

Report of the Head of Development Management and Building Control

- Address:** LAND AT AUSTIN ROAD HAYES
- Development:** Section 73 application to vary Condition 3 of application reference 76550/APP/2021/4499 dated 28-09-22 (Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works) to increase the parapet height by 50cm in the Detailed First Phase.
- LBH Ref Nos:** 76550/APP/2023/2931
- Drawing Nos:** Covering Letter 10th November 2023
HTC-PRP-P1ZZ-ZZ-GA-A-20010 Rev P7
HTC-PRP-P1ZZ-ZZ-GA-A-20011 Rev P7
HTC-PRP-P1ZZ-00-GA-A-20100 Rev P10
HTC-PRP-P1ZZ-01-GA-A-20101 Rev P9
HTC-PRP-P1ZZ-02-GA-A-20102 Rev P9
HTC-PRP-P1ZZ-03-GA-A-20103 Rev P9
HTC-PRP-P1ZZ-04-GA-A-20104 Rev P9
HTC-PRP-P1ZZ-05-GA-A-20105 Rev P9
HTC-PRP-P1ZZ-06-GA-A-20106 Rev P9
HTC-PRP-P1ZZ-07-GA-A-20107 Rev P9
HTC-PRP-P1ZZ-RF-GA-A-20108 Rev P10
HTC-PRP-P1ZZ-ZZ-ELV-A-20205 Rev P8
HTC-PRP-P1ZZ-ZZ-ELV-A-20205 Rev P8
HTC-PRP-P1ZZ-ZZ-ELV-A-20206 Rev P8
HTC-PRP-P1ZZ-ZZ-ELV-A-20207 Rev P9
Design and Access Statement HTC-PRP-P1ZZ-XX-RP-A-20901 P3
HTC-PRP-P1ZZ-ZZ-ELV-A-20200 Rev P10
HTC-PRP-P1ZZ-ZZ-ELV-A-20201 Rev P9
HTC-PRP-P1ZZ-ZZ-ELV-A-20202 Rev P9
HTC-PRP-P1ZZ-ZZ-ELV-A-20203 Rev P9
HTC-PRP-P1ZZ-ZZ-ELV-A-20204 Rev P9

HTC-PRP-P1ZZ-ZZ-SEC-A-20221 Rev P6

HTC-PRP-P1ZZ-ZZ-SEC-A-20220 Rev P8

HTC-PRP-P1ZZ-ZZ-SEC-A-20222 Rev P8

Date Plans received: 10-10-2023 **Date(s) of Amendments(s):** 10-10-2023

Date Application valid 10-11-2023

1. SUMMARY

This application is for a minor material amendment to vary Condition 3 of application reference 76550/APP/2021/4499 dated 28-09-22.

Application reference 76550/APP/2021/4499 was 'hybrid' planning application that proposed a comprehensive residential-led, mixed-use development involving phased demolition of all existing buildings. It will provide up to 500 new residential units, new publicly accessible open space, associated access, servicing, and landscaping, car and cycle parking. The application comprises two parts:

1. A Full application covering Phase 1 of the proposed development, which is for 80 new homes comprising 40 Social Rented homes and 40 private market homes; and,
2. An Outline application covering Phases 2-5 of the proposed development for a further 420 homes and a replacement community space of up to 140 sq m. Further details are to be submitted for approval at the reserved matters stage.

The consented development will be delivered over five phases. The application for Phase 1 permitted detailed planning permission for a single podium building comprising two blocks (A & B), accommodating 80 new homes with a GIA of 5,948 square metres. This phase is at the northern end of the site facing Pump Lane.

The current application seeks to amend the original consent for the detailed first phase Building A to increase the parapet height by 50cm. Given the increase in height proposed Heathrow Airport and National Air Traffic Services have been consulted and no objections to the proposals have been raised.

This minor change to the approved design is considered to be acceptable, subject to any consent securing the same conditions and s106 obligations as the original consent.

2. RECOMMENDATION

A. That a Deed of Variation to the original legal is secured under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and / or other appropriate legislation to secure:

- i. **Affordable Housing: Planning obligation for an on-site provision of at least 199 Social Rented homes and 40 London Affordable Rented homes (equivalent to 17,863 sqm in gross floorspace and 806 habitable rooms). This shall include an Early, Mid and Late Stage Viability Review mechanism**

as defined by Policy H5 of the London Plan (2021).

ii. **Air Quality Contribution:** A financial contribution amounting to £4,778 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 reduces human exposure to nitrogen dioxide levels shall be paid to address the air quality impacts of the proposed development.

iii. **Highways Works:** Section 278 agreement to secure highway works.

iv. **Local Highways Improvements/ATZ:** A financial contribution amounting to £76,811 shall be paid to the Council for the local highway improvements.

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

vi. **Grand Union Canal Quietway** contribution amounting to £60,000 shall be paid to the Council for the enhancement of the canal towpath.

vii. **Parking Permits:** The residents of this development will not to be eligible for parking permits within the Parking Management Areas (within the exception of 29 permits) and Council car parks in the vicinity of the site, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.

viii. **HUDU Health Contribution:** A financial contribution amounting to £49,820 shall be paid to the Council for the enhancement of health infrastructure provision.

ix. **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.

x. **A Healthy Streets** final sum to be confirmed following conclusion of discussions with GLA/TfL (current request is £335,000);

xi. **Community space** of at least 120 sq m and to a maximum of 140 sq m shall be delivered to shell and core at a peppercorn rent;

xii. **Land shown as POS on Parameter plan 5 (Hard and Soft Landscaping)** shall remain in POS in perpetuity.

xiii. **Carbon Offset contribution.** In the event that the subsequent outline phases of the development are not net zero a carbon offset payments shall be paid to the Council's carbon offset fund relating to the outline phases of this development.

xiv. **Housing Strategy;** Details of the Right to Return arrangements to safeguard the returning residents;

xv. **On site car club** of up to 4 spaces, free membership for 3 years and £50 credit for one person per unit;

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

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

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

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

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of Affordable Housing, Air Quality, Highways Works, Highways Improvements, Travel Planning, Parking Permits, Employment Strategy and Construction Training, and Project Management and Monitoring). The scheme therefore conflicts with Policies DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); the adopted Planning Obligations Supplementary Planning Document (July 2014); Policy DF1 of the London Plan (March 2021); and paragraphs 54-57 of the National Planning Policy Framework (July 2021).'

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

1. A1 Time Limit

Time Limit and Reserved Matters applications for the Outline element

(i) The development hereby permitted shall begin either before the expiration of five years from the 28th of September 2022, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

(ii) Application for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of three year from the date of this permission.

(a) Siting of building(s)

(b) Design

(c) External Appearance

(d) Landscaping

(e) Means of Escape

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

2. B1 Time Limits

Time limit in relation to the detailed Phase 1 element

The development hereby permitted shall be begun before the expiration of three years from the 28th of September 2022.

REASON

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

3. COM4 Accordance with Approved Plans

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

In relation to the outline element:

HTC-PTE-ZZ-XX-DR-A-10004 (Rev. C2)
Parameter Plan 1 Land Uses: HTC-PTE-ZZ-XX-DR-A-10010 (Rev. C6)
Parameter Plan 2 Development Zones: HTC-PTE-ZZ-XX-DR-A-10011 (Rev. C6)
Parameter Plan 3 Building Heights: HTC-PTE-ZZ-XX-DR-A-10012 (Rev. C3)
Parameter Plan 4 Access and Movement: HTC-PTE-ZZ-XX-DR-A-10013 (Rev. C8)
Parameter Plan 5 Hard and Soft Landscape: HTC-PTE-ZZ-XX-DR-A-10014 (Rev. C6)

In relation to the detailed Phase 1 proposals:

HTC-PTE-ZZ-XX-DR-A-10004 (Rev. C2)
HTC-PTE-P1-XX-DR-A-10006 (Rev. C3)
HTC-PTE-P1-XX-DR-A-10002 (Rev. C3)
HTC-PRP-P1ZZ-00-GA-A-20100 (Rev. P10)
HTC-PRP-P1ZZ-01-GA-A-20101 (Rev. P9)
HTC-PRP-P1ZZ-02-GA-A-20102 (Rev. P9)
HTC-PRP-P1ZZ-03-GA-A-20103 (Rev. P9)
HTC-PRP-P1ZZ-04-GA-A-20104 (Rev. P9)
HTC-PRP-P1ZZ-05-GA-A-20105 (Rev. P9)
HTC-PRP-P1ZZ-06-GA-A-20106 (Rev. P9)
HTC-PRP-P1ZZ-07-GA-A-20107 (Rev. P9)
HTC-PRP-P1ZZ-RF-GA-A-20108 (Rev. P10)
HTC-PRP-P1ZZ-ZZ-ELV-A-20200 (Rev. P10)
HTC-PRP-P1ZZ-ZZ-ELV-A-20201 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20202 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20203 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20204 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20205 (Rev. P8)
HTC-PRP-P1ZZ-ZZ-ELV-A-20206 (Rev. P8)
HTC-PRP-P1ZZ-ZZ-ELV-A-20207 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-SEC-A-20220 (Rev. P8)
HTC-PRP-P1ZZ-ZZ-SEC-A-20221 (Rev. P6)
HTC-PRP-P1ZZ-ZZ-SEC-A-20222 (Rev. P8)
HTC-ISS-XX-XX-RP-S-7200
HTC-TEP-P1-00-DR-L-90103 (Rev. 02)

HTC-TEP-P1-00-DR-L-90110 (Rev. 02)
HTC-TEP-P1-01-DR-L-90111 (Rev. 02)
HTC-TEP-P1-02-DR-90112
HTC-TEP-P1-00-DR-L-90120 (Rev. 02)
HTC-TEP-P1-01-DR-L-90121 (Rev. 02)
HTC-TEP-P1-02-DR-90122;

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

REASON

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

4. COM5 **General compliance with supporting documentation**

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

Red Line Site Location Plan HTC-PTE-ZZ-XX-DR-A-10000 rev C2
Planning Statement (inclusive of Economic Impact Assessment (including Social Value Assessment)
- 10 March 2022
Design and Access Statement - March 2022
Development Specification Statement - 10 March 2022
Air Quality Assessment (including Air Quality Neutral Assessment) REF - 2104170-01 December
November 2021
Arboricultural Impact Assessment - *December 2021*
Archaeological Desk Based Assessment **dated November 2021**
Aviation Safeguarding Assessment Ref: EAS/P1239/R1/Issue 1 (2021)
Biodiversity Impact Assessment - March 2022
Preliminary Ecological Appraisal (including Bat Survey Report) - December 2021
**Geotechnical and Geo-environmental Desk Study Report November 2021 1990-A2S-XX-XX- RP-Y-
0001-00**
Circular Economy Statement and Whole Life Cycle Carbon Assessment dated 03/12/2021
Construction Logistics Plan dated 06 December 2021 11 March 2022
Daylight and Sunlight Report (including Overshadowing Assessment) 26 November 2021
Delivery and Servicing Plan dated December 2021 11 March 2022
Economic Impact Assessment (including Social Value Assessment) - December 2021
Outline Energy Statement and Sustainability Strategy dated 30/11/2021
Detailed Energy Statement and Sustainability Strategy dated 30/25/11/2021
**Overheating Risk Assessment (for Detailed First Phase) Project/Ref: 07890 - Hayes Town Centre -
29/11/2021**
Financial Viability Assessment - December 2021
Fire Strategy (Detailed Strategy) and Completed Gateway 1 Form - November 2021
Fire Strategy (Outline Strategy) - November 2021
Wind Microclimate Impact Assessment dated November 2021
Noise Assessment - revised March 2022
Foul Sewage and Utilities Statement Project/Ref: 07890 - Hayes Town Centre December 2021
Transport Assessment dated 22/03/2022 11 March 2022
Framework Residential Travel Plan dated November 2021 11 March 2022
**Water Cycle Strategy (incorporated into Energy Statements and Drainage Strategy) Ref: P450729-
WW-HT-XX-RP-C-0002**

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

REASON

To ensure that the development complies with the application documentation submitted in support of the proposal in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

5. NONSC Quantum

The proposed land uses within the reserved matters shall be strictly in accordance with the maximum floor area (Use Class C3 - 14,456 sqm GIA and up to 140 sq m of community facility space Class F2 (b)) up to 420 homes.

REASON

To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure the quantum of development keeps within the parameters assessed in accordance with Policy DMHB 17 of the Hillingdon Local Plan: Part 2 (2020).

6. NONSC Housing Mix

The proposed housing mix within the reserved matters application/s shall be strictly in accordance with the following parameters:

One bedroom units - 37%

Two bedroom units - 45%

Three and four bedroom units - 18%

REASON

To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure the quantum of development keeps within the parameters assessed in accordance with Policy H10 of the London Plan (2021) .

7. NONSC Non Standard Condition - Phasing

Save in respect of development within the Detailed First Phase, no applications for Reserved Matters approval shall be submitted and no development within the Outline Area shall be commenced (except for demolition, ground and enabling work) until a Phasing Plan setting out the delivery of the phases across the Outline Area of the site has been submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall confirm the order and timing of delivery of each of the Phases.

Submission of a detailed Design Code (to include the realigned Austin Road) and Reserved Matters applications shall conform with the approved Phasing Plan. The development shall thereby be carried out in accordance with the approved Phasing Plan or any amendments thereto that may be subsequently agreed in writing with the local planning authority.

REASON

To ensure that the development proceeds in a satisfactory manner in accordance with the provisions

Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

8. NONSC Design Code including Austin Road realignment

Prior to commencement of any works within the outline development a detailed Design Code (to include the realigned Austin Road) shall be submitted and approved in writing and Reserved Matters applications shall conform with the approved Phasing Plan and Design Code. The development shall thereby be carried out in accordance with the approved Phasing Plan and design Code. The Design Code shall provide the following information:

Contents Sheet

1. Introduction

- a. Purpose of the Code
- b. The Vision (for the regeneration of the estate)
- c. The Site (and its context)
- d. Planning Context
- e. Design Principles
- f. Structure of the Code
- g. Instructions for Use

2. Overarching Design Code Principles

- a. Land Use and Amount
- b. Layout
- c. Scale and Massing
- d. Access, Movement and Parking
- e. Landscape and Public Realm
- f. Private and Community Amenity Space and Playspace

3. Hayes Town Centre Masterplan

- a. Background
- b. Design Principles
- c. Masterplan Layout
- d. Typical Development Blocks

4. Character Areas and Street Types

- a. Character and Approach
- b. Austin Road
- c. Pump Lane
- d. Crown Close
- e. Community Square
- f. Silverdale Road
- g. Canalside

5. Detailed Design Code Principles

- a. Built Form and Architectural Detail
- b. Material Strategy
- c. Energy and Sustainability
- d. Car and Cycle Parking Strategy
- e. Utilities and Servicing
- f. Waste and Recycling
- g. Lighting Strategy

h. Design Standards

6. Housing Typologies

a. Housing Types

b. Mews Houses

c. Duplexes and Podium Housing Blocks

d. Apartment Blocks

7. Glossary of Terms

REASON

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

9. A18 Density

The residential density shall not exceed 204 homes per hectare and 620 habitable rooms per hectare.

REASON

To avoid overdevelopment of the site in accordance with the Policy DMHB 17 of the Hillingdon Local Plan: Part 2 (2020).

10. A35 Height

No building or structure in the outline element shall exceed 70.37 AOD metres in height and no building or structure in the detailed element shall exceed 58.55m AOD in height (excluding plant).

REASON

Whilst Heathrow recognises that the existing building penetrates the Obstacle Limitation Surface. The replacement building called should not be allowed to exceed the existing elevation, as further penetration of the Obstacle Limitation Surface would not be deemed acceptable to Heathrow's operation. See Advice Note 1 An Overview for further information (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-1-Aerodrome-Safeguarding-An-Overview-2016.pdf>) in accordance with the approved drawings and to accord with the requirements of Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

11. A4 Fencing to Protect Root Areas

Prior to work commencing on site of any relevant development phase, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, groups of trees and other vegetation to be retained during construction work, shall be submitted to and approved by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres and erected prior to any demolition, removal of topsoil, and commencement of building operations and retained in position until development is completed. The land so enclosed shall be kept clear of all dumping, materials, machinery and cement mixing and the existing soil levels not altered or disturbed. No fires should be lit on the land so enclosed.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work

in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

12. B10 Parking/Turning/Loading Arrangements etc.

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved Phase 1 phase and within subsequent phases of the development shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

REASON

To ensure that adequate facilities are provided in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

13. COM21 Sound insulation /mitigation

Each phase of the development shall not be occupied until full and final details are provided to, and approved by, the Local Planning Authority for that relevant development phase of the sound insulation scheme(s), and any other control measures, such that ambient sound levels are no higher than the relevant internal targets within the current version of the ProPG: Planning & Noise accounting for both ventilation and overheating conditions, and to minimise levels within external amenity areas as far as practicable. Any sound generated within the development by associated plant shall be controlled to not exceed relevant targets, such as those within the current version of the Acoustics, Ventilation and Overheating Residential Design Guide.

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 2 (2020).

14. NONSC Noise

Each phase of the development shall not be occupied until full and final details are provided to, and approved by, the Local Planning Authority for that relevant development phase of any building services plant that would result in sound emitted externally, together with details of any required noise control to safeguard the amenity of the occupants of both the scheme and the neighbouring dwellings. The plant shall be selected and installed so as to minimise sound externally to a practicable minimum, and, where required (due to risk of noise impact), the plant and background sound levels should be determined and assessed in accordance with the Council's Noise SPD (2006) and the current version of BS 4142.

REASON

To safeguard the amenity of the occupants of the development and surrounding properties 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 2 (2020).

15. COM6 Levels

No development in relation to the canalside and Western View area in Phase 4 shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local

Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

16. RES7 Materials (Submission)

No development (except for demolition, ground and enabling work) within each relevant development phase of the development hereby approved shall take place until details of all materials and external surfaces, including details of balconies, for that development phase 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).

17. RES10 Tree to be retained

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

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

REASON

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

18. RES8 Tree Protection

The development shall be implemented in accordance with the details approved under application reference 76550/APP/2022/3753 dated 31-01-23 (Arboricultural Method Statement RT-MME-159408-01 (Rev. A) December 2022).

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

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

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

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

REASON

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

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

No development shall take place of any phase of the development hereby approved until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with Heathrow Airports Ltd, the MoD, and the Canal and River Trust. 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. There shall be at least 39 new trees in line with the Landscape Strategy Plan.

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Cycle Storage to show no less than 912 spaces and 4 motorcycle spaces
- 2.c Means of enclosure/boundary treatments
- 2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points) to show 113 spaces with active electric vehicle charging points at 20% of all parking spaces with all the remainder having passive provision.
- 2e. 23 car parking spaces including 2 blue badge spaces shall be provided for Phase 1 and;
- 2.f a maximum of 90 further car parking spaces including 11 blue badge spaces together with 4 motorcycle spaces shall be provided in the subsequent phases.
- 2.g Hard Surfacing Materials
- 2.fhh External Lighting
- 2.gi Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

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

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

4. Details of Landscape Maintenance

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

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

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

7 Further detail of Biodiversity Net Gain

7.a Details illustrating a biodiversity net gain across the development as a whole and submitted phase by phase shall be submitted and approved prior to above ground works in each phase.

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).

20. NONSC Play area details

Prior to commencement of above ground works of any relevant phase of this development, details of the play area for children shall be submitted to and approved in writing by the Local Planning Authority. This should include details of accessible play equipment for disabled children, including those with a sensory impairment, or complex multiple disabilities. Thereafter, the play areas shall be provided prior to the occupation of any unit within the development and maintained for this purpose.

REASON

To ensure that the development makes adequate provision of children's play space in accordance with Policies DMHB 19 and DMCI 5 of the Hillingdon Local Plan: Part 2 (2020) and Policies S4 and D5 of the London Plan (2021).

21. NONSC Accessibility

The dwellings hereby approved shall ensure that 90% 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. the remaining 10% of all units shall be constructed to accord with the technical specifications of Section M4(3)(2)(b) for a Wheelchair Accessible dwelling as set out in Approved Document M to the Building Regulations 2010 (2015 edition).

REASON

To ensure that sufficient housing stock is provided, in accordance with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policies D5 and D7 of the London Plan (2021).

22. NONSC Parking Management and Allocation Plan

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

- (i) The arrangements for all parking onsite and include provisions for managing, monitoring, enforcement and review. All on-site parking spaces shall be solely for the use by future residents of the development hereby approved and shall not be used for any other purpose of leased/sub-let.
- (ii) A Parking Design and Management Plan to ensure that an additional 7% of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient.

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

REASON

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

23. NONSC Delivery and Servicing Plan

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

REASON

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

24. NONSC Construction Management and Logistics Plan

Prior to the commencement of any relevant phase works on site, a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with relevant stakeholders including appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction). This plan shall detail:

- (i) The phasing of the works;
- (ii) The hours of work;
- (iii) On-site plant and equipment;
- (iv) Measures to mitigate noise and vibration;
- (v) Measures to mitigate impact on air quality;

- (vi) Waste management;
 - (vii) Site transportation and traffic management, including:
 - (a) Routing;
 - (b) Signage;
 - (c) Vehicle types and sizes;
 - (d) Hours of arrivals and departures of staff and deliveries (avoiding peaks times of day);
 - (e) Frequency of visits;
 - (f) Parking of site operative vehicles;
 - (g) On-site loading/unloading arrangements; and
 - (h) Use of an onsite banksman (if applicable).
 - (viii) The arrangement for monitoring and responding to complaints relating to demolition and construction; and
 - (ix) Details of cranes and other tall construction equipment (including the details of obstacle lighting).
- This plan should accord with Transport for London's Construction Logistic Planning Guidance and the GLA's 'The Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (July 2014) (or any successor document).
- The construction works shall be carried out in strict accordance with the approved plan.

NOTE: This condition has been partially discharged in relation to the Phase 1 only under planning reference 76550/APP/2023/471 dated 13-09-23.

REASON

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

25. NONSC Overheating Strategy

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

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

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

REASON

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

Plan (2021).

26. NONSC Bird Hazard Management Plan

Prior to superstructure works commencing of any relevant phase of this development, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Ministry of Defence and Heathrow Airport Ltd. The submitted plan shall include details of:

- a) 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'.
- b) The roof terrace and other public access areas are to be provided with lidded bins, and an approved method to maintain the accumulation of waste, to ensure that no food waste is available for the attraction of hazardous birds. The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building.
- c) Details and a schedule of procedures to ensure that breeding or nesting birds are disturbed or displaced from any flat/green roofs (by licenced means) formed within the site.
- d) Means for suitably qualified personnel to access to all roof areas (including these smaller areas of biodiverse roof and the roof terraces) for both inspection and active bird control.
- e) Details of a protocol for liaison with RAF Northolt in the event that dispersal procedures are to be undertaken.

The provisions of the BHMP shall be implemented strictly in accordance with the details agreed for the life of the development and there shall be no variation without the written agreement of both the Local Planning Authority and the MOD.

No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON

It is necessary to manage the roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, to accord with the requirements of Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

27. NONSC Flood Risk Assessment and Drainage Strategy

Prior to commencement (except for demolition, ground and enabling work) any relevant phase of this development (excluding demolition and site clearance), a scheme for the provision of sustainable water management in line with the approved Flood Risk Assessment and Drainage and SuDs Strategy shall be submitted to, and approved in writing by the Local Planning Authority in consultation with the Canals and River Trust. The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

- a) Sustainable Drainage features:
 - i. Surface water discharge - the submitted drainage strategy must identify the proposed method and location of discharging collected surface water from the site in accordance with the hierarchy set out in Policy SI 13 of the London Plan (2021). Where the proposal does not utilise the most sustainable solution, justification must be provided. Any proposal that includes a connection to a private sewer network should provide details of the condition and

- ownership of the entire drainage route to a public sewer or ordinary watercourse including the canal.
- ii. SuDS - the submitted drainage strategy should incorporate Sustainable Drainage System (SuDS) elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that control water at source and provide wider biodiversity, water quality and amenity benefits.greenfield runoff rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change.
 - iv. Drainage calculations - include calculations to demonstrate that the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.
 - v. Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and include details on flow paths, depths and velocities. Safe access and egress for the site must be demonstrated.
- b) Long-term management and maintenance of the drainage system.
 - i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.
 - ii. Include details of the necessary inspection regimes and maintenance frequencies.
 - c) Minimise water use.
 - i. incorporate water saving measures and equipment.
 - ii. provide details of how rain and/or grey water will be recycled and reused in the development.
- Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

NOTE: This condition has been partially discharged in relation to the Phase 1 only under planning reference 76550/APP/2023/1538 dated 05-12-23.

REASON

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

28. NONSC Contamination

The development shall commence (except for demolition) in accordance with the details approved under application reference 76550/APP/2023/469 dated 03-05-23, or the development (except for demolition) shall not commence within each relevant phase of the development hereby permitted until:

(i) an alternative scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling,

together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

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

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

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

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

REASON

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

29. NONSC Non-Road Mobile machinery

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

REASON

To comply with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021), and paragraphs 174 and 186 of the National Planning Policy Framework (2021).

30. NONSC Low Emission Strategy

Prior to superstructure works of any relevant phase of this development, a Low Emission Strategy (LES) shall be submitted to and approved in writing by the Local Planning Authority. The LES shall

address but be not restricted to:

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

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

REASON

To reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DME1 14 of the Hillingdon Local Plan: Part (2020), Policies SI 1 and T4 of the London Plan (2021) and paragraphs 174 and 186 of the National Planning Policy Framework (2021).

31. NONSC Secured by Design

Prior to the commencement of any superstructure works for each residential phase of development details of security measures to minimise the risk of crime and to meet the specific security needs of that phase shall be submitted for that phase and approved in writing by the Local Planning Authority, in consultation with the Metropolitan Police.

Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design gold' accreditation awarded by the Hillingdon Metropolitan Police Design Out Crime Officer (DOCO) on behalf of the Association of Chief Police Officers (ACPO). The approved measures shall be implemented before the development in that phase is occupied and thereafter retained.

REASON

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

32. NONSC Fire Statement

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

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

- v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
 - vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.
- B) Prior to occupation of the development, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. This should be accompanied by the Building Control Decision Notice or equivalent.

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

REASON

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

33. NONSC Obscured glazing

Detailed; Phase 1 development condition:

The partitions which separate the private terraces on the first floor flats serving flats B.00.006, B.00.007, A.01.002 A.01.001, A.00.003, A.00.004, B.01.001, shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking and safeguard the privacy of future occupiers, in accordance with Policy DMHB 11 and DMHB 16 of the Hillingdon Local Plan: Part 2 (2020)of the Hillingdon Local Plan: Part 2 (2020).

34. NONSC Lighting

Prior to its installation details of any external lighting associated each relevant phase within the development including levels of illumination, position, design, structure, direction of illumination, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and maintained in accordance with those details as may be approved.

In relation to Phase 4, the details of external lighting including levels of illumination, position, design, structure, direction of illumination and associated glare in shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust and any external lighting should be angled downwards, and light directed into the site and it should not provide flood lighting to the canal corridor to show consideration for bats and other nocturnal species.

REASON

In order to ensure that the Local Planning Authority is satisfied with the details of the authorised development and to ensure the design of the new housing development enhances the quality of the area and the amenity of neighbouring properties in accordance with Policy DMHB 11 and DMHB 16 of the Hillingdon Local Plan: Part 2 (2020)of the Hillingdon Local Plan: Part 2 (2020).

35. NONSC PV's & Energy Strategy Phase 1

Detailed Phase 1 condition:

Prior to occupation of the detailed phase 1 proposals the development must provide evidence that it has proceeded in accordance with the approved plans and specification illustrating a net reduction in

regulated CO2 emissions of 102% and evidence of this shall be submitted for approval in writing to the Local Planning Authority.

REASON

To ensure the development achieves zero carbon in accordance with Policy SI2 of the London Plan.

36. NONSC Energy Strategy outline phases

Prior to the commencement of all phases in the outline element of the development hereby approved a detailed energy assessments shall be submitted to and approved by the London Borough of Hillingdon. The assessment shall set out the plans and specifications for the 'be clean' and 'be green' technology solutions set out in the outline energy strategy. The details shall include type, size and location of the air source heat pumps including an appraisal of the associated noise and vibration. The scheme shall details the type and size of PV panels including their pitch and orientation. The assessment shall then ensure there is clear presentation of the reduction in carbon associated with the 'be lean', 'be clean' and 'be green' including making a clear allowance for the electricity demand of the air source heat pumps. Any carbon emissions identified shall be subject to an offsite contribution. The development must proceed in accordance with the approved plans and specification and evidence of this shall be submitted for approval in writing to the Local Planning Authority.

NOTE: This condition has been partially discharged in relation to the Phase 1 only under planning reference 76550/APP/2023/3018 dated 12-12-23.

REASON

To ensure the development achieves zero carbon in accordance with Policy SI2 of the London Plan.

37. NONSC Energy Performance

Prior to occupation of each relevant development phase, a 'Be Seen' plan for the recording and annual reporting of the energy performance of the development shall be submitted to and approved in writing by the Local Planning Authority. The 'Be Seen' plan meet the requirements set out in Policy SI2 (A)(4) of the London Plan. The plan shall set out the methods for recording the actual carbon performance of the approved scheme in line with the approved energy assessment. The plan shall then set out how this will be reported to the Local Planning Authority on an annual basis (the 'annual report') and shall set out the mechanisms for identifying shortfalls in the agreed targets and the strategy for remedying such shortfalls.

The annual report shall then be submitted to and approved by the Local Planning Authority in accordance with the agreed 'Be Seen' plan. Where the annual report identifies shortfalls in meeting the approved target, it will also present proposals, onsite or offsite to remedy the problem. The development must be operated in accordance with the approved 'Be Seen' plan.

REASON

To ensure the development continues to achieve the approved carbon reduction targets in accordance with Policy SI2 of the London Plan.

38. NONSC Roof Plant

No additional plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans for the detailed phase and any subsequent plans approved under Reserved Matters

Applications, shall be erected upon the roofs of the buildings hereby permitted.

REASON

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

39. NONSC CCTV

Prior to the occupation of each relevant phase of development, a scheme showing full details of the following for that phase shall be submitted to and approved in writing by the Local Planning Authority.

(a) CCTV;

(b) Security lighting

The development shall be implemented and maintained in accordance with the approved details.

REASON

To ensure that the development provides a safe and inclusive environment which maximises personal safety and minimises opportunities for crime and antisocial behaviour in accordance with Policy D11 of The London Plan 2021.

40. NONSC UGF

Prior to the commencement of above ground works of each relevant phase an updated Urban Greening Factor Assessment (UGF) shall have been submitted to the local planning authority and approved in writing. The updated UGF shall use the Greater London Authority Urban Greening Factor calculator available at the time of the submission. The updated UGF shall demonstrate all efforts to exceed a score of 0.4.

REASON

To ensure urban greening is a fundamental element of the site and building design in accordance with Policy G5 of the London Plan (2021).

41. NONSC Estate Management Regime

Prior to the occupation of each relevant phase of development an Estate Management and Maintenance Plan for that Phase in which development would be located, setting out maintenance and management responsibilities for all communal play spaces, public realm, communal amenity spaces and all publicly accessible open spaces, shall be submitted to and approved in writing by the Local Planning Authority and the open spaces shall thereafter be maintained and managed in accordance with the approved details.

REASON

In order to ensure that the Local Planning Authority is satisfied with the details of the authorised development and to ensure the design of the new housing development enhances the quality of the area in accordance with Policy DMBH 11 of the Hillingdon Local Plan: Part 2 (2020).

42. NONSC Piling Method Statement

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) for each relevant development phase 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.

NOTE: This condition has been partially discharged in relation to the Phase 1 only under planning reference 76550/APP/2023/1444 dated 28-07-23.

REASON

To ensure that the proposed works, in close proximity to underground sewerage utility infrastructure, will not adversely impact / cause failure of local underground sewerage utility infrastructure in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Part 2 (2020)

43. NONSC Phase 4 condition

Prior to the commencement of Phase 4 works (except for demolition, ground and enabling work) full details of the public realm improvements to the canal corridor including future maintenance and management responsibilities and regimes should be submitted to and approved by the Local Planning Authority in consultation with the Canal and River Trust as part of any reserved matters submissions for development along the canalside (Phase 4).

REASON

In order to ensure that the Local Planning Authority is satisfied with the details of the authorised development and to ensure the design of the new housing development enhances the quality of the area in accordance with Policy DMBH 11 of the Hillingdon Local Plan: Part 2 (2020).

44. NONSC Pump Lane shared surface

Prior to the occupation of Phase 1 detailed plans showing a shared use footway on the southern side of Pump Lane across the full frontage of the site shall be submitted to and approved by the Local Planning Authority.

REASON

To ensure that the Local Planning Authority is satisfied with the details of the authorised development and to ensure the design of the new housing development enhances the quality of the area in accordance with Policy DMBH 11 of the Hillingdon Local Plan: Part 2 (2020).

45. NONSC Whole Life Cycle

Prior to the occupation of each building within each relevant phase of development the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at the planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

REASON

In the interests of sustainable development and to maximise onsite carbon dioxide savings in

accordance with Policy SI2 of the London Plan.

46. NONSC Post Completion Report Whole Life Cycle

Prior to the occupation of any relevant development phase, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at:

CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

REASON

In the interests of sustainable waste management and in order to maximise the re-use of material in accordance with Policy SI7 and D3 of the London Plan.

47. NONSC Circular Economy

Each application for reserved matters shall be accompanied by a detailed Circular Economy Statement and Operational Waste Management Strategy in line with the GLA's Circular Economy Statement Guidance, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall adhere to the principles set out in the draft Circular Economy Statement. The development shall be carried out in accordance with the details so approved.

REASON

In the interests of sustainable waste management and in order to maximise the re-use of material in accordance with Policy SI7 and D3 of the London Plan.

48. NONSC Structural Stability

Prior to the commencement of Phase 4 works further details on construction methodology, including details of all earthmoving, excavations and the design and construction of all foundations and any necessary mitigation measures shall be submitted to and approved and approved in writing by the Local Planning Authority in consultation with the Canal and River Trust.

REASON

To ensure that that the extent of any risk of such works to the stability of the cutting and any retaining structures can be properly quantified and assessed in accordance with Policy DME1 8 of the Hillingdon Local Plan: Part 2 (2020).

49. A37 Refuse Collection Area (Residential)

Prior to the commencement of Phase 4, details of on-site refuse and recycling storage, including the on-site management plan for bin rotation and collection shall be submitted to and approved by the Local Planning Authority, this shall include plans and documentation. Such facilities shall be provided prior to occupation of the development and thereafter permanently retained.

REASON

To ensure adequate collection arrangements are in place in accordance with policy DMHB11 of the

:Local Plan Part 2 (2020).

50. NONSC Wind mitigation measures

Each Reserved Matters application shall include a detailed assessment of the wind effects and related mitigation for that phase of development. The assessment shall include wind tunnel testing to assess the comfort and safety levels at relevant locations around and within the site. The assessment will demonstrate that all locations assessed meet appropriate safety and comfort criteria in accordance with the Lawson distress criteria (LDDC method).

REASON

In order to ensure that the Local Planning Authority is satisfied with the details of the authorised development and to ensure the design of the new housing development enhances the quality of the area in accordance with Policy DMBH 11 of the Hillingdon Local Plan: Part 2 (2020).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

2. I10 Illustrative Drawings

You are reminded that the drawings submitted with the application are for illustrative purposes only and do not form part of the application for which permission is hereby granted.

3. I24A TFL Informative

In respect of the construction works and associated construction vehicle movements and temporary arrangement on the highway, the applicant/developer should contact the Council's Highways Maintenance Team. In case of construction works affecting the Transport for London Road Network and the Strategic Road Network, the applicant/developer should also contact Transport for London and comply with its requirements as set out in the Transport for London's 'Construction Guidance Document For Contractors' which can be viewed on the Council's website www.hillingdon.gov.uk/article/11417/Publications

4. I42 Canal informative 1

The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<https://canalrivertrust.org.uk/businessand-trade/undertaking-works-on-our-property-andour-code-of-practice>).

5. I43 Canal informative 2

The applicant/developer is advised that any encroachment or access over or on to the Trust's

property requires written consent from the Canal & River Trust and they are advised to contact Bernadette McNicholas of the Canal & River Trust's Estates Team on 07920 495745 or Bernadette.mcnicholas@canalrivertrust.org.uk in order to ensure that the necessary licences or commercial agreements are obtained prior to any work being carried out on or adjacent to Trust owned land.

6. 144 Canal informative 3

The applicant is advised that any surface water discharge to the waterway will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement. Please contact Chris Lee, Regional Utilities Surveyor on chris.lee@canalrivertrust.org.uk to discuss this further.

7.

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.

8. 160 Cranes

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

9.

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with: (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays; (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974; (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time. You are advised to consult the Council's Environmental

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

10. 170 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.

11. 172 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.

12. 173 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 as a phased development the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works within each relevant development phase (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development within each relevant phase 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.

13.

The applicant/developer is advised that any future submissions of reserved matters applications for the future phases of the development shall not be constructed in any other external material than brick for fire safety and design reasons.

153 Compulsory Informative (2)

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

DMAV 2	Heathrow Airport
DMAV 3	RAF Northolt
DMCI 2	New Community Infrastructure
DMCI 3	Public Open Space Provision
DMCI 4	Open Spaces in New Development
DMCI 5	Childrens Play Area
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 13	Importation of Material
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 8	Waterside Development
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
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development

LLP D1	(2021) London's form character and capacity for growth
LPP D1	(2021) London's form, character and capacity for growth
LPP D2	(2021) Infrastructure requirements for sustainable densities
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
LPP D8	(2021) Public realm
LPP D9	(2021) Tall buildings
LPP GG1	(2021) Building strong and inclusive communities
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP H4	(2021) Delivering affordable housing
LPP H8	(2021) Loss of existing housing and estate redevelopment
LPP SD1	(2021) Opportunity Areas
LPP SD10	(2021) Strategic and local regeneration
LPP SD7	(2021) Town centres: development principles and Development Plan Documents
LPP SI12	(2021) Flood risk management
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI4	(2021) Managing heat risk
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
SA 23	Silverdale Road/ Western View. Hayes

3. CONSIDERATIONS

3.1 Site and Locality

The site is approximately 2.3 hectares and accommodates the Hayes Town Centre Estate which has a series of medium rise blocks of flats and maisonettes/duplexes at a height of 3-4 storeys together with a high-rise tower, Skeffington Court, of 15 storeys. The existing estate was built in the 1970's and contains 260 homes with a mix of 1, 2 and 3 bedroom units.

The western and southern parts of the estate are located within Hayes Town Centre boundary, which has a district-wide role as a focal point for convenience goods and services as well as public transport links. The site is bordered to the north by Pump Lane beyond which is four storey hotel and a

residential area characterised mostly by low density traditional housing.

To the east are two storey semi-detached dwellings along Little Road, and further afield are commercial and light industrial/warehouse units. Crown Close forms the western boundary which houses a range of commercial uses, including a multi-storey car park, a public house and retail outlets. The estate is bordered to the south by the Grand Union Canal beyond which is a series of nine storey residential blocks.

Vehicular access is provided off Pump Lane via Austin Road which runs along the eastern boundary. Car parking for existing residents is provided within closed car parking areas located at the ground floor of the existing residential blocks and surface car parking in the southern part of the estate. Currently, there are estimated to be approximately 225 parking spaces on-site.

Pedestrian connections between the site and its surroundings are limited to the primary access off Pump Lane to the north, a central east-west underpass that runs through the site, and a raised east-west walkway at the southern end, along Western View. Internally within the site, pedestrian movement is north-south orientated along the boundaries and via a semi-private raised walkway which runs through the centre of the estate and is gated at both ends.

Hayes & Harlington train station is approximately 0.3 miles to the south, providing direct services to London Paddington, Heathrow Airport and Reading. It is also situated on the future Elizabeth Line route, which once operational will provide 10 services per hour facilitating direct travel to Essex and central and southeast London.

There are no local or statutory listed buildings within the site. However, there are a number of heritage assets within close proximity, this includes Silverdale Road Warehouse (locally listed and formerly a chair factory built in 1907) to the east and the Old Crown Public House (Grade II listed building) to the west. Slightly further afield is Benlow Works, a four storey Grade II listed Victorian industrial building, which is located to the east of the site along Silverdale Road and the Parish Church of St Anselm, a Grade II listed building to the west, beyond Station Road.

Further to the south east and west there are two Conservation Areas, Botwell Nestles and Botwell Thorn, which sit beyond the canal.

3.2 Proposed Scheme

The application is for a minor material amendment to vary Condition 3 of application reference 76550/APP/2021/4499 dated 28-09-22.

Application reference 76550/APP/2021/4499 was a 'hybrid' planning application that proposed a comprehensive residential-led, mixed-use development involving phased demolition of all existing buildings. It will provide up to 500 new residential units, new publicly accessible open space, associated access, servicing, and landscaping, car and cycle parking. The application comprises two parts:

1. A Full application covering Phase 1 of the proposed development, which is for 80 new homes comprising 40 Social Rented homes and 40 private market homes; and,

2. An Outline application covering Phases 2-5 of the proposed development for a further 420 homes and a replacement community space of up to 140 sq m. Further details are to be submitted for approval at the reserved matters stage.

The consented development will be delivered over five phases. The application for Phase 1 permitted detailed planning permission for a single podium building comprising two blocks (A & B), accommodating 80 new homes with a GIA of 5,948 square metres. This phase is at the northern end of the site facing Pump Lane.

The current application seeks to amend the original consent for the detailed first phase Building A to increase the parapet height by 50cm.

The parapet height needs to be increased slightly to provide guarding to the roof level and to comply with Part K of the building regulations by being a minimum of 1.1m above finished roof level. This is also to ensure that the parapet height is in accordance with the roof waterproofing system. The amendments to the roof will increase the overall AOD by 500mm from the consented scheme, with no changes regarding the floor-to-floor height in the proposed dwellings. No other amendments to the consented scheme are proposed.

In order to regularise the proposals it is necessary to amend a number of the consented plans and therefore it is proposed to alter the wording of Condition 3 of application reference 76550/APP/2021/4499 to:

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

In relation to the outline element:

HTC-PTE-ZZ-XX-DR-A-10004 (Rev. C2)
Parameter Plan 1 Land Uses: HTC-PTE-ZZ-XX-DR-A-10010 (Rev. C6)
Parameter Plan 2 Development Zones: HTC-PTE-ZZ-XX-DR-A-10011 (Rev. C6)
Parameter Plan 3 Building Heights: HTC-PTE-ZZ-XX-DR-A-10012 (Rev. C3)
Parameter Plan 4 Access and Movement: HTC-PTE-ZZ-XX-DR-A-10013 (Rev. C8)
Parameter Plan 5 Hard and Soft Landscape: HTC-PTE-ZZ-XX-DR-A-10014 (Rev. C6)

In relation to the detailed Phase 1 proposals:

HTC-PTE-ZZ-XX-DR-A-10004 (Rev. C2)
HTC-PTE-P1-XX-DR-A-10006 (Rev. C3)
HTC-PTE-P1-XX-DR-A-10002 (Rev. C3)
HTC-PRP-P1ZZ-00-GA-A-20100 (Rev. P10)
HTC-PRP-P1ZZ-01-GA-A-20101 (Rev. P9)
HTC-PRP-P1ZZ-02-GA-A-20102 (Rev. P9)
HTC-PRP-P1ZZ-03-GA-A-20103 (Rev. P9)
HTC-PRP-P1ZZ-04-GA-A-20104 (Rev. P9)
HTC-PRP-P1ZZ-05-GA-A-20105 (Rev. P9)
HTC-PRP-P1ZZ-06-GA-A-20106 (Rev. P9)
HTC-PRP-P1ZZ-07-GA-A-20107 (Rev. P9)
HTC-PRP-P1ZZ-RF-GA-A-20108 (Rev. P10)
HTC-PRP-P1ZZ-ZZ-ELV-A-20200 (Rev. P10)

HTC-PRP-P1ZZ-ZZ-ELV-A-20201(Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20202 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20203 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20204 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-ELV-A-20205 (Rev. P8)
HTC-PRP-P1ZZ-ZZ-ELV-A-20206 (Rev. P8)
HTC-PRP-P1ZZ-ZZ-ELV-A-20207 (Rev. P9)
HTC-PRP-P1ZZ-ZZ-SEC-A-20220 (Rev. P8)
HTC-PRP-P1ZZ-ZZ-SEC-A-20221 (Rev P6)
HTC-PRP-P1ZZ-ZZ-SEC-A-20222 (Rev. P8)
HTC-ISS-XX-XX-RP-S-7200
HTC-TEP-P1-00-DR-L-90103 (Rev. 02)
HTC-TEP-P1-00-DR-L-90110 (Rev. 02)
HTC-TEP-P1-01-DR-L-90111 (Rev. 02)
HTC-TEP-P1-02-DR-90112
HTC-TEP-P1-00-DR-L-90120 (Rev. 02)
HTC-TEP-P1-01-DR-L-90121 (Rev. 02)
HTC-TEP-P1-02-DR-90122;

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

REASON

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

It is also proposed to amend Condition 10 which currently limits the height of the detailed first phase to 58.50m AOD. It is proposed to increase this so that the raised parapet remains within the upper limit. The amended wording is proposed to state:

'No building or structure in the outline element shall exceed 70.37 AOD metres in height and no building or structure in the detailed element shall exceed 58.55m AOD in height (excluding plant).'

REASON

Whilst Heathrow recognises that the existing building penetrates the Obstacle Limitation Surface. The replacement building called should not be allowed to exceed the existing elevation, as further penetration of the Obstacle Limitation Surface would not be deemed acceptable to Heathrow's operation. See Advice Note 1 An Overview for further information (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-1-Aerodrome-Safeguarding-An-Overview-2016.pdf>) in accordance with the approved drawings and to accord with the requirements of Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).'

3.3 Relevant Planning History

76550/APP/2021/4499 Land At Austin Road Hayes

Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and

cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 29-03-2022 Approved

76550/APP/2022/3662 Land At Austin Road Hayes

Non-Material Amendment Application submitted under Section 96A of the Town and Country Planning Act 1990 (as amended), to amend condition 3 (Drawings) of application reference 76550/APP/2021/4499, dated 28-09-2022, which is for a Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

The proposed amendments only affect Phase 1, and comprise the following:

- Amendment of ground floor height by +200mm.
- Internal alterations to the ground floor layout to improve ventilation, structural integrity, and obstruction free use.
- Minor re-organisation of dwelling layouts to improve the internal arrangement.
- Minor adjustments to the spacing of balconies, fenestration, and facade detailing.
- Amendment to the core arrangement, lift size and window specification to meet building regulations.
- Increasing roof build to accommodate the required depth of structure and falls for rainwater collection, and reduction in parapet height.

Decision: 16-03-2023 Approved

76550/APP/2022/3701 Land At Austin Road Hayes

Non Material amendments to include:- Amendment of ground floor height by +200mm; internal alterations to ground floor layout to improve ventilation, structural integrity, and obstruction free use; increasing roof build to accommodate required depth of structure and falls for rainwater collection; minor re-organisation of dwelling layouts to improve internal arrangement; minor adjustments to spacing of balconies, fenestration and facade detailing.

Decision: 21-12-2022 Withdrawn

76550/APP/2022/3753 Land At Austin Road Hayes

Details pursuant to Condition 18 (Tree Protection) of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity

space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 31-01-2023 Approved

76550/APP/2023/1444 Land At Austin Road Hayes

Details submitted pursuant to the partial discharge of Condition 42 (Piling Method Statement) for the Detailed First Phase only of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 28-07-2023 Approved

76550/APP/2023/1538 Land At Austin Road Hayes

Details pursuant to the partial discharge of Condition 27 (Sustainable Water Management) for the Detailed First Phase only of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 05-12-2023 Approved

76550/APP/2023/1790 Land At Austin Road Hayes

Details submitted pursuant to Condition 7 (Phasing Plan) of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 03-08-2023 Withdrawn

76550/APP/2023/3018 Land At Austin Road Austin Road Hayes

Details pursuant to the partial discharge of Condition 36 (Energy Assessment) for the Detailed First Phase only of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 12-12-2023 Approved

76550/APP/2023/469 Land At Austin Road Hayes

Details submitted pursuant to the partial discharge of Condition 28 (Part i) (Contamination) of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 03-05-2023 Approved

76550/APP/2023/471 Land At Austin Road Hayes

Details submitted pursuant to the partial discharge of Condition 24 (Construction Management and Logistics Plan) for the Detailed First Phase only of planning permission reference 76550/APP/2021/4499, dated 28-09-2022, for a hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.

Decision: 13-09-2023 Approved

Comment on Relevant Planning History

Planning consent was granted under application reference 76550/APP/2021/4499 (dated 28-09-22) for a 'Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works) to increase the parapet height by 50cm in the Detailed First Phase.'

A subsequent Non-Material Amendment Application was submitted and approved under Section 96A of the Town and Country Planning Act 1990 (as amended), to amend Condition 3 (Drawings) of application reference 76550/APP/2021/4499, The consented amendments related to Phase 1 and included:

- Amendment of ground floor height by +200mm.
- Internal alterations to the ground floor layout to improve ventilation, structural integrity, and obstruction free use.
- Minor re-organisation of dwelling layouts to improve the internal arrangement.
- Minor adjustments to the spacing of balconies, fenestration, and facade detailing.
- Amendment to the core arrangement, lift size and window specification to meet building regulations.
- Increasing roof build to accommodate the required depth of structure and falls for rainwater collection.

In addition to the approved non-material amendment application a number of conditions have been partially discharged for Phase 1, these include

- Condition 18 (Tree Protection)
- Condition 24 (Construction Management and Logistics Plan)
- Condition 27 (Sustainable Water Management)
- Condition 28 (Part i) (Contamination)
- Condition 36 (Energy Assessment)
- Condition 42 (Piling Method Statement)

4. Planning Policies and Standards

Planning Policy

The proposed development would be assessed against 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 and national guidance:

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the

development plan, unless material considerations indicate otherwise. The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF 2023) 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.CI1 (2012) Community Infrastructure Provision

PT1.EM4 (2012) Open Space and Informal Recreation

PT1.EM6 (2012) Flood Risk Management

PT1.EM8 (2012) Land, Water, Air and Noise

PT1.H1 (2012) Housing Growth

PT1.H2 (2012) Affordable Housing

Part 2 Policies:

DMAV 2 Heathrow Airport

DMAV 3 RAF Northolt

DMCI 2 New Community Infrastructure

DMCI 3 Public Open Space Provision

DMCI 4 Open Spaces in New Development

DMCI 5 Childrens Play Area

DMCI 7 Planning Obligations and Community Infrastructure Levy

Hillingdon Planning Committee - 14th March 2024

PART 1 - MEMBERS, PUBLIC & PRESS

DMEI 1 Living Walls and Roofs and Onsite Vegetation

DMEI 10 Water Management, Efficiency and Quality

DMEI 11 Protection of Ground Water Resources

DMEI 12 Development of Land Affected by Contamination

DMEI 13 Importation of Material

DMEI 14 Air Quality

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 8 Waterside Development

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

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

DMTC 1 Town Centre Development

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

LPP SD1 (2021) Opportunity Areas

LPP SD10 (2021) Strategic and local regeneration

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

LPP D2 (2021) Infrastructure requirements for sustainable densities

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

LPP D8 (2021) Public realm

LPP D9 (2021) Tall buildings

LPP GG1 (2021) Building strong and inclusive communities

LPP GG2 (2021) Making the best use of land

LPP GG4 (2021) Delivering the homes Londoners needs

LPP H1 (2021) Increasing housing supply

LPP H10 (2021) Housing size mix

LPP H4 (2021) Delivering affordable housing

LPP H8 (2021) Loss of existing housing and estate redevelopment

LPP SD7 (2021) Town centres: development principles and Development Plan Documents

LPP SI12 (2021) Flood risk management

LPP SI2 (2021) Minimising greenhouse gas emissions

LPP SI3 (2021) Energy infrastructure

LPP SI4 (2021) Managing heat risk

LPP T2 (2021) Healthy Streets

Hillingdon Planning Committee - 14th March 2024

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- LPP T4 (2021) Assessing and mitigating transport impacts
- LPP T5 (2021) Cycling
- LPP T6 (2021) Car parking
- LPP T6.1 (2021) Residential parking
- SA 23 Silverdale Road/ Western View. Hayes

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date: **6th January 2024**
- 5.2** Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

Four site notices were displayed outside the site and press notice was displayed in a local newspaper. All forms of consultation have expired and no representations have been received.

GREATER LONDON AUTHORITY (GLA)

I have assessed the details of the application and, given the scale and nature of the proposal to increase parapet height on Block A, conclude that the amendment does not give rise to any strategic planning issues.

Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA.

HEATHROW AIRPORT LIMITED

We have now assessed the above application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed parapet increase.

NATIONAL AIR TRAFFIC SERVICES (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.

Internal Consultees

URBAN DESIGN AND CONSERVATION

No objection to the proposed minor change. This will not be visible from ground level in most locations.

7. MAIN PLANNING ISSUES

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7.01 The principle of the development

The principle of the development has been established under the grant of planning permission for the hybrid consent reference 76550/APP/2021/4499 dated 28/09/22. Under the consideration of that application it was determined that the development would ensure a net increase in existing affordable housing floorspace and would accord with the requirements and key principles for estate regeneration as set out in London Plan Policy H8 and the associated guidance in the Mayor's Affordable Housing and Viability SPG and the Mayor's Good Practice Guide to Estate Regeneration. The regeneration of the estate also provides the opportunity to increase local housing supply and deliver benefits to the wider community through the provision of new and improved homes in accordance with Policies H1 and SA23 of the Hillingdon Local Plan: Part 2 (2020) and Policies SD1, SD10, H8 and GG4 of the London Plan.

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 proposed minor increase in parapet height for Phase 1 of the development will have no impact on the density of the development consented under the hybrid application.

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

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

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions 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 should 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 heritage

asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be

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. Development proposals should avoid harm and identify enhancement opportunities. This policy also applies to non-designated heritage assets.

There are no archaeological, conservation area or listed building impacts as a result of the proposed minor increase in parapet height for Phase 1 of the development.

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (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 National Air Traffic Services, Heathrow Airport Ltd and the Ministry of Defence have been consulted as part of the application process. The National Air Traffic Services and Heathrow Airport Ltd have confirmed that there are no safeguarding objections.

The proposal is considered to be in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

7.05 Impact on the green belt

The site is not within or adjacent to any designated Green Belt.

7.06 Environmental Impact

There are no meaningful environmental impacts as a result of the proposed minor increase in parapet height for Phase 1 of the development.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part 1 (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) sets out more detailed guidance on design matters.

The Council's Urban Design Officer has reviewed the submitted details and confirmed that not only do they have no objections to the proposed minor change in the parapet height, they are also of the opinion that it will not be visible from ground level in most locations. As such the minor change to the consented development is considered to be in accordance with Policy BE1 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

There are no detrimental impacts on neighbour amenity as a result of the proposed minor increase in parapet height for Phase 1 of the development.

7.09 Living conditions for future occupiers

The proposed minor amendment will have no impact on the living conditions of future occupiers.

7.10 Traffic impact, car/cycle parking, pedestrian safety

There are no traffic, car/cycle parking, pedestrian safety impacts as a result of the proposed minor increase in parapet height within Phase 1 of the development.

7.11 Urban design, access and security

Not applicable to the determination of the application.

7.12 Disabled access

The proposed minor amendment will have no impact on accessibility for the consented development.

7.13 Provision of affordable & special needs housing

The proposed minor amendment will have no impact on affordable housing for the consented development. The consented level of affordable housing is to be secured through a deed of variation to the original s106 legal agreement.

7.14 Trees, Landscaping and Ecology

The proposed minor amendment will have no impact on landscaping or ecology for the consented development.

7.15 Sustainable waste management

The proposed minor amendment will have no impact on waste management for the consented development.

7.16 Renewable energy / Sustainability

Not applicable to the determination of the application.

7.17 Flooding or Drainage Issues

Not applicable to the determination of the application.

7.18 Noise or Air Quality Issues

The proposed minor amendment will have no impact on noise or air quality for the consented development.

7.19 Comments on Public Consultations

No consultation responses have been received.

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 was only considered reasonable to secure contributions towards the following within the original consent. It is proposed that these contributions are retained through a Deed of Variation to the original consent:

i. Affordable Housing: Planning obligation for an on-site provision of at least 199 Social Rented homes and 40 London Affordable Rented homes (equivalent to 17,863 sqm in gross floorspace and 806 habitable rooms). This shall include an Early, Mid and Late Stage Viability Review mechanism as defined by Policy H5 of the London Plan (2021).

ii. Air Quality Contribution: A financial contribution amounting to £4,778 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 reduces human exposure to nitrogen dioxide levels shall be paid to address the air quality impacts of the proposed development.

iii. Highways Works: Section 278 agreement to secure highway works.

iv. Local Highways Improvements/ATZ: A financial contribution amounting to £76,811 shall be paid to the Council for the local highway improvements.

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

- vi. Grand Union Canal Quietway contribution amounting to £60,000 shall be paid to the Council for the enhancement of the canal towpath.
- vii. Parking Permits: The residents of this development will not to be eligible for parking permits within the Parking Management Areas (within the exception of 29 permits) and Council car parks in the vicinity of the site, apart from Blue Badge holders and a charge made against the site to ensure the future buyers are aware of the parking restrictions.
- viii. HUDU Health Contribution: A financial contribution amounting to £49,820 shall be paid to the Council for the enhancement of health infrastructure provision.
- ix. 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.
- x. A Healthy Streets final sum to be confirmed following conclusion of discussions with GLA/TfL (current request is £335,000);
- xi. Community space of at least 120 sq m and to a maximum of 140 sq m shall be delivered to shell and core at a peppercorn rent;
- xii. Land shown as POS on Parameter plan 5 (Hard and Soft Landscaping) shall remain in POS in perpetuity.
- xiii. Carbon Offset contribution. In the event that the subsequent outline phases of the development are not net zero a carbon offset payments shall be paid to the Council's carbon offset fund relating to the outline phases of this development.
- xiv. Housing Strategy; Details of the Right to Return arrangements to safeguard the returning residents;
- xv. On site car club of up to 4 spaces, free membership for 3 years and £50 credit for one person per unit;
- xvi. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions

All planning obligations are required to be paid upon implementation in order to ensure infrastructure improvements are in place prior to occupation.

COMMUNITY INFRASTRUCTURE LEVY (CIL):

The scheme is also liable to pay Mayoral CIL at a rate of £60 per square metre (plus indexation) and Hillingdon's Community Infrastructure Levy of £95 per square metre (plus indexation) for residential development.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and

the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The current application seeks to amend the original consent for the detailed first phase Building A to increase the parapet height by 50cm. Given the increase in height proposed Heathrow Airport and National Air Traffic Services have been consulted and no objections to the proposals have been raised.

This minor change to the approved design is considered to be acceptable, subject to any consent securing the same conditions and s106 obligations as the original consent.

11. Reference Documents

London Plan (2021)

Hillingdon Local Plan: Strategic Policies (2012)

Hillingdon Local Plan: Development Management Policies (2020)

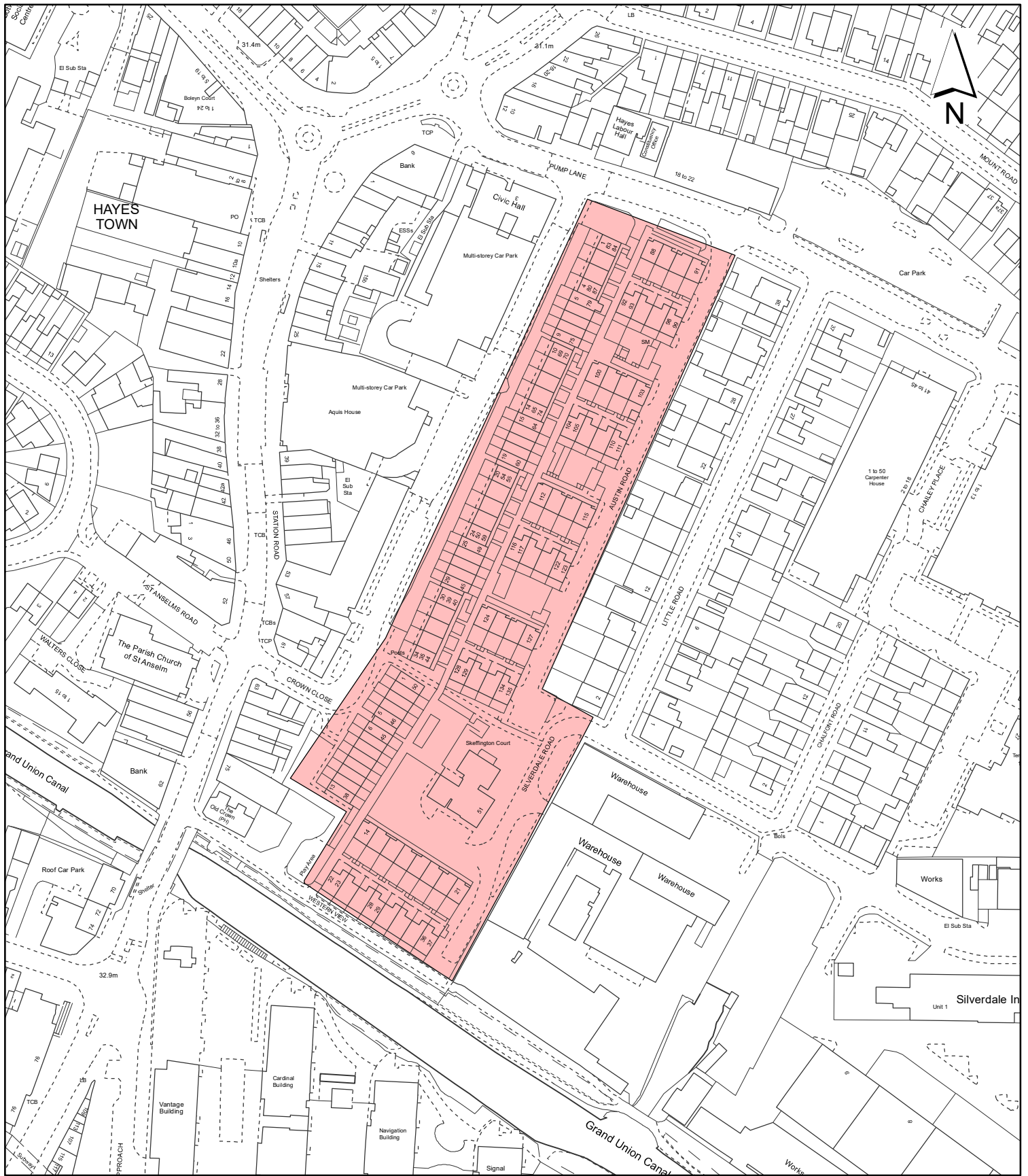
National Planning Policy Framework (NPPF) (2023)

Contact Officer:

Ed Laughton

Telephone No:

01895 250230



Notes:

 Site boundary

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Site Address:

Land at Austin Road

Planning Application Ref:

76550/APP/2023/2931

Planning Committee:

Major

Scale:

1:2,000

Date:

March 2024

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
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