting to £195,162 shall be paid to the Council for the enhancement of health infrastructure provision.

ix. **Highways Works:** Section 278 agreement to secure highway works, including installation of a dropped kerb and tactile paving on Dawley Road.

x. **Highways Improvements:** A financial contribution amounting to £91,574 shall be paid to the Council for the local highway improvements.

xi. **Keith Road Enhancement:** A financial contribution amounting to £81,280 (32% of total contribution amounting to £254,000) to be paid to the Council for works to enhance Keith Road, including lighting, planting and surfacing to encourage pedestrian and cyclists to use the link. Should the neighbouring development site (Keith House West Site) not be brought forward within a given period, the remainder of the cost, equal to an additional £172,720, is to be provided by the subject Site developer.

xii. **Travel Plan:** A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such as matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured.

xiii. **Parking Management Scheme:** A financial contribution amounting to £25,000 shall be paid to the Council for the review of local roads, with a view to implementing a Parking Management Scheme. This money will be held by the Council for a period of 5 years post full occupation. Any unused or residual monies would be returned by-way of the above legal mechanism within a mutually agreed timescale.

xiv. **Parking Permits:** The residents of this development will not to be eligible for parking permits within the Parking Management Areas and Council car parks in the vicinity of the site, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

xv. **Restriction on Lease Agreements:** The details of the restriction on lease agreements to terminate the lease if an occupier is found to have parked a car at the development or in the surrounding area shall be submitted to and approved in writing by the Council.

xvi. **Car Club Scheme:** The details of an agreement with a Car Club Operator

providing for Car Club Membership (including free membership for 3 years plus £50 credit for one person in each unit) shall be submitted to and approved in writing by the Council, including the provision of 2 no. Car Club parking spaces. The cost of the Traffic Order and associated works, amounting to £3000, will be at the expense of the applicant. If after 3 years from when the development becomes operational the Car Club has failed to establish and is unviable to operate, the developer will pay the Council £120,000 to fund active travel measures to cater for those trips that would otherwise have been made by the Car Club car.

xvii. Santander Cycle Hire Scheme: A financial contribution amounting to £12,000 shall be paid to the Council for the operation and development of the Santander Cycle Hire scheme within the vicinity of the development site.

xviii. Employment Strategy and Construction Training: Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is the Council's priority. A financial contribution will only be accepted in exceptional circumstances.

xix. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

N.B. The payment of all financial contributions shall be made prior to commencement of development unless otherwise agreed.

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

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

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Deputy Director of Planning and Regeneration), delegated authority be given to the Deputy Director of Planning and Regeneration to refuse planning permission for the following reason:

'The applicant has failed to secure the necessary legal obligations associated with the proposed development and provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of Affordable Housing, Shared Living Management Plan, Tenancy Agreement, Community Investment Programme, Air Quality, Carbon Offset, Public Open Space, HUDU Health Contribution, Highways Works, Highways Improvements, Travel Planning, Parking Management Scheme, Parking Permits, Lease Agreement Restrictions, Car Club Scheme, Santander Cycle Hire Scheme, Employment Strategy and Construction Training, and Project Management and Monitoring). The scheme therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); the adopted Planning Obligations Supplementary Planning Document (July 2014); Policy DF1 of the London Plan (March 2021); and paragraphs 54-57 of the National Planning Policy Framework (July 2021).'

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

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted (comprising 376 no. Shared-Living units (Sui Generis), with 435 square metres GEA of flexible commercial units (Use Class E(g)(ii) and (iii)), within a part 8 storey, part 9 storey building and 12 car parking spaces), shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

C_(00)_P100 Rev. P02;
C_(00)_P101 Rev. P02;
C_(00)_P102 Rev. P01;
C_(00)_P103 Rev. P02;
C_(00)_P104 Rev. P01;
C_(00)_P105 Rev. P01;
C_(00)_P108 Rev. P01;
C_(00)_P109 Rev. P01;
C_(00)_P200 Rev. P01;
C_(00)_P201 Rev. P01;
C_(00)_P202 Rev. P01;
C_(00)_P203 Rev. P01;
C_(00)_P210 Rev. P01;
C_(00)_P300 Rev. P01;
C_(00)_P301 Rev. P01;
Z_(00)_P100 Rev. P02;
Z_(00)_P101 Rev. P02;
Z_(00)_P102 Rev. P01;
Z_(00)_P103 Rev. P02;
Z_(00)_P104 Rev. P01;
Z_(00)_P105 Rev. P01;
Z_(00)_P108 Rev. P01;
Z_(00)_P109 Rev. P01;
Z_(00)_P200 Rev. P01;
Z_(00)_P201 Rev. P01;
Z_(00)_P202 Rev. P01; and
Z_(00)_P300 Rev. P01.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be carried out except in complete accordance with the specified supporting plans and/or documents:

20176-R05-C Acoustic Planning Report (Dated July 2021);

Acoustic Planning Report Review Responses (Dated 13th October 2021);
200514-ED-03a Preliminary Ecological Appraisal (Dated July 2021);
200514-ED-04 Ecological Enhancement Scheme (Dated July 2021);
RWDI #2100965 Rev. C Pedestrian Level Wind Desk-Based Assessment (Dated July 2021);
Contaminated Land Assessment (Dated July 2021);
Daylight, Sunlight and Overshadowing Report (Dated July 2021);
Independent Daylight, Sunlight and Overshadowing Review Response (Dated 5th October 2021);
Fire Strategy Rev. 3 (Dated July 2021);
Aviation Safeguarding Assessment (Dated July 2021);
10808-S-ENER-0002 Rev. 3 Sustainability Report (Dated July 2021);
10808-S-ENER-0002 Rev. 2 Energy Strategy (Dated July 2021);
200514-PD-21b Arboricultural Impact Assessment (Dated July 2021);
5269-WAL-ZZ-SW-PS-D-0300-R1 Below Ground Drainage Philosophy Statement (Dated July 2021);
J4014B/1/F2 Air Quality Assessment (Dated July 2021);
Transport Assessment v1.2 (Dated July 2021); and
Response to LBH Highway Officer Comments (Dated 10th November 2021).

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

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

4 NONSC Restrict Commercial Uses

Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the ground floor commercial units hereby approved shall not be used for any purpose other than research and development (Use Class E(g)(ii) or light industrial (Use Class E(g)(iii)).

REASON

To ensure that the ground floor commercial units are not used for any other purposes included within Use Class E, including offices (Use Class E(g)(i)) which would have required the submission of a sequential test, in accordance with Paragraph 86 of the National Planning Policy Framework (2021).

5 COM7 Detail and Sample of Materials

Prior to commencement of any superstructure works, detail of all external materials shall be submitted to and approved in writing by the Local Planning Authority. Details should include, but is not limited to, the following:

- (i) Brickwork (including the construction of samples on site for inspection);
- (ii) Balustrade systems;
- (iii) Entrances and signage;
- (iv) Windows, doors and louvres; and
- (v) Parapets.

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

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

6 NONSC Accessible Units

Prior to commencement of above ground works, details showing the standard to which the accessible living units have been sized and designed shall be submitted to and approved in writing by the Local Planning Authority.

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

REASON

To ensure that genuinely accessible units are provided, in accordance with Policy D5 of the London Plan (2021).

7 NONSC Accessible External Areas

Prior to commencement of above ground works, the following shall be submitted to and approved in writing by the Local Planning Authority.

- (i) Details of the materials palette, together with a methodology statement, demonstrating that all external areas would be accessible to older and disabled people, including wheelchair users, installed in accordance with the tolerances set out in BS8300:2018.
- (ii) Details demonstrating that all amenity areas are fully accessible to all.

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

REASON

To ensure that accessible amenity space is provided, in accordance with Policies DMHB 12 and DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) and Policy D5 of the London Plan (2021).

8 NONSC Evacuation Lift

The 1 no. evacuation lift to be provided as per document reference 'Responses to Access Officer Comments (Dated 11th March 2022)' shall be designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999.

REASON

To ensure that safe, reliable and dignified means of escape for all building users is provided in accordance with Policies D5 and D12 of the London Plan (2021).

9 COM8 Tree Protection

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

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be

submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

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

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020)

10 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990

11 COM9 Landscape Scheme

Prior to commencement of above ground works, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Heathrow Airport Ltd, Ministry of Defence and Network Rail. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100), ensuring no net loss of trees

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate, including pollution absorbing trees and species which maximises ecological value

2. Details of Hard Landscaping

2.a Refuse Storage (including details on food waste arrangements)

2.b Cycle Storage, demonstrating provision of:

- 2 no. long stay spaces for the commercial units;

- 376 no. long-stay spaces and 60 no. cycle storage lockers for shared-living units; and

- 8 no. short-stay cycle parking spaces within the public realm.

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts, demonstrating provision of 12 no. car parking spaces as follows

- 1 no. accessible car parking spaces for West Site residential units (in addition to the 8 no. accessible car parking spaces located in the residential undercroft car park outside of the application site).

- 3 no. accessible car parking spaces for East Site shared living units, including:

- 1 no. car parking space served by an active rapid electrical charging point;

- 2 no. car parking spaces served by passive electrical charging points;

- 4 no. car parking spaces for the West Site commercial units, including:

- 1 no. car parking space served by an active electrical charging point;

- 3 no. car parking spaces served by passive electrical charging points;

- 4 no. car parking spaces for the East Site commercial units, including:

- 1 no. car parking space served by an active rapid electrical charging point;

- 3 no. car parking spaces served by passive electrical charging points;

2.e Hard Surfacing Materials

2.f External Lighting (taking into account that any lighting must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains)

2.g Other structures

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Urban Greening Factor

5.a The Urban Greening Factor score should be confirmed as part of a stand-alone drawing with calculations attached. This should include:

- A masterplan that is colour-coded according to hard and soft landscape surface cover types; and

- A completed Urban Greening Factor table.

- Details should show that an Urban Greening Factor score of at least 0.56 is achieved as part of the development.

6. Other

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

6.b Proposed finishing levels or contours

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

N.B. Any landscaping should be carefully designed to minimise its attractiveness to hazardous 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/policy-campaigns/operations-safety/>)

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies DMHB 11, DMHB 12, DMHB 14, DMT 2, DMT 6 and DMEI 1 of the Hillingdon Local Plan: Part 2 (2020) and Policies G1, G5 and T6 of the London Plan (2021).

12 NONSC Living/Green Roof/Wall Details

Prior to commencement of any above ground work, details of living/green roofs shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence and Heathrow Airport Ltd. This shall include either:

- a) Details and plans identifying the inclusion of living/green roofs/walls, alongside:
 - i) Method of construction;
 - ii) Schedule of framework materials;
 - iii) Schedule of the species to be planted, method of planting, height and spread at planting and growth projections;
 - iv) An ongoing management and maintenance regime to include irrigation methods and an inspection programme to allow dead or dying plants to be identified and replaced.

The living/green walls shall thereafter be constructed and retained in accordance with the details submitted in perpetuity and shall not be removed or altered without the prior written consent of the Local Planning Authority.

REASON

To ensure that the landscaped areas are retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies DMHB 11, DMHB 14 and DMEI 1 of the Hillingdon Local Plan: Part 2 (2020).

13 NONSC Podium Deck and Roof Terrace Boundary Treatment

Prior to commencement of above ground works, detail of the boundary treatment for the proposed first floor podium deck communal amenity space and the 8th floor roof terrace hereby approved shall be submitted to and approved in writing by the Local Planning Authority which includes details of set backs from the edge of all roof gardens to prevent access to the very edge of all amenity areas.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan Part 2 (2020) and to ensure a satisfactory external amenity space environment is achieved, in accordance with Policy D14 of the London Plan (2021).

14 NONSC Wind Screen Details

Prior to commencement of above ground works, details of the wind mitigation measures outlined in approved document reference 'RWDI #2100965 Rev. C Pedestrian Level Wind Desk-Based Assessment (Dated July 2021)' shall be submitted to and approved in writing by the Local Planning Authority. This should include details of landscaping for the elevated amenity areas. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To ensure that the development provides an appropriate wind environment for the residential amenity areas, in accordance with Policies DMHB 10, DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part 2 (2020).

15 NONSC Parking Management and Allocation Plan

Prior to occupation of the development, a Parking Management and Allocation Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall detail the following:

- (i) The arrangements for all parking onsite and include provisions for managing, monitoring, enforcement and review. All on-site parking spaces shall be solely for the use by future residents of the development hereby approved and shall not be used for any other purpose of leased/sub-let.
- (ii) A Parking Design and Management Plan to ensure that one additional disabled persons parking space could be provided for use by the commercial unit in future upon request as soon as existing provision is insufficient.

The approved plan shall be implemented as soon as the development is brought into use and shall remain in place thereafter. Any changes to the plan shall be agreed in writing by the Local Planning Authority.

REASON

To ensure the appropriate operation of the car parks and prevention of inappropriate/informal parking from taking place by users of the site, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020).

16 NONSC Delivery and Servicing Plan

Prior to the occupation of development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This should accord with Transport for London's Delivery and Servicing Plan Guidance. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure appropriate servicing of the site, to safeguard highway safety and to safeguard the free flow of traffic, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020) and Policies T3 and T7 of the London Plan (2021).

17 NONSC Construction Management and Logistics Plan

Prior to the commencement of works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Ministry of Defence and Network Rail). This plan shall detail:

- (i) The phasing of the works;
- (ii) The hours of work;

- (iii) On-site plant and equipment;
- (iv) Measures to mitigate noise and vibration;
- (v) Measures to mitigate impact on air quality;
- (vi) Waste management;
- (vii) Site transportation and traffic management, including:
 - (a) Routing;
 - (b) Signage;
 - (c) Vehicle types and sizes;
 - (d) Hours of arrivals and departures of staff and deliveries (avoiding peaks times of day)
 - (e) Frequency of visits;
 - (f) Parking of site operative vehicles;
 - (g) On-site loading/unloading arrangements; and
 - (h) Use of an onsite banksman (if applicable).
- (viii) The arrangement for monitoring and responding to complaints relating to demolition and construction
- (ix) Crane Management Plan.

This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document). It shall cover the entirety of the application site and any adjoining land which will be used during the construction period. It shall include the details of cranes and any other tall construction equipment (including the details of obstacle lighting).

The construction works shall be carried out in strict accordance with the approved plan.

REASON

To safeguard the amenity of surrounding areas and to ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and local air quality, in accordance with Policies DMT 1, DMT 2 and DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) and Policies D14, SI 1, T4 and T7 of the London Plan (March 2021).

18 NONSC Air Quality Emission and Exposure Mitigation Plan

Prior to commencement of above ground works, a clear and effective plan for air quality emission and exposure reduction plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be restricted to:

- a) Effective ways to encourage and enable residents and employees to use the cleanest vehicles possible (Euro 6/VI or cleaner (e.g. electric) and or use sustainable modes of travel. These should be listed as conditions in any future sustainable procurement procedures either during sale or lease of the premises and target the occupier(s) of the site.
- b) Design and implementation of green roofs/walls.
- c) Electric vehicle charging infrastructure. This is to be implemented as part of the proposal with the minimum requirements as per the London Plan (2021).

Measures to support and encourage modal shift, will include but be not restricted to incentives for residents and employees to use public transport to reduce their car ownership. The measures in the agreed scheme shall be maintained throughout the life of the development.

REASON

To reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local

Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021) and paragraph 174 of the National Planning Policy Framework (2021).

19 NONSC Non-Road Mobile Machinery

All Non-Road Mobile machinery (NRMM) of net power of 37kW and up to and including 560kW used during the demolition, site preparation and construction phases shall comply with the emissions standards set out in chapter 4, proposal 4.2.3.a of the London Environment Strategy. Unless it complies with the standard set out in the London Environment Strategy, no NRMM shall be onsite, at any time, whether in use or not, without the prior written consent of the LPA. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register <https://nrmm.london/>

REASON

To comply with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021) and paragraph 174 of the National Planning Policy Framework (2021).

20 NONSC Bird Hazard Management Plan

Prior to commencement of above ground works, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Ministry of Defence and Heathrow Airport Ltd. The submitted plan shall include details of:

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>).

The Bird Hazard Management Plan shall be implemented as approved on completion of the development 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 roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, to accords with the requirements of Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

21 NONSC Sustainable Water Management

Prior to commencement (excluding demolition and site clearance), a scheme for the provision of sustainable water management in line with the approved document reference '5269-WAL-ZZ-SW-PS-D-0300-R1 Below Ground Drainage Philosophy Statement (Dated July 2021)' shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Sustainable Drainage features:

i. Surface water discharge - the submitted drainage strategy must identify the proposed

method and location of discharging collected surface water from the site in accordance with the hierarchy set out in Policy SI 13 of the London Plan (2021). Where the proposal does not utilise the most sustainable solution, justification must be provided. Any proposal that includes a connection to a private sewer network should provide details of the condition and ownership of the entire drainage route to a public sewer or ordinary watercourse.

ii. SuDS - the submitted drainage strategy should incorporate Sustainable Drainage System (SuDS) elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that control water at source and provide wider biodiversity, water quality and amenity benefits.

iii. Runoff rates - surface water discharge from the site must be no greater than greenfield runoff rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change, with a peak flow rate of 3.1l/s for the 'West Site', 1.4l/sec for the 'East Site' and 4.5l/s for East and West Sites combined.

iv. Drainage calculations - include calculations to demonstrate that the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.

v. Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and include details on flow paths, depths and velocities. Safe access and egress for the site must be demonstrated.

b) Long-term management and maintenance of the drainage system.

i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.

ii. Include details of the necessary inspection regimes and maintenance frequencies.

c) Minimise water use.

i. incorporate water saving measures and equipment.

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

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

REASON

To ensure that surface water run off is controlled and to ensure the development does not increase flood risk, in compliance with Policy EM6 of the Hillingdon Local Plan: Part 1(2012), Policy DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020), Policy SI 12 and SI 13 of the London Plan (2021), the National Planning Policy Framework (2021); and Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

22 NONSC Contaminated Land

(i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (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 the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A final detailed desk-top study report which characterises the site and provides information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

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

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

(d) A written method statement providing details of a suitably selected and designed gas protection scheme, and how validation and verification of the scheme will be conducted and reported for subsequent agreement in writing from the LPA, No deviation shall be made from the agreed scheme without the express agreement of the LPA.

(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

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 Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

23 COM31 Secured by Design

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000 to ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London Plan (2021).

24 NONSC Written Scheme of Investigation

(i) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Greater London Archaeological Advisory Service. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

(ii) If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON

To secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020), Policy HC1 of the London Plan (2021) and Chapter 16 of the National Planning Policy Framework (2021).

25 NONSC Overheating Strategy

Prior to commencement of superstructure works, the final Overheating Strategy shall be submitted to and approved in writing by the Local Planning Authority. The submission shall demonstrate how the development will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- 2) minimise internal heat generation through energy efficient design;
- 3) manage the heat within the building through exposed internal thermal mass and high

- ceilings;
- 4) provide passive ventilation;
- 5) provide mechanical ventilation; and
- 6) provide active cooling systems.

The approved details shall thereafter be implemented and retained for the lifetime of the development.

REASON

To demonstrate that the final strategy will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy and Policy SI 4 of the London Plan (2021).

26 NONSC Noise

Prior to the commencement of above ground works, the following shall be submitted to and approved in writing by the Local Planning Authority:

1. Details of the externally mounted and vented plant and noise control measures, where necessary, associated with the operation of the development to meet the requirements of the 2016 SPD4 and BS 41425. Existing and known/consented future residential premises should be taken into account, together with any known/consented future development to suitably account for the potential for cumulative (commercial noise) effects.

2. Final details of the external noise mitigation strategy to meet the criteria within the 2016 SPD6 and BS 82337 during ADF (background) ventilation conditions. The occurrence of overheating should be minimised as far as practicable, as should any increase in external noise ingress during overheating conditions, to no more than 10 dBA above the SPD criteria. Noise from any associated building services plant should be controlled in accordance with the guidance within Figure 3-4 and Figure 3-5 of the AVO Guide.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To ensure a satisfactory living environment is achieved, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) and Policy D14 of the London Plan (2021).

27 NONSC Fire Statement

A) No development shall proceed beyond the steel/timber/concrete superstructure (including roof structure) of any building proposed until the principles of a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The statement should detail how the development proposal will function in terms of:

- i) the building's construction: methods, products and materials used, including manufacturers' details
- ii) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- iii) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- iv) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these

- v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

B) Prior to occupation of the development, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. This should be accompanied by the Building Control Decision Notice or equivalent. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

28 NONSC Communal Facilities Detail

Prior to occupation, detailed floor plans of all the internal communal spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

To ensure communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents, in accordance with Policy H16 of the London Plan (2021).

29 NONSC Piling Method Statement

No piling shall take place until a Piling Method Statement has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water and Network Rail. This should detail 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. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON

To ensure that the proposed piling, deep foundations and other intrusive groundworks does not harm groundwater resources, in accordance with Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020) and paragraph 174 of the National Planning Policy Framework (2021).

30 NONSC Network Rail Condition

Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority (in consultation with Network Rail). The works shall only be carried out in accordance with the approved details.

REASON

To safeguard railway infrastructure, in accordance with Policy T3 of the London Plan (2021).

INFORMATIVES

1 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMAV 1	Safe Operation of Airports
DMCI 4	Open Spaces in New Development
DMCI 5	Childrens Play Area
DMCI 7	Planning Obligations and Community Infrastructure Levy
DME 2	Employment Uses Outside of Designated Sites
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 7	Provision of Affordable Housing
DMHB 1	Heritage Assets
DMHB 10	High Buildings and Structures
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHB 19	Play Space
DMHB 2	Listed Buildings
DMHB 3	Locally Listed Buildings
DMHB 4	Conservation Areas
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach

LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D9	(2021) Tall buildings
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP E2	(2021) Providing suitable business space
LPP G1	(2021) Green infrastructure
LPP G4	(2021) Open space
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG1	(2021) Building strong and inclusive communities
LPP GG2	(2021) Making the best use of land
LPP GG3	(2021) Creating a healthy city
LPP GG4	(2021) Delivering the homes Londoners needs
LPP GG5	(2021) Growing a good economy
LPP GG6	(2021) Increasing efficiency and resilience
LPP H1	(2021) Increasing housing supply
LPP H16	(2021) Large-scale purpose-built shared living
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP HC1	(2021) Heritage conservation and growth
LPP HC3	(2021) Strategic and Local Views
LPP M1	(2021) Monitoring
LPP S4	(2021) Play and informal recreation
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T7	(2021) Deliveries, servicing and construction
LPP T9	(2021) Funding transport infrastructure through planning
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF7	NPPF 2021 - Ensuring the vitality of town centres

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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

4 I72 **Section 106 Agreement**

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

5 I73 **Community Infrastructure Levy (CIL) (Granting Consent)**

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

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

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

6

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 Airport Ltd Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airport Ltd 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 condition are applied to any planning permission.

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>).

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.

7

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

Drainage

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

Foundations

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

Ground Disturbance

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

Site Layout

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

Piling

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

Excavations/Earthworks

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

Demolition

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

Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings/structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service.

Plant, Scaffolding and Cranes

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

Access to Railway

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

Environmental Issues

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

Lighting

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

Safety Barrier

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

Landscaping

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Crataegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (Shrubby *Salix*), Thuja Plicatata "Zebra"

Not Permitted:

Alder (*Alnus Glutinosa*), Aspen - Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus Hispanica*).

8

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

3. CONSIDERATIONS

3.1 Site and Locality

The Keith House site measures approximately 0.9 hectares in total but has been split into East and West sites for the purposes of redevelopment. Specifically, the East Site is the focus of the application and measures 0.44 hectares in area. It currently comprises part of Keith House, a Yodel warehouse unit (Use Class B8) located to the north-east of the roundabout intersecting Dawley Road, North Hyde Road and Bourne Avenue. Residential properties are located to the east of the site along Keith Road, south-west along Bourne Avenue, Dawley Road and Waltham Avenue, and west along Guinness Close. A commercial estate is located to the south and south east of the site, comprising offices, industrial units, a hotel and the Hayes Asda Superstore.

A Strategic Industrial Location is located to the north of the application site, alongside the designated Botwell: Thorn EMI Conservation Area, Old Vinyl Factory, Grade II Listed Enterprise House, Locally Listed 'His Master's Voice' building and Locally Listed Thorn/EMI Building.

The site lies within the designated Hayes Housing Zone. Based on TfL's WebCAT planning tool, the site has a good Public Transport Accessibility Level (PTAL) rating of 4. The site also forms part of both an Air Quality Management Area and the Hayes Air Quality Focus Area.

3.2 Proposed Scheme

This application seeks permission for the demolition of the existing warehouse and re-development of the site to provide a mixed-use development, comprising flexible commercial floorspace (Use Class E(g)(ii)(research and development) and (iii)(any industrial process)) equal to 405m² GIA and 376 no. shared living units (Sui Generis) equal to 11,535m² GIA. Landscaping, amenity, parking and revised vehicle and pedestrian access is also proposed.

The 376 no. shared living units are provided as part of the proposed 9 storey building. All units are for single person occupancy but three different unit types are proposed, including Standard (16m² GIA), Standard+ (17m²) and Accessible (24m²). The proposed building would provide 59 no. Standard units, 281 no. Standard+ units and 36 no. Accessible units.

Internal communal areas and facilities are provided as part of the proposed building, totalling 1,390m² GIA. The facilities proposed include:

- Lobby and lounge;
- Laundry;
- Gym and fitness;
- Screening room;

- Community events room;
- Shared kitchens / dining areas (located at levels 01, 04 and 08).
- General events and yoga;
- Lounges;
- Library;
- Co-working space; and
- Cycle hub.

The proposed amenity space would comprise the following:

- 422m² of communal amenity space as part of a deck on the 1st floor;
- 344m² of communal amenity space as part of a terrace on the 8th floor;
- 523m² of internal communal amenity space on the ground floor;
- 727m² of internal communal amenity space on the 1st floor; and
- 155m² of internal communal amenity space on the 8th floor.

The above amenity space totals 2,171m².

A further 570m² of public open space is also proposed to be provided at ground level within the central mews of the site.

The shared living development is proposed to be 'car-light'. The car and cycle parking provision is summarised as follows:

- 4 no. standard car parking spaces for the West Site commercial units;
- 4 no. standard car parking spaces for the East Site commercial units;
- 1 no. blue badge space for the West Site residential development;
- 3 no. blue badge spaces for the East Site shared living development;
- 2 no. long stay cycle parking spaces for the East Site commercial units;
- 376 no. long stay cycle parking spaces for the shared living development; and
- 60 no. cycle storage lockers for folding bicycles for the shared living development.

3.3 Relevant Planning History

27189/APP/2020/2181 Keith House North Hyde Road Hayes

Demolition of the existing retail warehouse and re-development of the Site to provide a mixed-use development comprising 150 residential units (Use Class C3) and flexible commercial floorspace (Use Class B1b/B1c), within two development blocks, with associated amenity areas, landscaping, car parking and all ancillary and enabling works.

Decision: 11-03-2021 Approved

Comment on Relevant Planning History

Application reference 27189/APP/2020/2181 relates to the west side of the Keith House site and sought planning permission for the demolition of the existing retail warehouse and re-development of the site to provide a mixed-use development comprising 150 residential units (Use Class C3) and flexible commercial floorspace (Use Class B1b/B1c). This was recommended for approval at the Major Applications Planning Committee on 11th March 2021 and is currently subject to a Section 106 legal agreement process.

4. Planning Policies and Standards

Development Plan

Planning law requires that applications for planning permission be determined in

accordance with the development plan, unless material considerations indicate otherwise.

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

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment
PT1.E1 (2012) Managing the Supply of Employment Land
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM4 (2012) Open Space and Informal Recreation
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.HE1 (2012) Heritage

Part 2 Policies:

DMAV 1 Safe Operation of Airports
DMCI 4 Open Spaces in New Development
DMCI 5 Childrens Play Area
DMCI 7 Planning Obligations and Community Infrastructure Levy
DME 2 Employment Uses Outside of Designated Sites
DMEI 10 Water Management, Efficiency and Quality
DMEI 12 Development of Land Affected by Contamination
DMEI 14 Air Quality
DMEI 2 Reducing Carbon Emissions
DMEI 7 Biodiversity Protection and Enhancement
DMEI 9 Management of Flood Risk

DMH 7	Provision of Affordable Housing
DMHB 1	Heritage Assets
DMHB 10	High Buildings and Structures
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHB 19	Play Space
DMHB 2	Listed Buildings
DMHB 3	Locally Listed Buildings
DMHB 4	Conservation Areas
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D2	(2021) Infrastructure requirements for sustainable densities
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP D8	(2021) Public realm
LPP D9	(2021) Tall buildings
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP E2	(2021) Providing suitable business space
LPP G1	(2021) Green infrastructure
LPP G4	(2021) Open space
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG1	(2021) Building strong and inclusive communities

LPP GG2	(2021) Making the best use of land
LPP GG3	(2021) Creating a healthy city
LPP GG4	(2021) Delivering the homes Londoners needs
LPP GG5	(2021) Growing a good economy
LPP GG6	(2021) Increasing efficiency and resilience
LPP H1	(2021) Increasing housing supply
LPP H16	(2021) Large-scale purpose-built shared living
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP HC1	(2021) Heritage conservation and growth
LPP HC3	(2021) Strategic and Local Views
LPP M1	(2021) Monitoring
LPP S4	(2021) Play and informal recreation
LPP SI1	(2021) Improving air quality
LPP SI2	(2021) Flood risk management
LPP SI3	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T7	(2021) Deliveries, servicing and construction
LPP T9	(2021) Funding transport infrastructure through planning
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF7	NPPF 2021 - Ensuring the vitality of town centres

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 2nd September 2021

5.2 Site Notice Expiry Date:- 17th September 2021

6. Consultations

External Consultees

A site notice was displayed to the front of the site, letters were sent to neighbouring properties (totalling 396 no. consultees) and an advert was posted in the local paper. All forms of consultation expired on 17th September 2021. A total of 8 comments in support of and two objections against the application have been received from residents. These are summarised as follows:

- Hayes is becoming overcrowded and utilities are being put under strain.
- The development should be utilised as green space instead to support the sustainability agenda.
- Strangers living in such close proximity to each other and sharing communal services has the potential for conflict and could add pressure to an already stretched police force.
- The development meets a required need within the area.
- The development would benefit the local community.
- The community investment plan is setting up long term partnerships with local health care providers, community groups, charities, training and higher education organisations, to make sure that this proposal has a long term benefit.
- The development would provide local work experience/employment.
- The development could facilitate beneficial training programmes.
- There is no purpose-built co-living housing locally and this type of accommodation, marketed to local people first, provides a much greater choice for those who don't want to rent from the traditional private rented sector, or buy.

PLANNING OFFICER COMMENT:

With regard to infrastructure concerns, it should be noted that the proposal includes a number of financial contributions to support local infrastructure, including highways improvements, public open space and health infrastructure.

With regard to potential conflict between future residents, it is noted that the shared living model is established as an acceptable form of development and residence, subject to compliance with the criteria outlined under Policy H16 of the London Plan (2021).

LONDON FIRE BRIGADE:

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

The London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and have no further observations to make. It should be ensured that if any material amendments to this consultation is proposed, a further consultation may be required.

If there are any deviations from the guidance in ADB) vol 1 and 2: B5 Access and facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office (water@london-fire.gov.uk) to discuss the proposed provision.

If there are any deviations to Brigade access and facilities then this information needs to be provided to Fire Safety Regulation (FSR-AdminSupport@london-fire.gov.uk) to review the proposed provision.

Any queries regarding this letter should be addressed to FSR-AdminSupport@london-fire.gov.uk. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

CROSSRAIL SAFEGUARDING:

Thank you for your letter dated 21 July 2021 requesting the views of the Crossrail on the above application. I confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.

THAMES WATER:

Waste Comments

FOUL WATER network capacity - No objection. Thames Water are aware of some network constraints in the vicinity of the proposed development. We are however confident that should the planning application be approved, any investigations to understand the network performance in more detail and if required, associated upgrades can be delivered in time to serve the development. We will therefore not be seeking a planning condition relating to foul water network matters.

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

Water Comments

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

HEATHROW AIRPORT LTD:

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

Submission of a Bird Hazard Management Plan

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

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>).

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 development in order 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 Airport Ltd Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airport Ltd 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 like to make the following observation:

Cranes

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

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.

NETWORK RAIL:

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

Drainage

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5m of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage is not to show up on Buried service checks.

Foundations

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

Ground Disturbance

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

Site Layout

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

Piling

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

Excavations/Earthworks

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

Demolition

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

Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings/structures belonging to the National Federation of Demolition Contractors. This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service.

Plant, Scaffolding and Cranes

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

Access to Railway

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

Environmental Issues

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

Lighting

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

Safety Barrier

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

Landscaping

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted:

Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry (*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Cretaegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (*Shrubby Salix*), Thuja Plicatata "Zebrina"

Not Permitted:

Alder (*Alnus Glutinosa*), Aspen - Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus Hispanica*).

NATIONAL AIR TRAFFIC SERVICES:

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

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE:

The planning application lies in an area of archaeological interest.

If you grant planning consent, paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

Although this application does not lie within an Archaeological Priority Area or Zone it may have some archaeological interest. The West London gravels and brickearth produced large numbers of Palaeolithic (Old Stone Age) stone tools and flakes when they were quarried by hand in the 19th and early 20th centuries. Archaeological investigation both at the time and subsequently indicate that rare insitu sites may exist within and at the base of the brickearth where ancient land surfaces have been buried and protected. Recorded finds from Hayes show potential for such discoveries in this area where the brickearth has not been quarried away. Consideration of the historic maps and geotechnical investigation show that the site has not been quarried and that brickearth is present across the site. Foundations for the proposed development could therefore harm remains of archaeological interest.

I also note that the site lies at the southern end of the historic hamlet of Dawley. However, this hamlet will have been heavily impacted by modern development and is unlikely to have sufficient survival to be of archaeological interest.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. I therefore recommend attaching a condition as follows:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site

which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

I envisage that the archaeological fieldwork would comprise the following:

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

Stage 1 of the evaluation would involve the excavation of stepped test pits to the base of the Langley Silt (brickearth) to sift deposits for lithics and examine/same the geo-archaeological sequence. If the test pits confirm the site's archaeological potential then further investigation would be necessary.

MINISTRY OF DEFENCE:

The application site falls within the aerodrome height (91.4m) and birdstrike statutory safeguarding zones surrounding RAF Northolt, lying approx. 5.7 km South from the airfield.

Aerodrome Height safeguarding zone

The proposed development site occupies the statutory height safeguarding zone which ensures air traffic approaches are not impeded.

The airspace above and around aerodromes is safeguarded to maintain an assured, obstacle free environment for aircraft manoeuvre.

Having reviewed the proposal, I can confirm the MOD has no concerns regarding the height of the proposed development.

Birdstrike safeguarding zone

Within this zone, the principal concern of the MOD is the creation of new habitats may attract and support populations of large and / or flocking birds close to aerodromes.

The principal concern of the MOD with this development is the proposed large flat roof with photo voltaic arrays and other roof furniture, as well as a roof terrace with provision of seating and outdoor eating areas.

The flat roof with solar panels has the potential to attract and support breeding large gulls and feral pigeons. In this respect the underside of the panels should be netted to the roof, with no access for feral pigeons to the support frames.

The MoD recommend a flat roof Bird Hazard Management Plan (BMP) be put in place to prevent the breeding of large gulls and feral pigeons, as follows:

The BMP should make a provision for the site managers to undertake/organise bird control (using appropriate licensed means) which would address any population of gulls, feral pigeons or other bird species occupying the flat roofs which are considered by the MOD to be a hazard to air traffic using RAF Northolt, to disperse as many as necessary in order to prevent them from successfully breeding at the site.

To facilitate this, it will be necessary to ensure the roofs are accessible for personnel engaged in the bird control activities.

In summary, subject to the above BMP being included as a conditional requirement as part of any planning permission granted to prevent successful breeding by gulls and Feral Pigeons and there is effective proofing of the solar panels to prevent access for Feral Pigeons, the MOD maintains no safeguarding objection to this application.

I would be grateful if you could confirm receipt of this letter and confirm that a relevant condition covering the MOD's requirements 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 and Military Explosives Storage Areas, if London Borough of Hillingdon Council decides to grant planning permission contrary to our advice then we must be notified 28 days prior to a decision being made.

HAYES TOWN PARTNERSHIP:

I am writing on behalf of the Hayes Town Partnership in response to the application to redevelop part of the site of Keith House in North Hyde Road Hayes currently occupied by Yodel Delivery Network Limited. The site is just outside our boundary and we were not formally consulted but the development is significant for the Town Centre and we are therefore taking the opportunity to comment.

The Partnership is a multi-agency body set up by the Council to help regenerate the area. Besides the Council our members include Hillingdon Police, Hayes Town Business Forum, Hillingdon

Chamber of Commerce, Uxbridge College and Brunel University plus a number of major employers and developers. This response is from the Partnership as a whole and does not purport to represent the corporate view of the Council or any of the other individual partners who may make their own submissions.

Principle of redevelopment

The Partnership recognises and accepts that this site is suitable for a mixed-use development because of its strategic position close the Hayes & Harlington Station, the need for local housing and the concept of a Hayes Housing Zone. However, it regrets the loss of local jobs and is concerned that the continuing loss of employment land in and around Hayes Town is reducing job opportunities for local people. It therefore requests the developers and the Council to explore as part of a Section 106 Agreement the extent to which the new jobs created by the development can take account of the skills set of the local population.

Shared living

The Partnership supports the concept of a development that will provide shared living as part of the accommodation options available in Hayes Town. All the recent and proposed housing developments in Hayes are outside the price range of existing local residents, even taking into account the proportion required to be at so-called affordable rents. Shared living provides a form of housing that is genuinely more affordable and also gives an opportunity for single people to find somewhere to live.

Key workers

The Partnership has held a number of discussions with the applicants and has noted the intention to ensure that the availability of the new accommodation is made known to local employers who employ key workers. As a result of high house prices and rental levels in Hillingdon there is a real and pressing need for this kind of provision. We have provided contacts for a number of bodies including Hillingdon Hospital, the Global Academy, Uxbridge College and Brunel University and we consider that the commitment to assist them in securing housing for their staff should be incorporated into a legal agreement.

Care leavers

We had early discussions with the applicants about the concept of providing a number of units for young people leaving care. There is a severe shortage of move-on accommodation for this group of clients and we believe that this is an excellent proposition. Again, we suggest that it should be formalised.

Car parking

We understand and accept that shared living developments do not provide car parking spaces and rely on residents to use bicycles and public transport. However, there is a need for a legally enforceable mechanism to ensure that residents of the new development do not have cars which they park on adjoining roads to the detriment of existing residents.

Bicycles

The emphasis in the Design and Access Statement on cycling is noted and welcomed as a contribution towards tackling the traffic congestion and poor air quality in the Hayes area. However, we consider that the applicants have not given sufficient attention to the road safety dangers presented to cyclists leaving the site to proceed north on Dawley Road over the very narrow

carriageway across Bournes Bridge. We suggest that a Section 106 contribution should be sought towards the cost of finding a solution to this problem.

Grand Union Canal

There is an increasing recognition of the contribution of waterways to good physical and mental health. Although the site does not directly abut the Grand Union Canal its role as a green corridor is fully acknowledged in the Design and Access Statement. The towpath is also part of the local cycling network

The Canal and River Trust already has action in hand to improve the towpath from Bulls Bridge in Hayes to West Drayton for both cyclists and pedestrians but the section through Hayes Town is not yet fully funded. The Partnership would welcome a financial contribution from the developers to this project.

Community Investment Programme

The concept of a Community Investment Programme is supported and the applicants have shared a copy of the draft with the Partnership. There are various small community groups in Hayes which do not have their own premises and free use of the new facilities for meetings and events would not only meet a local need but would also help bring the community together. Other parts of the Programme such as youth engagement and volunteering will assist in addressing other local needs.

It is not clear what status the Programme will have and whether it will be referenced in the Section 106 Agreement. In the Partnership's view a mechanism needs to be found to ensure that the commitment to provide space for community use is specified in a meaningful way so that it can be sustained in the future.

Commercial space.

As this is a mixed-use development the Partnership expects the proposals for the use of the commercial space to be robust enough to ensure that the uses are viable and also take account of the need to provide job opportunities that reflect the skills sets of local people.

Employment and training

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

Housing provision

The kind of housing to be provided does not lend itself to the normal arrangements for an allocation of units to the local authority and the Partnership supports the principle of an agreed level of financial contribution in its place.

Impact on local infrastructure

The main concern of the Partnership about granting approval to another housing development in Hayes continues to be the added pressure that this will put on local infrastructure. In the absence of an overall plan for Hayes Town Centre it is important that the contribution from the developers by means of the Community Infrastructure Levy will be used to help address the pressures generated by this development on key areas such as the local health services.

Conclusion

Subject to the satisfactory resolution of the points set out above the Partnership supports this proposal.

PLANNING OFFICER:

It should be noted that a comprehensive package of highway improvement works has been agreed with the applicant and is considered acceptable by the Council's Highways Officer. If recommended for approval, these works would be secured by Section 106 legal agreement.

Paragraph 57 of the NPPF (2021) states that planning obligations must only be sought where they meet all of the following tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Based on the location of the site and nature of the development proposed, it is not considered that a financial contribution to the improvement of the Grand Union Canal towpath would be necessary, directly related or reasonable in scale and kind to the development.

Internal Consultees

PLANNING POLICY OFFICER (September 2021 - these comments may not reflect the latest revisions):

Principle of Development

This application proposal is for a mixed-use scheme comprising 376 (11,535m² GIA) shared living units with 405m² of commercial (Class E) floorspace on the ground floor. It will occupy the eastern part of the site with a separate application for a conventional residential-led mixed-use scheme on the western half of the site. A total of 1,390m² will be provided as internal communal areas, including a lobby, laundry, gym and fitness, shared kitchens/ dining areas and a community events room.

Loss of Employment

The loss of the existing warehouse on the site has already been accepted in principle by the resolution to grant on the western part of the site. However, the relevant planning policies refer to loss of non-designated employment land which remains the use of the existing site.

Assessing the application on this basis of the evidence provided in support of the application the following could be concluded:

Local Plan Policy DME2 - the approval of a mixed use development on the adjacent site would mean that the continuation of industrial uses on this site would impact negatively on neighbouring amenity. It has also made the site unsuitable for employment re-use due to its size, location and access.

The assessment above together with evidence submitted by the application has also demonstrated that there is no realistic prospect of the site being re-used for industrial purposes as required by DME2 (iii) and London Plan E7 (C).

The proposed E class business space has also been assessed as suitable for the proposed employment use in accordance with London Plan policy E2 (B). The new business space will support a similar number of jobs to those currently provided on the site when combined with the provision of the western part of the site which has already been approved subject to a legal agreement.

Proposed Large Scale HMO

The proposed development would provide 376 shared living units (Sui Generis) in a single large block. Such provision is not a conventional form of housing and falls outside the affordable housing and space standard policies that apply to C3 dwellings. Policy DMH5 of the Local Plan Part 2 does set requirements for large scale HMOs in the borough, which includes the need for the location to have good accessibility to local amenities and public transport, for proposals to accord with Accessible Homes standards and provide satisfactory living conditions for intended occupiers and for there to be no adverse impacts on the amenity of neighbouring properties or the character of the area. Policy H16 of the London Plan also sets series of criteria for assessing large scale shared living proposals of 50 or more units. The London Plan (2021) notes that this type of housing can provide an option for single-person households who cannot or choose not to live in self-contained homes or HMOs.

The focus of policies DMH5 and H16 are that purpose-built shared living accommodation should provide a good standard of living for future occupiers, be well managed and integrate with its surroundings. In addition, policy H16 also sets out requirements for the provision of affordable housing. The first and last of these issues is the focus of these comments. In terms of the other policy criteria the application these have been assessed as followed:

- It is under single management - this is proposed and would be secured by legal agreement.
- Minimum tenancy length of three months - to be secured by legal agreement
- Management Plan - this has been received and compliance can be secured by legal agreement

Turning first to the standard of living to be provided for future occupiers, the Council has concerns regarding the quantum and accessibility of the proposed communal areas within the proposed development and whether this would be sufficient to enable convenient access and regular social interaction. This links to a second concern that the limited availability of such facilities would result in residents occupying their shared living units more as self-contained homes than bedrooms. Given their limited size, this would not result in acceptable living conditions for future occupiers.

The applicant has stated that the proposed shared living units will have a floor area of between 16m² and 24m², including an ensuite shower room and a kitchenette. In addition to the facilities in their rooms, residents will also have access to communal areas, including lounges, 25 stations 'master chef' kitchen, two private dining areas, an events space, laundry, library/ study area, and gym. The current layout of the proposed development shows that nearly all of these internal communal spaces will be on the ground and first floors. The planning statement does refer to a communal kitchen having been added on the 8th floor; however, the proposed plans of the 8th floor does not show such provision:

- (Z_(00)_P108) does not reference kitchen uses
- (C_(00)_P108) reference kitchen facilities but does not show any.

The location and quantum of the communal areas remain a matter of concern. At present, there will be six floors of the development, each with approximately 55 shared living units where there is no communal provision. Therefore, all these residents are expected to make use of the central facilities on the first and ground floors to benefit from the shared living experience. Given that many units would be some distance from these communal areas, including the only shared kitchen facility, it is considered that in this scenario, most residents would need to rely on the facilities provided in their rooms to meet their day-to-day needs. In addition, the scale of the communal provision relative to the number of units is also a concern. For example, the shared kitchen would provide 25 cooking stations, which, when divided by the number of units, equates to 15 residents per station. The practicalities of how such a level provision would allow residents to regularly cook one or two meals a day outside of their unit are questioned. Similarly, many other communal spaces, such as the private dining areas, would need to be booked in advance or provide specific activities such as the gym, limiting their general availability to residents who wish to interact outside of their rooms.

The applicant has sought to explain that the proposed layout is based on the experience of other developments in their portfolio where residents have stated a preference for single larger spaces that encourage a greater degree of mixing between residents and enable easier management/cleaning of such areas. These comments are noted; however, without third party evidence, it is difficult to determine the success of this approach independently. The focus for the Council must therefore be on ensuring that the communal facilities will provide residents with a practical, accessible and sociable alternative to using the facilities in their units so as they do not operate in all other ways like self-contained units. The Council has researched other examples of large-scale HMOs in other London boroughs. It is common for communal facilities, especially lounges and kitchens, to be shared between a smaller cluster or floor of units (e.g. Ealing 190312FUL). Noting that there would be over 50 units on most floors, such an approach in this instance would seem to offer a better balance between social mixing and ensuring the communal facilities provide residents with a genuine alternative to spending a substantial amount of time in their unit.

Based on the issues summarised above, the concerns remain that the proposed development, by virtue of the scale, location and availability of the communal provision and the limited size of the shared living units, would not provide adequate living conditions for future occupiers. This would be contrary to policies DMH5 and H16.

Affordable Housing

London Plan policy H16 sets out the affordable housing requirements. The proposal should deliver upfront cash in lieu payment or an in perpetuity annual payment to the local authority. In both cases, where the development is on industrial land, the contribution should be equivalent to 50% of units provided at a discount of 50% of the market rent. Schemes which do not meet the relevant threshold are subject to the viability route.

The applicant has submitted an FVA that shows that the scheme is in deficit and would not deliver any form of payment in lieu of affordable housing. This information is being independently reviewed. The current absence of affordable housing provision (subject to viability) weighs significantly against the scheme. A late-stage viability review would be required for any scheme that does meet the affordable housing threshold.

Meeting Housing Needs

In terms housing delivery, paragraph 4.1.9 of the London Plan (2021) identifies that non self-contained communal accommodation would count towards meeting housing targets based on a 1.8:1 ratio of rooms to homes. On this basis the proposed scheme would equate to 208 units of conventional housing. This is significant number for a windfall site and a positive benefit of the scheme in terms of overall housing delivery on a windfall site. However, the proposed rooms would not contribute to the provision of three bed plus family homes for which the SHMA demonstrates a significant need (50% of new homes) which does not weigh in favour of the scheme.

Summary

An assessment of the scheme against the development plan as a whole and any other relevant material considerations would need to balance conflict against the potential benefits. These comments have highlighted areas of concern regarding the lack of communal amenity space, affordable housing and family-sized units which require further discussion with the applicant.

PLANNING OFFICER:

The above matters are discussed in detail within the main body of the report. In particular it should be noted that the concerns raised have either been addressed by the applicant or are now

addressed through legal obligations or planning conditions.

Specifically, it should be noted that revised drawing references C_(00)_P101 Rev. P02, C_(00)_P104 Rev. P01 and C_(00)_P108 Rev. P01 show the communal kitchen provisions. The DAS Addendum: Communal Amenity Provision also shows this in more detail.

PLANNING POLICY OFFICER FOLLOW-UP (February 2022):

Affordable Housing Payment in Lieu

London Plan policy H16 sets out the affordable housing requirements. The proposal should deliver upfront cash in lieu payment or an in perpetuity annual payment to the local authority. In both cases, where the development is on industrial land, the contribution should be equivalent to 50% of units provided at a discount of 50% of the market rent. Schemes which do not meet the relevant threshold are subject to the viability route.

The applicant submitted an FVA that concluded the proposed development would be in deficit by just over £3 million and could not viably support the provision of any affordable housing.

This FVA was independently reviewed, and due to areas of divergence, particularly concerning the viability benchmark of the existing land value and the potential yield of the shared living development (4.25% compared to 4.75%), a surplus of £1,971,946 was agreed as the maximum affordable housing contribution. However, in line with policy, this amount would be subject to a Late-Stage review to take account of changes in costs and values during the build process. Due to the restrictions of their funding model, the applicant has requested that the requirement for a Late-Stage review be removed. Officers sought advice on a range of different rental growth scenarios to take account of likely rental growth scenarios over the construction period of the development. Based on an anticipated 5% increase in rental values, there would be an uplift in the anticipated surplus available for affordable housing to £4,130,683. However, to accord with the guidance for review mechanisms set out in the Mayor's Homes for Londoners Supplementary Planning Guidance, the surplus would be split between the Council and the Developer 60/40. Therefore, taking a 60% share of the difference between £1,971,946 and £4,130,683, the amount payable under the review mechanism would be £1,295,242. Thus, to secure the removal of the review mechanism, the applicant has agreed to an affordable housing payment in lieu of £3,267,188 (£1,971,966 + £1,295,242). This contribution is agreed as the maximum reasonable amount of affordable housing provision from this site. It should be secured via the S106 Legal Agreement to be spent on providing affordable housing within the Borough's administrative area.

HOUSING OFFICER:

As a Mixed Use Development with sui generis shared living units which are not recognised in the London Borough of Hillingdon Local Plan. There are no C3 residential units & so no requirement for traditional affordable housing to be provided on the site although the London Plan (4.16.7) notes that this form of accommodation is required to contribute to affordable housing.

The units are all small single person units ranging from 16sqm for the standard units to 24sqm for the accessible units which are more akin to student accommodation or apart hotel living the units do not meet the minimum housing space standards and are not considered suitable as a form of affordable housing. Therefore this type of development is expected to contribute towards conventional C3 affordable housing via a cash contribution in lieu of on site affordable housing. Boroughs should seek this contribution as:

a) An upfront cash in lieu payment (calculated at 50% of the market value of 50% of shared living units); or

b) An in perpetuity annual payment (calculated at 50% of the rental income on 50% of the shared living units)

In both cases the developments are expected to provide a contribution that is equivalent to 50% on public sector or industrial land to be provided at 50% of the market rent. All large scale purpose built applications will be subject to Viability Tested Route but developments that provide 50% of the units at 50% of market rent will not be subject to a Late Stage Viability Review.

Shared living is not recognised as housing in the Local Plan but it is supported by the Mayor in the London Plan and the units at a ratio of 1.8 - 1 as housing units & can be counted towards Housing Targets so this development would equate to 208 new homes.

ACCESS OFFICER:

This mixed-use development for 376 shared living units has been reviewed from an inclusive accessibility standpoint. A development of this size and scale is subject to compliance with London plan policy D1, D5, D7, D12 and T6. The following accessibility issues remain unclear

1. A convenient drop off point for door to door transport services such as Dial a Ride, taxis, and hospital transport should be incorporated.
2. An accessible parking bay should be allocated to every accessible living unit.
3. Details should be submitted regarding the standard to which the accessible living units have been sized and designed.
4. Details of the materials palette, with particular attention given to the paver types intended for use within the public realm should be submitted to ensure that compliance with the tolerances set out in BS8300:2018 can be achieved.
5. All new developments are required to ensure reliable, convenient and dignified means of escape for all building users in accordance with London Plan policy D5 and D12. Accordingly, where lift access is provided, at least one lift per stair core should be capable of being used as an evacuation lift in compliance with BS-EN-81-76. Details are required.
6. A landscaping strategy for any intended roof gardens should detail the accessibility provisions, to include pathway surfacing, seating and play space.

Conclusion: Unacceptable. Details are requested in respect of points 1-6 above.

PLANNING OFFICER:

Regarding point number 1, there are two areas for drop-off and pick-up. Plans have also been submitted to demonstrate swept path accessibility.

Regarding point number 2, it is noted that the shared living model is car free / car light, meaning that only 3 accessible car parking spaces are to be provided for shared living units. Overall, the development proposed would provide 4 standard spaces for the ground floor commercial uses and 3 accessible car parking spaces for shared living residents.

Point numbers 4 and 6 are to be secured by planning condition if recommended for approval.

Point numbers 3 and 5 are addressed by the Access Officer's follow-up comments below.

ACCESS OFFICER FOLLOW-UP:

Further clarity is requested on the following two points:

1. To what standard have the 'Accessible Living Units' been designed.
2. Detail should be submitted prior to the approval of any planning permission on how London Plan policy D5 and D12 would be met in terms of securing safe, reliable and dignified means of escape for all building users. A minimum of one evacuation lift per stair core should be provided for this building type and size.

All other design details could be secured by way of a suitably worded plan condition which specifically addresses accessibility and inclusive design.

PLANNING OFFICER:

Document reference 'Responses to Access Officer Comments (Dated 11th March 2022)' has been submitted and explains that the accessible rooms have been designed in adherence with Part M diagram 17 for a wheelchair-accessible hotel bedroom with en-suite facilities. The design of the accessible rooms has also been informed by BS 8300 (including Figure 52 - Example of an accessible bedroom with en-suite sanitary facilities), GLA Accessible Hotels in London Appendix B Draft Best Practice Guidance, London Plan (2021), and Accessible Hillingdon Supplementary Planning Document (2017). Accessible living rooms cater for a wide range of disabilities. The rooms are provided along accessible routes and located close to the lifts on the upper floors, while having equal access to views as other rooms. Internally, the rooms are provided en-suite bathrooms, with walls capable of supporting the required fittings. The rooms allow suitable manoeuvring space for mobile or ceiling hoists.

Amended plans have also been submitted to show the provision of 1 no. evacuation lift.

ACCESS OFFICER FOLLOW-UP:

No objection subject to conditions.

WASTE STRATEGY OFFICER:

A swept path analysis would be needed to demonstrate how the refuse vehicle can enter and exit from the North Hyde Road side safely to collect the bins as shown from the collection point 4 on page 134 of the service and waste strategy.

PLANNING OFFICER:

Swept Path analysis is show in the Appendices of the Transport Statement. This demonstrated sufficient access for servicing and delivery.

TREES AND LANDSCAPING OFFICER:

This site is occupied by a commercial warehouse, arranged on an east-west axis which occupies the southern half of the site, located to the north-east of the Dawley Road roundabout.

The north, south and west boundaries are defined by established wooded embankments, with the highest point in the north-west corner reflecting the rising section of Dawley Road as it approaches the road bridge over the Great Western Railway lines.

The site is currently accessed via Keith Road, which continues west, as a pedestrian link with

Dawley Road, located between the north boundary and the Great West railway lines.

The established tree-lined boundaries lie within the site boundary and screen the existing warehouse, particularly in the summertime when the trees are in leaf.

There are no TPO's or Conservation Area designations affecting the site.

Background

A masterplan has been prepared for the whole site, with Phase 1 (West) the subject of a previous application ref. 27189/APP/2020/2181. The current development proposal refers to the phase 2 site (East). The site has been the subject of pre-application discussions.

Design & Access Strategy

The D&AS describes the public realm and landscape strategy in chapter 7.0 (Parts 22-31). Seven principle landscaped areas are described and illustrated; Keith Road enhancement, Eastern Plaza, Green Edges, Garden (roof level) Terrace, Roof Terrace, Biodiverse Roof and the Mews landscape. The landscape character and typologies are specified with an illustrated range of typical hard and soft landscape materials and plants.

The scheme incorporates biodiverse and brown roofs with details intended to enhance local biodiversity (p.125 and p.127).

An Urban Greening Factor assessment (p. 126) provides a score of 0.56 compared with the GLA target of 0.4 for residential schemes. This is achieved by a combination of surface cover types including the band of existing semi-natural vegetation along the southern boundary. Proposed landscape features include intensive and extensive green roofs, tree planting and the introduction of permeable paving. The table of surface cover types includes sealed / impermeable hard surfaces which have a contributory factor of 0.

Impact on Existing Trees (Across Phases 1 and 2)

A tree report, dated July 2021, by Tim Moya Associates, has been submitted which has identified and assessed the condition and value of 25 individual trees and 7 groups. NB This report addresses all trees around the whole site (West and East phases).

At 3.4 and 3.5 the report confirms that the affected trees are generally category B specimens, due to their collective value as a single mass around the perimeter. In strict arboricultural terms they range from category B and C, although their collective landscape contribution enhances their amenity value. - There are also some lower, U grade specimens.

No 'A' grade trees were identified.

15 individual trees are B category; (T2 hornbeam, T8 Norway maple, T14 Norway maple, T15 Norway maple, T17 Norway maple, T18 Norway maple, T19 Norway maple, T21 London plane, T22 London plane, T23 Norway maple, T24 Norway maple, T25 London plane, T26 sycamore, T27 Norway maple and T28 Norway maple) and 5 groups; (G30, G33, G34, G35 and G36) Category C trees include; 9 individual trees and 2 groups category.

There are also 5 category 'U' trees whose poor condition indicates that they should be removed for sound arboricultural management reasons.

(According to the recommendations of BS5837:2012, 'B' grade trees should be retained if possible

as part of a new development. While less weight is normally attached to 'C' grade trees, on this site the group / cumulative value of these lower value trees is enhanced due to their contribution as a visual screen and to the local established green infrastructure.)

The tree removal strategy and arboricultural impact assessment is described in chapter 5.

To enable the development, 10 individual trees will be removed; T1,T2,T3,T5,T11,T12,T13,T26,T27,T28, including 4 x B, 3 x C and 3 x U category trees.

Four groups will be affected; G30 B grade (part), G31 C grade(all), G35 B grade (part) and G36 grade B (all).

Impact on Trees (Across Phase 2: East)

With regard to the current proposal, selected trees along the southern / North Hyde Road boundary will be removed (or pruned back) for arboricultural / landscape reasons: T1,T5, T8 (trimmed back) and T11.

Trees along the north elevation of the building / Keith Road boundary will be removed to facilitate the development; T26, T27, T28 and G31, Tree protection measures are specified for T4, T6, T7, T8, T9, T10 and G30.

At 5.11 the report concludes that there will be a net loss of trees, despite the new/ replacement tree planting proposed as part of the landscape scheme necessitated by the change of use of the site. At 5.16 the report confirms that the details shown on the Tree Protection Plan are not 'final' and that a detailed Arboricultural Method Statement will be required by condition should planning consent be granted.

The tree removal strategy is graphically summarised in the D&AS, chapter 7.0.

Tree Replacement

At 5.9 of the tree report it is confirmed that at least 6 new trees will be planted along the southern boundary.

The Landscape General Arrangement Plan confirms that tree planting will provide a strong landscape feature along the Central Mews between the two phases, together with smaller multi-stemmed trees on the roof gardens.

Recommendation

If you are minded to approve this application, pre-commencement condition RES8 should be imposed, together with a Construction Management Plan to ensure that the tree protection measures form part of the building contract.

Post -commencement conditions RES9 (parts 1,2,3,4,5 and 6) and RES10 should be imposed..

A S.106 contribution is required to implement / fund landscape enhancements to the redundant west end of Keith Road - where it links to Dawley Road.

CONSERVATION AND URBAN DESIGN OFFICER:

Proposal

The application seeks planning permission to demolish the existing warehouse and re-develop the eastern part of the site to provide a mixed-use development, comprising flexible commercial floorspace (Use Class E(g)(ii) and (iii)) and 376 no. shared living units (Sui Generis) with associated landscaping, amenity, parking and revised vehicle and pedestrian access.

The proposals have been subject to several pre-application discussions under application 27189/APP/2021/2782. A number of design concerns had been raised throughout the pre-application process. Most of these concerns have been overcome, however, there are still concerns, with the large number of small single aspect units particularly those which are north facing.

Site and Surrounds

The proposed development site is located on a prominent corner north of a large roundabout where North Hyde Road meets Dawley Road. The site is sensitive in that it is located to the south of the Botwell: EMI Conservation Area and separated by the GWR Main Line. The conservation area contains a listed building Enterprise House (Grade II) and other locally listed buildings namely the two HMV/EMI Buildings to the southern boundary, Neptune House, Appollo House and Jupiter House on Blythe Road.

The existing building that occupies the proposed development site is a low-level warehouse building of no architectural interest constructed from corrugated metal cladding with a brick base and a two-storey office at the eastern end. The building is currently occupied by the delivery company Yodel. The building is largely hidden from view during the spring and summer months as it is screened by a generous boundary of trees. This coupled with its low height allows the building to sit quietly within the site and has little impact on the setting of the nearby conservation area or locally listed buildings.

There is a planning application (27189/APP/2020/2181 (minded for approval) for the western part of the site for which there have also been several pre-application discussions. This application proposes the demolition of the retail warehouse and re-development of the site to provide a mixed-use development comprising 150 residential units (Use Class C3) and flexible commercial floorspace (Use Class B1b/B1c), within two development blocks, with associated amenity areas, landscaping, car parking and all ancillary and enabling works.

The building heights rise up to a maximum of 9-storeys with the principal elevation fronting onto a new 21m width public realm to the east that creates a linear route connecting New Hyde Road to the south with Keith Road to the north.

The proposed development

The principal blocks of the proposed development are L-shaped in plan and front onto the proposed central spine to the west and Keith Road to the north. The blocks extend up to 9-storeys and are comparable to the proposed development on the western part of the site and the new development to the north on the former Vinyl Factory site.

The lower plan levels, in particular the ground floor plan, are more triangular, with the deeper plan areas accommodating the building entrances and much of the communal amenity provision.

The transition in plan layouts from the more triangular lower levels to the L-shaped upper levels, provides the opportunity for a large area of external amenity space as a terrace at level 01.

Active frontages are provided along the western elevation fronting onto the 'mews' with a cafe and commercial space and accesses to the residential units. The south eastern elevation (triangular infill) has an active frontage to North Hyde Road with a gym, community event space and entrance to the cycle store.

The north elevation along Keith Road at street level is more utilitarian in appearance containing the service areas of the development comprising the walls to the cycle store, substation and bin store. This is primarily a 'dead' inactive brick frontage at street level. To mitigate this harm the brickwork has been enlivened with recessed panels to add visual interest along with the addition of soft landscaping. The north facing units above the ground floor overlook Keith Road and provide much needed surveillance.

Concerns had been raised at pre-application stage over the height of the eastern most block which terminates the view west along Keith Road due to the potential impact on the setting of the modest two-storey semi-detached houses.

To help mitigate the impact the 9th storey has been altered to provide a large communal amenity space which is set within a brick 'colonnade'. This will help to provide a lighter termination to the building that would also be softened by planting. This coupled with the landscaping to the Eastern Plaza will help to soften the development further in views looking west. Considering the above factors and the separation distances between buildings the height and bulk is now considered acceptable.

There 'mews' spine has also been improved with a more appropriate balance between car parking and soft landscaping for public amenity. The access to Keith Road via steps and additional planting will provide an attractive thoroughfare from North Hyde Road and vice versa.

There are concerns with the large number of single aspect units that the development provides, particularly those which are north facing. Dual aspect units should be sought for as many units as possible. The shared living concept is understood but I am unconvinced that all the units would be used in the way intended as cooking facilities are provided in the rooms and would likely result in less interaction in the shared communal spaces. There also appears to be little storage space.

The architectural language has been kept simple with a grid form and recessed brick panels (some decorative) to provide articulation and interest. These could appear attractive if sympathetically detailed and a high level of workmanship employed in its execution.

It is proposed that the development's primary construction materials would be brick. This would be considered appropriate given the local context and the setting of the locally listed buildings to the north which have painted cast concrete framing. An appropriately chosen brick should help the development sit quietly within the site respecting the local palette of materials whilst not competing with the locally listed modernist factory / office buildings to the north. This material would also complement the proposed residential development on the western part of the site so that they would appear as a cohesive development for the whole site.

Heritage

The development is considered to be a sufficient distance away from the heritage assets and separated by the railway lines and sidings that its impact on the setting of the heritage assets would be minimal. The blocks are comparable to those built on the former Vinyl Factory site and they would not compete or draw undue attention. The proposals are not therefore considered to harm the heritage assets to the north of the site.

Conclusion

There is no objection to the principle of the development. The layout, height, bulk and mass are considered acceptable for the site and would sit comfortably in townscape terms and comparable to other forms of new development in the locality. The architectural language, landscaping and materials are also considered appropriate for the site and area and would not harm the heritage

assets located further to the north.

There are concerns, however, with the small single aspect units which dominate the development.

AIR QUALITY OFFICER:

Summary of Comments

The proposed development is located within the Hays Focus Area, bringing additional traffic emissions which will add to current likely exceedances. As per the new London Plan and the London Borough of Hillingdon Local Action Plan, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

The National Planning Policy Framework (NPPF, July 2021) in paragraph 174 (e) requires planning decisions to prevent new and existing development from contributing to unacceptable levels of air pollution; in addition paragraph 186 requires proposals sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Furthermore, development should suitably mitigate air quality impacts on local air quality and be consistent with the local air quality action plan. Its guidance explicitly addresses (Paragraph: 008) mitigation options to ensure new development is appropriate for its location and unacceptable risks are prevented; mitigation options include planning conditions and obligations contributing to funding measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development. The London Plan (March 2021) equally recognises the need to mitigate impacts on air quality by development, requiring development to be air quality positive specially within focus areas, actively contributing to reduce pollutant emissions to the atmosphere. LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area.

Damage Cost and Mitigation Measures

The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach. The total level of mitigation required to the proposed development for traffic emissions is £21,173.

Obligations

Therefore, a section 106 agreement with the LAP of £21,173 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

Conditions

In addition, two Air Quality conditions are required to develop and implement a Low Emission Strategy and manage construction emissions as required by the Mayor of London. See text below.

Condition Air Quality - Low Emission Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall address but be not restricted to:

- 1) secure compliance with the current London Plan (March 2021), and associated Guidance requirements
- 2) To include in the Travel Plan a clear and effective strategy to encourage users to
 - a) use public transport;
 - b) cycle / walk to work where practicable;
 - c) enter car share schemes;
 - d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

Reason - As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DME1 14 of the London Borough of Hillingdon Local Plan (part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, London Plan (2021) policy SI1 and T4, and paragraphs 174 and 186 of the National Planning Policy Framework (2021).

Conditions - Reducing Emissions from Demolition and Construction

A No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

Reason: Compliance with London Plan Policy 7.14 and in accordance with Mayor of London "The Non-road mobile machinery (standard condition recommended by Mayor of London, London Local Air Quality Management Policy Guidance 2019)

B All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

Reason: Compliance with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy

Observations

It is noted that the air quality report submitted to support the planning application has incorrectly calculated the transport emissions associated with the proposal. A trip generation of 23 vehicles was used which is half of the value reported in the TA submitted which reports 46 vehicular trips, as on page 31 quote "5.14 Table 5.6 indicates that the proposed enterprise workspace could generate three vehicular trips during both the weekday AM and PM peak hours and 46 vehicular trips over an average weekday."

Context

The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Areas. Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. This is supported by:

Local Plan Part 2 Policy DME1 14

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) 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.

DAYLIGHT AND SUNLIGHT CONSULTANT:

We are generally in agreement with the approach, scope and methodology used.

We consider the daylight and sunlight impacts on neighbours to be acceptable.

With regard to internal daylight amenity, AY would have considered it more appropriate to assess the studio spaces against both a 2% ADF target and also a 1.5% target. However, we acknowledge that it can be useful in certain circumstances to consider 1.5% ADF as an alternate target and a number of consultants do use this in reporting. Overall, AY consider the daylight amenity to the proposed scheme to be acceptable.

With regard to internal sunlight amenity, there will be windows/rooms that achieve levels of sunlight amenity below the BRE's recommended targets.

The Proposed Development must balance out a number of constraints and practicalities, and daylight and sunlight amenity should not be considered in isolation as it is important to consider a number of other contextual factors which, combined, influence the wellbeing of residents. Daylight and sunlight is only one factor that influences people's wellbeing and the decision of where to live in an urban location, and should therefore be considered alongside a range of other amenities such as: location, access to public transport, public open space, shops and recreation facilities and improvements to public realm.

It is also noted that national policy seeks to ensure that the planning system encourages more efficient use of land and avoids building homes at low density in accessible urban locations. It also promotes a flexible approach in adopting and applying policy and guidance that could inhibit these objectives, which specifically includes reference to daylight and sunlight.

The London Borough of Hillingdon will therefore need to take a contextual approach to consider the overall benefits of the Proposed Development alongside daylight and sunlight matters.

PLANNING OFFICER COMMENT:

It should also be noted that the daylight and sunlight assessment submitted under the Keith House West Site application (reference 27189/APP/2020/2181) factored in the Keith House East Site development (current application). It was concluded that the impact on Keith House West residents was acceptable. The application was also recommended for approval at the Major Applications Planning Committee on 11th March 2021.

NOISE CONSULTANTS:

On the one hand we have the generic statements from the architect relating to good acoustic design and the fact that there have been a number of pre-application meetings, on the other we have single

aspect residential units on the noisiest elevation, where very high levels of sound insulation are required, and with no discussion in the Acoustic report on alternative options. Ideally, therefore, whilst we acknowledge the architect's statements, and can see design iterations within the DAS, we would expect to see further discussion on this - specifically from an acoustic perspective and using the guidance in the ProPG and AVO Guide - within the Acoustic report.

However, clearly this is a complex issue, with competing requirements, whereby compromises will need to be made; and just because the information isn't in the Acoustic report doesn't mean it hasn't been considered. If, therefore, LBH is minded to grant planning permission, the following actions are recommended:

1. Condition the requirement for the provision of the details of the externally mounted and vented plant and noise control measures, where necessary, associated with the operation of the development to meet the requirements of the 2016 SPD4 and BS 41425. Existing and known/consented future residential premises should be taken into account, together with any known/consented future development to suitably account for the potential for cumulative (commercial noise) effects.

2. Condition the requirement for the provision of the final details of the external noise mitigation strategy to meet the criteria within the 2016 SPD6 and BS 82337 during ADF (background) ventilation conditions. The occurrence of overheating should be minimised as far as practicable, as should any increase in external noise ingress during overheating conditions, to no more than 10 dBA above the SPD criteria. Noise from any associated building services plant should be controlled in accordance with the guidance within Figure 3-4 and Figure 3-5 of the AVO Guide.

PLANNING OFFICER COMMENT:

This discussion of acoustic design is covered further within the main body of the report.

FLOOD AND WATER MANAGEMENT OFFICER:

No objection subject to an appropriately worded condition to secure the detailed design of the drainage network. A Below Ground Drainage Philosophy Statement (Walsh Report dated July 2021) has been provided with the application. The report addresses the risk of flooding at the site as well as demonstrating that a sustainable means of draining the site can be provided. It is noted that this is the other half of a site that has previously been reviewed, with the drainage strategy integrated between both developments. There are elements of the proposals that require detailed design and therefore these should be secured by way of a condition. It is recommended that a similar condition from the other half of the site be used to ensure consistency across the two phases.

CONTAMINATED LAND OFFICER:

Summary of Comments:

I have reviewed a copy of the following document submitted in support of the application:

Report Title: Contaminated Land Assessment for Keith House, Hayes; Ref: \\192.168.1.176\walsh\Projects\5269\Documents\Reports\Contamination\5269-rpt-iw-200617-ks-dg-Rev3.docx; Dated: 03/03/21; Prepared: Walsh Associates Ltd.

In accordance with our earlier submitted guidance which stated "Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants; The submitted report does provide summary details of previously prepared documents, which outline information from an earlier phase 1 desk-top study and subsequent phase 2 investigation conducted by others.

However, my records do not include copies of those two documents, which should contain preliminary and updated conceptual site models and risk assessments; Such information shall be required to be submitted for review, in order to clearly demonstrate to the LPA how the adopted geo-environmental investigative processes were structured, to fully characterise and assess land condition/s at the site.

Whilst the above-mentioned summary by Walsh Associates Ltd does provide useful levels of information, including indications of requirements for further investigations, the reporting would be significantly more acceptable when the necessity for reference to "Likely" within the current report' "Likely Remediation Requirements" and "Likely Verification Requirements" can be replaced with more conclusive, clearly defined and finalised details which will be available from further results and findings following the proposed updated investigations.

I therefore recommend the following conditions be imposed if planning permission is granted:

(i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (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 the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A final detailed desk-top study report which characterises the site and provides information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

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

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

(d) A written method statement providing details of a suitably selected and designed gas protection scheme, and how validation and verification of the scheme will be conducted and reported for subsequent agreement in writing from the LPA, No deviation shall be made from the agreed scheme without the express agreement of the LPA.

(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

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 Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12:Development of Land Affected by Contamination.

Observations:

The submitted report includes information, which outlines requirements for further investigations "to fill in the existing contamination data gaps"

The details include (but, dependant on progressive findings etc, should not necessarily be limited to) the following list of proposals:

- A pre-demolition asbestos survey will be required prior to demolition of the former warehouse building. It is noted that this building is reported to have a corrugated asbestos cement roof.

- Additional exploratory holes will be required across the southern part of the site in the area currently occupied by warehousing, as this area was not investigated during the Phase 2 Due Diligence investigation in 2018. It is recommended that this comprises a series of cable percussion boreholes to allow data to be gathered for both geotechnical and contamination design purpose. At this stage, it is recommended that allowance is made for a further 3-4 no. additional boreholes.

- Additional ground gas monitoring will be carried out, as only 3 no. rounds of monitoring have been completed to date.

- The potential fuel tank area, identified along the northern site boundary, will be further investigated. This will include enquiries with the London Fire Brigade, to see if they hold any records for the former petrol tank that is anecdotally recorded as present on the site. It may also include a geophysical investigation, using ground penetrating radar, to detect any buried tanks. Subject to the outcome of these enquiries/ investigations, a targeted trial pit investigation to expose the tanks, prior to removal, may also be necessary.

The Phase 2 Due Diligence report makes reference to an earlier desk-based Phase 1 report. As this report has not currently been made available, it may be necessary to undertake additional Phase 1 enquiries prior to the further targeted Phase 2 requirements described above."

HIGHWAYS OFFICER:

The development would provide 3no. blue badge/wheelchair accessible car parking spaces to serve the residential component and 4no. standard parking spaces for use by the commercial land use. Two of the car parking spaces would be provided with rapid electric vehicle charging points. The development would provide 376no. long stay cycle parking spaces for the residential use, 60no. lockers for folding bicycles and 4no. Sheffield cycle stands providing short stay parking for up to 8no. bicycles. In addition to this the development would host a Santander Bike Hire docking station with 10no. bicycles.

The application site is situated along North Hyde Road, Hayes c.900m away from Hayes town centre. The site is bounded by Keith Road to the north, Dawley Road to the west, North Hyde Road to the south and the intersection of Keith Road/ North Hyde Road to the east - parking restrictions are in operation along all these roads. Keith Road forms part of the Hayes HY2 Parking

Management Scheme where parking is restricted to permit holders only Monday to Friday 9.00am to 5.00pm, Dawley Road has no stopping Monday to Friday 7.00am to 7.00pm, North Hyde Road also has no stopping Monday to Friday 7.00am to 7.00pm. However, Bourne Avenue c.250m west of the development and the streets leading off it have no parking restrictions at all.

Hayes town centre offers a good range of shops, services, and facilities as well as transport opportunities. According to the Transport for London WebCAT service the application site has a PTAL ranking of 4 indicating access to public transport is reasonable compared to London as a whole, suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car.

As mentioned above, the northern boundary of the site is formed by Keith Road. This section of Keith Road is closed to general traffic by way of a barrier. This closed section of Keith Road still does however provide access to gates opening onto Network Rail land. Where the far western end of Keith Road intersects with Dawley Road, a ramp has been provided for pedestrians and cyclists. Although vehicle access is restricted along this section of Keith Road it is still adopted highway. This closed section of Keith Road is an area of neglected space evident by litter and broken glass, it is a place where people 'hang around' giving the location an unwelcoming atmosphere. Under planning reference 27189/APP/2020/2181, a developer contribution has already been secured to part fund works to improve the public realm in this location together with facilities for pedestrians and cyclists - vehicle access would be retained.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The published London Plan 2021 Policy T6.1 Residential Parking requires that development proposals must comply with the relevant parking standards. For the residential component of the development the London Plan 2021 Outer London PTAL 4 standards are between 0.5 and 0.75 spaces per dwelling. This would allow a maximum of between 188no. and 282no. car parking spaces. The site is situated within the Pinkwell Ward, the results of the 2010 population census showed that 75.2% of residents of the Pinkwell Ward had access to one or more cars. If the residents of the new development have a similar profile to the existing population then assuming each unit is lived in by one person up to 282no. residents may be expected to own a car.

As already mentioned, the residential part of the development would have just 3no. blue badge/wheelchair accessible car parking spaces. In a 'worst case' scenario c.282 residents could possibly have a car and need somewhere to park at night. As the residential part of the development would have just 3no. car parking spaces c.279 cars could be displaced on-street resulting in parking stress. If the demand for parking kerb space exceeds supply, then some people may park injudiciously presenting a risk to road safety and impeding the free flow of traffic. To guard against this situation arising, the Highway Authority would expect the development to provide genuine and attractive alternatives to trip making by private car.

The development would provide residents with access to Car Club vehicles. It is proposed that 4no. Car Club spaces would be provided on Keith Road near the development, this is in addition to 2no. existing Car Club cars parked on Pressing Lane. Pressing Lane is the other side of the Great Western Mail Line c.900m away. The Highway Authority do not consider that the 2no. Car Club spaces on Pressing Lane offers a genuine alternative to travelling in a private car. The distance and time taken to walk from the development to the Car Club parking is too far, people would not consider the Car Club as being a viable alternative to driving a private car particularly if they were making a short journey - significant part of the total journey time would be taken up just walking to the Car Club vehicle.

As mentioned above the applicant does however propose 4no. Car Club parking bays along Keith Road very near the development. The location of these spaces would be on the section of Keith

Road that is closed to traffic by a barrier, therefore there would be no loss of any existing on-street car parking spaces. A Traffic Order would be required to stop all other vehicles from parking in these spaces. It should be borne in mind that the making of this Traffic Order would involve formal public consultation and objections may be received. There is therefore risk associated with the provision of a Car Club vehicle as these objections could be upheld.

To help the Car Club become established, the Highway Authority require that every resident living at the development is offered 3 years free membership of the Car Club and £50 worth of drivetime vouchers. However, the Highway Authority is mindful that for whatever reason the Car Club may not establish and be unviable to operate. Should this situation arise, the Highway Authority would require that the applicant pays the Council the same sum of money it would have cost to provide a Car Club car. The documents attached to the Technical Note Response to LBH Officer Comments 10th November 2021 indicate this would be £30,000 per car or £120,000 for 4no. cars in total.

The Highway Authority would use this budget for investment in active travel and sustainable transport projects in the vicinity of the site. These measures will cater for those trips that would otherwise have been made using the Car Club vehicle. The Highway Authority would require the applicant to fund in full the cost of making the Car Club Traffic Order as well as for the marking out of the Car Club bay and the provision of a sign. The Highway Authority require that local residents that are members of the Car Club providers scheme are also allowed to use these vehicles. This will increase the likelihood of the Car Club being successful with all the associated benefits.

As mentioned above the development would provide a Santander Bike Hire docking station with room to park 10no. bicycles. In addition to this, lockers able to store 60no. folding bicycles would also be provided. Folding bicycles such as a Brompton can cost over £1,000, this is likely to be prohibitively expensive for many of the new residents, having a locker to store one in would be of no personal use to them. The Highway Authority does accept that expensive folding bicycles offer genuine travel choice - however it does not object to the provision of this locker per se.

In the Technical Note Response to LBH Officer Comments 10th November 2021 it is mentioned that as part of the membership agreement signed by prospective tenants that it is stipulated that residents are not entitled to park any vehicle 'at the residency or in its vicinity'. The applicant mentions in the same document that this will be actively monitored by the buildings on-site operational team. The Highway Authority welcomes this proposal and considers it important, it should therefore be included in the Heads of Terms.

There is a risk that some residents may will consider there is no option but to have a car of their own to use. Given there are parking restrictions along the roads bordering the site it is anticipated that parking would be displaced onto surrounding residential roads that are not controlled by parking restrictions. This would result in parking stress which would contrary to the published London Plan (2021) Policy T4 Assessing and mitigating transport impacts which requires that 'development proposals should not increase road danger'. To protect residents from this situation arising, a financial contribution of up to and not exceeding £25,000 is sought via a s.106 legal agreement to fund the introduction of a Parking Management Scheme or isolated controls if required. This money would be held by the Council for a period of 5 years post full occupation, any unused or residual monies would be returned by-way of the above legal mechanism within a mutually agreed timescale.

The applicants have provided a Transport Assessment which includes an Active Travel Zone (ATZ) assessment. This has identified a series of localised works which would improve the safety and convenience with which the new residents could make trips to key destinations by walking and cycling. The Highway Authority has reviewed the measures contained in the ATZ and selected those it would require the applicant to deliver via a s.106 contribution secured by a planning condition. These works are listed in the table below.

In addition to the works identified as part of the Active Travel Zone assessment, the Highway Authority requires the applicant to contribute towards the works planned to enhance the closed section of Keith Road. The outstanding balance needed to complete the full scheme is £81,280. As the enhancement of the closed section of Keith Road would require works to be carried out on the Council's highway, the Highway Authority would require the developer to enter a s.106 legal agreement obliging the developer to enter a s.278 legal agreement with London Borough Hillingdon under Highways Act 1980 thereby allowing such works to be carried out. The Highway Authority welcomes the improvements to this section of Keith Road but requires that vehicle access is retained.

With all the above works in place the Highway Authority would be satisfied that the development would be in accordance with the above published London Plan (2021) policies as well as Policy T9 Funding transport infrastructure through planning. Policy T9 requires that contributions will be sought to 'mitigate impacts from developments, which may be cumulative. Such obligations and contributions may include the provision of new and improved public transport services, capacity and infrastructure, the expansion of the London-wide cycle networks and supporting infrastructure, and making streets pleasant environments for walking and socialising, in line with the Healthy Streets approach'.

These works identified in the ATZ have been costed using the Council's term contractors standard schedule of rates and are summarised in the table below.

Highway Contributions

- Closed section of Keith Road far western end - Public realm enhancements with facilities for pedestrians and cyclists whilst retaining vehicle access - £81,280
- North Hyde Road - On-street advisory cycle lanes - £470
- Intersection of Keith Road and North Hyde Road - Remodel junction to improve pedestrian and cyclist access £13,245
- Keith Road junction with Station Road - Widen footway on southern side - £15,000
- Keith Road site access Santander docking station - £12,000
- Various locations - 10no. street trees - £3,200
- Various locations - 3no. benches - £6,000
- Dawley Road/Woodhouse Close - Localised resurfacing with tactile paving and dropped kerbs - £5,500
- Outside Cranford Park School - Localised resurfacing with tactile paving and dropped kerbs - £5,500
- Sub total: £142,195
- Preliminaries 5%: £7,110
- Contingencies 10%: £14,220
- Fees 15%: £21,329
- Total: £184,854

To further deter new residents from using a private car, the Highway Authority require the developer to enter a s.106 agreement that prohibits residents from applying to join any Parking Management Scheme.

The Highway Authority require that any forthcoming planning application is subject to the following conditions and Heads of Terms:-

Conditions

- Two car parking spaces should be provided with rapid electric vehicle charging facilities with all the remaining spaces having passive provision;
- A Construction Logistics Plan should be submitted for approval;

- A Service and Delivery Plan should be submitted for approval;
- A Car Parking Management and Allocation plan should be submitted for approval, and;
- A Santander bike hire docking station with 10no. bicycles is provided.

Heads of Terms

- To guard against the impact of the development displacing parking demands onto nearby unrestricted roads the developer will make a financial contribution up to a maximum of £25,000 to fund the creation of a parking management scheme or isolated parking controls. This money will be held by the Council for a period of 5 years post full occupation, any unused or residual monies would be returned by-way of the above legal mechanism within a mutually agreed timescale.
- A Travel Plan should be provided be submitted for approval. As surety that the Travel Plan will be implemented and targets achieved the Highway Authority requires that the developer provides a £20,000 bond. In the event of the Travel Plan not being delivered the Highway Authority will use this bond to implement the Travel Plan itself. This should be secured by way of a s.106 agreement. If the Travel Plan is successful the bond will be returned;
- The applicant shall enter a s.106 Legal Agreement with the Council obliging them to enter a s.278 Legal Agreement to allow the developer to undertake works on the Council's highway;
- The applicant shall enter a s.106 Legal Agreement with the Council that prohibits new residents from applying to joining any Parking Managements Scheme in the vicinity of the site.
- The applicant shall enter a s.106 Legal Agreement with the Council requiring that as part of the membership agreement signed by prospective tenants that it is stipulated that residents are not entitled to park any vehicle 'at the residency or in its vicinity'.
- The applicant shall enter a s.106 Legal Agreement with the Council obliging them to fund the highway works listed in the table above up to a maximum value of £184,854.
- If after 3 years from when the development became fully occupied the Car Club has failed to establish and is unviable to operate the developer will pay the Council £120,000, this money will be used to fund active travel measures to cater for those trips that would otherwise have been made in the Car Club car.
- To help the Car Club become established, the Highway Authority require that every resident living at the development is offered 3 years membership of the Car Club and £50 worth of drivetime vouchers.

Subject to the above there are no Highway objections to this proposal.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

NON-DESIGNATED EMPLOYMENT LAND

The proposed development site is currently occupied by a distribution warehouse (Use Class B8) with some ancillary office use providing approximately 3,020m² of employment floorspace. The building is currently used by the logistics firm Yodel and the existing lease is coming to an end. The application form notes that the existing premises facilitates 45 full-time employees. This is generally consistent with the HCA's Employment Density Guide 3rd Edition (2015) which estimates that the building could support up to 43 employees. In terms of the building, it is identified as being constructed in the 1980s and in need of some refurbishment to bring up to current standards. The site is not located within a designated strategic or local industrial area.

Policy DME 2 of the Hillingdon Local Plan: Part 2 (2020) is applicable to employment sites outside designated employment areas. The policy states that proposals which involve the loss of employment floorspace will normally be permitted if:

- i) the existing use negatively impacts on local amenity, through disturbance to neighbours,

visual intrusion or has an adverse impact on the character of the area; or
ii) the site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes; or
iv) The new use will not adversely affect the functioning of any adjoining employment land; or
v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan.

Policy E7 of the London Plan (2021) states:

C) Mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where:

- 1) there is no reasonable prospect of the site being used for the industrial and related purposes set out in Part A of Policy E4 Land for industry, logistics and services to support London's economic function; or
- 2) it has been allocated in an adopted local Development Plan Document for residential or mixed-use development; or
- 3) industrial, storage or distribution floorspace is provided as part of mixed-use intensification

Linking into this, Policy E2 of the London Plan (2021) states:

B) Development of B Use Class business uses should ensure that the space is fit for purpose having regard to the type and use of the space.

C) Development proposals that involve the loss of existing B Use Class business space in areas identified in a local Development Plan Document where there is a shortage of lower-cost space or workspace of particular types, uses or sizes, should:

- 1) demonstrate that there is no reasonable prospect of the site being used for business purposes, or
- 2) ensure that an equivalent amount of B Use Class business space is re-provided in the proposal which is appropriate in terms of type, use and size, incorporating existing businesses where possible, and include affordable workspace where appropriate.

The proposed mixed-use development will occupy the eastern half of the site with provision for further development to come forward on the western half which is subject to a separate planning application. The loss of the existing warehouse on the site has already been accepted by the resolution to grant on the western part of the site. However, the relevant planning policies refer to loss of non-designated employment land which remains the use of the existing site.

It is noted that the approval of a mixed use development on the adjacent site would mean that the continuation of industrial uses on this site would impact negatively on neighbouring amenity. It has also made the site unsuitable for employment re-use due to its size, location and access. This assessment together with evidence submitted under the application has also demonstrated that there is no realistic prospect of the site being re-used for industrial purposes as required by Policy DME 2 (iii) of the Hillingdon Local Plan: Part 2 (2020) and Policy E7 (C) of the London Plan (2021). The proposed E class business space has also been assessed as suitable for the proposed employment use in accordance with Policy E2 (B) of the London Plan (2021). Accordingly, it has been demonstrated that the loss of non-designated industrial land on this site would be acceptable in principle.

LARGE-SCALE PURPOSE-BUILT SHARED LIVING ACCOMMODATION

The proposed development would provide 376 shared living units (Sui Generis) in a single large block. Such provision is not a conventional form of housing and falls outside the affordable housing and space standard policies that apply to C3 residential dwellings. Policy DMH 5 of the Hillingdon Local Plan: Part 2 (2020) does set requirements for large scale HMOs in the borough, which includes the need for the location to have good accessibility to local amenities and public transport, for proposals to accord with Accessible Homes standards and provide satisfactory living conditions for intended occupiers and for there to be no adverse impacts on the amenity of neighbouring properties or the character of the area. Policy H16 of the London Plan (2021) also sets series of criteria for assessing large scale shared living proposals of 50 or more units. The London Plan (2021) notes that this type of housing can provide an option for single-person households who cannot or choose not to live in self-contained homes or HMOs.

The focus of Policies DMH5 and H16 are that purpose-built shared living accommodation should provide a good standard of living for future occupiers, be well managed and integrate with its surroundings. In addition, Policy H16 also sets out requirements for the provision of affordable housing. In terms of the other policy criteria, the proposal should:

- Be under single management;
- Secure minimum tenancy length of three months; and
- Secure a Management Plan.

If recommended for approval, all of the above would be secured by a Section 106 legal agreement.

With regards to communal facilities and services, part 6 of Policy H16 requires that they are sufficient to meet the requirements of the intended number of residents and offer at least:

- convenient access to a communal kitchen;
- outside communal amenity space (roof terrace and/or garden);
- internal communal amenity space (dining rooms, lounges);
- laundry and drying facilities;
- a concierge; and
- bedding and linen changing and/or room cleaning services.

Policy H16, part 7, also requires that the private units offer adequate functional living space and that the layouts are not self-contained homes or capable of being used as self-contained homes.

Officers are satisfied that the sufficient laundry facilities will be provided, and the Management Plan will secure the provision of a concierge and room cleaning services.

During the application process, concerns were raised regarding the standard of living to be provided for future occupiers, specifically in relation to the quantity and accessibility of the proposed communal areas within the proposed development, and whether this would be sufficient to enable convenient access and regular social interaction. This links to part 7 of the Policy H16 in that the limited availability of such facilities would result in residents occupying their shared living units more as self-contained homes than bedrooms. Given their limited size, this would not result in acceptable living conditions for future occupiers.

The proposed shared living units would have a floor area of between 16m² and 24m²,

including an ensuite shower room and a kitchenette. In addition to the facilities in the rooms, the proposed plans show that residents would also have access to communal areas, including lounges, library/co-working areas, kitchen workstations, private dining areas, laundry room and gym. The layout of the proposed development originally provided the majority of these internal communal spaces on levels 00 and 01 (ground and first floor), including 25 no. kitchen workstations and 3 no. private dining areas. Following requested amendments to the scheme, 22 no. additional kitchen workstations and further dining space is proposed to be provided on level 04 (fourth floor) and 10 no. kitchen workstations with dining space is proposed on level 08 (eighth floor). This results in a total of 57 no. kitchen workstations and 5 no. private dining areas. As such, the scheme has increased the number of kitchen workstations per unit from 0.09 to 0.15.

In the absence of any specific adopted standards, it is important to compare the proposed development to other shared living schemes which have been granted approval. As a point of reference, the proposed development would provide 511m² of kitchen and dining areas, equating to 1.36m² per unit. In comparison, the following developments were granted planning permission and provided:

- 1.18m² per unit - Battersea
- 0.20m² per unit - Canary Wharf
- 0.74m² per unit - Earlsfield
- 0.58m² per unit - Harrow
- 0.42m² per unit - Acton
- 0.73m² per unit - Blackhorse Lane

Evidently, the negotiated amendments to the proposal means that it would now exceed the standards achieved by other large scale shared living schemes.

Section 6.9 of the Design and Access Statement submitted also confirms the internal and external amenity provision per room would be similar to, if not more than, other examples of the same use. Notably, the proposed development would provide 5.8m² of internal and external amenity space per unit. In comparison, the following developments were granted planning permission and provided:

- 5.99m² per unit - Battersea
- 2.33m² per unit - Canary Wharf
- 2.45m² per unit - Hackney Wick
- 4.97m² per unit - Earlsfield
- 2.85m² per unit - Harrow
- 1.07m² per unit - Acton
- 3.74m² per unit - Blackhorse Lane

Again, the negotiated amendments to the proposal means that it would now be comparable or exceed the standards achieved by other large scale shared living schemes.

The applicant has sought to explain that the proposed layout is based on the experience of other developments in their portfolio where residents have stated a preference for single larger spaces that encourage a greater degree of mixing between residents and enable easier management/ cleaning of such areas. These comments are noted; however, without third party evidence, it is difficult to determine the success of this approach independently.

Relevant planning appeal decisions have been considered, including the 21 High Street, Feltham, LB Hounslow planning appeal reference APP/F5540/W/19/3227226. This appeal

decision allowed and granted permission for the construction of 6 storey building to provide 121 co-living units, co-working space, bike workshop, retail, and associated facilities. Notably, the Planning Inspector stated:

"17. Residents would have different working patterns and I find it unlikely that all residents on a particular floor would wish to use the kitchen or lounge facilities at the same time.

25. Part (7) of Policy H16 also requires that the private units are not self-contained homes or capable of being used as self-contained homes. The proposed development is clearly designed to be occupied on a communal basis. Residents would use the kitchenette facilities in their units to a greater or lesser extent. It is, however, unlikely that they would rely exclusively on those facilities because of the extent and nature of the communal facilities to be provided."

The focus for the Council must therefore be on ensuring that the communal facilities will provide residents with a practical, accessible and sociable alternative to using the facilities in their units so as they do not operate in all other ways like self-contained units. The negotiated amendments to the location and overall quantum of the communal facilities are considered to be an improvement on the initial proposals and go further to ensure that residents will have easier access to the communal facilities for day-to-day use. Ultimately, there is no way for the Council to independently verify the extent to which residents will utilise the communal facilities. However, considering the favourable comparisons to similar permitted schemes and the efforts to distribute them across multiple floors, it is clear that the overall level and location of provision is at the higher end for this type of accommodation. As such, the proposed level of amenity space is considered to satisfy Policy DMH 5 of the Hillingdon Local Plan: Part 2 (2020) and the requirements of Policy H16 of the London Plan (2021) in this regard.

MEETING HOUSING NEEDS

In terms housing delivery, paragraph 4.1.9 of the London Plan (2021) identifies that non self-contained communal accommodation would count towards meeting housing targets based on a 1.8:1 ratio of rooms to homes. On this basis the proposed scheme would equate to 208 units of conventional housing. This is significant number for a windfall site and a positive benefit of the scheme in terms of overall housing delivery on a windfall site. However, the proposed rooms would not contribute to the provision of three bed plus family homes for which the Strategic Housing Market Assessment (2018) demonstrates a significant need (50% of new homes) which does not weigh in favour of the scheme.

7.02 Density of the proposed development

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2.

Paragraph 5.67 of the Hillingdon Local Plan: Part 2 (2020) states that Hillingdon will apply the density standards set out in the London Plan in a flexible manner, according to local circumstances. Large parts of the borough, including many areas in close proximity to town centres, are suburban in character and will lean heavily towards the applications of lower to mid range density scales. Table 5.3 represents a starting point for discussions on the issue of residential density, which should ultimately be determined by a design led approach.

The area surrounding the site is mixed in character. There is an established suburban character with low-rise residential properties located to the east, south-west and west. It is

also located immediately next to a commercial estate to the south, approximately 470m west of Hayes Town Centre and has a good PTAL rating of 4, characteristics more akin to an urban setting.

If suburban/urban density guidelines are applied, Table 5.2 states that the density should be between 200-510 habitable rooms per hectare, equating to between 88 and 224.2 habitable rooms per 0.44 hectares. The development proposal has a density of 376 habitable rooms per 0.44 hectares and exceeds the density matrix associated with Policy DMHB 17.

It is noted that shared living units do not require the same level of floorspace provision, which could increase the density of units. Density is also only one indicator of a sites capacity and it is necessary to consider the proposal holistically, taking into account other requirements including amenity space, the design and highways impacts. This accords with the requirements of the Policy D3 of the London Plan (2021).

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

ARCHAEOLOGY

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

The Greater London Archaeological Advisory Service (GLAAS) have been consulted as part of the application process. Although the application site does not lie within an Archaeological Priority Area or Zone it may have some archaeological interest. Accordingly, GLAAS have advised that the development could cause harm to archaeological remains and a field evaluation is needed to determine appropriate mitigation. A two stage condition is therefore recommended to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. Subject to such a condition, the proposal would not be considered contrary to Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020).

CONSERVATION AREA AND LISTED BUILDINGS

The application site is located to the south of the designated Botwell: Thorn EMI Conservation Area, Old Vinyl Factory, Grade II Listed Enterprise House, Locally Listed 'His Master's Voice' building and Locally Listed Thorn/EMI Building. Accordingly, the following planning policies are considered:

Policy DMHB 1 of the Hillingdon Local Plan: Part 2 (2020) states:

A) The Council will expect development proposals to avoid harm to the historic environment. Development that has an effect on heritage assets will only be supported where:

- i) it sustains and enhances the significance of the heritage asset and puts them into viable uses consistent with their conservation;
- ii) it will not lead to a loss of significance or harm to an asset, unless it can be demonstrated that it will provide public benefit that would outweigh the harm or loss, in accordance with the NPPF;
- iii) it makes a positive contribution to the local character and distinctiveness of the area;
- iv) any extensions or alterations are designed in sympathy, without detracting from or

competing with the heritage asset;
v) the proposal would relate appropriately in terms of siting, style, scale, massing, height, design and materials;
vi) buildings and structures within the curtilage of a heritage asset, or in close proximity to it, do not compromise its setting; and
vii) opportunities are taken to conserve or enhance the setting, so that the significance of the asset can be appreciated more readily.

Policy DMHB 2 of the Hillingdon Local Plan: Part 2 (2020) states:

D) Planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

Policy DMHB 3 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building.

Policy DMHB 4 of the Hillingdon Local Plan: Part 2 (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will:

A) Require proposals for new development to be of a high quality contextual design.

B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification.

The above is supported by Policy HC1 of the London Plan (2021).

The proposed development comprises one block measuring up to 9 stories in height. The proposed development would be seen within the context of the Botwell: Thorn EMI Conservation Area, sited approximately 50m to the north, and the Locally Listed 'His Master's Voice' (HMV) building, sited approximately 60m to the north.

The development is considered to be a sufficient distance away from the heritage assets and separated by the railway lines and sidings that its impact on the setting of the heritage assets would be minimal. The blocks are comparable to those built on the former Vinyl Factory site and they would not compete or draw undue attention. The proposals are not therefore considered to harm the heritage assets to the north of the site.

It is proposed that the development's primary construction materials would be brickwork. This would be considered appropriate given the local context and the setting of the locally listed buildings to the north which have painted cast concrete framing. If recommended for approval, the detail of the brick would be secured by condition to ensure that the development sits quietly within the site and does not compete with the locally listed modernist factory and office buildings to the north.

Given the above considerations, the proposed development would not be considered contrary to Policies DMHB 1, DMHB 2, DMHB 3 and DMHB 4 of the Hillingdon Local Plan:

Part 2 (2020) and Policy HC1 of the London Plan (2021).

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020) states:

A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.

B) In consultation with the Airport Operator, the Council will ensure that:

- i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
- ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

National Air Traffic Services (NATS) have been consulted and they have confirmed that the proposed development is very unlikely to affect its infrastructure and does not raise a safeguarding objection.

The Ministry of Defence were also consulted and confirmed that there were no concerns regarding the height of the proposed development. However, as the proposed development creates new habitats which may attract and support populations of large and / or flocking birds close to aerodromes, a Bird Hazard Management Plan is required. This was also requested by Heathrow Airport Ltd. If recommended for approval, this would be secured by condition.

Subject to such a condition, the proposed development would accord with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

7.05 Impact on the green belt

Not applicable to the consideration of this application.

7.07 Impact on the character & appearance of the area

Policy BE 1 of the Hillingdon Local Plan: Part 1 (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding:
 - scale of development, considering the height, mass and bulk of adjacent structures;
 - building plot sizes and widths, plot coverage and established street patterns;
 - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
 - architectural composition and quality of detailing;
 - local topography, views both from and to the site; and
 - impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

D) Development proposals should make sufficient provision for well designed internal and

external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

These above is supported by Policy D3 of the London Plan (2021).

The proposed building is viewed within the context of a urban/suburban area, with a mix of characteristics. Specifically, the commercial estate to the south and south-east of the site establishes a precedent for high-rise development, as does the Old Vinyl Factory development to the north. As confirmed by the Council's Conservation and Urban Officer, the Botwell: EMI Conservation Area and the setting of nearby locally listed buildings would not be unduly harmed by the proposal and the scale and mass of development is considered to be appropriate in this context.

The proposal incorporates a moderately sized public open space within the central spine of the site and is considered to be a notable benefit of the scheme. Linking to this are the frontages of the shared living and commercial facades at ground floor. Active frontages are provided along the western elevation fronting onto the 'mews' with a cafe and commercial space and accesses to the units. The south eastern elevation has an active frontage to North Hyde Road with a gym, community event space and entrance to the cycle store.

The north elevation along Keith Road at street level is more utilitarian in appearance containing the service areas of the development comprising the walls to the cycle store, substation and bin store. This is an inactive brick frontage at street level and as such utilises recessed panels to add visual interest alongside the addition of soft landscaping. If recommended for approval, a condition would be secured to ensure acceptable detail is achieved.

Regarding the eastern section of the site, the 9th storey has been altered to provide a large communal amenity space which is set within a brick 'colonnade'. This will help to provide a lighter termination when viewed from Keith Road. This is coupled with the proposed landscaping to the Eastern Plaza which achieves a better design relationship with the nearest residential properties located along Keith Road.

The proposed brickwork construction of the blocks is considered to be appropriate given the local context and the setting of the locally listed buildings to the north. If recommended for approval, the detail of the brick would be secured by condition to ensure that the development sits quietly within the site and surrounding area.

The proposed development makes sufficient provision for internal storage space for general, recycling and organic waste. This avoids adverse visual impacts to occupiers and neighbours and is considered acceptable.

Given the above considerations, the proposed development would not be considered contrary to Policy D3 of the London Plan (2021), Policy BE 1 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

TALL BUILDINGS

Definition:

Policy D9 of the London Plan (2021) states that Development Plans should define what is

considered to be a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18m measured from ground to the floor level of the uppermost storey. Policy DMHB 10 of the Hillingdon Local Plan: Part 2 (2020) defines tall/high buildings and structures as those that are substantially taller than their surroundings, causing a significant change to the skyline. The Council's Townscape Character Assessment confirms that Uxbridge and Hayes are the most suitable locations for high buildings in the Borough. Outside these two centres, the character of the Borough is mainly low-rise and suburban in nature.

Context:

It is clear from the definition stated above that not all schemes which involve the development of 6 stories, 18m or more are considered to constitute a tall building. It is dependent on the context of the proposed development. The surrounding context height within a 150m distance comprises building heights ranging from 2 to 12 storeys. The Old Vinyl Factory development to the North presents of 6 storeys, locally rising up to 12 storeys on the eastern side. Similarly, the Hyde Park Hayes estate to the south is defined by 5 and 7 storey buildings of commercial buildings which have higher floor to ceiling heights. To the East, the short side of the building would face 2 storey houses. As such, the surrounding building heights notably vary.

Long Range Views:

The proposal would act as a landmark and visually connects Hayes & Harlington Station bridge with the Dawley Road bridge across the railway line to the West. The addition to the skyline will be partially concealed by the treeline along the railway tracks. In the panoramic view from Lake Farm Country Park the proposed building height relates to the height datum set by Highpoint Village and from specific locations it will be partially concealed by the 'His Masters Voice' building. The effect on long range views is considered of moderate impact.

Mid-Range Views:

Approaching from the North on Dawley Road, the proposed building would create a strong presence, concealing a considerable portion of sky. It announces a different zone and acts as a signpost. Approaching from the South on Dawley road, the proposed building is considered to relate to the 7 storey office building. From the East on North Hyde Road, the proposed building would change the change the streetscape considerably. The height would, however, correspond with the 7 storey office building to the South. The building's impact on the mid-range views is strong.

Summary:

Although the proposed development would significantly change the skyline, it would not be substantially taller than its surroundings. As such, it is concluded that the building is not a tall building for the purposes of Policies D9 and DMHB 10.

Notwithstanding the above and for the sake of completeness, it is worth covering the remaining elements of tall building policy. Policy DMHB 10 of the Hillingdon Local Plan: Part 2 (2020) states that any proposal for a high building or structure will be required to respond to the local context and satisfy the criteria listed below. It should:

- i) be located in Uxbridge or Hayes town centres or an area identified by the Borough as appropriate for such buildings;

- ii) be located in an area of high public transport accessibility and be fully accessible for all users;
- iii) be of a height, form, massing and footprint proportionate to its location and sensitive to adjacent buildings and the wider townscape context. Consideration should be given to its integration with the local street network, its relationship with public and private open spaces and its impact on local views;
- iv) achieve high architectural quality and include design innovation. Consideration should be given to its silhouette, so that it provides a positive contribution to the skyline, its design at street level, facing materials and finishes, lighting and night time impact;
- v) where residential uses are proposed, include high quality and useable private and communal amenity space and ensure an innovative approach to the provision of open space;
- vi) not adversely impact on the microclimate (i.e. wind conditions and natural light) of the site and that of the surrounding areas, with particular focus on maintaining useable and suitable comfort levels in public spaces;
- vii) be well managed, provide positive social and economic benefits and contribute to socially balanced and inclusive communities;
- viii) comply with aviation and navigation requirements and not adversely impact upon telecommunication, television and radio transmission networks; and
- ix) demonstrate consideration of public safety requirements as part of the overall design, including the provision of evacuation routes.

Policy D9 of the London Plan (2021) also states that development proposals should address the following relevant impacts:

1) visual impacts

- a) the views of buildings from short, medium and long-range distances
- b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding
- c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan
- g) buildings should not cause adverse reflected glare
- h) buildings should be designed to minimise light pollution from internal and external lighting

2) functional impact

- a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants
- b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process
- c) entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas
- d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building
- e) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area

f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings

3) environmental impact

a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building

b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions

c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building

4) cumulative impacts

a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.

A number of the considerations outlined above are considered elsewhere within the report.

Design and visual impact is considered in Section 07.07 of the report.

Impact on the local highway network is considered in Section 07.10 of the report.

Impact on neighbour amenity is considered in Section 07.08 of the report.

The consideration of airport safeguarding is addressed in Section 07.04 of the report.

Section 07.11 of the report addresses security and Section 07.22 of the report addresses fire safety.

In terms of the impact of the proposed development on the microclimate, or more specifically wind conditions, a Pedestrian Level Wind Desk-Based Assessment has been submitted. It is noted that the wind microclimate would be appropriate at ground level and first floor level. At the eighth-floor roof terrace, wind conditions would be expected to be suitable for standing use but the following wind mitigation measures would provide shelter to occupants and improve wind conditions:

- Landscaping in the form of 2m-4m deciduous trees or planters of 1.5m height along the southern edges of the terraces; and
- Solid or ~50% porous, 2m high screening along the southern edge of the terraces.

Accordingly, details of the proposed wind mitigation measures are to be secured by condition if recommended for approval.

Given the above considerations, the proposed development is not considered contrary to Policy DMHB 10 of the Hillingdon Local Plan: Part 2 (2020) and Policy D9 of the London Plan (2021).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and

sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 (2020) states: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21m separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 (2020) states: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 (2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

Based on the information submitted, the proposed development would comprise a part 8, part 9 storey block on the eastern part of the Keith House site. The nearest existing residential properties to the application site are located to the east on Keith Road and west on Guinness Close. Specifically, nos. 75, 77 and 79 Keith Road are sited approximately 21m from the proposed built form and Flats 1 to 28 Peter Fagan House are sited over 90m to the west. The HPH3, Millington Road, building to the south has also been granted planning permission for a change of use from offices to residential (under application references 72360/APP/2021/1709 and 72360/APP/2021/2656). This building is set approximately 40m away the south of the proposed development. Given these separation distances, it is not anticipated that the proposed development would compromise the privacy of such neighbours, as a 21metre separation distance is achieved to all surrounding properties.

Consideration has also been given to the future redevelopment of the western part of this site. It is noted that the main form of the Keith House West Site development would be set approximately 21m from the shared living development block proposed. Notably, balconies have been approved on the east elevation of the west site development, meaning that the separation distance between the blocks is slightly reduced to 19.5m. It is important to note that the 21m requirement is specific to the distance between the windows of habitable rooms and is therefore in accordance with the necessary separation distances. T

A Daylight, Sunlight and Overshadowing Report (Dated July 2021) has been submitted in support of the proposed development. As confirmed by the Council's Daylight and Sunlight Consultant, the proposed development is considered acceptable with regard to its impact on neighbouring residential properties.

It should also be noted that the daylight and sunlight assessment submitted under the Keith House West Site application (reference 27189/APP/2020/2181) factored in the Keith House East Site development (current application). It was concluded that the impact on Keith House West residents was acceptable. The application was also recommended for approval at the Major Applications Planning Committee on 11th March 2021.

Given the above considerations, the proposal is considered to accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

7.09 Living conditions for future occupiers

INTERNAL LIVING CONDITIONS

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policy D6 of the London Plan (2021) outline internal space standards for C3 residential development. As the proposal is for large scale shared living accommodation (Sui Generis), the proposed units would not be expected to accord with the internal space requirements noted above. They should, however, accord with Accessible Homes standards, provide adequate functional living space and layout, should not be self-contained homes and should not be capable of being used as self-contained homes. Any formal application submission should demonstrate accordance with these standards.

Of relevance is Paragraph 130 of the National Planning Policy Framework (2021) which states that planning decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposed development would provide 376 no. shared living units. All units are for single person occupancy but three different unit types are proposed, including Standard (16m² GIA), Standard+ (17m²) and Accessible (24m²). The proposed building would provide 59 no. Standard units, 281 no. Standard+ units and 36 no. Accessible units.

These units would be provided mostly as single aspect units, approximately one quarter of which would face north. It should be noted that the Council's Daylight and Sunlight Consultants consider the proposed daylight amenity to be acceptable. Regarding internal sunlight amenity, there will be windows/rooms that achieve levels of sunlight amenity below the BRE's recommended targets. However, it is considered that the extent of failures does not warrant a reason for refusal given the urban context of the site. Subject to conditions, the Council's Noise Consultant also confirms that a satisfactory noise environment can be achieved for the proposed development.

Given the nature of a shared living development, the provision of sufficient internal and external communal amenity space is key to creating a place of residence which does not encourage the use of under-sized rooms as self-contained units. This is discussed below.

PRIVATE AND COMMUNAL AMENITY SPACE

Paragraph 4.16.6 of the London Plan (2021) states that there are currently no minimum space standards for communal and private areas of this type of accommodation. Given the generally small size of the private space in these developments, the communal amenity spaces are important elements in ensuring that the quality of the overall residential amenity is acceptable.

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) outlines private outdoor amenity space standards for Use Class C3 residential development. As the proposed units are not Use Class C3 residential, rather a Sui Generis shared living unit, it is considered that Part F(9) of Policy D4 is more applicable, requiring a minimum of 5m² of external amenity space per unit. As the proposal would include 376 no. shared living units, it should be providing at least 1,880m² of external amenity space.

Based on the plans submitted, the proposed development would provide a communal amenity deck on the 1st and 8th floors. These would measure approximately 422m² and 344m² in area respectively, totalling 766m². It is noted that internal communal amenity spaces are also provided, including the following:

- 523m² of internal communal amenity space on the ground floor
- 727m² of internal communal amenity space on the 1st floor
- 155m² of internal communal amenity space on the 8th floor

When combined, internal and external amenity space totals 2,171m², equating to 5.8m² per unit. In the absence of any specific adopted standards, it is important to compare the proposed development to other shared living schemes which have been granted approval. The following developments were granted planning permission and provided:

- 5.99m² per unit - Battersea
- 2.33m² per unit - Canary Wharf
- 2.45m² per unit - Hackney Wick
- 4.97m² per unit - Earlsfield
- 2.85m² per unit - Harrow
- 1.07m² per unit - Acton
- 3.74m² per unit - Blackhorse Lane

In view of the above, the internal and external amenity space provision proposed would be comparable or exceed the standards achieved by other large scale shared living schemes. Accordingly, the provision proposed is considered to be acceptable.

PUBLIC OPEN SPACE

Policy G4 of the London Plan (2021) states that development proposals should create areas of publicly accessible open space, particularly in areas of deficiency, where possible

Policy EM4 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will safeguard, enhance and extend the network of open spaces, informal recreational and environmental opportunities that operate as carbon sinks and that meet local community needs and facilitate active lifestyles by providing spaces within walking distance of homes. Provision should be made as close as possible to the community it will serve. There will be a presumption against any net loss of open space in the Borough. The Council will identify new opportunities for open space through an Open Space Strategy. Major developments will be expected to make appropriate contributions to the delivery of new opportunities, or to the improvement and enhancements of existing facilities.

Policy DMCI 4 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Proposals for major new residential development will be supported where they make provision for new open space, or enhancements to existing open space, which meets the needs of the occupiers of the development and contributes to the mitigation of identified deficiencies in the quantity, quality and accessibility of open space. Regard will be had to Hillingdon's local recommended standards of provision for all relevant typologies of open

space.

B) The provision of major new pieces of open space should contribute positively to Hillingdon's existing networks of green spaces. In major town centre developments, new civic space may be required as an alternative to green open space.

C) Proposals for major new residential development that fail to make provision for new or enhanced open space, or which would result in open space that is inappropriate in type, quality or location, will be resisted.

The proposed plans indicate that approximately 570m² of publicly accessible open space within the central mews is to be provided and shared with the future residents of the western site. This falls short of the required quantum.

If sufficient publicly accessible open space cannot be accommodated within the site, a financial contribution is required. In the context of the proposed development, it is considered appropriate that contributions are sought for the enhancement of existing public open space. Based on the Planning Obligations Supplementary Planning Document (July 2014), this is calculated as £173,500

Subject to a Section 106 agreement securing a financial contribution in accordance with the above, the proposal would accord with Policy DMCI 4 of the Hillingdon Local Plan: Part 2 (2020), Policy EM4 of the Hillingdon Local Plan: Part 1 (2012) and Policy G4 of the London Plan (2021).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The site is located on North Hyde Road. Based on TfL's WebCAT planning tool, the site has a PTAL rating of 4.

The following planning policies are considered:

Policy DMT 1 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and roads.

Policy DMT 5 of the Hillingdon Local Plan: Part 2 (2020) states that:

A) Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including:

- i) the retention and, where appropriate, enhancement of any existing pedestrian and cycle routes;
- ii) the provision of a high quality and safe public realm or interface with the public realm, which facilitates convenient and direct access to the site for pedestrian and cyclists;
- iii) the provision of well signposted, attractive pedestrian and cycle routes separated from vehicular traffic where possible; and
- iv) the provision of cycle parking and changing facilities in accordance with Appendix C, Table 1 or, in agreement with Council.

B) Development proposals, by virtue of their design, will be required to complement and

enhance local amenity and include passive surveillance to the network.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The National Planning Policy Framework (NPPF) (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is supported by Policy T4 of the London Plan (2021).

The proposed development would provide a 'car-light' development, meaning that only 3 no. blue badge car parking space are proposed for the purposes of the shared living accommodation and 4 no. car parking spaces are proposed for the purposes of the ground floor commercial units.

SHARED LIVING CAR PARKING PROVISION

The proposed development should be viewed in the context of Table 10.3 attached to Policy T6.1 of the London Plan (2021) which states that Outer London sites with a PTAL rating of 4 should not exceed a maximum car parking provision of 0.5 spaces per dwelling. Policy DMT 6, Appendix C, of the Hillingdon Local Plan: Part 2 (2020) also requires a maximum of 0.5 spaces per studio unit. It is also worth noting that the proposed development would not provide typical C3 residential units, and as such, the standards noted under Policy T6.1 and DMT 6 are not strictly applicable.

Notably, large-scale purpose-built shared living model is inherently for areas well-connected to local services and employment by walking, cycling and public transport. Policy H16 of the London Plan (March 2021) also specifically requires that the proposed design should not contribute to car dependency. The site is located within an area with a PTAL rating of 4, circa 500m (8 min walk) from Hayes and Harlington Station with 4 bus stops within a 400m radius. Evidently, the application site is well connected.

The proposed development would provide 376 no. shared living units and would only provide 3 no. blue badge car parking spaces. This 'car lite' car parking provision is offered in combination with a package of mitigation which seeks to offer r future residents genuine alternatives to trip making by the private car, thereby achieving a modal shift in favour of active and sustainable modes. These measures are set out below in more detail.

MEASURES TO ENCOURAGE SUSTAINABLE TRAVEL

Active Travel Zone Assessment

The Active Travel Zone Assessment submitted identifies a number of areas along key routes which do not fulfil the healthy streets criteria. In connection with this, the following improvements are to be secured under the Keith House West Site planning permission (reference 27189/APP/2020/2181):

- Widening of the island on North Hyde Road, adjoining the North Hyde Road/Dawley Road/Bourne Avenue Roundabout; and
- Providing lighting, planting and surfacing to Keith Road link connecting to Dawley Road (costed a 68% of the total cost based on site area).

The remaining improvements identified and negotiated by the Council's Highways Officer are listed as follows:

- Providing lighting, planting and surfacing to Keith Road link connecting to Dawley Road (costed a 32% of the total cost based on site area).
- North Hyde Road - On-street advisory cycle lanes;
- Intersection of Keith Road and North Hyde Road - Remodel junction to improve pedestrian and cyclist access;
- Keith Road junction with station Road - Widen footway on southern side;
- Various locations - 10no. street trees;
- Various locations - 3no. benches;
- Dawley Road/Woodhouse Close - Localised resurfacing with tactile paving and dropped kerbs; and
- Outside Cranford Park School - Localised resurfacing with tactile paving and dropped kerbs.

The proposed Keith Road enhancement works are costed at £254,000. If recommended for approval, 32% (based on total site area) of this sum (£81,280) would be secured by a Section 106 Legal Agreement. The remainder of this sum is to be secured under the Keith House West planning permission. Should the neighbouring development site not be brought forward within a given period, the remainder of the cost should be provided by the subject site developer.

Similarly to the Keith House West Site, it is considered reasonable and proportionate to secure a financial contribution towards the review of local roads; including but not limited to Bourne Avenue, Guinness Close, Windsor Gardens, Waltham Avenue and Colbrook Avenue; with a view to implementing a Parking Management Scheme. If recommended for approval, this would be secured by Section 106 legal agreement.

Restriction on Lease Agreements

In response to the Council's Highways Officer comments, the 'Response to LBH Highway Officer Comments (Dated 10th November 2021)' was submitted. This clarifies that under the membership agreement signed by prospective tenants at the shared living site, it is agreed that "the Residence is a low car housing scheme and that (with the exception of Blue Badge holders) the Member is not entitled to seek and the local authority will not provide any form of permission to park a motor vehicle in any controlled parking area in the vicinity of the Residence, and further not to park any vehicle at the Residence or in its vicinity". The membership agreement is part of the legal tenancy of the buildings and therefore residents cannot own a car or park a private car on-site or within surrounding streets. This will be actively monitored through the building's on-site operational team.

If recommended for approval, the details of the restriction on lease agreements to terminate the lease if an occupier is found to have parked a car at the development or in the surrounding area shall be submitted to and approved in writing by the Council.

Restriction on Parking Permits

If recommended for approval, the residents of this development will not to be eligible for parking permits within the Parking Management Areas and Council car parks in the vicinity of the site.

Cycle Parking Provision

Policy T5, Table 10.2, of the London Plan (2021) states the following cycle parking requirements for shared living developments:

- Long-stay: 1 space per studio or 1 person 1 bedroom dwelling; and
- Short-stay: 5 to 40 dwellings: 2 spaces, thereafter: 1 space per 40 dwellings

In accordance with the above, 376 no. long-stay spaces and 10 no. short-stay spaces are required.

Policy T5 of the London Plan (2021) also requires the following for light industry and research developments:

- Long-stay: 1 space per 250m² GEA;
- Short-stay: 1 space per 1000m² GEA.

The commercial element would provide 435m² GEA, requiring 2 no. long-stay spaces and 1 no. short-stay space.

The proposed development would provide 2 no. long stay spaces for the commercial units, 376 no. long-stay spaces and 60 no. cycle storage lockers for shared living units, and 8 no. short-stay cycle parking spaces within the public realm. This provision is considered acceptable.

Evidently, the proposed development commits to a significant number of cycle parking spaces in aid of encouraging a shift towards more sustainable travel modes.

Santander Cycle Hire Scheme

The Transport Assessment makes a commitment to provide Santander Cycle Hire docking station facilities. If recommended for approval, a financial contribution amounting to £12,000 would be secured to provide a 10 no. bike docking station within the vicinity of the site.

Car Club

If recommended for approval, the details of a Car Club Operator agreement is to be secured to deliver 2 no. car club parking spaces. Following discussions with the applicant, it is agreed that the agreement will include free membership for 3 years plus £50 credit for one person in each unit. The cost of the Traffic Order and associated works, amounting to £3000, will be at the expense of the applicant. If after 3 years from when the development becomes operational the Car Club has failed to establish and is unviable to operate, the developer will pay the Council £120,000 to fund active travel measures to cater for those trips that would otherwise have been made by the Car Club car.

Travel Plan

If recommended for approval, a full Travel Plan is to be secured alongside a £20,000 Travel Plan bond to ensure that it is delivered.

Sustainable Travel Summary

Subject to securing the measures set out above, the level of on-site car parking is considered to be acceptable.

ACCESSIBLE PARKING FOR SHARED LIVING

There are no accessible car parking standards for shared living developments. As per the Keith House West Site planning permission (reference 27189/APP/2020/2181), 3 no. accessible car parking spaces for East Site shared living units should be provided, in addition to the 9 no. accessible car parking spaces secured for the West Site residential development. If recommended for approval, this would be secured by planning condition.

ELECTRICAL VEHICLE CHARGING POINTS FOR SHARED LIVING

Policy T6.1 of the of the London Plan (2021) states that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

The proposed development would provide the shared living (blue badge) car parking space with an active electric vehicle charging point. It has been agreed that this would be provided in the form of a rapid charging point. If recommended for approval, this would be secured by condition.

COMMERCIAL CAR PARKING PROVISION

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 (2020) requires a maximum of 2 spaces plus 1 space per 50 - 100m² of gross floorspace. The proposed commercial floorspace would equate to approximately 405m², requiring a maximum of between 6 and 10 car parking spaces.

The information submitted confirms that the commercial element of the West Site would have access to 4 no. car parking spaces and the commercial element of the East Site would also have access to 4 no. car parking spaces. This is considered sufficient and acceptable for the purposes of the proposed development. If recommended for approval, this would be secured by condition.

ACCESSIBLE PARKING FOR COMMERCIAL

Policy T6.5, Table 10.6, of the London Plan (2021) requires that 5% of all spaces are provided as designated disabled bays and that 5% of all spaces are provided as enlarged bays.

The above policy would require that 0.2 spaces are provided as a disabled bay and 0.2 spaces are provided as enlarged bays. The plans submitted indicate that the commercial element of the proposal would not have access to an accessible car parking space. As such, the proposal would conflict with this policy requirement. In order to resolve this conflict with policy, it is proposed that a Parking Management and Allocation Plan is secured, ensuring that one additional disabled persons parking space be provided for use by the commercial unit. This is therefore considered acceptable and would be secured by planning condition if recommended for approval.

ELECTRICAL VEHICLE CHARGING POINTS FOR COMMERCIAL

Policy T6.2 of the of the London Plan (2021) states that car parking provision for office development or industrial should include appropriate provision for electric or other Ultra-

Low Emission vehicles.

The proposed development would provide one commercial car parking space with an active electric vehicle charging point. It has been agreed that this would be provided in the form of a rapid charging point. It is also considered appropriate that all remaining car parking spaces are provided with passive electric vehicle charging infrastructure. If recommended for approval, this would be secured by condition.

TRIP GENERATION

The existing demand of 330 two-way trips for the distribution use will reduce to a total of 246 two-way trips for the full site (including the permitted residential use on the Keith House West site). Specifically, the Eastern site will generate 51 two-way trips.

SERVICING AND DELIVERY

If recommended for approval, a finalised Servicing and Delivery Plan would be secured by condition.

CONSTRUCTION LOGISTICS PLAN

If recommended for approval, a finalised Construction Logistics Plan would be secured by condition.

SUMMARY

If recommended for approval, a number of planning obligations would be secured by Section 106 legal agreement and would contribute to the mitigation of impacts that may arise from the proposed uses. This includes the following:

- Highways Works: Section 278 agreement to secure highway works.
- Highways Improvements: A financial contribution amounting to £91,574 shall be paid to the Council for the local highway improvements.
- Keith Road Enhancement: A financial contribution amounting to £81,280 (32% of total contribution amounting to £254,000) to be paid to the Council for works to enhance Keith Road, including lighting, planting and surfacing to encourage pedestrian and cyclists to use the link.
- Parking Management Scheme: A financial contribution amounting to £25,000 shall be paid to the Council for the review of local roads with a view to implementing a Parking Management Scheme.
- Restriction on Lease Agreements: The details of the restriction on lease agreements to terminate the lease if an occupier is found to have parked a car at the development or in the surrounding area shall be submitted to and approved in writing by the Council.
- Parking Permit Restrictions: The residents of this development will not be eligible for parking permits within the Parking Management Areas and Council car parks in the vicinity of the site.
- Santander Cycle Hire Scheme: A financial contribution amounting to £12,000 shall be paid to the Council for the provision of a 10 no. bicycle docking stations within the vicinity of the site.
- Car Club Scheme: A Car Club Operator agreement is to be secured to deliver 2 no. car club parking spaces.
- Travel Plan: A full Travel Plan is to be secured alongside a £20,000 Travel Plan bond to ensure that it is delivered.

Subject to the planning obligations and conditions noted above, the proposed development would not be considered contrary to Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020), Policy T4 of the London Plan (2021) and the NPPF (2021).

7.11 Urban design, access and security

URBAN DESIGN

The design of the proposed building is considered in Section 07.07 of the report.

PUBLIC REALM

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development should be well integrated with the surrounding area and accessible. It should:

- i) improve legibility and promote routes and wayfinding between the development and local amenities;
- ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area;
- iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space;
- iv) provide safe and direct pedestrian and cycle movement through the space;
- v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard;
- vi) where appropriate, include the installation of public art; and
- vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.

B) Public realm improvements will be sought from developments located close to transport interchanges and community facilities to ensure easy access between different transport modes and into local community facilities.

This is also supported by Policy D8 of the London Plan (2021).

The proposed central spine road is considered to provide permeability to the site, better connecting North Hyde to Keith Road. This forms the main public realm element of the proposal and is improved with the introduction of a public open space. This will also connect to the proposed Keith Road enhancement works sited to the north and is considered to be a significant benefit of the proposed scheme. Subject to securing a financial contribution for such off-site works by a Section 106 legal agreement, the proposed development is considered to accord with Policy DMHB 12 of the Hillingdon Local Plan: Part 2 (2020).

SECURITY

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;

- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

This is supported by Policy D11 of the London Plan (2021).

If recommended for approval, a secure by design condition would be attached to achieve appropriate accreditation. Subject to such a condition, the proposal would accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London Plan (2021).

7.12 Disabled access

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design. They should:

- 1) be designed taking into account London's diverse population;
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion;
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment;
- 4) be able to be entered, used and exited safely, easily and with dignity for all; and
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

The plans submitted indicate that a total of 36 no. accessible units are to be provided on the following floors:

- Level 01 - 6 units
- Level 02 - 5 units
- Level 03 - 5 units
- Level 04 - 5 units
- Level 05 - 5 units
- Level 06 - 5 units
- Level 07 - 5 units
- Level 08 - none

These units would measure 24m² GIA and have been designed in adherence with Part M diagram 17 for a wheelchair-accessible hotel bedroom with en-suite facilities. The design of the accessible rooms has also been informed by BS 8300, GLA Accessible Hotels in London Appendix B Draft Best Practice Guidance, London Plan (2021), and Accessible Hillingdon Supplementary Planning Document (2017). The rooms are provided along accessible routes and located close to the lifts on the upper floors. Internally, the rooms are provided en-suite bathrooms, with walls capable of supporting the required fittings. The rooms also allow suitable manoeuvring space for mobile or ceiling hoists.

In accordance with the comments provided by the Council's Access Officer, details of the proposed accessible units, the communal amenity spaces and the public open space shall be secured by planning condition to ensure that they are genuinely accessible. A Fire Statement shall also be secured by planning condition to ensure reliable, convenient and dignified means of escape for all building users are provided. Subject to the conditions, the proposed development is considered to accord with the requirements of Policy D5 of the London Plan (2021).

7.13 Provision of affordable & special needs housing

Policy H16 of the London Plan (2021) sets out the affordable housing requirements. The proposal should deliver upfront cash in lieu payment or an in perpetuity annual payment to the local authority. Schemes which do not meet the relevant threshold are subject to the viability route.

Following consultation with the Council's Financial Viability Consultants, it is understood that the surplus with day one rental growth at 0% equals £1,971,946. This sum would require that a late stage review is incorporated into the Section 106 legal agreement, ensuring that a greater sum is secured if the viability of the scheme improves. Such a review mechanism could not be agreed with the applicant. If the review mechanism was removed from the legal agreement, it would remove the opportunity to potentially secure additional financial contributions from the scheme. As such, the balance is between establishing certainty of payment at current day as opposed to a level of risk associated with a potentially higher payment over the course of the development programme.

Taking into account the information provided by the Council's Financial Viability Consultants and applicant's request to remove the mechanism for a late stage viability review, Officer's have assessed Council's position in line with GLA requirements. Accordingly, a 60% apportionment of the uplift in surplus (this being the difference between the surpluses for day one rental growth at 0% and day one rental growth 5%) is applied and added to the day one rental growth scenario at 0%. Accordingly, an upfront cash in lieu payment of £3,267,188.20 has been agreed with the applicant on the basis that a late stage review is not secured. This is considered to represent the maximum reasonable affordable housing contribution possible and accords with Policy H16 of the London Plan (2021). If recommended for approval, this contribution would be secured by a S106 legal agreement.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy DMEI 1 of the Hillingdon Local Plan: Part 2 (2020) states that all development proposals are required to comply with the following:

- i) All major development should incorporate living roofs and/or walls into the development. Suitable justification should be provided where living walls and roofs cannot be provided; and
- ii) Major development in Air Quality Management Areas must provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) states:

- A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The application site does not form part of a Conservation Area and is not subject to any Tree Protection Orders. Based on the information submitted, 25 individual trees and 7 groups have been assessed. No 'A' grade trees were identified on-site. A total of 15 no. trees and 5 groups have been assessed as category 'B' trees, with a further 9 trees and 2 groups category 'C'. There are also 5 category 'U' trees whose poor condition indicates that they should be removed for sound management reasons.

To enable the development, 10 individual trees would be removed, including 4 no. B, 3 no. C and 3 no. U category trees. Four groups will also be affected, including 3 no. grade B groups and 1 no. grade C group. Trees along the southern boundary will be removed and/or pruned back for arboricultural landscape reasons. Trees along the north boundary will also be removed to facilitate the development. Tree protection measures are specified.

Although it is proposed that at least 6 new trees will be planted along the southern boundary, there will be a net loss of trees. If recommended for approval, a detailed landscape scheme would be secured by condition and would ensure that planting is maximised to avoid a net loss.

The central spine road would provide access, car parking and servicing for the proposed building. This creates a public open space which in turn connects to the proposed Keith Road enhancement works sited to the north. This is considered to be a significant benefit of the revised scheme.

The proposed proposed communal first floor podium deck also forms a notable landscape feature. This is supplemented by a communal roof terrace on the 8th floor and a green roof. If recommended for approval, a planning condition would secure the detail of these spaces.

Subject to conditions, the proposed development would not be considered contrary to Policy G1 of the London Plan (2021) and Policies DME1, DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020).

URBAN GREENING FACTOR

Policy G5 of the London Plan (2021) states:

- a. Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- b. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in Table 8.2, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

The information submitted confirms that only the 'developed' part of the site has been assessed (excluding the existing tree planting around the perimeters) and generates a score of 0.56. Evidently, the proposed development accords with Policy G5 of the London Plan (2021).

ECOLOGY

Paragraph 174 of the NPPF (2021) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is supported by Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

The submitted Ecological Enhancement Scheme (Dated July 2021) indicates the provision of bat boxes, sparrow terraces, swift boxes and invertebrate boxes. The planting proposed should also maximise ecological value. If recommended for approval, compliance with this scheme would be secured by planning condition. Subject to this condition, the proposal is considered to accord with the NPPF (2021), Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

7.15 Sustainable waste management

Policy EM11 of the Hillingdon Local Plan: Part 1 (2012) requires all new development to address waste management at all stages of a development's life from design and construction through to the end use and activity on site, ensuring that all waste is managed towards the upper end of the waste hierarchy.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Bin storage is proposed at the ground floor level, with dedicated provisions for shared living use and commercial use. Refuse and recycling from the shared living bedrooms would be transferred by cleaners from the units to the communal bin stores in at ground floor. When the residential waste bins are scheduled for collection, staff members will wheel out the Eurobins to a position ready for collection. This will be run by the management of the shared living facility and will avoid the need for the refuse vehicle to reverse excessive distances and for refuse operatives to exceed carry distances. The bin presentation area will be within 10 metres of the refuse collection vehicle. Accordingly, the proposed development is considered to accord with Policy EM11 of the Hillingdon Local Plan: Part 1 (2012) and part D) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

7.16 Renewable energy / Sustainability

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 (2020) requires that:

A) All developments make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets;

B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved;

C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, if the Council is minded to approve the application despite not meeting the carbon reduction targets, then it will seek an off-site contribution to make up for the shortfall. The contribution will be sought at a flat rate at of £/tonne over the lifetime of the development, in accordance with the current 'allowable solutions cost'.

This is supported by Policy EM1 of the Hillingdon Local Plan: Part 1 (2012).

Policy SI 2 of the London Plan (2021) states that major development should be net zero-carbon, in accordance with the energy hierarchy: Be lean: use less energy and manage demand during operation; Be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly; Be green: maximise opportunities for

renewable energy by producing, storing and using renewable energy on-site; and Be seen: monitor, verify and report on energy performance.

The submitted Energy Strategy states that the development achieves a 73% carbon reduction on site through a fabric first approach and the installation of high efficiency ASHP and PV panels. If recommended for approval, the details of this technology would be secured by condition.

Given that there is a zero-carbon requirement for the residential development, the applicant has made a commitment to ensure the shortfall is met via payment to the Hillingdon's carbon offset fund. If recommended for approval, a Section 106 legal obligation will secure £196,662 at a cost of £95 per tonne of carbon over a 30-year period.

Subject to the condition and Section 106 planning obligation, the proposed development would not be considered contrary to Policy SI 2 of the London Plan (2021), Policy EM1 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 (2020).

OVERHEATING

Policy SI 4 of the London Plan (2021) states:

A) Development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

B) Major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- 2) minimise internal heat generation through energy efficient design;
- 3) manage the heat within the building through exposed internal thermal mass and high ceilings;
- 4) provide passive ventilation;
- 5) provide mechanical ventilation; and
- 6) provide active cooling systems.

The Energy Strategy submitted indicates that the cooling hierarchy has been incorporated into the principle of the proposed design. If recommended for approval, the final details of the Overheating Strategy shall be secured by condition. Subject to such a condition, the proposal would accord with Policy SI 4 of the London Plan (2021).

7.17 Flooding or Drainage Issues

Policy SI 12 of the London Plan (2021) requires that development proposals ensure that flood risk is minimised and mitigated. Policy SI 13 of the London Plan (2021) also requires that development proposals utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020). Notably, proposals that fail to make appropriate provision of flood risk and surface water flooding mitigation will be refused.

The proposed drainage strategy incorporates green infrastructure and SuDS features into the proposed drainage strategy. It has been agreed that a condition would secure the detail

of the drainage strategy, ensuring that a peak runoff rate of 4.5l/s is achieved for the whole site, with 3.1l/s for the 'West Site' and 1.4l/sec for the 'East Site'. Subject to such a condition, the proposed development is not considered contrary to Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020), Policy EM6 of the Hillingdon Local Plan: Part 1 (2012), Policies SI 12 and SI 13 of the London Plan (2021).

7.18 Noise or Air Quality Issues

NOISE

Policy D13 of the London Plan (2021) places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials - in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

This is supported by Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

The scheme has been reviewed independently by the Council's Noise Consultants. In terms of the impact of the environment on the proposed development, noise and vibration from the road, rail and substations are taken into consideration. It is concluded that the resultant sound levels are likely to be acceptable in the context of the site.

The Council's Noise Consultants also recommend that planning conditions are secured for the following:

1. Details of the externally mounted and vented plant and noise control measures, where necessary, associated with the operation of the development to meet the requirements of the 2016 SPD4 and BS 41425. Existing and known/consented future residential premises should be taken into account, together with any known/consented future development to suitably account for the potential for cumulative (commercial noise) effects.
2. Final details of the external noise mitigation strategy to meet the criteria within the 2016 SPD6 and BS 82337 during ADF (background) ventilation conditions. The occurrence of overheating should be minimised as far as practicable, as should any increase in external

noise ingress during overheating conditions, to no more than 10 dBA above the SPD criteria. Noise from any associated building services plant should be controlled in accordance with the guidance within Figure 3-4 and Figure 3-5 of the AVO Guide.

Subject to such conditions, the proposal would accord with the requirements of Policies D13 and D14 of the London Plan (2021), Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

AIR QUALITY

Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors. Policy SI 1 of the London Plan (2021) further supports this.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) 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 improvement of air quality, especially within the Air Quality Management Area.

The application site is located within the Hillingdon Air Quality Management Area and Hayes Air Quality Focus Area. The proposed development, due to its size and location, will add to current exceedances of the nitrogen dioxide annual mean limit value within this sensitive area as a result of traffic emissions. The proposal is also not air quality neutral in terms of traffic emissions.

As advised by the Council's Air Quality Officer, the level of mitigation required for traffic emissions associated with the proposed development is £21,173. Planning conditions pertaining to an Air Quality Emission and Exposure Mitigation Plan and control of Non-Road Mobile Machinery are also required.

Subject to such planning obligations and conditions, the proposal is not considered contrary to Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) and Policy SI 1 of the London Plan (2021).

7.19 Comments on Public Consultations

Please see Section 06.1 of the report.

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis:

i) to secure the provision of affordable housing in relation to residential development schemes;

ii) where a development has infrastructure needs that are not addressed through CIL; and
iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following:

- i. Affordable Housing: Planning obligation for a cash in lieu contribution equal to £3,267,188.20 towards conventional C3 affordable housing within the authority's area.
- ii. Shared living accommodation management plan, including information on:
 - a. security and fire safety procedures
 - b. move in and move out arrangements
 - c. how all internal and external areas of the development will be maintained
 - d. how communal spaces and private units will be cleaned
 - e. how deliveries for servicing the development and residents' deliveries will be managed.
- iii. Tenancy Agreement: Planning obligation to secure the minimum tenancy length to three months and ensure that each unit is licensed or leased to a single individual.
- iv. Community Investment Programme: Planning obligation for a Community Investment Programme document to be submitted to and agreed by the Local Planning Authority prior to occupation.
- v. Air Quality Contribution: A financial contribution amounting to £21,173 shall be paid to address the air quality impacts of the proposed development.
- vi. Carbon Offset Contribution: A financial contribution amounting to £196,662 shall be paid to the Council's carbon offset fund.
- vii. Public Open Space: A financial contribution amounting to £173,500 shall be paid to the Council for the enhancement of existing public open space within the authority's administrative area.

viii. HUDU Health Contribution: A financial contribution amounting to £195,162 shall be paid to the Council for the enhancement of health infrastructure provision within the authority's area.

ix. Highways Works: Section 278 agreement to secure highway works, including installation of a dropped kerb and tactile paving on Dawley Road.

x. Highways Improvements: A financial contribution amounting to £91,574 shall be paid to the Council for the local highway improvements.

xi. Keith Road Enhancement: A financial contribution amounting to £81,280 (32% of total contribution amounting to £254,000) to be paid to the Council for works to enhance Keith Road, including lighting, planting and surfacing to encourage pedestrian and cyclists to use the link. Should the neighbouring development site (Keith House West Site) not be brought forward within a given period, the remainder of the cost, equal to an additional £172,720, is to be provided by the subject Site developer.

xii. Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such as matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured.

xiii. Parking Management Scheme: A financial contribution amounting to £25,000 shall be paid to the Council for the review of local roads, with a view to implementing a Parking Management Scheme. This money will be held by the Council for a period of 5 years post full occupation. Any unused or residual monies would be returned by-way of the above legal mechanism within a mutually agreed timescale.

xiv. Parking Permits: The residents of this development will not to be eligible for parking permits within the Parking Management Areas and Council car parks in the vicinity of the site, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

xv. Restriction on Lease Agreements: The details of the restriction on lease agreements to terminate the lease if an occupier is found to have parked a car at the development or in the surrounding area shall be submitted to and approved in writing by the Council.

xvi. Car Club Scheme: The details of an agreement with a Car Club Operator providing for Car Club Membership (including free membership for 3 years plus £50 credit for one person in each unit) shall be submitted to and approved in writing by the Council, including the provision of 2 no. Car Club parking spaces. The cost of the Traffic Order and associated works, amounting to £3000, will be at the expense of the applicant. If after 3 years from when the development becomes operational the Car Club has failed to establish and is unviable to operate, the developer will pay the Council £120,000 to fund active travel measures to cater for those trips that would otherwise have been made by the Car Club car.

xvii. Santander Cycle Hire Scheme: A financial contribution amounting to £12,000 shall be paid to the Council for the operation and development of the Santander Cycle Hire scheme within the vicinity of the development site.

xviii. Employment Strategy and Construction Training: Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered. Securing an Employment/Training Strategy Agreement is the Council's priority. A financial contribution will only be accepted in exceptional circumstances.

xix. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

COMMUNITY INFRASTRUCTURE LEVY (CIL):

The scheme would also be liable for payments under the Community Infrastructure Levy.

Please be advised that as from 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100m² or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £60 per m² (from April 2019). The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy, which came into effect on 1st August 2014. The liability payable is equal to £0 for shared living development (Sui Generis) and £35 per m² for flexible commercial development (Use Class E(g)(ii) and (iii)).

The CIL liability is estimated as follows:

Hillingdon CIL: £19,916.77

Mayoral CIL: £722,912.73

7.21 Expediency of enforcement action

None.

7.22 Other Issues

CONTAMINATED LAND

Policy DME1 12 of the Hillingdon Local Plan: Part 2 (2020) states that:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The Council's Contamination Officer considers that the proposal is acceptable subject to a

planning condition requiring details of a remediation strategy. Subject to such a condition, the proposal is not considered contrary to Policy DMEI 12 of the Hillingdon Local Plan: Part 2 (2020).

FIRE SAFETY

Policy D12 of the London Plan (2021) states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of:

- 1) the building's construction: methods, products and materials used, including manufacturers' details
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

A final fire strategy will be secured by condition if recommended for approval and will need to be assessed by a suitably qualified Fire Safety Specialist. The discharge of condition application should be accompanied by a Building Control application. Subject to such a condition, the proposal would accord with Policy D12 of the London Plan (2021).

HEALTH

Paragraph 92 of the NPPF (2021) states that planning decisions should aim to achieve healthy, inclusive and safe places which:

- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

Paragraph 93 of the NPPF (2021) states that planning decisions should:

- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Policy GG3 of the London Plan (2021) states that in order to improve Londoners' health and reduce health inequalities, those involved in planning and development must:

- a) ensure that the wider determinants of health are addressed in an integrated and co-ordinated way, taking a systematic approach to improving the mental and physical health of all Londoners and reducing health inequalities
- b) assess the potential impacts of development proposals and Development Plans on the mental and physical health and wellbeing of communities, in order to mitigate any potential negative impacts, maximise potential positive impacts, and help reduce health inequalities
- c) plan for appropriate health and care infrastructure to address the needs of London's changing and growing population

Policy CI1 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will ensure that community and social infrastructure is provided in Hillingdon to cater for the needs of the existing community and future populations.

Paragraph 7.2 of the Hillingdon Local Plan: Part 2 (2020) also states that there is a particularly pressing need in the Borough for additional health care facilities to address higher than expected birth rates and an increase in the older population.

The proposed development falls under the Sui Generis use and is not therefore liable to Hillingdon Community Infrastructure Levy. Accordingly, the HUDU Planning Contributions Model has been used to assess the health service requirements and cost impacts of the development. A financial contribution amounting to £195,162 has been calculated and would be secured as part of the Section 106 legal agreement if recommended for approval

INFRASTRUCTURE ASSESSMENT

Policy D2 of the London Plan (2021) states that an unallocated site that may cause planned infrastructure capacity to be exceeded might need to provide additional infrastructure proportionate to the development. This can only be identified through an infrastructure assessment during the planning application process.

An Planning Utilities Report (Dated July 2021) has been submitted to support the application submission. In respect of the impact upon infrastructure, the proposal will generate some Hillingdon and Mayoral CIL contributions to fund the provision of infrastructure. Notably, a comprehensive set of planning obligations are also to be secured by a Section 106 legal agreement if recommended for approval. Subject to securing such planning obligations, the proposal is not considered to be contrary to Policy D2 of the London Plan (2021).

COMMUNITY INVESTMENT PROGRAMME

The Applicant has been engaging with local stakeholders, neighbours and community groups through a Community Investment Programme (CIP). The CIP seeks to establish partnerships with these groups and individuals over the course of the application process. The CIP process is an important mechanism which can ensure that the local community genuinely benefits from the development coming forward. If recommended for approval, a final CIP document will be secured by the Section 106 legal agreement and weighs in favour of the scheme.

EMPLOYMENT

The application form submitted by the applicant indicates that the proposal would generate 90 full time employment positions. In order to fulfil the requirements of Policy E11 of the London Plan (2021), the applicant is required to guarantee that local residents benefit through jobs and training. If recommended for approval, this would be secured by a Section 106 legal agreement.

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

In conclusion, the proposed demolition of the existing retail warehouse and re-development of the site to provide a mixed-use development comprising 376 no. shared living units and flexible commercial floorspace is considered acceptable in principle.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The communal facilities proposed would provide residents with sufficient amenities to discourage the use of the shared living units as self-contained units. Accordingly, the development is considered to be genuinely for the purposes of shared living.

It is agreed that the up front financial contribution for off-site affordable housing is the maximum reasonable contribution possible. Further financial contributions are proposed to be secured for the enhancement of public open space alongside a contribution to enhance Keith Road. The 'car-light' proposal is considered to be sufficiently mitigated in highways terms by the package of on-site and off-site measures proposed to be secured by planning condition and Section 106 legal agreement. A Community Investment Programme is also proposed to be secured by the Section 106 legal agreement. Such planning gain is considered to notably weigh in favour of the proposed scheme.

The proposed development is also considered acceptable with regard to its design and impact on the townscape, street scene, neighbour amenity, access, security, landscaping, ecology, waste, energy, flood and water management, noise, contaminated land, fire safety and health.

In summary, the proposed development is considered to be a suitable use of the site. The proposed development would not conflict with planning policy and the associated planning gain would weigh in favour of the scheme. Subject to planning conditions and a Section 106 legal agreement, this application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

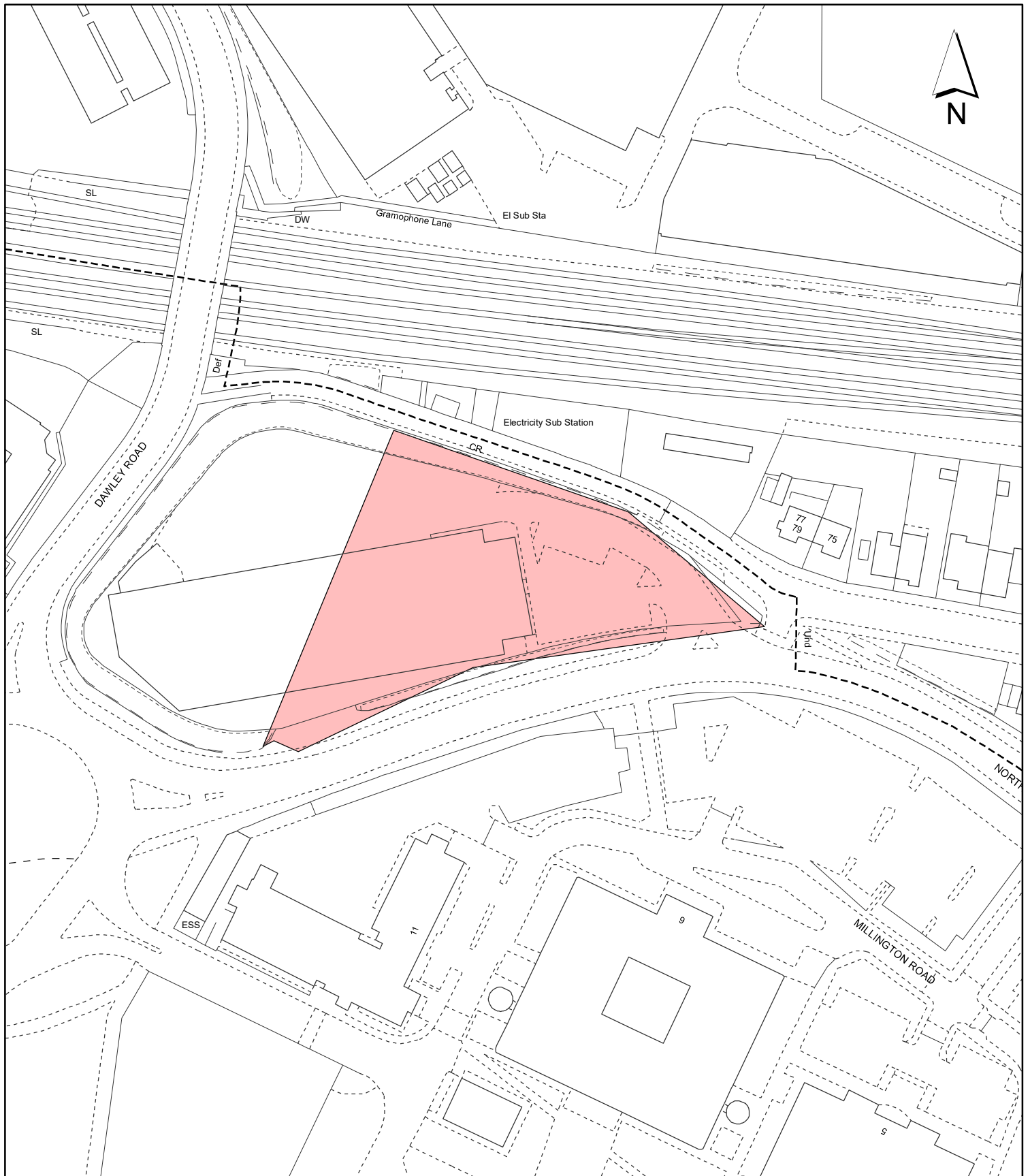
Hillingdon Local Plan: Part 2 - Site Allocations and Designations (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

Contact Officer: Michael Briginshaw

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Notes:

 Site boundary

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LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section

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Planning Application Ref:
27189/APP/2021/2782

Scale:
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Planning Committee:
Major

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