

Report of the Interim Director of Planning, Regeneration & Public Realm

Address:	COMAG TAVISTOCK ROAD YIEWSLEY
Development:	Erection of building comprising 105 residential dwellings (Use Class C3) and 99sq.m (GIA) Community Hub (flexible Use Class E/F.1/F.2), ranging from two to seven storeys together with associated accesses, car parking, cycle parking and hard and soft landscaping (REVISED PLANS 23.11.22)
LBH Ref Nos:	24843/APP/2022/2403
Drawing Nos:	Covering letter 7943.FF.HS.2.1B 7943.PSD.4.0A Fire statement form (1) Fire statement form (2) Outline Fire Safety Strategy - Issue 02 CWD-RMA-ZZ-00-DR-A-0380_P1 Financial Viability assessment by James Brown Flood Risk Statement and Drainage Strategy-Final_Part1 Flood Risk Statement and Drainage Strategy-Final_Part2_Part1 Flood Risk Statement and Drainage Strategy-Final_Part2_Part2 Flood Risk Statement and Drainage Strategy-Final_Part3 Healthy Streets Transport Assessment (FINAL)_Part1 Healthy Streets Transport Assessment (FINAL)_Part2_Part1 Healthy Streets Transport Assessment (FINAL)_Part2_Part2 2202380-03 Ardent Car Parking Management Plan 2202380-04 Ardent Deliveries and Servicing Plan 2202380-02 Ardent Framework Travel Plan Ardent Outline Construction Logistics Plan_Part1 Ardent Outline Construction Logistics Plan_Part 2 Ardent Outline Construction Logistics Plan_Part 4 Ardent Outline Construction Logistics Plan_Part 3 Utilities and Servicing Statement - FINAL_Part2_Part1 Utilities and Servicing Statement - FINAL_Part2_Part2 Utilities and Servicing Statement - FINAL_Part3 Mayor Brown noise and vibration assessment BH Air quality assessment Daylight and sunlight report part 1 Daylight and sunlight report part 2

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Addendum to DAS
 2202380-08 Flood risk addendum
 7943.TRG.PP.1.2E
 7943.TRG.HS.2.2B
 7943 UGF Calculation Rev D
 Additional D&S Review including Tavistock Works Appeal Site
 2211_5001 Rev W
 AY final appraisal 28 April 2023
 Tenure mix plans date submitted 05/05/2023
 Covering Letter
 Location Plan

Date Plans received:	27-07-2022	Date(s) of Amendments(s):	25-08-2022
			01-12-2022
Date Application valid	08-09-2022		23-11-2022
			24-08-2022
			02-08-2022
			09-09-2022
			27-07-2022

1. SUMMARY

This application seeks planning consent for the erection of a building comprising 105 residential dwellings (Use Class C3) and 99sq.m (GIA) Community Hub (flexible Use Class E/F.1/F.2), ranging from two to seven storeys with associated accesses, car parking, cycle parking and hard and soft landscaping.

The application follows the expiry of planning consent ref 24843/APP/2018/269 dated 13.03.18, where consent was granted for a similar scheme which comprised 104 residential units, approximately 250 sqm of community use space, a basement car park and associated access and amenity space. It is reasonable to consider the design parameters this expired consent sets.

The site is currently a vacant area of hard standing. It forms part of the Local Plan site allocation policy SA38 which is allocated for residential use. Site allocation 38 is subdivided into three parts. Site A is the former Padcroft Works site and has been fully redeveloped to a point where the buildings are now occupied. Site B is the application site, and Site C, the former Tavistock Works, has consent for an 8-storey residential block.

Overall the proposed development has been assessed as providing a high-quality redevelopment scheme which contributes positively towards the regeneration of this part of the Town Centre. The proposal includes a dedicated community facility, providing for an active street frontage.

The proposal will also provide public realm improvements with repaving and appropriate street lighting along Tavistock Road and Winnock Road adjacent to the development. A landscaped area is created for residents of the development, creating the potential for a vibrant space which connects

the site to the wider area.

There would be no adverse harm to the amenities of adjoining occupiers. The proposal would not result in an unacceptable loss of light or outlook, nor would there be any unacceptable impact resulting from loss of privacy and overlooking, subject to appropriate conditions.

The proposal provides an appropriate level of car parking, considering sustainable travel options. Traffic modelling indicates an acceptable impact on the surrounding highway network, and a number of enhancements are to be secured by a contribution within the s106 legal agreement.

The proposal's design is considered to complement the occupied development on Site A and responds appropriately to the consented scheme on site C.

As a former industrial site the proposal would be expected to deliver 50% on site affordable housing at a policy compliant tenure mix (70/30 split). The applicant had submitted a scheme which provided 35% on site affordable housing at a 30/70 split therefore not policy compliant. In addition the level of family sized units proposal initially was far below the requirement of 20% as set out in the Councils SHMA. Upon review the applicant has submitted a revised scheme which increases the provision of family sized units to 15% which is above the 12.5% which was secured at appeal for the neighbouring site, Tavistock Works. Subsequently this affects the level of on site affordable housing which can viably be provided. Upon review, the LPA has accepted a 23% habitable room offer with a 61% (London Affordable Rent) and 39% (Shared Ownership). This offer has been reviewed by the Councils appointed viability consultant who has suggested that a early and late stage review mechanism be secured within the legal agreement to deal with any surplus which may be identified during the construction phases.

Overall the proposal in terms of it's design, impact on residential amenity, townscape and the local highway network is considered to be acceptable. Whilst the development would not provide a policy compliant level of affordable housing and tenure mix on site, the Development Plan permits the use of a Financial Viability Assessment to ensure the appropriate level can be secured. The reduction in affordable provision from 35% to 23% is a result of the LPA attributing weight to the underlying need for family sized units in this area which has been increased. As such the proposal is considered to be acceptable on-balance subject to conditions and a legal agreement to secure the affordable housing provision and relevant financial contributions.

2. RECOMMENDATION

That delegated powers be given to the Director for Planning, Regeneration and Public Realm to GRANT planning permission subject to the following:

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

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

- 1. A s278; Highway works needed to facilitate highway improvement works along Tavistock Road**
- 2. Air quality damage cost £95, 008**

3. 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.

4. LBH highway improvement works comprising: - Tactile paving and dropped kerbs at 9no. locations, 5no. new benches, 5no. litter bins and 15no. street trees with a cost of £84,125

5. Travel Plan: An amended 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.

6. Restriction upon future residents preventing them from obtaining an on street parking permit within the existing adjoining Parking Management Scheme and any future expanded Scheme

7. Open space contribution £140,175

8. Health contribution of £33,518

9. Affordable Housing: Planning obligation for an on-site provision of 14 London Affordable Rent units comprising of 7 x 1 bed, 1 x 2 bed and 3 x 3 bed units and 8 Shared Ownership units comprising of 2 x 1 bed, 2 x 2 bed and 4 x 3 bed units. This shall include an Early and Late Stage Viability Review mechanism as defined by Policy H5 of the London Plan (2021). 23% by habitable room with 61% being London Affordable Rent (LAR) and 39% Shared Ownership.

10. Carbon off-set contribution of £202,209

The Council shall agree the amount of the Carbon Offset Contribution before the discharge by the Council of Condition xx of the Planning Permission.

11. Project management and monitoring fee: A financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

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

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

E) If the Legal Agreements have not been finalised within 6 months, delegated authority be given to the Director of Planning, Regeneration and Public Realm to refuse the application for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to the highways necessary as a consequence of demands created by the proposed development. The proposal therefore conflicts with the Town and Country Planning (General Permitted Development) (England) Order 2015, policies DME1 7, of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the Council's Planning Obligations SPD and the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), the London Plan (2021) and the NPPF.'

F) That if the application is approved, the following conditions be imposed subject to changes negotiated by the Director of Planning, Regeneration and Public Realm prior to issuing the decision.

1. RES3 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. RES4 Accordance with Approved Plans

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

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CWD-RMA-ZZ-02-DR-A-0102_P5

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CWD-RMA-ZZ-05-DR-A-0105_P5

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CWD-RMA-ZZ-07-DR-A-0107_P5

CWD-RMA-ZZ-07-DR-A-0107_P5

CWD-RMA-ZZ-00-DR-A-0200_P5

CWD-RMA-XX-ZZ-DR-A-0320_P0

CWD-RMA-ZZ-00-DR-A-0380_P1

CWD-RMA-XX-ZZ-DR-A-0342_P0

CWD-RMA-XX-ZZ-DR-A-0320_P0

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and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012),

Part 2 (2020) and the London Plan (2021).

3. RES5 General compliance with supporting documentation

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

2202380-03 - Ardent Car Parking Management Plan
2202380-04 - Ardent Delivery and Servicing Management Plan
Turley TVIA Viewpoints part 2
Contaminated land report
2211 Comag West Drayton_Addendum
Fire Statement Form (1)
Fire Statement Form (2)
Outline Fire Safety Strategy - Issue 02
Healthy Streets Transport Assessment (FINAL)_Part1
Healthy Streets Transport Assessment (FINAL)_Part2_Part1
Healthy Streets Transport Assessment (FINAL)_Part2_Part2
Utilities and Servicing Statement - FINAL_Part1
Utilities and Servicing Statement - FINAL_Part2_Part1
Utilities and Servicing Statement - FINAL_Part2_Part1
Utilities and Servicing Statement - FINAL_Part3
Mayor Brown noise and vibration assessment
BH Air quality assessment
Daylight and sunlight report part 1
Daylight and sunlight report part 1
Daylight and sunlight report part 2 / 2
Biodiversity assessment
Town visual impact assessment part 1
Turley TVIA Viewpoints part 1
Energy and Sustainability Statement
Energy and Sustainability Statement -SAP calcs
Planning Statement FV_compressed-1
Planning Statement FV_compressed- 2
Planning Statement FV_compressed-3
Planning Statement FV_compressed-4
Planning Statement FV_compressed-5
7943 UGF Calculation Rev D

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 of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

4. RES7 Materials (Submission)

No development shall take place above ground level until details of all materials and external surfaces, , including details of balconies have been submitted to and approved in writing by the Local

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

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

REASON

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

5. RES9 Landscaping (car parking & refuse/cycle storage)

Prior to above ground level works a detailed landscaping scheme shall submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate, to include pollution absorbing trees.
2. Details of Hard Landscaping
 - 2.a Refuse Storage including food waste
 - 2.b Cycle Storage for 200 bikes comprising of 193 residential long stay, 6 residential short stay and 1 for commercial use.
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts for 50 vehicles including 3 disabled accessible spaces(including demonstration that 10 spaces are active, and the remaining have passive electrical charging points)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
3. Living Walls and Roofs
 - 3.a Details of the inclusion of climber panels and green roofs including specification and maintenance
4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
5. Schedule for Implementation

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

REASON

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

6. NONSC Crane operation plan

Prior to the commencement of the development a Crane Operation Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Heathrow Airport Limited. The submitted plan shall include details of;

- cranes and other tall construction equipment (including the details of obstacle lighting)

The approved Crane Operation Plan (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON:

In the interests of aircraft safety in compliance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan : Part 2 - Development Management Policies (2020).

7. NONSC Construction logistics

Prior to the commencement of the development hereby approved (including demolition), a Demolition and Construction Logistics Plan (DLP/CLP) and a Demolition and Construction Management Plan (DMP/CMP) shall be submitted to, and approved in writing by, the Local Planning Authority, to minimise impacts to the local highway network, and to control noise, vibration and air pollutants generated as a result of the construction process. These documents shall be prepared in accordance with the London Freight Plan, 'The control of dust and emissions from construction and demolition' Supplementary Planning Guidance, BRE Pollution Control Guides 'Controlling particles and noise pollution from construction sites' and 'Controlling particles, vapour and noise pollution from construction sites'.

The DLP/CLP and DMP/CMP shall include details of (but shall not necessarily be limited to):

- (i) a programme of works, including hours of construction;
- (ii) the measures for traffic management and encouragement of sustainable modes of transport for workers, including prohibition of construction vehicles parking on the local highway network within the vicinity of the application site;
- (iii) the haulage routes and details of a vehicle booking system including use of a banksman (if applicable), ensuring construction deliveries are received outside peak hours;
- (iv) any closures of public routes and diversions, demonstrating how time spent closed to the public has been minimised;
- (v) the provision of secured restricted access as the sole means of entry to site for cyclists along with a secured turnstile entrance for pedestrians;
- (vi) a site plan identifying the location of the site entrance, exit, visibility zones, wheel washing, hard standing, hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting), stock piles, dust suppression, location of water supplies and location of nearest neighbouring receptors;
- (vii) the loading, unloading and storage of equipment, plant, fuel, oil, materials and chemicals;
- (viii) details of cranes and other tall construction equipment (including the details of obstacle lighting);
- (ix) the means to prevent deposition of mud on the highway and chemical and/or fuel run-off from into nearby watercourse(s);
- (x) a dust risk assessment, including means to monitor and control dust, noise and vibrations, following the published guidance by The Institute of Air Quality Management (IAQM) on how to assess impacts of emissions of dust from demolition and construction sites.
- (xi) the likely noise levels to be generated from plant and construction works and the precautions set

out to eliminate or reduce noise levels where the operational risk levels illustrated within The Control of Noise at Work Regulations 2005 could be exceeded;

(xii) confirmation that a mobile crusher will/won't be used on site and if so, a copy of the permit and intended dates of operation;

(xiii) confirmation of all Non-Road Mobile Machinery (NRMM) to be used, or a statement confirming that NRMM will not be used. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560 kW 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" and must be registered at <http://nrmm.london/>;

(xiv) an asbestos survey and management plan; and

(xv) the arrangement for monitoring and responding to complaints relating to demolition and construction.

and, for the avoidance of doubt:

(i) all Heavy Goods Vehicles associated with the development shall comply with the Direct Vision Standard, with a rating of 3 stars (or more).

(ii) all deliveries to the site, particularly Heavy Goods Vehicles, shall be made using vehicles which have a Class VI mirror fitted in accordance with EU directive 2007/38/EC;

The development hereby approved shall be implemented in accordance with the approved DLP/CLP and DMP/CMP.

REASON

To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway, to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties, in accordance with Policies DMT 1, DMT 2, and DMEI 14 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies D14, SI 1, T4, and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Development Management Policies (2020).

8. NONSC Servicing and delivery

Prior to the first use of the industrial floorspace hereby approved, a Delivery and Servicing Plan, including tracked vehicle movements where necessary, 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 encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy T7 of the London Plan (2021) and Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

9. NONSC Parking management

Prior to any above ground works for the development hereby approved (excluding demolition), a

Parking Design and Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. It shall include the following:

- (i) The arrangements for all on-site parking, including a booking system, and to include provisions for managing, monitoring, enforcement and review. All on-site parking spaces shall be solely for use by the development hereby approved (e.g. staff, visitors, residents) and shall not be used for any other purpose or leased/sub-let.
- (ii) Details of 3 wheelchair accessible spaces; two for residential use and one for non-residential use, to be permanently retained within the car parking area.
- (iii) Details of 3 active electric vehicle charging points.

The vehicle parking provision and its management, as outlined in the approved Parking Design and Management Plan, shall be fully implemented as approved prior to the first occupation of the development, and so maintained in good working order, and the parking spaces shall not be used for any other purpose for the lifetime of the development.

REASON

To ensure the appropriate operation of the car parking spaces in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies T6 and T6.1 of the London Plan (2021).

10. NONSC **Low emissions strategy**

Prior to above ground level works 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 Planning Guidance requirements
- 2) the implementation of a fast electric vehicle charging bay. This is to be implemented above the minimum number of charging points required in the London Plan.
- 3) Produce a robust Travel Plan with a clear and effective strategy to encourage staff / 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 DMEI 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(e), 186 and 188 of the National Planning Policy Framework (2021).

11. NONSC **Air quality 1**

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 in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DMEI 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(e), 186 and 188 of the National Planning Policy Framework (2021).

12. NONSC External lighting

No external lighting related to the development hereby permitted shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered.

REASON

In the interests of protecting residential amenity in accordance with DMHB 11 of the Hillingdon Local Plan : Part Two - Development Management Policies.

13. NONSC Bird hazard management

Prior to 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 Heathrow Airport Limited. The submitted plan shall include details of:

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

The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall thereafter remain in force for the life of the development.

REASON

In the interests of aircraft safety in compliance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (January 2020).

14. NONSC Noise

For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 1 hr, for any one hour period between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.

REASON:

To safeguard the amenity of the occupants of the development in accordance with Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan : Part Two - Development Management Policies (2020).

15. NONSC Energy monitoring

Prior to occupation, a detailed monitoring and reporting plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide full details of how the carbon savings set out in the energy strategy shall be monitored with details of how and when these will be reported to Local Authority. The submitted report shall demonstrate the carbon reduction proposals have been implemented and that the development is compliant with the savings set out in the energy strategy. Measures to remedy any shortfall in carbon savings will be required. The development must be operated in accordance with the approved plan.

REASON

To ensure the development contributes to a reduction in CO2 emissions in accordance with Policy S12 of the London Plan (2021).

16. NONSC Energy

Prior to above ground works an Energy Strategy for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall set out the annual baseline regulated energy demand (kwhr) as per 2013 Building Regulations (or subsequent amendments) and associated carbon emissions (kgCO2 and tCO2). The assessment shall then set out the measures and technology required to achieve a 100% reduction (zero carbon) in the CO2 associated with the baseline regulated energy demand; these measures must be sufficiently evidenced with corresponding details and specifications including the location of low and zero carbon technology (i.e. roof plans showing the inclusion of PV panels).

The Energy Strategy must clearly set out any shortfall (tCO2) of the zero-carbon requirement.

The development must proceed in accordance with the approved updated Energy Assessment.

REASON

To ensure that the development complies with zero-carbon targets, in accordance with Policy SI 2 of the London Plan (2021).

17. NONSC Fire Safety

Prior to above ground level works a revised Fire Safety Strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire Brigade.

REASON

To ensure that the development meets Fire Safety Standards in accordance with policy D12 of the draft London Plan (2021)

18. NONSC Secured by design

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in 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 Hillingdon Local Plan Part 2 policy DMHB 15 and London Plan (2021) D11.

19. NONSC Fire evacuation plan

The development hereby approved shall accord with London Plan policy D5(B5) and D12(A) to include a minimum of one fire evacuation lift per core designed to meet the technical standards set out in BS EN 81-76, BS 9991 and/or BS 9999. The required evacuation lifts shall serve all floors, including the roof garden/terrace and remain in place for the life of the development.

REASON:

To ensure the development provides reliable, convenient and dignified means of escape for all building uses in accordance with London Plan policy D5 and D12.

20. NONSC Accessible units 2

The dwellings hereby approved shall, as a minimum standard, be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON:

To allow the Building Control body to check compliance of the development against the optional Building Regulations standards, and ensure an appropriate standard of housing, in accordance with policy D7 of the 2021 London Plan.

21. NONSC Accessible units 3

The dwellings hereby approved shall ensure that 2 x 1 bed and 9 x 2 bed are constructed to meet the standards for a Category 3, M4(3)(2)(a) Wheelchair Adaptable Standard dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON:

To allow the Building Control body to check compliance of the development against the optional Building Regulations standards, and ensure an appropriate standard of housing, in accordance with policy D7 of the 2021 London Plan.

22. NONSC Details of accessible play equipment

Prior to occupation, the type and location of accessible play equipment for disabled children, shall be submitted to, and approved in writing, by the Local Planning Authority.

REASON:

To ensure the development provides inclusive play for all children, including those with complex multiple disabilities, in accordance with London Plan policy D5.

23. NONSC Contaminated land

(i) The development shall not commence until a fully detailed remediation scheme to address identified contaminants of concern has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the 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 written method statement, providing full details of the proposed remediation scheme and how the completion of the remedial works will be verified, shall be agreed in writing with the LPA prior to commencement of the works, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

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

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

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

24. NONSC Drainage

Prior to the commencement of development a detailed drainage strategy shall be submitted and approved in writing by the Local Planning Authority. The drainage plan shall include:

- Demonstrates that rainwater harvesting techniques have been included or provide a sufficient justification for their non-inclusion.
- Confirms the method of flow control from the site.
- Provides the runoff volume for the greenfield, existing, and proposed rate for the 1 in 100-year 6 hr storm event.
- Provides the model input data and flow control device information along with drainage calculations to clarify which SuDS features and volumes have been modelled.
- Provides calculations to demonstrate that the site will not flood as a result of the 1 in 30-year rainfall

event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100-year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration will be suitably managed (via an exceedance flow route drawing).

- Provides the name of the management company who will be in charge of the SuDS maintenance tasks.

- Provides evidence that Thames Water has approved the discharge rate into their system.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policy SI 12 of the London Plan (2021).

25. NONSC Ecological enhancement plan

Prior to above ground works, an ecological enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide details of ecological features (e.g. bat and bird boxes and mammal, invertebrate and reptile refugia)

The development shall thereafter be implemented in accordance with the approved BEMP.

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies G5 and G6 of the London Plan (2021).

26. NONSC Non Standard Condition

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

REASON:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

27. NONSC Non Standard Condition

Prior to commencement of superstructure works, an 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 including where possible 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).

28. NONSC Non Standard Condition

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 development shall not be used for any purpose other than as:

- E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- E(f) Creche, day nursery or day centre (not including a residential use)

F1 Learning and non-residential institutions - Use (not including residential use) defined in 7 parts:

- F1(a) Provision of education
- F1(b) Display of works of art (otherwise than for sale or hire)
- F1(c) Museums
- F1(d) Public libraries or public reading rooms
- F1(e) Public halls or exhibition hall

F2 Local community - Use as defined in 4 parts:

- F2(b) Halls or meeting places for the principal use of the local community

REASON

To ensure that the provisions of the proposed development are secured to commercial / community uses which would be of benefit to the community and also to prevent detrimental impacts arising from an alternative use within the relevant Use Class.

29. COM22 Operating Hours

The community use space at ground floor level shall not be used except between:-

- 08:00 and 20:00 , Mondays - Fridays
- 08:00 and 18:00 Saturdays
- 10:00 to 16:00 Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

INFORMATIVES

1.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line. Please refer to the Wholesale; Business customers; Groundwater discharges section.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-2:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information.

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.

2. I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act

(1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

3. 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 2019. 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 cil@hillingsdon.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.

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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from 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.

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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMAV 1	Safe Operation of Airports
DMCI 4	Open Spaces in New Development
DMCI 5	Childrens Play Area

DME 2	Employment Uses Outside of Designated Sites
DMEI 1	Living Walls and Roofs and Onsite Vegetation
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 2	Housing Mix
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 17	Residential Density
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 3	Road Safeguarding
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
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 D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing

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LPP D8	(2021) Public realm
LPP D9	(2021) Tall buildings
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP E11	(2021) Skills and opportunities for all
LPP E2	(2021) Providing suitable business space
LPP E3	(2021) Affordable workspace
LPP E4	(2021) Land for industry, logistics and services to support London's economic function
LPP E7	(2021) Industrial intensification, co-location and substitution
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 H10	(2021) Housing size mix
LPP H2	(2021) Small sites
LPP H4	(2021) Delivering affordable housing
LPP H5	(2021) Threshold approach to applications
LPP H6	(2021) Affordable housing tenure
LPP H7	(2021) Monitoring of affordable housing
LPP HC1	(2021) Heritage conservation and growth
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 SI3	(2021) Energy infrastructure
LPP SI4	(2021) Managing heat risk
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 T6.1	(2021) Residential parking
LPP T6.2	(2021) Office parking
LPP T6.5	(2021) Non-residential disabled persons parking
LPP T7	(2021) Deliveries, servicing and construction
LPP T8	(2021) Aviation
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
NPPF8	NPPF 2021 - Promoting healthy and safe communities
NPPF9	NPPF 2021 - Promoting sustainable transport

3. CONSIDERATIONS

3.1 Site and Locality

The application site extends to approximately 0.34 ha and is located on the north side of Tavistock Road to the west of the Grand Union Canal. The site is bound to the north by Winnock Road; to the north-east by the Former Padcroft Works Site; and to the south-west by Tavistock Road.

The site previously accommodated a part two-storey and part three-storey warehouse building (Use Class B8) with ancillary offices. The site was vacated in December 2017. Surrounding the site was an area of hardstanding which accommodated car parking for 80 vehicles.

The site is located within the Yiewsley and West Drayton Town Centre boundary, however it is not designated as primary or secondary shopping frontage. The site is situated amongst an established residential area including terrace properties on Winnock Road, residential apartments on Bentinck Road and the High Street.

The Council's GIS identifies the site as formerly contaminated land. The site is located within the Heathrow Opportunity Area as identified in the London Plan (2021), the Hayes/ West Drayton Corridor as specified in the Strategic Policies of the Hillingdon Local Plan Part 1 (November 2012), the Colne Valley Archaeological Priority Zone and the Hillingdon Air Quality Management Area. The eastern part of the site is within the Yiewsley and West Drayton Air Quality Focus Area. The site has a Public Transport Accessibility Level (PTAL) of 3.

3.2 Proposed Scheme

The proposal seeks planning permission for the redevelopment of the site to erect a building

comprising 105 residential dwellings (Use Class C3) and 99sq.m (GIA) Community Hub (flexible Use Class E/F.1/F.2), ranging from two to seven storeys together with associated accesses, car parking, cycle parking and hard and soft landscaping.

3.3 Relevant Planning History

24843/APP/2018/269 Comag Tavistock Road Yiewsley

Demolition of existing buildings (Use Class B8) and erection of 104 self-contained (20 x 1-bedroom, 75 x 2-bedroom and 9 x 3-bedroom) units (Use Class C3), Community Space (Use Class D1), and the provision of car parking, associated landscaping, drainage and other ancillary work

Decision: 13-03-2018 Approved

Comment on Relevant Planning History

74803/APP/2020/1018 - Full revised planning application for the erection of part 4, part 6 and part 7 storey building, comprising 104 self-contained residential units (Use Class C3), Community Space and the provision of associated landscaping, drainage, and other works including delivery of car parking, plant and other ancillary facilities. The proposals include provision of a cojoined access and parking strategy shared with the existing Padcroft development on-site Detailed Description: 20 x 1-bedroom, 75 x 2-bedroom and 9 x 3-bedroom. Withdrawn July 2020

24843/APP/2018/269 - Demolition of existing buildings (Use Class B8) and erection of 104 self-contained (20 x 1-bedroom, 75 x 2-bedroom and 9 x 3-bedroom) units (Use Class C3), Community Space (Use Class D1), and the provision of car parking, associated landscaping, drainage and other ancillary work. Approved March 2018. This permission has now lapsed.

4. Planning Policies and Standards

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 London Plan (2021)

The West London Waste Plan (2015)

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

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment
PT1.EM6 (2012) Flood Risk Management
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.H1 (2012) Housing Growth
PT1.E1 (2012) Managing the Supply of Employment Land
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM1 (2012) Sustainable Waste Management
1
PT1.EM4 (2012) Open Space and Informal Recreation
PT1.EM7 (2012) Biodiversity and Geological Conservation
PT1.H2 (2012) Affordable Housing
PT1.HE1 (2012) Heritage

Part 2 Policies:

DMAV 1 Safe Operation of Airports
DMEI 10 Water Management, Efficiency and Quality
DMCI 4 Open Spaces in New Development
DMEI 12 Development of Land Affected by Contamination
DMCI 5 Childrens Play Area
DMEI 14 Air Quality
DME 2 Employment Uses Outside of Designated Sites
DMEI 9 Management of Flood Risk
DMEI 1 Living Walls and Roofs and Onsite Vegetation

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DMH 2 Housing Mix

DMHB 4 Conservation Areas

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMEI 2 Reducing Carbon Emissions

DMHB 15 Planning for Safer Places

DMEI 7 Biodiversity Protection and Enhancement

DMHB 16 Housing Standards

DMHB 18 Private Outdoor Amenity Space

DMHB 7 Archaeological Priority Areas and archaeological Priority Zones

DMH 7 Provision of Affordable Housing

DMT 1 Managing Transport Impacts

DMHB 1 Heritage Assets

DMT 2 Highways Impacts

DMHB 10 High Buildings and Structures

DMT 6 Vehicle Parking

LPP D11 (2021) Safety, security and resilience to emergency

DMHB 12 Streets and Public Realm

LPP D14 (2021) Noise

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

DMHB 17 Residential Density

LPP D7 (2021) Accessible housing

LPP DF1 (2021) Delivery of the Plan and Planning Obligations

DMHB 19 Play Space

LPP G6 (2021) Biodiversity and access to nature

DMHB 2 Listed Buildings

LPP G7 (2021) Trees and woodlands

DMHB 3 Locally Listed Buildings

LPP H1 (2021) Increasing housing supply

LPP H10 (2021) Housing size mix

LPP HC1 (2021) Heritage conservation and growth

LPP SI1 (2021) Improving air quality

DMT 3 Road Safeguarding

LPP SI12 (2021) Flood risk management

DMT 4 Public Transport

LPP SI13 (2021) Sustainable drainage

DMT 5 Pedestrians and Cyclists

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.1 (2021) Residential parking

LPP D12 (2021) Fire safety

LPP H2 (2021) Small sites

LPP T6.5 (2021) Non-residential disabled persons parking

LPP D1 (2021) London's form, character and capacity for growth

LPP D13 (2021) Agent of change

LPP D4 (2021) Delivering good design

LPP D8 (2021) Public realm

LPP GG1 (2021) Building strong and inclusive communities

LPP GG4 (2021) Delivering the homes Londoners needs

LPP SI2 (2021) Minimising greenhouse gas emissions

NPPF11 NPPF 2021 - Making effective use of land

LPP D9 (2021) Tall buildings

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF15 NPPF 2021 - Conserving and enhancing the natural environment

LPP E11 (2021) Skills and opportunities for all

NPPF2 NPPF 2021 - Achieving sustainable development

LPP E2 (2021) Providing suitable business space

NPPF4 NPPF 2021 - Decision-Making

LPP E3 (2021) Affordable workspace

NPPF5 NPPF 2021 - Delivering a sufficient supply of homes

LPP E4 (2021) Land for industry, logistics and services to support London's economic function

NPPF9 NPPF 2021 - Promoting sustainable transport

LPP E7 (2021) Industrial intensification, co-location and substitution

LPP G1 (2021) Green infrastructure

LPP G4 (2021) Open space

LPP G5 (2021) Urban greening

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

LPP GG2 (2021) Making the best use of land

LPP GG3 (2021) Creating a healthy city

LPP GG5 (2021) Growing a good economy

LPP GG6 (2021) Increasing efficiency and resilience

LPP H4 (2021) Delivering affordable housing

LPP H5 (2021) Threshold approach to applications

LPP H6 (2021) Affordable housing tenure

LPP H7 (2021) Monitoring of affordable housing

LPP S4 (2021) Play and informal recreation

LPP SI3 (2021) Energy infrastructure

LPP SI4 (2021) Managing heat risk

LPP T1 (2021) Strategic approach to transport
LPP T2 (2021) Healthy Streets
LPP T3 (2021) Transport capacity, connectivity and safeguarding
LPP T6.2 (2021) Office parking
LPP T7 (2021) Deliveries, servicing and construction
LPP T8 (2021) Aviation
LPP T9 (2021) Funding transport infrastructure through planning
NPPF14 NPPF 2021 - Meeting the challenge of climate change flooding
NPPF8 NPPF 2021 - Promoting healthy and safe communities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: **21st December 2022**

5.2 Site Notice Expiry Date: **8th December 2022**

6. Consultations

External Consultees

Letters were sent to 797 properties, a site notice was placed outside of the site for 21 days and the application was advertised in the local press. A further 14 re-consultation was undertaken on 24/11/22 and expired 8/12/22.

12 objections were received during the public consultation including an objection from a ward councillor. The objections raise the following concerns:

- Impacts on privacy, daylight and sunlight
- Not enough parking
- Congestion
- Road safety
- Lack of community benefit
- Detrimental impacts to residents during construction
- Design is not in keeping with the local character (Winnock Road)
- Noise pollution
- Community space is not large enough
- Building is too tall

CASE OFFICER COMMENT:

The concerns raised by residents are answered within sections 7.8, 7.10, 7.1, 7.7 and 7.18 of this

committee report.

NATS :

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

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.

HEATHROW SAFEGUARDING:

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the 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 Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

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

Information

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

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the

appropriate licences where applicable from Natural England before the removal of nests and eggs.

We will need to object to these proposals unless the above-mentioned condition is applied to any planning permission.

We would also make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>)

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.

TRANSPORT FOR LONDON

An Active Travel Zone assessment has been submitted as part of the Transport Assessment. This has identified a number of improvements which can be made along routes to key trip attractors. It is recommended that the Council secure a proportionate contribution towards implementing improvements to the active travel environment.

The applicant is proposing to provide 54 car parking spaces which is equivalent to a parking ratio of 0.51. Whilst this quantum is in line with the minimum standards identified within the London Plan (outer London Borough PTAL 3), noting the sites proximity to public transport modes TfL would encourage a reduction in the quantum at this site to support achieving a strategic modal shift. It is noted that the site is located in a CPZ, and a permit-free agreement should be secured within the S106 agreement.

Three disabled person parking spaces are proposed, which is equivalent to 3 per cent of residential dwellings have access to a disabled person parking space from the outset. A Parking Design and Management Plan, which should be secured though condition, should detail how further spaces can be provided as and when demand arises.

At least twenty per cent of any parking spaces provided should have active electric vehicle charging provision, with passive provision for all remaining spaces. The PDMP should detail how demand for electric vehicle charging provision will be managed and passive provision activated.

195 long-stay and five short-stay cycle parking is required to comply with the minimum standards identified in Policy T5. The applicant is proposing 194 long-stay cycle parking spaces and four short-stay cycle parking spaces, as such an increase in one short-stay and one-stay cycle parking space is required.

The applicant has identified that 10 of the long-stay cycle parking spaces will be suitable to accommodate larger and adapted cycles, which is equivalent to five per cent of spaces. 39 of the long-stay cycle parking spaces will be Sheffield standards, which is equivalent to 20 per cent of spaces. This mix of cycle parking stands is welcomed.

Whilst the majority of the cycle parking provision appears to be designed in accordance with London Cycle Design Standards, there are some areas which need addressing. This includes ensuring that the aisle widths are in line with Figure 8.1 (one area that this is not be achieved in Cycle Store C) and ensuring appropriate door widths.

It is proposed that deliveries will be served on-street from the double yellow lines on Tavistock Road. This is not in line with Policy T7 of the London Plan which states that . provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. An outline delivery and servicing plan has been provided to support this application. The outline delivery and servicing plan should contain additional detail on the measures that the applicant will be implementing to reduce the impact of this activity, in line with Policy T7. A full delivery and servicing plan (DSP) should be secured through condition.

In line with Policy T7 of the London Plan, a Construction Logistics Plan (CLP) should be secured through condition. This should detail the measures that will be implemented to ensure that the proposed construction will not have an adverse impact on the surrounding transport network and outline how this activity will be carried out in accordance with the Mayor's Vision Zero and Healthy Streets principles.

A Travel Plan should be secured through the appropriate mechanism. The targets contained within this travel plan should align with the Mayor's strategic mode shift target referred to in Policy T1.

To conclude, an increase in quantum and amendments to the cycle parking is required to address the above matters and a reduction in the quantum of car parking is encouraged. Additional information, including an Active Travel Zone assessment and updated delivery and servicing plan, should be provided for review.

Please do not hesitate to contact me if I can be of further assistance.

THAMES WATER COMMENT:

Waste Comments

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021.

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

NETWORK RAIL COMMENTS:

Thank you for your email dated 13 September 2022 together with the opportunity to comment on this proposal.

Having reviewed the documents submitted, Network Rail objects to the above application until we can understand the noise mitigation that is to be incorporated into the new residential properties.

Within close proximity of the development site is NRs existing freight operations. The current level of railway usage has led to complaints received from the recent residential developments next to our site. Therefore details relating to noise mitigation should be submitted to the Local Planning Authority and approved in consultation with Network Rail.

Once we have reviewed and approved the requested information we will be in a position to comment further on the application.

CASE OFFICER COMMENT:

A response has been sent to Network Rail stating that the application is supported by a Noise Assessment which is available to view online and a copy of the report was attached to the email. The Council's Noise Officer has reviewed the document and considers it to be robust, as such no further consultation is required.

GLAAS:

No archaeological related objection

HSE COMMENT:

in more general terms, if the stairs serving the upper storeys are single stairs, i.e. each stair is the only

means of escape for the part of the building they serve, then the escape stairs cannot connect with ancillary uses of a higher fire risk - such as covered car parks, refuse stores and plant rooms. This reflects the fire safety design standard in BS9991 and Government Guidance in Approved document B.

Lobbied connections are not acceptable with single stairs because if there's a fire in one of these ancillary areas then a firefighter will need to access it and will inevitably jam all the doors open with a charged fire hose - exposing the only means of escape to smoke, fire, heat and toxic fumes. Our approach is that smoke ventilation systems and fire suppression is not enough to justify a departure from code compliance due to uncertainties around system maintenance - which is what happened in Grenfell Tower and New Providence Wharf fires in which the smoke ventilation system failed or was faulty. The planning implication in some schemes is that alternative external access arrangements need to be made to serve ancillary accommodation, which will affect the appearance of the development. Also, space for alternative access/escape routes may affect the space available for other uses.

In designs where all parts of the building are served by 2 or more stairs, it's acceptable for there to be lobbied connections between escape stairs and ancillary areas because there's obviously other escape options if one stair becomes compromised as a result of firefighting operations.

We recognise that tensions may arise between fire standards and other standards related to distances to refuse stores and disabled access, however, our view is that it is for designers to resolve this. Single stair designs in tall buildings mean compromises need to be made in terms of connections to ancillary uses, which may be less convenient for residents. This reflects the more stringent approach to fire safety that is emerging following Dame Judith Hackitt's report into fire safety and building regulations. In her report she recommended that fire safety should be considered at the planning stage, which is where we come in.

Internal Consultees

POLICY OFFICER COMMENT :

The applicant has increased the provision of family sized units to 10%, which is positive, however a higher proportion should be sought, and the onus should be on the applicant to demonstrate particular reasons/site constraints which would affect their ability to provide this. The applicant has proposed around 35% AH which is below the 50% requirement set out in the London Plan, however, they have submitted an FVA which will be reviewed by the case officer. The tenure split is also not in line with policy requirements set out in the London Plan and Local Plan Part 2. Regarding the provision of the 'community hub', it is advised that the previous policy comments are reviewed.

DAYLIGHT AND SUNLIGHT CONSULTTEE:

7. Conclusions/ Recommendations

7.1 In overall terms we would conclude that the report is robust in terms of scope. The appeal site at Tavistock Works has not been assessed and it is fair to assume that any future development of this site would not produce a development which relies on its daylight and sunlight from the direction of the proposed development.

7.2 In terms of approach, the proposal has been tested by reference to the 2011 and 2022 editions of the BRE guidance. Emphasis should be placed on the 2022 recommendations although a supplementary 2011 set of results can be useful for comparative purposes.

7.3 The retained values for existing neighbours are generally as would be expected/ consistent with policy led development of the site. This is further supported by useful comparison with the historic consent for the site which is of a generally similar nature.

7.4 The adjacent new build developments perform as predicted by the BRE i.e. where they are self-

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obstructed by balconies their default recommendations would not be met. We would expect these to be the primary factor in these results. Residents would of course have access to the private amenity areas which would provide access to natural light and this common necessary trade off/ balance needs to be taken into account.

7.5 Within the proposed development, the reporting does not seem consistent with the results tables. Clarification is required on this as well as the variables adopted in the assessments. In some areas the levels of internal amenity are considerably below the UK National Annex recommendations, presumably again due to balconies but this should be demonstrated and discussed to allow an on-balance judgement to be made. As for the neighbouring property and set out in the BRE guidance, the presence of balconies will inevitably limit daylight access but also provide highly valued private space and access to natural light.

7.6 A copy of the June 21 external amenity area assessment should also be sought, as well as confirmation of which date in the year the default BRE recommendations would be met.

CASE OFFICER COMMENT:

The applicant provided additional D&S information which includes an assessment of the developments impact upon the neighbouring Tavistock Works site which has been granted consent for residential redevelopment at appeal. The additional information has been reviewed by the Council's D&S consultant whose comments are provided below.

ADDITIONAL DAYLIGHT & SUNLIGHT COMMENTS:

In summary to finalise:

- The variables used in the assessments are reasonable/ acceptable
- The series of bedrooms directly adjacent the Appeal site will inevitably see reduced daylight values with this in situ. We discussed that the team would aim to use as light a finish as possible in this area to boost natural illumination. The assessment shows the bedrooms closest the Appeal site would meet the default targets at 3rd floor and above. The second bedroom, adjacent the living area, would achieve these from the lowest level. Given they are bedrooms they have a generally reduced requirement for light due to their mainly night time use and when applying flexibility I would suggest these small areas not satisfying the default targets are acceptable on balance.
- The proposed cumulative effect to Padcroft Works (i.e. proposed Comag + Tavistock Appeal scheme) is comparable to the consented cumulative effect (i.e. consented Comag+Consented 2018 Tavistock) used for the assessments in support of the consented Padcroft Works application.

HIGHWAY OFFICER COMMENT:

An application has been received seeking planning permission to erect a 105no. unit apartment block with a 99sq.m community hub on the ground floor. The proposal would have 50no. car parking spaces of which 7no. would be blue badge/accessible. Twenty per cent of the car parking spaces would be provided with active electric vehicle charge points with all the remainder having passive provision. There would be 193no. long stay residential cycle parking bays and 6no. short stay residential cycle parking bays plus 1no. cycle parking bay for the community use.

The application site is situated on the edge of Yiewsley town centre and benefits from good access to shops, services, facilities, and transport opportunities. The site has a PTAL ranking of 3 indicating that access to public transport is reasonable compared to London as a whole, the West Drayton Elizabeth Line railway station is a short walk away.

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. The London Plan would allow the development to provide a maximum of 81no. car parking spaces, the 50no. proposed are therefore in accordance with this policy.

The London Plan Policy T6.1 Residential parking requires that 20% of car parking spaces should have active charging facilities with all remaining spaces having passive provision. As mentioned above this standard would be met.

The London Plan would require a minimum of 193no. long stay residential cycle parking bays and 6no. short stay residential cycle parking bays plus 1no. cycle parking bay for the community use. The applicant in their Healthy Streets Assessment makes a commitment to meet this minimum standard.

Refuse would be collected from stores situated at the back of footway along Tavistock Road. Refuse vehicles would stop adjacent to these stores and tip the refuse into the vehicle. Taking into account that this would be only a week event and that the refuse vehicle would only be stationary for a short amount of time this arrangement is considered satisfactory.

The applicant has provided an Active Travel Zone assessment which has been reviewed and costed by the Highway Authority, the following works have been identified as contribution towards transforming the routes to key destinations Healthy Streets. The destinations chosen are, Tesco Yiewsley, West Drayton Station, the new Platinum Jubilee Leisure Centre, Rowleys Place and the Grand Union Canal. A budget of £84,125 is required to deliver tactile paving and dropped kerbs at 9no. locations, 5no. new benches, 5no. litter bins and 15no. street trees.

There are no highway objections to this proposal subject to the following conditions.

Conditions

- 1.The applicant enter a 1990 Town and Country Planning Act s.106 legal agreement with the Council that prohibits future residents of the development from applying for a permit to join any parking management scheme in the vicinity of the site. REASON To be in accordance with the published London Plan 2021 Policy T2 Healthy Streets.
- 2.The development shall not be put into use until a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. As surety that the Travel Plan will be implemented and targets received a £20,000 bond shall be paid to the Council. This will be secured by a 1990 Town and Country Planning Act s.106 legal agreement.
- 3.Any works on Transport for London highway land would be subject to s.278 legal agreement of the Highways Act 1980 (as amended) and secured by a s.106 agreement legal of the 1990 Town & Country Planning Act.
- 4.The applicant enter a 1990 Town and Country Planning Act s.106 legal agreement with the Council obliging the applicant to fund the Healthy Streets works with a budget of £84,125 as identified in the Active Travel Zone assessment. REASON to be in accordance with the published London Plan 2021 Policy T2 Healthy Streets.
- 5.No development shall take place, including any works of demolition, until a Construction Logistics Plan has been submitted to, and approved in writing by, the Local Planning Authority.
- 6.The development shall not be occupied until a Service and Delivery Plan is submitted and approved in writing by, the Local Planning Authority.
- 7.All car parking spaces shall be leased not sold. REASON to be in accordance with the published London Plan 2021 Policy T6.1 Residential parking.
- 8.The development shall not be occupied until details of the 193no. residential long stay, 6no. residential short stay and 1no. commercial use cycle parking details have been submitted and approved in writing by, the Local Planning Authority. REASON to be in accordance with the published London Plan Policy T5 Cycling

9. Twenty per cent of all standard and all blue badge/accessible parking bays shall be provided with active electric vehicle charge points with all the remainder having passive provision.

CONTAMINATED LAND OFFICER COMMENT:

The combined sets of information within the three reports provide an extremely comprehensive and detailed indication of land conditions that have been identified at the site, and the information is considered to be obtained and produced in strict accordance with the appropriate previous and current authoritative guidance concerning assessment of land that may be affected by contamination.

The site investigation works have identified various contaminants to be present at the site, many of those substances are recorded to have been assessed to be acceptable in terms of the Generic Assessment Criteria (GAC) criteria which were applied, and subsequent Tier 3 Detailed Quantitative Risk Assessment (DQRA) based on the obtained site-specific assessment criteria.

However, the assessments identified concentrations of hydrocarbon at the site, and these are recorded to exceed acceptable levels.

Chrysotile asbestos bitumen materials were also identified in a single sample of material from the site. Asbestos materials are required to be addressed strictly in accordance with the applicable Regulations (CAR) and relevant guidance from the Health and Safety Executive.

The report also states further monitoring of gas conditions at site are required to be conducted at lower atmospheric pressure (<1000Mb). The LPA shall require a record of the details, to be submitted accordingly, as a supplementary factual and interpretive report.

Sections of the report/s indicate the hydrocarbon contamination within near surface/shallow made ground soils would be removed during "a general site strip / groundworks".

Therefore, notwithstanding recommendations provided within section 10 of the RSK report, full details relating to the proposed "general site strip / groundworks", (which to all intents and purposes represent remedial work), should be submitted to the LPA in the form of a formal remediation method statement (RMS), which must also include details of a proposed watching brief, to ensure that the full extent of unacceptable concentrations of hydrocarbon contamination is delineated and removed accordingly, and furthermore, to ensure any unforeseen contamination is identified and similarly addressed.

The LPA should also require a verification report to indicate the hydrocarbon and any unforeseen contamination have been removed in accordance with the RMS, and land at the site is thereby sufficiently addressed to a standard that is suitable for the proposed residential use.

Therefore, I recommend the following condition should be imposed if planning permission is awarded:

(i) The development shall not commence until a fully detailed remediation scheme to address identified contaminants of concern has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the 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 written method statement, providing full details of the proposed remediation scheme and how the

completion of the remedial works will be verified, shall be agreed in writing with the LPA prior to commencement of the works, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

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

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

REASON To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

AIR QUALITY OFFICER COMMENT:

The proposed development is located within the LBH Air Quality Management area (AQMA), and within the West Drayton/Yiewsley LBH Focus Area (FA), bringing additional traffic emissions which will add to current poor air quality.

As per the London Plan and LBH Local Action Plan 2019-2024, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of air pollutant emissions in these sensitive locations. 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 emerging 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. Finally, the London Plan (March 2021) requires development to be air quality neutral as minimum and air quality positive in certain circumstances, actively contributing to reduce pollutant emissions to the atmosphere.

The proposed development is NOT Air Quality Neutral. Further, according to LBH, proposed development within Focus Areas (or with impacts on FAs) needs to be Air Quality positive and further action is required to reduce total emissions produced by its operation

Therefore, the total emissions associated with these activities needs to be mitigated.

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The mitigation measures proposed were evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied. Table 1 and 2 summarise the aspects of air quality and planning requirements for the proposed development.

The level of mitigation required to the proposed development for traffic emissions is £118,761. Once all deductions are applied (subject to agreement with Highways), the remaining value of mitigation due is £95,008. Flat rate deductions applied are as follow: Travel Plan (10%), Green Sustainable Measures (0%), contribution to long term LBH strategic long-term strategies (e.g. multimodal shift) (5%), totalling a reduction of £23,752. This scenario applies in the instance a robust Travel Plan is approved by LBH, a green wall is provided and deployed in agreement with the LPA.

Therefore, a section 106 agreement with the LAP of £95,008 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.

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 Planning Guidance requirements
- 2) the implementation of a vehicle charging bay with the number of charging points required in the London Plan.
- 3) produce a robust Travel Plan with a clear and effective strategy to encourage residents 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(e), 186 and 188 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 SI 1 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

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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

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.

ENERGY OFFICER COMMENT:

I have no objections in energy terms.

The S106 contribution needs to be £202,209

The standard detailed energy condition relating to low and zero carbon technology, and be seen (monitoring) requirements should also be attached.

NOISE OFFICER COMMENT:

Sufficient information has been provided by the Applicant to make a recommendation with respect to noise, including a noise impact assessment report. It is recommended that no objection is made on noise grounds subject to the inclusion of a suitable condition which should be met based on the design information provided and considering measurement and prediction uncertainty. Hence: For the lifetime of the development hereby permitted the noise level shall not exceed 35 dB LAeq 16 hrs between 0700 and 2300 and 30 dB LAeq 1 hr, for any one hour period between 2300 and 0700, measured inside any room of any permitted dwelling having regard to the guidance set out in British Standard 8233: 2014 whilst achieving acceptable internal living conditions with respect to ventilation and temperature.

FLOODING CONSULTEE:

Recommendation and Requests

We object to the application for the following reasons:

- Rainwater harvesting has not been sufficiently considered. A full technical justification should be given for its non-inclusion. The current drainage strategy does not align with the drainage hierarchy set out in Policy SI 13 in the London Plan.

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- The applicant has not confirmed the method of flow control.
- The runoff volume has not been provided for the greenfield, existing, and proposed rate for the 1 in 100-year 6 hr storm event.
- It is unclear if the attenuation volume proposed in the FRA (195 m3) aligns with the drainage calculations provided due to missing information (model input data).
- No calculations have been provided to demonstrate that the site will not flood as a result of the 1 in 30-year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100-year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration must be suitably managed. The model input details should be provided along with the calculations to understand what SuDS features have been included.
- The management company who will be in charge of the SuDS maintenance has not been named.
- No consent for the proposed discharge point connection has been provided.

To address the above, please can the applicant submit information which:

- Demonstrates that rainwater harvesting techniques have been included or provide a sufficient justification for their non-inclusion.
- Confirms the method of flow control from the site.
- Provides the runoff volume for the greenfield, existing, and proposed rate for the 1 in 100-year 6 hr storm event.
- Provides the model input data and flow control device information along with drainage calculations to clarify which SuDS features and volumes have been modelled.
- Provides calculations to demonstrate that the site will not flood as a result of the 1 in 30-year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100-year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration will be suitably managed (via an exceedance flow route drawing).
- Provides the name of the management company who will be in charge of the SuDS maintenance tasks.
- Provides evidence that Thames Water has approved the discharge rate into their system.

CASE OFFICER COMMENT:

Given that the proposal has not carried forward the basement which was granted consent as part of the previous approval this scheme is considered to be an improvement in flood risk terms. The site is not located within an area identified as being at risk of fluvial or pluvial flooding. It is considered the issues raised above can be overcome with an appropriate drainage condition.

ACCESS OFFICER COMMENT:

The alternative parking layout plan (CWD-RMA-XX-ZZ-DR-A-0320_P0) is now acceptable as per the requirements of London Plan policy T6.1. However, a direct route from the car park into Cores A, B and C should be provided. conclusion: a further revised plan is requested.

CASE OFFICER COMMENT:

The Access Officer's comment regarding the requirement for access to the internal cores from within the car park is noted, however upon consulting the HSE which is a requirement for applications extending 7 stories or more in height, it is clear that there could be a design conflict with the fire regulations for buildings of this size which also feature a covered car park. This is explained in more detail within section 7.12 of this report.

URBAN DESIGN OFFICER COMMENT:

Background

A previous planning application for the site was approved under application 24843/APP/2018/269 which sought permission for the demolition of the existing buildings (Use Class B8) and the erection of 104 self-contained (20 x 1-bedroom, 75 x 2-bedroom and 9 x 3-bedroom) units (Use Class C3), Community Space (Use Class D1), and the provision of car parking, associated landscaping, drainage, and other ancillary works.

Prior to the submission of this current planning application the scheme has been discussed under pre-application submissions 24843/PRC/2022/87 and 24843/PRC/2022/21 where a number of amendments have been made to overcome design concerns.

The Development

The application seeks permission to erect a building comprising 105 residential dwellings (Use Class C3) and 99sq.m (GIA) Community Hub (flexible Use Class E/F.1/F.2), ranging from two to seven storeys together with associated accesses, car parking, cycle parking and hard and soft landscaping.

No objection is raised to the proposed height, scale, bulk and footprint of the new development which is largely the same as the scheme permitted under application 24843/APP/2018/269. The blocks respect the completed Padcroft Works development situated to the northeast of the site as well as the recently approved Tavistock Works development directly to the southeast of the site.

The main changes to the approved scheme are the removal of the basement car park, changes to the residential block to Winnock Road as well as changes to the detailed design of the facades.

Despite the changes to the car parking arrangement the design of the ground floor still retains an active frontage with front doors to the street and areas of utilitarian dead frontage have been kept to a minimum.

The proposed architectural language of the facades is considered acceptable and would sit comfortably with the adjacent new developments and the existing built context. The primary palette of materials of brick along with articulation and richness to the facade would add visual interest to the street scene and are generally considered to be of high standard of design.

The detailed design of the building, the choice of materials and the quality of workmanship will be important factors in the success of the scheme and could be controlled by relevant conditions should the application be minded or approved.

Concerns had been raised with the changes to the Warnock Road block which had an uncomfortable relationship to the two-storey Victorian terrace of houses directly adjacent to the site. The consented scheme provided a more successful transition in height and respected the rhythm of the terrace.

The Winnock Road block has now been reconsidered (revised plan received 23.11.22) and relates better to the two-storey traditional terrace houses with the emphasis on the portion along the street frontage directly adjacent to the terrace now being two-storeys and more respectful of the established rhythm of the street. Ideally the four-storey parent block which rises up behind would be reduced by a storey to create a better transition, however, I am aware of the requirement to retain a similar number of residential units as the previously permitted scheme and the volume cannot be reduced. I can confirm that I am now more comfortable with the Winnock Road block which would present a more suitable transition from the two storey terrace houses.

It is noted that there are frosted windows to the flank elevation adjacent to the terrace. These appear to provide additional light into bedrooms. I would have no objection to them in principle as they add visual interest to the elevation of what otherwise would be a rather blank elevation. I am, however, conscious that these windows might prejudice what could be built on the adjacent site.

In addition to the above it is also noted that the scheme proposes an elevation of frosted windows to the eastern elevation (seven storey block) adjacent to the Tavistock Works site. This elevation is set back slightly from the boundary by approximately 2 metres. I am conscious that the Tavistock Works site has now been given permission on appeal and it is proposed that this block would be built up to the boundary line. Given the closeness of this block to the application site the light levels that these windows would receive would now be significantly reduced. It is, however, noted that the primary windows to these rooms are provided on the northern and southern elevations. There are some bedrooms, however, on the north side which are likely to receive significantly less light if Tavistock works is built out.

Impact on Heritage Assets

The proposal site is not situated within an archaeological priority area, Conservation Area nor does it contain listed buildings.

The West Drayton Garden City Area of Special Local Character lies approximately 210m to the south. To the east there are two Grade II listed buildings:

- . De Burgh Arms P.H
- . The Railway Arms P.H

It is not considered that the proposal would negatively impact on the setting of nearby heritage assets which are separated visually by tall developments and railway line and dense vegetation.

Conclusion:

No objection to the proposals subject to conditions controlling all external materials; detailed design of balconies, windows, doors, window / door reveals and roof parapets; hard and soft landscaping and details.

TREE OFFICER COMMENT:

The proposed trees are acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The applicant is proposing a development comprising 105 residential units as well as community floorspace (Class F) totalling 99sqm. The unit mix for the residential component is 1 x studio, 37 x 1 bed, 51 x 2 bed and 16 x 3 bed units. 50 parking spaces are also included for the residential uses while the community use will be car-free. The scheme is broadly similar to the previously approved scheme but would benefit from an improved housing mix due to the increase in the number of 3 bed family sized units. Since the scheme was last approved however, the new Local Plan Part 2 and London Plan have been adopted and so the scheme will be assessed against a new set of policies.

The site is allocated in Hillingdon's Local Plan Part 2 Site Allocations document under Policy SA38 and there is support for residential use at this site. The proposal must however integrate with and compliment development on adjacent sites. This will be a key consideration to ensure the development of this site does not compromise the development of the adjacent sites and affect

residential amenity through overlooking, for example.

Maximising Development Opportunity

Policy GG2 of The London Plan 2021 states that proposals should seek to intensify the use of sites where possible. The application site benefits from and expired planning consent for 104 residential units, community use space and associated parking and landscaping. The application proposes 105 residential units therefore similar to the consented scheme without proposing additional height which is considered to maximise the development opportunity of the site.

Housing Mix

The London Plan (2021) outlines in Policy H10 (Housing size mix) states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes local evidence of need. Policy DMH 2 of Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. Paragraph 4.6 outlines that there is a substantial borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties.

In terms of factors specific to a site, Policy H10 also includes a need to consider, the mix of uses in the scheme, the range of tenures in the scheme and the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.

Family housing is defined within the glossary of the London Plan and outlines it must generally be of a size that has three or more bedrooms. It is worth noting that the Secretary of State directed changes to Policy H10, in order to address the need for new family housing, to prevent families from being forced to move outside of London. These changes are incorporated into the new London Plan (2021).

The applicant is proposing the following mix:

- 1 x studio (1%)
- 37 x 1 bed (35%)
- 51 x 2 bed (49%)
- 16 x 3 bed (15%)

The site has a PTAL of 3. The larger site context should allow more opportunities for this scheme to provide family units. There will also be more car parking to support family units. The applicant proposes 16 3-bed units, equivalent to 15% of all units. Given the demand for family-sized housing, provision closer to 20% of all units is sought unless the applicant can demonstrate any site-specific constraints which affect their ability to do this.

The provision of family-sized units in the lapsed permission and the recent appeal decision on the adjacent Tavistock works are considered material considerations that can be afforded weight when assessing the level of 3-bed provision. Having reviewed both cases, the previous consent on this site would have delivered 8.6%, and the Tavistock Works development will provide 12.5%, less than the 15% proposed for this development. Given that the proposal presents an uplift in what was previously considered acceptable on this site and what was found to be acceptable by the appeal inspector who granted consent for the proposed development of the neighbouring Tavistock Works site, the unit mix is considered to be acceptable on-balance.

Community space

The proposal provides for the community space secured as part of the 2018 consent, albeit reduced from 250m² to 99m². The reduced area results from changes in the scheme's design to remove the basement and accommodate an additional residential unit. Furthermore, the location of the building away from the high street would not be the most prominent location to accommodate a sizable community hub, given the reduced level of footfall. The reduction in the size of the community space has also not been subject to any objections.

Adjacent development

The revised design demonstrates consideration for the development of nearby and adjacent sites. A daylight and sunlight assessment has been submitted and is considered acceptable following an independent review undertaken by a consultant appointed by the Council.

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 5.2 represents a starting point for discussions on the issue of residential density, which should ultimately be determined by a design led approach.

Policy D3 (Optimising Site Capacity through the Design-led Approach) of the London Plan (March 2021) further requires all development to make the best use of land following a design-led approach that optimises the capacity of sites, including site allocations and offers no density matrix figures. The policy further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

The PTAL score for the site is 3 which identifies the area as having a low level of public transport accessibility. Table 5.2 indicates that sites within the West Drayton Town Centre with a Ptal of between 3-6 should result in a density of 450-750hr/ha and 150-200 u/ha if the development being proposed comprises of flatted accommodation.

The area surrounding the site is mixed in character. The site was formally an industrial site however all of the buildings on site B have been demolished and it is only the Tavistock Works building which remains. As such the character is changing from industrial to a more urban residential / mixed-use character.

The proposal development would provide 105 units per hectare and 292 habitable rooms per hectare.

The scheme as proposed results in a density of approximately 858 habitable rooms per hectare and 308 units per hectare. Whilst the proposed number of units is higher than the guidance within Policy DMHB 17 however given that the scale bulk and massing of the development is considered to be acceptable and the parameters of the previous consent have not been breached, a higher density range is appropriate. Furthermore the density matrix should not be applied mechanistically enabling

account to be taken of other factors relevant to local context and all other material planning policy requirements.

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

ARCHAEOLOGY

Policy HC1 of the London Plan (2021) and Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure that areas which are identified as being of archaeological interest are protected. The application site is located within the Colne Valley Archaeological priority zone and therefore Historic England (GLAAS) have been consulted but have raised no objections to the current proposals. As such the application is considered acceptable.

HERITAGE

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should 'should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' and in relation to conservation areas, special attention must be paid to 'the desirability of preserving or enhancing the character or appearance of that area'.

The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy DMHB 2 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020) states

Listed Buildings

- A) Applications for Listed Building Consent and planning permission to alter, extend, or change the use of a statutorily Listed Building will only be permitted if they are considered to retain its significance and value and are appropriate in terms of the fabric, historic integrity, spatial quality and layout of the building. Any additions or alterations to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship.
- B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the building and the impact of the proposals on its significance.
- C) The substantial harm to or total loss of significance of a statutory Listed Building will only be permitted in exceptional circumstances when the nature of the heritage asset prevents all reasonable use of the building, no viable use can be found through marketing, grant-funding or charitable or public ownership and the loss is outweighed by bringing the site back into use. In such circumstances, full archaeological recording of the building will be required.
- D) Planning permission will not be granted for proposals which are considered detrimental to the

setting of a Listed Building.

London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The policy further states that development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

The nearest heritage asset is the Grade II Listed De Burgh Arms PH and the Railway Arms PH which are located approximately 140 metres south east of the site. The application has been reviewed by the Councils Urban Design and Conservation Officer who has not identified any potential impacts to the nearest Heritage Asset. The proposal therefore conforms with London Plan (2021) Policy HC1, the NPPF and Policy DMHB 2 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020).

7.04 Airport safeguarding

The National Planning Policy Framework requires that planning decisions promote public safety and take into account wider security and defence requirements by:

- a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
- b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that:

- 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.

The application site is located within a reasonable distance to Heathrow Airport therefore it has been necessary to consult both NATS and Heathrow Safeguarding. Neither have raised an objection to the proposal subject to conditions relating to the use of cranes and the submission of a bird hazard management plan.

7.05 Impact on the green belt

Not applicable to the consideration of this application which is not within or close to any Green Belt land.

7.07 Impact on the character & appearance of the area

Paragraph 3.9.3 of the London Plan (2021) states that tall buildings are generally substantially taller than their surroundings and cause a significant change to the skyline. It outlines that Boroughs should define a 'tall building' for specific localities. However, this definition should not be less than six storeys or 18 metres measured from the ground to the floor level of the uppermost storey. Paragraph 5.32 of the Local Plan: Part 2 (2020) also outlines that for Policy DMHB 10, high buildings and structures are those that are substantially taller than their surroundings, causing a significant change to the skyline. The terms tall and high building are treated synonymously within these sections of the Development Plan.

Policies D1-D3 of the London Plan (2021) requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites. The policies set out a range of urban design principles relating to the quality of the public realm, the provision of convenient, welcoming and legible movement routes and the importance of designing out crime by, in particular, maximising the provision of active frontages and minimising inactive frontages and improving permeability and overlooking.

Policy D8 of the London Plan (2021) requires development proposals to ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Paragraph D, in particular, expects development proposals to demonstrate an understanding of how people use the public realm, and the types, locations and relationships between public spaces in an area, identifying where there are deficits for certain activities or barriers to movement that create severance for pedestrians and cyclists.

Policy D9 of the London Plan (2021) requires that development proposals where tall buildings are being provided, should buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality and not cause disturbance or inconvenience to the surrounding public realm and that 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.

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

Policy DMHB 10 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) re-emphasises the importance of good design in new development by A) requiring all new buildings and extensions to be designed to the highest standards, which incorporate principles of good design, such as harmonising with the local context by having regard to the scale, height, mass and bulk of surrounding buildings; using high-quality materials and finishes; having internal layouts and design which maximise sustainability and the adaptability of the space; protecting features which contribute positively to the area and providing landscaping that enhances amenity, biodiversity and green infrastructure; B) avoiding adverse impacts on the amenity, daylight and sunlight of adjacent property and open space; C) safeguarding the development potential of adjoining sites and D) making adequate provision for refuse and recycling storage.

Policy DMHB 12 of the Local Plan Part 2 (2020) also emphasises the need for new development to be well integrated with the surrounding area and provides design criteria for achieving this.

The application site forms part of site allocation SA38 which is segregated into 3 parcels (A, B, C). Site A relates to the Padcroft Works development, which has been built and is occupied. Site C is the former Tavistock Works recently approved for redevelopment on appeal. Both of these developments extend to eight storeys which is taller than the building proposed for this application. As the building is no taller than its surroundings, it does meet the policy definition of a tall building.

The proposed building would measure 26 metres or seven storeys from street level to the top of the rooftop plant room/lift overrun. The height steps down to 4-6 stories towards the corner feature, located on the junction of Winnock Road and Tavistock Road and then 4-2 storeys at the end of the Winnock Road elevation. The building features layered setbacks, which reduces the view of the bulk and scale of the elevations. The Design and Access Statement provides some visuals of the elevations and what materials may be used. The material pallet adds visual interest and again helps to break up the scale bulk and massing of the building.

The height scale and bulk of the new scheme are primarily the same as those previously permitted. As stated above, it is reasonable to consider the previous consent setting the parameters for what would be acceptable for future development applications. No concerns are raised as the height does not exceed the parameters set by the earlier permission. Similarly, the location of the blocks is the same as those previously considered acceptable. Therefore, no objection has been raised. It should be noted that the building height does not exceed that which was granted consent previously on either the Winnock Road or Tavistock Road elevations.

The previous scheme included a basement car park which does not form part of this proposal, thus resulting in the parking being relocated to the ground floor along with plant, cycle and bin storage. Further changes relate to the Winnock Road elevation, which no longer features a pitched roof that steps down towards the two-storey terrace which abuts the site boundary and now features an elevation with a multi-level setback and is characterised by a flat roof. The retention of the active frontage with doors leading onto the street set back from the public highway by planting, which creates the view of an individual private front garden, is welcomed.

The submitted elevations demonstrate a cohesion between the occupied development in Site A, the former Padcroft Works Site and the design of the neighbouring development at Tavistock Works, Site C. The applicant has submitted revised plans which amend the Winnock Road elevation. This has been reviewed by the council's Urban Design Officer, who has no objection subject to a condition requiring approval of all exterior materials.

The balconies on both front and rear elevations are a common feature of Site A and Site C and thus would appear in the right place. The communal amenity space is located to the rear and roof level and, therefore, would not be seen from street level.

As stated above, given that the scheme has been designed to remain within the parameters set by the previous consent, there would be limited changes to any views from within the surrounding streets.

Considering the above points, the proposed development would accord with the above design-related policies.

7.08 Impact on neighbours

The NPPF includes as a core planning principle that planning should always seek to secure a high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 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 21 metres separation distance between windows of habitable rooms will be required to maintain privacy levels and prevent the possibility of overlooking. In some locations with 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 - Development Management Policies (January 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 - Development Management Policies (January 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 the 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 guidance".

The site is located within the Yiewsley/ West Drayton Town Centre. It is considered that the building has been carefully designed to ensure that there is no unacceptable loss of outlook to adjoining neighbours and that there is minimal overlooking from windows, in particular in the direction of the rear of those properties fronting Winnock Road, the new residential units within the Padcroft Works development (Site A in the site allocation) and the neighbouring Tavistock Works site which has recently received consent following an appeal.

The proposed building forms an L shape which wraps around the site frontage with Tavistock and Winnock Road. To the rear at the first-floor level is the communal amenity space, which creates a separation distance between the rear-facing windows and those blocks which form Site A within the site allocation policy looking north and east. The separation distance to the north would be approximately 18.4 metres between the proposed development's window and the balconies of the block to the north. The distance between the proposed building and the windows within the block to the east would be approximately 16-17 metres. Whilst this is less than the prescribed measurement within Policy DMHB 11, the windows and balcony located within the nearest unit in the block to the north are orientated facing the block within the same development to the east and, therefore, away from the proposed new building. The block to the east in site A features windows that would primarily

provide views of the side elevation, and any views of the block to the east from within the nearest proposed units would only be available if someone were to lean out and turn their head to the east. Therefore no concerns are raised regarding overlooking or privacy for these blocks.

Turning to Winnock Road, the element of the front elevation located on Winnock Road is predominantly 3-4 stories in height. The frontage would be set in line with the adjacent terraced properties. Although not strictly 21 m from the habitable room windows of the neighbouring dwellings, there is generally more flexibility applied to the requirement to meet this separation distance where there is a street separating the existing and proposed homes.

Regarding the approved development at Tavistock Works, the applicant has shown consideration for the permitted development on this site. The building would be set back from the neighbouring site boundary by approximately 2 metres, providing adequate breathing space between the two elevations. The adjacent site will benefit from an outdoor play area on the seventh-floor level which would abut the site boundary. The side-facing windows proposed in the elevation facing Tavistock Works would be obscurely glazed, and the seventh-floor play area would sit just below the roof line, so there would be no overlooking concerns.

Turning to daylight and sunlight matters, the applicant has submitted an assessment which has been reviewed by an independent specialist appointed by the Council. The appraisal concludes that the proposed report is robust in scope. The retained values for existing neighbours are as expected and consistent with the policy-led development of the site. This is further supported by a helpful comparison with the historic consent for the site, which is generally similar. It is considered that the development would not cause additional harm to those units which are within a reasonable distance of the new building within Site A. The report provides evidence of this through an alternative assessment undertaken to demonstrate the light level changes if the balconies were to be removed. Officers are satisfied with this evidence and the report's findings which relate to the impact upon the adjacent development within Site A.

The applicant has submitted additional information testing the daylight and sunlight implications against the redevelopment of site C (Tavistock Works), which has been approved by an appeal inspector. This information has been reviewed by the independent specialist appointed by the Council, who concluded that the bedrooms directly adjacent to the Appeal site would inevitably see reduced daylight values with this in situ. The assessment shows that the bedrooms closest to the Appeal scheme would meet the default targets on the 3rd floor and above. The second bedroom, adjacent to the living area, would achieve these from the lowest level. Given that they are bedrooms, they have a generally reduced requirement for light due to their mainly nighttime use. When applying flexibility, these small areas not satisfying the default targets are acceptable on balance.

7.09 Living conditions for future occupiers

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment. To achieve this all residential development or conversions should:

- i) meet or exceed the most up to date internal space standards, as set out in Table 5.1; and
- ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users.

Table 3.1 of London Plan (2021) Policy D6 requires the following:

- One storey 1-bed 1 person unit should provide a minimum of 39 square metres Gross Internal Area (GIA) with a bathroom (or 37 square metres with shower room);

- One storey 1-bed 2 person unit should provide a minimum of 50 square metres GIA;
- One storey 2-bed 3 person unit should provide a minimum of 61 square metres GIA;
- One storey 2-bed 4 person unit should provide a minimum of 70 square metres GIA;
- One storey 3-bed 4 person unit should provide a minimum of 74 square metres GIA; and
- One storey 3-bed 5 person unit should provide a minimum of 86 square metres GIA.

The above is also supported by Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

Based on the plans submitted, all of the proposed units meet the minimum space requirements and are provided with adequate outlook from all habitable rooms.

A daylight and sunlight report has been submitted and reviewed by an independent specialist appointed by the Council. The report states that on-balance, the internal light levels are sufficient and taking into consideration the comprehensive redevelopment of the site allocation.

Given the above, the proposed development complies with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policy D6 of the London Plan (2021).

PRIVATE AMENITY SPACE

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) states:

- A) All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2.
- B) Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres.
- C) Any ground floor and/or basement floor unit that is non-street facing should have a defensible space of not less than 3 metres in depth in front of any window to a bedroom or habitable room. However, for new developments in Conservation Areas, Areas of Special Local Character or for developments, which include Listed Buildings, the provision of private open space will be required to enhance the streetscene and the character of the buildings on the site.
- D) The design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

Table 5.2 states that studio and 1-bedroom flats should provide a minimum of 20 square metres of amenity space, 2-bedroom flats should provide a minimum of 25 square metres of amenity space and 3+ bedroom flats should provided a minimum of 30 square metres of amenity space.

Based on a proposal for 1 x studio 37 x 1 bed 51 x 2 bed and 16 x 3 bed units which should therefore provide 2515 m² of private amenity space.

Based on the submitted plans, the proposed development would provide the following:

- 293.5 square metres at ground floor level
- 749.8 square metres of private amenity space via balconies;
- 463.3 is to be provided via the podium level open communal space
- 293.5 is to be provided via the rooftop garden

The rooftop garden on the seventh floor would sit at a similar level to the seventh-floor play area of the consented scheme on the former Tavistock Works site. Whilst this would lead to some overlooking of the two amenity areas, this is similar to the relationship at the first-floor level between the two podium-level communal amenity areas. Consequently, no overlooking concerns were raised.

The proposed development would provide 1,659 sqm of usable amenity space across the entire development resulting in a shortfall of 856 sqm.

It is a material consideration that in determining the appeal scheme on Tavistock Works, the planning inspector dismissed the council's reason for refusal relating to the lack of policy-compliant levels of amenity space. Whilst the council's central issue of whether particular sections of the proposed amenity space met the policy requirements to be included within the amenity space calculation, para 25 of the inspector's decision concluded that despite the numerical shortfall in the provision, the quality of the spaces together with the contribution agreed for local park improvements made the appeal scheme acceptable. The inspector's view is a material consideration in assessing this application. Therefore subject to an open space contribution to be secured through an s106 agreement, the proposed level of amenity provision is considered acceptable on balance.

PLAY SPACE

Policy S4 of the London Plan (2021) states that residential development proposals should incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child that:

- a) provides a stimulating environment
- b) can be accessed safely from the street by children and young people independently
- c) forms an integral part of the surrounding neighbourhood
- d) incorporates trees and/or other forms of greenery
- e) is overlooked to enable passive surveillance
- f) is not segregated by tenure

This is supported by the Mayor's supplementary planning guidance (SPG) 'Shaping Neighbourhoods: Play and Informal Recreation', which sets a benchmark of 10m² of useable child play space to be provided per child, with under-fives play space provided on-site as a minimum, and makes clear that play space should not be segregated by tenure.

Policies DMCI 5 and DMHB 19 of the Hillingdon Local Plan: Part 2 (2020) state:

A) For all major development proposals, the Council will apply Hillingdon's child yields and the London Plan SPG; 'Providing for Children and Young Peoples Play and Informal Recreation', which specifies that 10sqm of play space should be provided for each child and an accessibility standard of 400 metres to equipped playgrounds.

B) In areas of deficiency, there will be a requirement for new provision to be made to meet the benchmark standards for accessibility to play provision.

C) The Council will resist the loss of existing play spaces unless:

- i) a replacement play space of equivalent size and functionality is provided to meet the needs of the local population. Where this is not possible, development will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal; and
- ii) it can be demonstrated robustly that they are no longer required and that their loss would not lead to a shortfall in overall play provision in the local area.

Paragraph 5.79 of the Hillingdon Local Plan: Part 2 (2020) states that the council's Open Space Strategy proposes an accessibility standard for children's playgrounds based on a 400 metre travel distance. The site is located within close proximity to several playgrounds including Royal Lane Park and Playground to the north (approximately 1km from the site) and The Closes Children's Playground (circa. 900m from the site). There is also a public open space within the Taylor Wimpey development on Wraysbury Drive which is 480 m from the site and features, green open space, a fishing lake and

a children's playground.

Based on the Mayor's supplementary planning guidance (SPG) 'Shaping Neighbourhoods: Play and Informal Recreation', play space requirements is divided into 3 categories;

- age 0-4; door step play/within 100m;
- age 5-11 years; play within 400m of site;
- age 12+ years; play within 800m of site.

Based on the GLA Population Yield Calculator (v3.2), it is anticipated that the following numbers would be yielded from the proposed development:

- 26.4 no. children under the age of 5 years old;
- 19.6 no. children aged 5 to 11 years old; and
- 12.4 no. children aged 12 to 17 years old.

The GLA's calculator for play space requirements, advises of a child yield of 31.6 which generates a play space requirement of 316.3 sqm.

The proposed development includes a play space provision of 389.9sqm, a minor short fall of the 398.8sqm requirement outlined in the GLA play space calculator. The provision will be located at podium level hosting a large, outdoor amenity space for the enjoyment of all residents. Despite the minor shortfall, the provision includes an outdoor gym and doorstep play for young children (ages: 0.5 years). The proposed play space accommodates all age ranges from 0-17. The proposal would not be considered contrary to Policy S4 of the London Plan (2021) and Policies DMCI 5 and DMHB 19 of the Hillingdon Local Plan: Part 2 (2020).

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 development should provide 5,607 square metres of publicly accessible open space in accordance with the planning obligations SPG (2014). The proposed plans indicate that no publicly accessible open space is to be provided. 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 in Yiewsley. Based on the Planning Obligations Supplementary Planning Document (July 2014), the financial contribution required is £140,175 and the applicant has agreed to pay this sum.

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

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. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 (2020) states: Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Consideration should also be given to the newly adopted London Plan (2021) policies, including Policies T2, T4, T6 and T6.1.

It is agreed that this area is a sustainable location given that it sits on the corner of a junction with the West Drayton Train Station, which hosts the Elizabeth Line, amongst other train lines and several bus routes. The site is also within a very close distance to the High Street, which accommodates local shops and other infrastructure which serves the local community and is therefore within walking distance of the site.

The proposed plans indicate 50 parking spaces would be provided, with 3 spaces dedicated for blue badge occupants. The applicant will be required to provide 20% of all spaces with active electric vehicle charging points, and the remaining is to be served by passive provision, which will be secured by condition. The floor plans demonstrate provision for 193 long-stay and 6 short-stay residential cycle bays, plus an additional space dedicated to the community use space. Both the car parking and cycle parking provision are considered acceptable, as confirmed by the Council's Highway Officer. The increase in the number of short-stay cycle bays from 5 to 6 also resolves the concerns raised by TFL.

The applicant has submitted an Active Travel Zone assessment, which was reviewed and costed by the Highway Authority. The following works have been identified as a contribution towards transforming the routes to key destinations Healthy Streets. The destinations chosen are Tesco Yiewsley, West Drayton Station, the new Platinum Jubilee Leisure Centre, Rowheys Place and the Grand Union Canal. A budget of £84,125 is required to deliver tactile paving and dropped kerbs at 9no. locations, 5no. new benches, 5no. litter bins and 15no. street trees will be secured within the proposed s106 legal agreement as well as the travel plan and relevant bond to ensure the targets are delivered.

Considering the above points and the comments from both the Highway Authority and Transport for London, the proposed development is considered acceptable subject to the relevant conditions and contributions secured by a legal agreement.

7.11 Urban design, access and security

URBAN DESIGN

Please see Section 07.07 of the report.

ACCESS

Please see Section 07.12 of the report.

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

ACCESSIBILITY

The following planning policies are considered:

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.

Policy D7 of the London Plan (2021) states that in order to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that:

- 1) at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
- 2) all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Following initial concerns being raised the applicant has submitted a set of revised plans which have been reviewed by the council's Access Officer. They have addressed all of the policy requirements set out above however the Access Officer has requested that access be provided directly into the residential cores from the building rather than occupants having to use a walkway around the building to enter from the front lobby.

For buildings which extend 7 or more stories in height there is a requirement to consult with the HSE and upon doing so it is clear the Access Officers request conflicts with fire regulations. The HSE have stated in that where the development features a covered car park and the stairs serving the upper stories are single stairs (i.e the stairs serve as the only means of escape for the part of the building) then the escape stairs should not connect to the parts of the building of a higher fire risk such as the covered car park. In this case the proposal includes a car park beneath a podium which would be an area of greater fire risk and therefore the stair cases should not provide direct access into the car park.

Taking the points raised by the HSE on board, the provision of access directly from the car park into the entrance lobbies or near the stairwells which serve each block could compromise fire safety is considered to be acceptable on balance.

7.13 Provision of affordable & special needs housing

Policy H5 of the London Plan (2021) requires a minimum of 50% affordable housing where the application is to redevelop a former industrial site. To follow the fast track route and not be required to submit a financial viability assessment, applicants must meet the following criteria:

- Meet or exceed the relevant threshold level of affordable housing on site (50%) without public subsidy
- Be consistent with the relevant tenure split (70/30 social rent/intermediate).

Policy H2 of the Local Plan: Part One (2012) requires sites with a capacity of 10 or more units, to provide an affordable housing mix to reflect the housing needs in the borough, particularly the need for larger family units.

Policy DMH 7 of the Local Plan: Part Two (2020) requires major residential developments to maximise the delivery of affordable housing on site. A minimum of 35% of all new homes should be delivered as affordable housing with a tenure split of 70% Social/Affordable Rent and 30% Intermediate.

The Financial Viability Appraisal submitted has been independently assessed by the council's external consultants and following negotiations with the applicant, parameters have been agreed in order to allow the LPA to understand the viability of the proposed development and the associated number of affordable housing units which can be provided on-site.

Consequently, an affordable offer of 23% by habitable room with 61% being London Affordable Rent (LAR) and 39% Shared Ownership (approximately 60/40 split). An independent review of the scheme's viability has been undertaken and led to the satisfaction of officers that this is the maximum viable, affordable housing provision that the scheme can deliver on-site with the tenure that best meets the needs of the Borough. The council's Housing Team notably supports this. Whilst the council's viability consultant indicates that an additional surplus could be used to provide a slightly higher contribution, they also agree that the market conditions may have shifted. Therefore, an early and late-stage review mechanism is an appropriate method for capturing any additional surplus post-determination of the application.

In addition, the proposed affordable housing would be built to the same standards as private housing. The affordable housing would also share the same communal amenity spaces

Given the lengthy negotiations which have taken place and the time it has taken to get to an agreed position the LPA has sought to agree the figures which would be input into the s106 affordable housing schedule which will be used for both the early and late stage review mechanisms. These figures are as follows:

GDV Base: £41,653,826

Build Cost Base: £26,367,000

Owner Profit % GDV, Base: 14.98%

If recommended for approval, the affordable housing provision proposed would be secured by a Section 106 legal agreement with an Early and Late Stage Viability Review mechanism imposed to

secure further affordable housing units if the viability of the scheme improves. As such, the proposed development accords with Policy H5 of the London Plan (2021), Policy H2 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 (2020).

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 amenities, 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 is supported by a Design and Access Statement (DAS), which sets out the landscaping strategy for this development and various planting plans illustrating the species to be used and locations. No trees are within the site's boundary; therefore, no tree removal is necessary. The DAS from the previous consent contained indicative drawings illustrating a connection between the podium amenity space for both sites A & B. Different landowners have brought forward the two sites; therefore, the plan to connect the two podiums cannot be delivered. However, the landscaping principles and layout, considered acceptable when determining the previous application, have been carried forward to this current proposal.

The submitted landscaping scheme sets out three key objectives for a multi-functional landscape which aims to strengthen the green infrastructure network, create a community hub and provide multi-generational amenity space which caters for exploration and informal play and amenity spaces for human interaction.

The playspace plan demonstrates that there would be suitable provision for relevant furniture and activity space within the large communal area at the podium level. Planting is provided around the edges, providing a soft setting to the hardscaped areas. The front of the building at ground floor level is set back from the public highway, which provides space for modest individual front gardens. These gardens feature planting and boundary treatments to create a private and soft setting to the ground floor front facade, which is welcomed.

With regards to the rooftop garden, this is predominantly hardscaped, with large areas utilised for green roofs. The area would provide a reasonably designed space to attract occupants to meet and socialise without risk of nuisance to neighbouring residents.

The proposals have been reviewed by the council's Tree Officer, who has not objected to the species and locations of the proposed trees. As stated above, the scheme would provide an adequate mix of hard and soft landscaping and therefore comply with the relevant policies above.

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 in Table 8.2 but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for predominately residential developments and a target score of 0.3 for predominately commercial development.

During the initial assessment of the proposal, concerns were raised regarding the scoring of 0.18, which was proposed. The applicant has since revised the landscaping plans to introduce further planting and green elements to the scheme, increasing the score to 0.39. There is a minimal shortfall, and Officers have considered fire safety impacts if the applicant were required to increase the UGF further. Therefore, the proposal is considered acceptable and meets the necessary policy requirements.

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 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 former buildings that occupied the site have been demolished and the site offers nothing regarding ecological value. The applicant's biodiversity report suggests that the increased soft landscaping proposed would result in a biodiversity net gain which Officers would agree with. However, further net gain could be achieved by delivering more enhancements. Therefore, a more robust ecological enhancement plan shall be secured by condition. Subject to the agreement of the condition mentioned above, 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 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.

Dedicated bin stores are provided within the curtilage of the building. Refuse would be collected from stores situated at the back of footway along Tavistock Road. Refuse vehicles would stop adjacent to these stores and tip the refuse into the vehicle. Taking into account that this would be a weekly event, and that the refuse vehicle would only be stationary for a short amount of time this arrangement is considered satisfactory. As the application does not require the bins to be manually pulled out to a collection point, no refuse and recycling management condition is required. The proposal would comply with the above policies.

7.16 Renewable energy / Sustainability

ENERGY

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.

An energy assessment has been submitted and sets out the proposed onsite savings and how they will be achieved in line with both the Local Plan and London Plan Policy requirements. The assessment concludes that the scheme would deliver the minimum required onsite energy savings, however as this is the minimum required and not net zero carbon, a financial contribution of £202,209 in lieu of further on site mitigation is required. The document has been reviewed by the Councils Energy Officer who has raised no objection subject to a condition pertaining low and zero carbon technology, and be seen (monitoring) requirements.

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 submitted noise assessment provides a detailed review of the impact upon local residents and future occupants. It is concluded that the proposed development should not raise any residual significant or other adverse impacts on the health and/or quality of life for existing neighbouring dwellings in the vicinity of the site, or dwellings to be created by the development. It is therefore considered that the proposed development complies fully with noise related national and local planning. However, it is necessary to attach a condition pertaining to the restriction of noise above a set level and set hours given the proposal includes a non-residential element.

7.17 Flooding or Drainage Issues

FLOOD RISK

The following planning policies are considered:

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.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Of particular relevance is Policy DMEI 10 of the Hillingdon Local Plan: Part 2 (2020) which states:

A) Applications for all new build developments (not conversions, change of use, or refurbishment) are required to include a drainage assessment demonstrating that appropriate sustainable drainage systems (SuDS) have been incorporated in accordance with the London Plan Hierarchy (Policy SI 13).

B) All major new build developments, as well as minor developments in Critical Drainage Areas or an area identified at risk from surface water flooding must be designed to reduce surface water run-off rates to no higher than the pre-development greenfield run-off rate in a 1:100 year storm scenario, plus 30% an appropriate allowance for climate change for the worst storm duration. The assessment is required regardless of the changes in impermeable areas and the fact that a site has an existing high run-off rate will not constitute justification.

C) Rain Gardens and non householder development should be designed to reduce surface water run-off rates to Greenfield run-off rates.

D) Schemes for the use of SuDS must be accompanied by adequate arrangements for the management and maintenance of the measures used, with appropriate contributions made to the Council where necessary.

E) Proposals that would fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

F) Developments should be drained by a SuDS system and must include appropriate methods to avoid pollution of the water environment. Preference should be given to utilising the drainage options in the SuDS hierarchy which remove the key pollutants that hinder improving water quality in Hillingdon. Major development should adopt a 'treatment train' approach where water flows through different SuDS to ensure resilience in the system. Water Efficiency

G) All new development proposals (including refurbishments and conversions) will be required to include water efficiency measures, including the collection and reuse of rain water and grey water.

H) All new residential development should demonstrate water usage rates of no more than 105 litres/person/day.

I) It is expected that major development proposals will provide an integrated approach to surface water run-off attenuation, water collection, recycling and reuse. Water and Wastewater Infrastructure

J) All new development proposals will be required to demonstrate that there is sufficient capacity in the water and wastewater infrastructure network to support the proposed development. Where there is a capacity constraint the Local Planning Authority will require the developer to provide a detailed water and/or drainage strategy to inform what infrastructure is required, where, when and how it will be delivered.

The application site does not fall within a designated Flood Zone however given the scale of the development the applicant has submitted an FRA and drainage strategy which has been reviewed by the council's Flood Water specialist. The proposed drainage strategy is considered to be unacceptable however given that the scheme no longer proposes a basement it would be an improvement in terms of flood risk on the scheme which was previously granted consent a condition to secure a revised drainage strategy would be acceptable. The revised drainage strategy should include all of the details which are set out in the Flooding comments in section 6.2 of this report. Subject to condition the development would accord with the above policies.

7.18 Noise or Air Quality Issues

AIR QUALITY

The following planning policies are considered:

Paragraph 186 of the National Planning Policy Framework (2021) states that planning decisions

should 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. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Policy SI 1 of the London Plan (2021) further supports this.

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 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 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 proposed development is within an Air Quality Management Area (AQMA) and will affect an identified Air Quality Focus Area. Development briefs for large scale proposals, such as this, should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach. The development brings more receptors and emissions into the AQMA therefore the air quality impacts, and their mitigation, are a material consideration.

An Air Quality Assessment has been submitted by the applicant but fails to demonstrate that the development would be air quality neutral. The council's Air Quality Officer has undertaken an appraisal of the assessment and has stated that a damage cost is required if the applicant is unable to increase on site mitigation through a robust travel plan and introduction of a green wall.

The applicant has agreed to submit a travel plan and this will be secured within the s106 legal agreement. With regards to a green wall the applicant's DAS refers to a green wall or climbers being rooted in soil at first floor level and roof level. The updated first floor planting plans provide location details for the green screens on both levels and these are considered to be acceptable. Taking into consideration the applicants commitment to these two methods of on-site mitigation it is appropriate for the council to apply a reduction to the damage cost as set out within the Air Quality Officers comments to £95,008. Subject to the conditions requiring further green wall details and the standard Low Emissions Strategy submission, and securing of the damage cost via a legal agreement, the

proposed development is considered to comply with the above policies.

7.19 Comments on Public Consultations

These have been dealt with in the body of this 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 planning obligations relating to the following:

1. A s278; Highway works needed to facilitate highway improvement works along Tavistock Road
2. Air quality damage cost £95,008.
3. 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.
4. LBH highway improvement works comprising: - Tactile paving and dropped kerbs at 9no. locations, 5no. new benches, 5no. litter bins and 15no. street trees with a cost of £84,125
5. Travel Plan: An amended 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.

6. Restriction upon future residents preventing them from obtaining an on street parking permit within the existing adjoining Parking Management Scheme and any future expanded Scheme

7. Open space contribution £140,175

8. Health contribution of £33,518

9. Affordable Housing: Planning obligation for an on-site provision of 14 London Affordable Rent units comprising of 7 x 1 bed, 1 x 2 bed and 3 x 3 bed units and 8 Shared Ownership units comprising of 2 x 1 bed, 2 x 2 bed and 4 x 3 bed units. This shall include an Early and Late Stage Viability Review mechanism as defined by Policy H5 of the London Plan (2021). 23% by habitable room with 61% being London Affordable Rent (LAR) and 39% Shared Ownership.

10. Carbon off-set contribution of £202,209

11. Project management and monitoring fee: A financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

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 square metre (from April 2019). The London Borough of Hillingdon (LBH) 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 (Hillingdon CIL), which came into effect on 1st August 2014.

The CIL liability is estimated as follows:

Hillingdon CIL: £1,264,793.92

Mayoral CIL: £ 573,696.00

7.21 Expediency of enforcement action

Not relevant to this application

7.22 Other Issues

CONTAMINATED LAND

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

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 applicant has submitted three reports which provide a comprehensive indication of the land conditions on site which demonstrates that the land has been and still is affected by contamination. The reports have been reviewed by the council's Contaminated Land Specialist who has raised no objection to the proposal subject to further testing, a methodology for remediation, evidence that the remediation works have been carried out in accordance with the method statement and no further contaminants are to be brought onto site. All of these matters are to be secured by condition.

FIRE SAFETY

Policy D12 of the London Plan (2021) is an important consideration and states:

A) In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

B) 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.

An outline fire safety strategy has been submitted which provides an indicative strategy for managing fire risk. A full fire safety strategy shall be secured by condition and will be discharged in consultation with the London Fire Brigade.

HEALTH INFRASTRUCTURE

The supporting text to Policy DF1 of the London Plan (Delivery of the Plan and Planning Obligations) explains that the demand for health services in London is increasing due to a growing and ageing population and an increase in complex and long-term health conditions, and as such, across London, developer contributions are used to fund the capital costs of new or expanded primary and community care facilities. This is needed to meet the increasing demand for services which arises from population growth in areas of intensification or growth. Using the London Healthy Urban Development Unit Planning Contributions Model (HUDU Model) allows local planning authorities, in conjunction with Clinical Commissioning Groups and NHS England, to calculate the capital cost of the additional health facilities required to meet the increased demand from developments.

In this instance, using the HUDU Model in consultation with NHS North West London, a financial contribution is required to fund the capital cost of local health infrastructure to support the additional population arising from the development. This would be secured as a planning obligation.

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 assessment contains details of an Overheating Assessment and states that the risk of overheating will be reduced through consideration of orientation, building massing, green scape provision and mechanical ventilation. The assessment states that mechanical ventilation will be required and the MVHR will be specified as per modelled mitigation option 2 within the submitted document. A ventilation rate of 20 l/s/person utilising the Zehnder ComfoCool to pre-cool the incoming air by up to 6 degrees Celsius will enable the development to avoid the requirement for air conditioning. In combination of the low solar transmission of the glazing to reduce internal gains all

rooms achieve a 'Pass' when assessed under relevant overheating regulations. The council's Energy Officer has raised no concerns regarding the details relating to Overheating within the Energy Assessment therefore they are considered to meet the requirements of the above policy.

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 redevelopment of the vacant site will provide a residential development comprising 105 residential units (Use Class C3) and 99 sqm of flexible community space is considered acceptable.

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 proposed development would provide 14 no London Affordable units and 8 Shared Ownership units, equating to an overall offer of 23% affordable housing by habitable room, in accordance with the Hillingdon Local Plan Policy DMH 7. Although this does not meet the 50% affordable housing target set for former industrial sites, stated under Policy H5 of the London Plan (2021), it would positively contribute to meeting the council's affordable housing needs and is notably supported by the Council's Housing Team. It is also agreed that this affordable housing offer is the maximum viable, affordable housing provision possible with the tenure that best meets the needs of the Borough. If approved, this would be secured by the Section 106 legal agreement, alongside an Early and Late Stage Viability Review.

The proposed building, which would extend up to 7 storeys, would be viewed in the context of an urban/suburban area which comprises a mix of characteristics but which crucially features buildings of a similar bulk, scale and massing located within site allocation and the wider Yiewsley Town Centre. Based on the immediate surrounding context, the proposed development's scale and mass are considered acceptable.

The proposal would result in a shortfall in amenity space of 856 sqm. However, given consideration to the appeal decision on the neighbouring site where a shortfall of amenity space was proposed, and the inspector failed to uphold the council's reason for refusal relating to amenity space / open space provision, on balance, the development is considered to be acceptable providing the applicant enter into a legal agreement which includes a financial contribution towards open space improvements.

The proposed development would provide 50 parking spaces, including three disabled spaces. The application site has a PTAL rating of 3 and is located approximately 250 m from West Drayton Train Station, an Elizabeth Line station, within 150 metres of several bus services. The application site is well-connected. If recommended for approval, several planning obligations would be secured by Section 106 legal agreement and would contribute to mitigating any impacts arising from the proposed use. This includes a travel plan, parking permit restriction and Active Travel Zone improvements. Subject to securing these measures, the proposal is considered acceptable concerning its impact on the local highway network.

Taking all relevant material planning considerations into account, including the previous appeal decision, the proposed development is considered acceptable regarding its impact on neighbour

amenities, access, security, highways, landscaping, ecology, refuse, energy, flooding, noise and contaminated land.

In summary, the proposed development is considered a suitable use of the site. The proposal is considered to meet the site allocation requirements and integrate with surrounding redevelopment proposals. Although the proposed development would technically conflict with the affordable housing-related policies within the development plan, an FVA has been submitted with an affordable offer of 23% by habitable room and a tenure split of 61% LAR and 39% SO. The offer and FVA has been tested is considered to be robust subject to a review mechanism to secure any additional surplus identified within the construction phases. Furthermore, the scheme's benefits, such as the increase in 3-bed family-sized units, an identified need in Hillingdon and, more specifically, Yiewsley/West Drayton, are supported. Considering these material considerations, the scheme's benefits outweigh this minor policy conflict.

The application is recommended for approval, subject to the proposed planning conditions and a Section 106 legal agreement.

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)

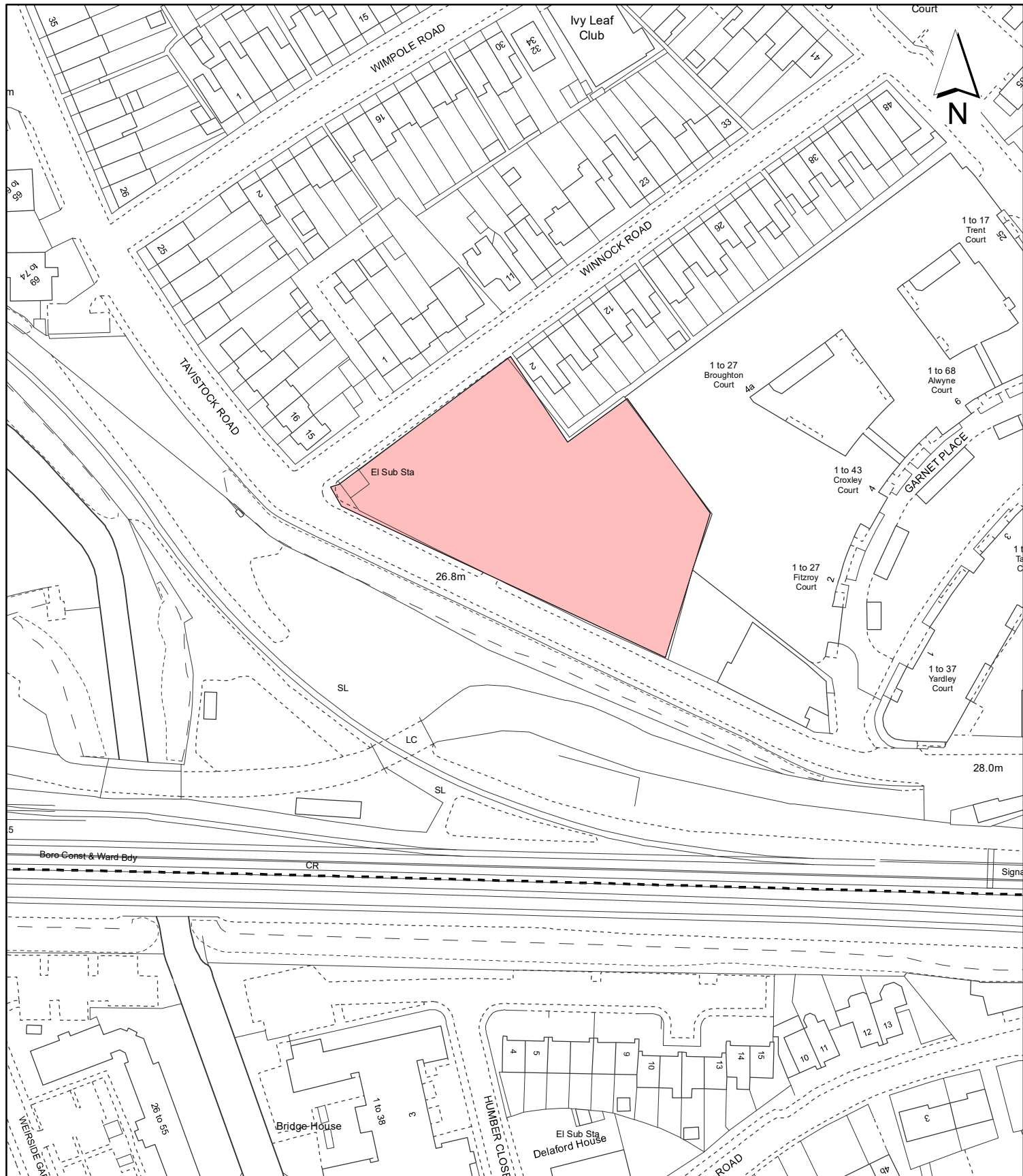
Planning Obligations Supplementary Planning Document (July 2014)

Contact Officer:

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Notes:

 Site boundary

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Site Address:

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Planning Application Ref:

24843/APP/2022/2403

Planning Committee:

Major

Scale:

1:1,250

Date:

May 2023

**LONDON BOROUGH
OF HILLINGDON**
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