GREATER**LONDON**AUTHORITY

representation hearing report GLA/4279/03

20 July 2018

Citroen Site, Capital Interchange Way, Brentford

in the London Borough of Hounslow

planning application no. 01508/A/P6

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 ("the Order") and Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposal

Redevelopment of the site to provide a mixed-use scheme of 441 residential units with ancillary facilities, flexible retail, employment and community uses and a children's nursery in buildings of 12, 13, 16, 17 and 18 storeys in height.

The applicant

The applicant is **L&Q** and the architect is **Hawkins\Brown**.

Recommendation summary

The Mayor, acting as Local Planning Authority for the purpose of determining this application;

i. grants conditional planning permission in respect of application 01508/A/P6 for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;

ii. delegates authority to the Assistant Director - Planning and the Executive Director of Development, Enterprise and Environment to issue the planning permission and attach, add, delete or vary, the final detailed wording of the conditions and informatives as required, and authority to negotiate, agree the final wording, and sign and execute, the section 106 legal agreement;

iii. delegates authority to the Assistant Director – Planning and the Executive Director of Development, Enterprise and Environment to agree any variations to the proposed heads of terms for the section 106 legal agreement;

iv. delegates authority to the Assistant Director - Planning and Executive Director of Development, Enterprise and Environment to refuse planning permission, if by 20 October 2018, the section 106 legal agreement has not been completed;

v. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Hounslow Council;

vi. notes that Hounslow Council will be responsible for the enforcement of the conditions attached to the planning permission;

Subject to referral to the Secretary of State for Housing, Communities and Local Government under The Town and Country Planning (Consultation) (England) Direction 2009.

Drawing numbers and documents

Existing plans	**Existing drawings**
1699_DWG_PL_xx_000 R01 Existing site location plan	1699_DWG_PL_xx_100 R00 Existing site elevation south-east
1699_DWG_PL_xx_001 R00 Existing site plan	1699_DWG_PL_xx_101 R00 Existing site elevation north-east
1699_DWG_PL_xx_003 R00 Existing ground floor plan	1699_DWG_PL_xx_102 R00 Existing site elevation north-west
	1699_DWG_PL_xx_103 R00 Existing site elevation south-west
Proposed drawings	
Site plans	
1699_DWG_PL_xx_00_001 R01 Proposed site plan	1699_DWG_PL_xx_00_002 R00 Proposed block plan
38397-PBA-XX-D-C 501-SO Rev 1 Proposed indicative surface water drainage strategy	
Elevations	
1699_DWG_PL_xx_00_100 R03 Proposed site elevation south-east	1699_DWG_PL_xx_00_102 R03 Proposed site elevation north-west
1699_DWG_PL_xx_00_101 R03 Proposed site elevation north-east	DWG_PL_xx_00_103 R03 Proposed site elevation south-west
Floor Plans	
1699__DWG_PL_xx_20_100 R07 Proposed ground floor plan	1699__DWG_PL_xx_20_110 R04 Proposed tenth floor plan
1699__DWG_PL_xx_20_101 R05 Proposed First (podium) floor plan	1699__DWG_PL_xx_20_111 R04 Proposed eleventh floor plan
1699__DWG_PL_xx_20_102 R04 Proposed second floor plan	1699__DWG_PL_xx_20_112 R04 Proposed twelfth floor plan
1699__DWG_PL_xx_20_103 R04 Proposed third floor plan	1699__DWG_PL_xx_20_113 R04 Proposed thirteenth floor plan
1699__DWG_PL_xx_20_104 R04 Proposed fourth floor plan	1699__DWG_PL_xx_20_114 R04Proposed fourteenth floor plan
1699__DWG_PL_xx_20_105 R04 Proposed fifth floor plan	1699__DWG_PL_xx_20_115 R04 Proposed fifteenth floor plan

1699__DWG_PL_xx_20_106 R04 Proposed sixth floor plan	1699__DWG_PL_xx_20_116 R04 Proposed sixteenth floor plan
1699__DWG_PL_xx_20_107 R04 Proposed seventh floor plan	1699__DWG_PL_xx_20_117 R04 Proposed seventeenth floor plan
1699__DWG_PL_xx_20_108 R04 Proposed eight floor plan	1699__DWG_PL_xx_20_118 R05 Proposed roof plan
1699__DWG_PL_xx_20_109 R04 Proposed ninth floor plan	
Elevations and sections	
1699__DWG_PL_01_20_200 R01 Proposed Block 1 Section AA	1699_DWG_PL_01_20_303 R02 Proposed Block 1 South West elevation
1699__DWG_PL_01_20_201 R01 Proposed Block 1 Section BB	1699_DWG_PL_0203_20_300 R02 Proposed Block 2 and 3 East Elevations
1699_DWG_PL_0203_20_200 R01 Proposed Block 2 and 3 Section AA	1699_DWG_PL_0203_20_301 R02 Proposed Block 2 and 3 North Elevations
1699_DWG_PL_0203_20_201 R01 Proposed Block 2 and 3 Section BB	1699_DWG_PL_0203_20_302 R02 Proposed Block 2 and 3 South Elevations
1699_DWG_PL_0203_20_203 R01 Proposed Block 2 and 3 Section CC	1699_DWG_PL_0203_20_303 R02 Proposed Block 2 and 3 West Elevations
1699_DWG_Pl_0405_20_200 R01 Proposed Block 4 and 5 Section AA	1699_DWG_PL_0405_20_300 R02 Proposed Block 4 and 5 North East Elevations
1699_DWG_Pl_0405_20_200 R01 Proposed Block 4 and 5 Section BB	1699_DWG_PL_0405_20_301 R02 Proposed Block 4 and 5 North West Elevations
1699_DWG_PL_01_20_300 R02 Proposed Block 1 North East elevation	1699_DWG_PL_0405_20_302 R02 Proposed Block 4 and 5 South East Elevations
1699_DWG_PL_01_20_301 R02 Proposed Block 1 North West elevation	1699_DWG_PL_0405_20_303 R02 Proposed Block 4 and 5 South West Elevations
1699_DWG_PL_01_20_302 R02 Proposed Block 1 South East elevation	
Supporting documents	
Planning application form and certificates	Cover letter
CIL Additional Information Form	Drainage Assessment form and revised surface water drainage strategy

Design & Access Statement and Addendum	Fire Safety overview
Planning Statement and Planning Statement Addendum	Daylight, Sunlight and Overshadowing Report and Daylight, Sunlight and Overshadowing Addendum
Affordable Housing Statement and Affordable Housing Statement Addendum	Statement of Community Involvement
Environmental Statement: Non-Technical Summary, Volume 1 – Main Text and Addendum (November 2017), Volume 2 – Townscape and Visual Impact Assessment and Addendum (November 2017), Volume 3 – Technical Appendices including: Sunlight, Daylight and Overshadowing, Transport, Air Quality, Microclimate – wind, Ground Conditions, Flood Risk and Water Resources, Noise and Vibration, Socio-economic effects, Archelogy, Climate Effects, Residual, interrelationships and Cumulative Effects and Addendum to Environmental Statement including Volume 1 – Main Text and Addendum (May 2018), Volume 2 – Townscape and Visual Impact Assessment and Addendum (May 2018), Volume 3 – Technical Appendices including: Sunlight, Daylight and Overshadowing, Transport, Air Quality, Microclimate – wind, Ground Conditions, Flood Risk and Water Resources, Noise and Vibration, Socio-economic effects, Archelogy, Climate Effects, Residual, interrelationships and Cumulative Effects (May 2018).	

Introduction

1 Having assumed authority to determine this planning application, this report sets out the matters that the Mayor must consider in forming a view over whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Mayor, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Hounslow Council's delegated officers' report dated 16 February 2018, the draft decision notice setting out five reasons for refusal and all consultation responses and representations made on the case both to Hounslow and the GLA. The below reasons set out why this application is acceptable in planning policy terms:

I. The principle of a residential led, mixed use development is strongly supported by both strategic and local planning policy. The proposed development would conform with the land use principles set out in the draft Brentford East SPD and Great West Corridor Local Plan Review and would provide much needed housing for which there is an identified and well-documented need. The proposals make provision for viable employment within retail and nursery floorspace which is compatible with the proposed residential uses. The proposal optimises the development density, taking into account the accessibility of the location. The proposal is therefore supported in land use terms in accordance with the NPPF, London Plan Policies 2.16, 3.3, 3.4, 3.11, 3.16, 3.18, 4.7, 4.12, draft London Plan Policies GG2, GG4, SD1, H1, H5, E9, E11, S3, Hounslow Local Plan Policies SV1, ED1, ED2, SC1 and SC2, the draft Great West Corridor Local Plan Review and draft Brentford East SPD (2017).

II. The scheme would provide 441 residential units, of which 218 would be affordable (50%). The housing proposed is of a high quality, and of an appropriate density and mix for the location. Overall, the scheme would make a significant contribution to housing delivery targets for the borough. The proposed offer of affordable housing meets the requirements of the Mayor's Affordable Housing & Viability SPG. An early implementation viability review mechanism will be triggered, should an agreed level of progress not be made within 24 months of planning permission being granted, and would secure additional affordable rented units if viable. On this basis, the application accords with London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.9, 3.11 and 3.12; the Mayor's Housing SPG (2016) and the Mayor's Affordable Housing & Viability SPG (2017); draft London Plan Policies GG4, D4, D5, D6, H1, H5, H6, H7, Hounslow Local Plan Policies SC1, SC2, SC3, SC4 and SC5 and the draft Brentford East SPD (2017).

III. The design and layout principles are well-considered and the scheme achieves a high quality of placemaking, with well-defined new public routes and spaces, enhanced by high quality landscaping. The massing strategy responds to the site characteristics and the existing and emerging context. The quality of design, architecture and materials will ensure a distinctive and high quality development which will contribute positively to the regeneration of this part of Brentford. The setting and significance of most nearby designated and non-designated heritage assets would remain unharmed. Less than substantial harm has been identified to the setting and by reason thereof to the significance of the Grade I Listed Orangery located in the Royal Botanic Gardens Kew World Heritage Site and to the Strand on the Green Conservation Area, to which significant weight and importance has been attached. However, it is considered that, the public benefits delivered by the scheme namely the delivery of housing including 50% affordable housing outweigh the limited harm to identified designated heritage assets. The proposals adhere to the principles of designing out crime. As such the proposal complies with Policies 3.5, 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.10 and 7.13 of the London Plan; Policies GG6, D1, D2, D4, D7, D8, D10, D11, D13, HC1, HC2 and G5, Hounslow Local Plan Policies CC1, CC2, CC3 and CC4, the draft Great West Corridor Local Plan Review (2017) and the draft Brentford East SPD (2017).

IV. The proposed development has embedded the principles of inclusive access, and will comply with the relevant inclusive design housing standards. As such, the scheme complies with London Plan Policies 3.8, 7.1, 7.2, 7.,5 7.6; draft London Plan Policies GG1, D3, D5, the Accessible London SPG and Hounslow Local Plan Policies SC5 and CC2.

V. The proposed development has demonstrated that a high standard of sustainable design and construction would be achieved, minimising carbon dioxide emissions, using energy efficiently and including renewable energy in accordance with the energy hierarchy. The development would deliver sustainable urban drainage, ecology and urban greening benefits over the existing situation at the site. The environmental impacts of the development, in terms of wind microclimate, minimising exposure to poor air quality, addressing contaminated land and waste management, are acceptable taking into account the proposed mitigation measures. As such the scheme complies with the policies contained with Chapter 5 and Policies 7.7, 7.14 and 7.19 of the London Plan; draft London Plan policies GG3, G4, G5, G6, G7, SI1, SI2, SI3, SI4, SI5, SI7, SI8, SI12, SI13, Sustainable Design and Construction SPG, Hounslow Local Plan Policies GB2, GB9, EQ1, EQ2, EQ3, EQ4, EQ6, EQ7, EQ8 and IMP1 and Hounslow's Air Quality SPD.

VI. The development proposals would have an acceptable impact on neighbourhood amenity. Few neighbouring residential properties would experience any noticeable reductions to their daylight and sunlight and where losses occur, the impacts would not have an unacceptable impact on residential amenity. The proposals would not unacceptably reduce privacy to neighbouring residential properties and issues of noise and disturbance would be adequately

mitigated through planning conditions. As such the proposed development complies with London Plan Policies 7.6, 7.7, 7.14 and 7.15; draft London Plan Policies D2 and D4, and Hounslow Local Plan Policies CC1, CC2 and CC3.

VII. The proposal for a mixed use development in an accessible location would represent a pattern of development that would reduce the need to travel, particularly by car, and this is reflected in the low parking ratio of the scheme which is supported by strategic and local planning policy. The quantum of proposed car parking is acceptable subject to a suitable framework of controls including a car parking management plan, provisions for restricting resident parking permits for new residents, electric vehicle charging points, travel plan and car club spaces/membership. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use, providing appropriate mitigation as required. As such the proposed development complies with the policies contained within Chapter 6 of the London Plan; the policies contained within Chapter 10 of the draft London Plan, Hounslow Local Plan Policies EC1 and EC2.

VIII. The Environmental Statement (ES) and addendum provides an assessment of the likely significant effects of the proposal on the environment during the construction and operational phases. The ES, addendum and supporting documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. The supporting documents in particular also appropriately respond to and address Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development with mitigation is considered to range from negligible to minor beneficial throughout most of the site. Given the context of the site, the environmental impact of the development is acceptable given the general compliance with relevant, London Plan and local policy standards and where applicable, the relevant British Standards.

IX. Appropriate, relevant, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental, and socio-economic impacts are mitigated, in line with adopted policy and Hounslow's Planning Obligations SPD (2015). Accordingly, the proposals are considered to accord with the development plan when considered as a whole and there are no, or insufficient, grounds to withhold planning consent on the basis other material planning considerations.

Recommendation

3 That the Mayor acting as Local Planning Authority, grants planning permission in respect of application 01508/A/P6, subject to referral to the Secretary of State, the prior completion of a section 106 legal agreement, and the inclusion of planning conditions and informatives, as summarised below. The detailed wording of conditions and informatives are set out in the draft decision notice appended to this report.

4 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to issue the planning permission and attach, add, delete or vary the final wording of the conditions and informatives as required.

5 That the Mayor agrees that the Assistant Director – Planning and the Director of Development, Enterprise and Environment, be given delegated authority to negotiate and complete the section 106 legal agreement, the principles of which have been agreed with the applicant as set out in the heads of terms detailed below.

6 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to refuse planning permission if, by 20 November 2018, the section 106 legal agreement has not been completed

7 That the Mayor notes the approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Hounslow Council (the "Council").

8 That the Mayor notes that the Council will be responsible for the enforcement of the conditions attached to the permission.

Section 106 Legal agreement

9 The following heads of terms have been agreed as a basis for the planning obligations to be contained within the S016 legal agreement.

- Affordable housing: 223 units (49% of units and 50% of habitable rooms) to be affordable, 152 (65%) of which to be shared ownership and 66 (35%) to be London Affordable Rent. Details of affordability (as below) and nominations will be secured. An early implementation review mechanism, triggered in the event that development has not been substantially implemented within 2 years of the grant of permission, will secure the delivery of more affordable rented housing should it be viable.
    - Affordable rent levels: London Affordable Rent.
    - Shared ownership affordability: a range of affordability has been secured, with maximum housing costs at 40% of net household income and capped at a gross household income of £90,000.
- Gunnersbury Station: £30,000 secured for capacity improvements to Gunnersbury Station
- Other transport: Submission and implementation of an approved travel plan and parking management plan (including EVCP charging points to be provided and details of car park operation; provisions relating to blue badge parking), one car club space and residents' car club membership for two years, resident parking permit restriction, delivery and servicing plan, a contribution toward legible London signage, s.278 agreement to be entered into for altered access to the site and associated works;
- Open space and landscaping: Provision of public realm within the scheme as publicly accessible, including maintenance and management arrangements;
- Architect Retention
- Employment and training contribution
- Energy strategy: Future proofing for connection to district heating network and applicant to prioritise connection, carbon off-setting payment of £768,600; and
- Monitoring contribution.

Conditions to be secured [1]

10 The following list provides summary of the subject matter of the conditions and informatives to be attached to any planning permission which is to be granted.

- 1. Commencement

[1] Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings

- 2. Compliance with approved drawings
- 3. Material samples
- 4. Detailed drawings
- 5. Surface water drainage
- 6. Landscaping, public realm, play space and boundary treatments
- 7. Cycle parking
- 8. Electric vehicle charging points
- 9. Noise fixed plant
- 10. Noise, vibration and air quality - internal residential environment
- 11. External lighting
- 12. Sustainability (BREEAM) standards for non-residential elements
- 13. Compliance with energy strategy and DHN connection
- 14. Accessible and adaptable dwellings
- 15. Secured by Design
- 16. Air quality -
- 17. Air quality – CHP
- 18. Restriction on site clearance Feb-Aug
- 19. Biodiversity enhancement plan
- 20. Contaminated land site investigation
- 21. Piling Method Statement / foundation design
- 22. Construction Environment Management Plan and Construction Logistics Plan
- 23. Site waste management plan
- 24. Operational waste management and recycling strategy
- 25. Wind mitigation measures
- 26. Archaeology
- 27. Water efficiency measures
- 28. Water supply and wastewater capacity study

Informatives

- 1. Co-operation
- 2. CIL liable
- 3. Hours of construction
- 4. Thames water
- 5. Fire safety
- 6. Stopping up of highways

Publication protocol

11 This report has been published seven clear days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Mayor of London's decision on this case will be made available on the GLA website:

https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/citroen-site-public-hearing.

Site description

12 The application site, identified in figure 1 below, is 0.96 hectares in area and located to the south of Capital Interchange Way close to the junction with the Great West Road/elevated M4 Motorway. The site is approximately 137 metres long and 71 metres wide. The site is occupied by a Citroen car dealership and service workshop, with approximately equal coverage of buildings and hardstanding. The existing main showroom and workshop building is just over 7 metres in height.

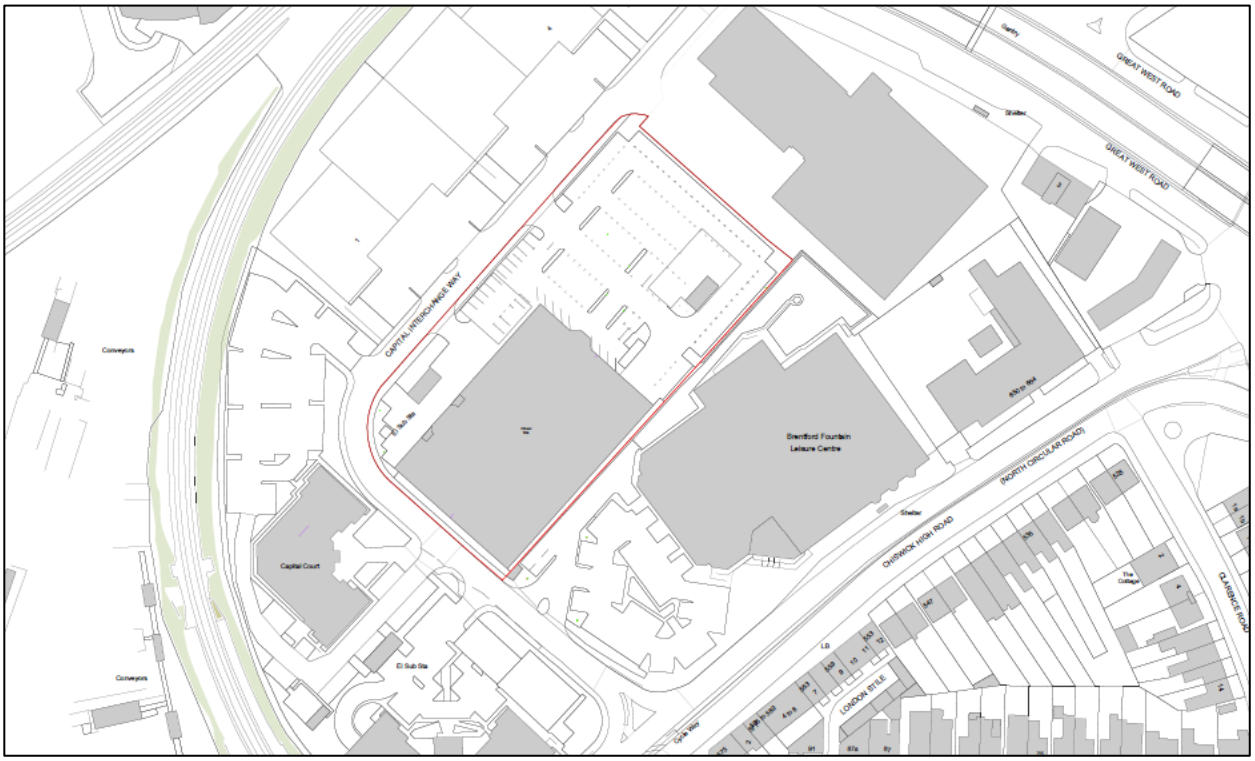

Figure 1: Site location plan (1699_DWG_PL_XX_001)

13 Capital Interchange Way curves around the site on its north-western and south-western boundaries from which the site is accessed. The site sits directly behind the Brentford Fountain Leisure Centre to the south-east, which fronts onto the Chiswick High Road section of the South Circular. The Brentford Fountain Leisure Centre is owned by Hounslow Council who have aspirations to redevelop it for a new leisure facility. The site adjoins a Volkswagen car dealership to the north-east.

14 There are several redevelopment sites within the immediate vicinity of the site. Construction work is currently underway on the redevelopment of the former Wheatstone House (which sits beyond the Volkswagen and Leisure Centre sites) to construct a nine storey building containing a commercial unit at ground floor and 95 residential units. Construction work is also underway on the 'Brentford Community Stadium Scheme' to which planning permission was secured for a new 17,250 seat stadium, and 910 residential units, hotel and commercial floorspace to be contained within 11 new buildings (ranging from 38 metres to 61 metres AOD). Located on the opposite side of Capital Interchange Way is a former warehouse site known as 1-4 Capital Interchange Way which has recently been refused permission for a mixed use residential led scheme incorporating a bus depot. Details of the case history is set out in paragraphs 27-28.

15 Beyond the immediate commercial context, the character of the area has a wide variety of uses and varying urban grain, building scale and form. This includes Kew House School, the mixed-use shopping parade on the eastern side of Chiswick High Road, and a mix of Victorian and

Edwardian semi-detached and terraced housing and apartment blocks located further south toward Kew Bridge. The River Thames is approximately 490 metres to the south of the site with the boundary of the adjoining London Borough of Richmond beginning in the centre of the River.

16 The site is not located within a conservation area and does not contain any listed structures. There are conservation areas to the north, south, and east of the site. To the north Gunnersbury Park is a Grade II* registered landscape and contains the Grade II* listed mansions and lake with 18th century Grade II* Listed temple. The park also includes several listed walls, archways, gates, a conservatory, stables and monuments including Gunnersbury Cemetery. The park and surrounding residential dwellings form the Gunnersbury Park Conservation Area. To the south Kew Bridge Conservation Area contains the Grade II listed Kew Bridge, Kew Bridge Station and several other listed buildings including a Grade I Listed Pumping Station and its listed ancillary buildings. To the east and south-east of the site are the Strand on the Green, Thorney Hedge and Wellesley Road conservation areas. These include the Grade II* listed Zoffany House as well as many other Grade II Listed buildings. The Kew Gardens World Heritage Site (which contains several listed buildings including the Grade I Listed Orangery) and Kew Green Conservation Area are located to the south of the site beyond the River Thames. The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG. The site lies within an Archaeological Priority Area.

17 The site is not allocated for development within the adopted Hounslow local Plan but is identified for residential led development on the draft Great West Corridor Local Plan Review. The site is located within the Great West Corridor Opportunity Area as set out in the draft London Plan, adjacent to the stretch of the Great West Road known as the 'Golden Mile', reflecting its economic function. It is currently identified in the adopted London plan as a Strategic Outer London Development Centre.

18 The site is located in close proximity to bus stops served by five routes (237, 267, H91, 391, 440), one of which is a 24 hour, plus one nighttime route (N9), offering services to a variety of destinations. Kew Bridge mainline rail station is located approximately 200 metres from the site and is served by South West train services to Waterloo and Weybridge. The nearest London Underground station is Gunnersbury, located approximately 800 metres from the site. This is served by the District Line, as well as London Overground services to Richmond and Stratford. The site has a public transport accessibility level of 4 indicating moderate public transport accessibility level on a scale of 0 to 6b, where 6b is the highest.

Details of the proposal

19 The application as originally submitted to the Council in November 2017 sought full planning permission for the demolition of the existing buildings, and redevelopment of the site to provide a residential-led mixed use development of 427 residential units, two commercial units totaling 479 sq.m. (Use Class A1-A3/B1) and a children's nursery of 250 sq.m. (Use Class D1), together with associated cycle parking, car parking, playspace, landscaping and public realm. The heights of buildings ranged from 12 to 18 storeys and 168 of the units were offered as affordable housing (40% by habitable room).

20 Following the Mayor's decision to call in the application, acting as local planning authority for the purposes of determining it, the applicant has made the following amendments to the scheme. These amendments were subject to public consultation between 25 May and 25 June 2018.

- An increase in the number of units to 441 (14 additional units);

- An increased provision of 50% affordable housing by habitable room, comprising 152 intermediate and 66 affordable rent units (from 40%);
- Uplift in wheelchair accessible units to reflect the uplift in units (2 additional units);
- Increase in playspace to reflect uplift in units (additional 52 sq.m.);
- Increase in height of block 3 by two storeys to 17 storeys;
- Increase in the size of the five houses from two bed four person to three bed five person;
- Increase in the number of family units in the affordable rented tenure;
- Relocation of the resident's gym to the north-east side of the site;
- Relocation of the energy centre to the previous location of the resident's gym (building 1);
- Alterations to windows and glazing to increase daylight levels;
- Reduction of onsite car parking to 63 spaces (a reduction of 6 spaces); and
- Increase in cycle parking spaces to 881 spaces (an increase of 196).

21 The development would comprise three split level buildings with five cores (resulting a total of five blocks, numbered one to five). A single storey podium links the buildings and would provide amenity and playspace for the residents of the scheme and the nursery.

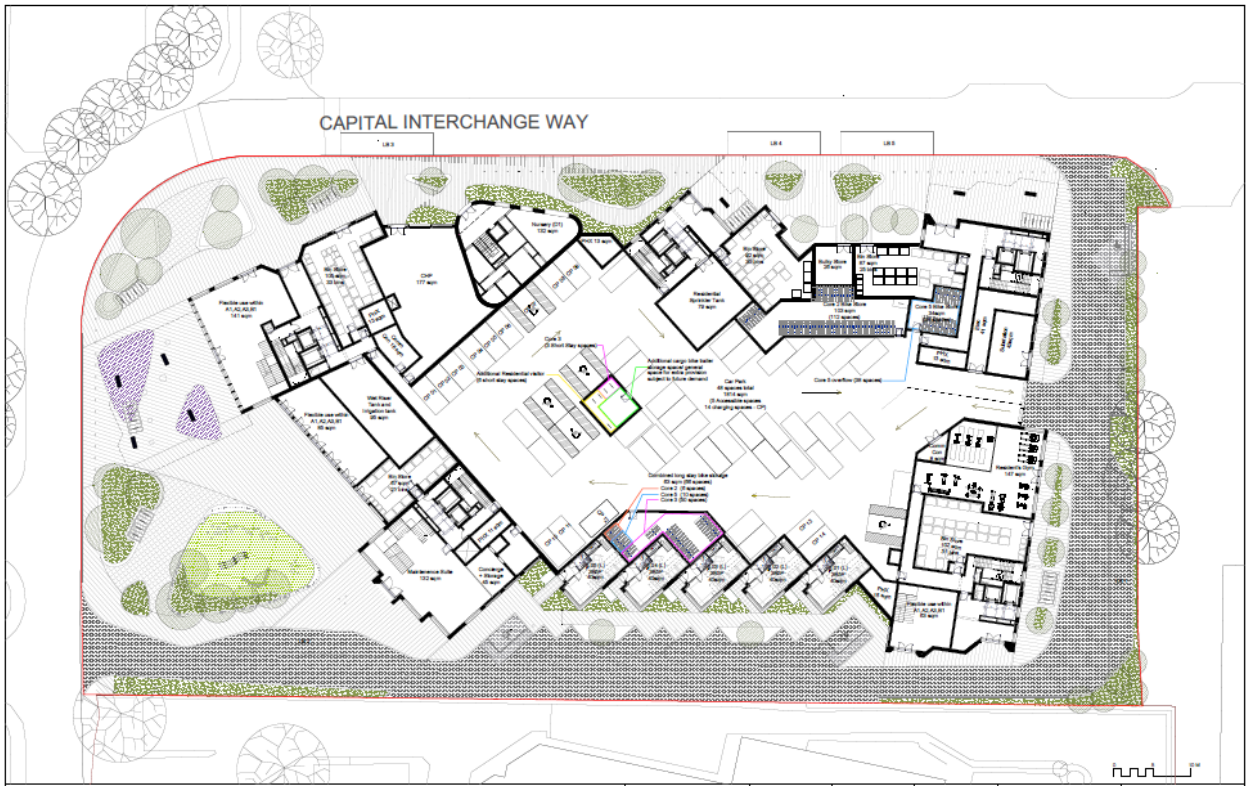

Figure 2: proposed groundfloor plan (1699_DWG_PL_XX_20_100_rev05)

22 As shown in figure 2, The proposed groundfloor layout includes internal car parking spaces within a grade level car park beneath a first floor podium centralised within the site. The vehicular entrance to the site is adjacent to the boundary with Fountain Leisure Centre with a one way system leading to the car park. The site egress is near the boundary with the Volkswagen dealership. The site contains five residential cores, with core two accommodating a concierge facility.

23 The ground floors of the five two storey houses are located on the eastern edge of the podium with front doors and gardens onto a neighbourhood street. Two commercial units are located on the section fronting a new public space in blocks one and five respectively (see block plan in figure 3 below). A 250 sq.m. nursery occupies a two storey building with outdoor access onto the podium on the western boundary of the site.

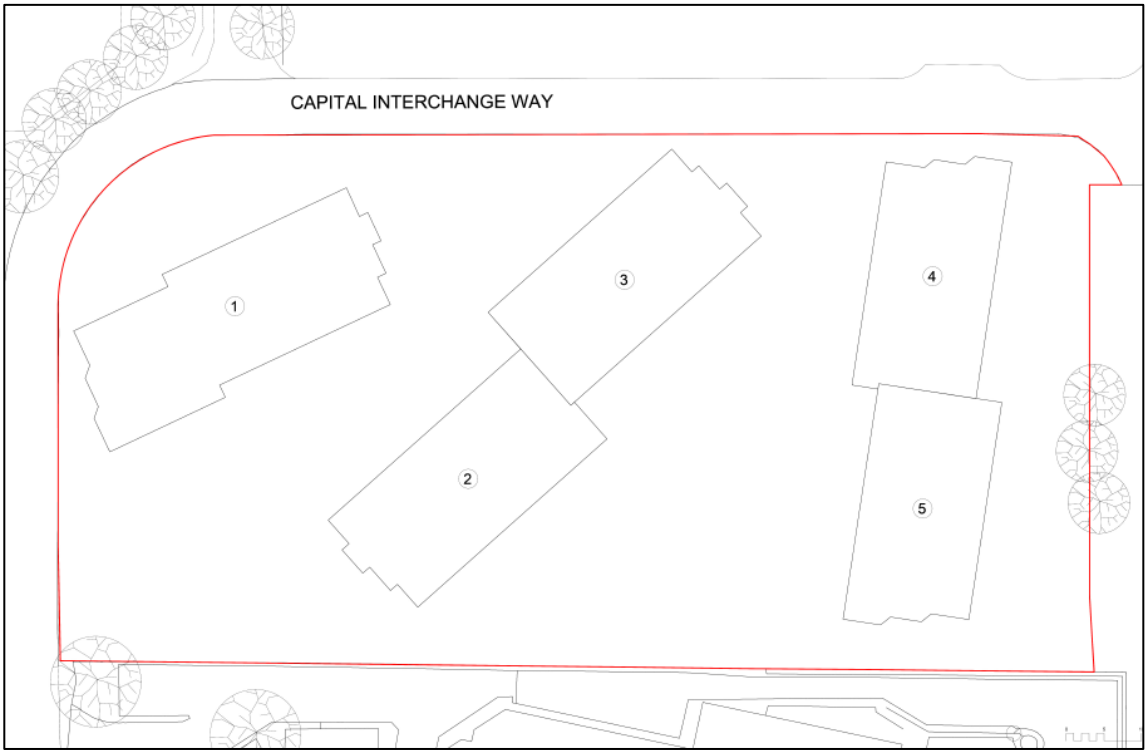

Figure 3: proposed site block plan (1699_DWG_PL_XX_00_002_rev00)

24 As shown in Figure 3, above, and figure 4 below, above podium level the development would comprise fiveblocks all containing residential units on the upper floors. All blocks have no more than eight units per core. Block 1 located on the western most portion of the site would be part 13/part 16 storeys, Blocks 2 and 3 located in the middle of the site are part 12/part 17 storeys while Blocks 4 and 5 are located on the easternmost part of the site (closest to the M4) and are part 13/part 18 storeys making them the tallest blocks in the scheme.

Figure 4: proposed Aerial view

25 The proposal includes the creation of a public space and an 'L' shaped route through the site. Building 1 projects over the public space and improvement would be made to the Capital Interchange Way frontage. New tree planting is also proposed across the site and along Capital Interchange Way. Resident's amenity space would be provided in the form of private balconies or winter gardens for each flat and communal podium amenity spaces.

26 The scheme proposes 63 car parking spaces, 14 of which would be for Blue Badge users. 48 car parking spaces are contained within the podium and with the remaining 15 to be surface car parking accessed from the proposed shared access road. A total of 825 residential and 56 commercial cycle parking spaces are proposed.

Relevant planning history

27 There is a lengthy planning history relating to the use of the site, including a 1984 permission for the construction a retail warehouse and garden centre (subsequently occupied by Texas Homecare) and a 1996 permission for the current car showroom and workshop use of the site (Hounslow ref: 1508/A/P4). There have been a number of advertisement consent applications for the site, the most recent of which was for the installation of three fascia signs, a freestanding entrance marker and six metre high totem sign which was approved in June 2015 (Hounslow Ref: 01508/A/AD18).

28 There are a number of sites nearby that recent applications determined in recent years. Wheatstone House was granted planning permission in 2015 (Hounslow Ref: 00248/U/P7) for 95 residential units (28% affordable) and flexible commercial space. The Brentford Community Stadium was granted outline planning permission in 2014 (GLA ref: DM/3111a/02) for a new stadium, 910 residential units and commercial floorspace (no affordable housing). Subsequent Reserve Matters approvals have been granted by Hounslow for detailed elements of the Stadium Scheme (Hounslow Refs: P/2017/3892 and P/2018/1037) Planning permission was refused in

December 2017 for the redevelopment of 1-4 Capital Interchange Way for 550 residential units (no affordable housing), office floorspace and a bus depot (GLA ref: DM/3814/02). Planning permission was also refused in February 2017 for the redevelopment of the Chiswick roundabout site (also referred to as the Chiswick Curve) for a part 31, part 24 storey building comprising 327 residential units (16% shared ownership with £10.5 million payment in lieu) and retail/food and beverage units (GLA ref: DM/0075i/02). This decision is currently subject to an appeal and the public enquiry was held in June 2018 (appeal reference: APP/F5540/W/17/3180962).

Current application

29 A pre-application meeting was held with GLA officers on 11 October 2016 for proposals to redevelop the Citroen site alongside the Fountain Leisure Centre site and Wheatstone House. The principle of a high density mixed use development that provided a new leisure centre was supported.

30 A pre-application meeting was held with GLA officers on 21 June 2017 relating to this scheme. As part of these discussions, GLA officers supported the principle of a high density mixed use development, subject to further consideration to the proposed layout of routes and spaces. The site was considered suitable for tall buildings and the scale and massing was broadly supported. Comments were also made regarding affordable housing and energy.

31 Stage 1: On 7 November 2017, Hounslow Council notified the Mayor of London that a planning application of potential strategic importance had been submitted, referring it under Categories 1A, 1B, and 1C of the Schedule to the Order:

- *1A "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."*

- *1B "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 square metres."*

- *1C(a) "Development which comprises or includes the erection of a building that is more than 30 metres high and outside the City of London."*

32 On 15 January 2018 the Mayor considered a GLA planning report with a reference D&P/4279/01. This report advised Hounslow Council that the principle of a mixed-use, residential-led development at the site was supported. The quantum of affordable housing (which was then proposed to be 40% supplemented by grant funding of the scheme) needed to be verified as the maximum reasonable amount through viability work. The design and the positioning of tall buildings on the site was supported in line with strategic policy subject to concerns regarding the amount of active frontage being addressed. The less than substantial harm to the setting of heritage assets was considered to be outweighed by the public benefits of the scheme. The development was in accordance with London Plan energy, air quality and transport policies, subject to further detail, conditions and S106 obligations.

33 On 16 February 2018 Hounslow Council, under delegated powers, resolved to refuse planning permission for the application. The Council's draft decision notice proposes the following reason for refusal:

1. The proposed buildings, by virtue of their location, scale and design, would not enhance the quality of the built environment and would cause serious harm to the significance of a range of designated heritage assets including listed buildings and conservation areas, as they would appear as overly tall bulky elements that are discordant additions to the existing high quality

townscapes, adversely affecting their setting. It has not been clearly and convincingly demonstrated that there are public benefits that would outweigh the harm caused. This would be contrary to: London Plan Policies 7.4 (local character), 7.6 (architecture), 7.7 (location and design of tall and large buildings) and 7.8 (heritage assets and archaeology), policies CC1 (context and character), CC2 (urban design and architecture), CC3 (tall buildings), CC4 (heritage) and GB1 (green belt and metropolitan open land) of the London Borough of Hounslow Local Plan; and the aims and objectives of the National Planning Policy Framework.

2. The proposed development, by virtue of its heavy reliance on the provision of one and two bedroomed units and poor levels of daylight to a number of habitable rooms, would fail to deliver a wide choice of housing and an acceptable standard of accommodation for each residential units. This would be contrary to: London Plan policy 3.8 (housing choice); policies CC2 (urban design and architecture), SC3 (meeting the need for a mix of housing size and skype) and SC4 (scale and density of new housing development) of the London of Borough of Hounslow Local Plan; and the aims and objectives of the National Planning Policy Framework.

3. The proposed development, in the absence of a completed legal agreement to secure necessary planning obligations in respect of affordable housing provision and a viability review mechanism, would fail to be acceptable in planning terms as the opportunity to deliver the maximum reasonable amount of affordable housing and create mixed and balanced communities would not have been taken. This would be contrary to: policies 3.8 (housing choice), 3.9 (mixed and balanced communities) and 3.12 (negotiating affordable housing on individual private residential and mixed use schemes) of the London Plan; the Mayor of London's Housing Supplementary Planning Guidance (2016) and Affordable Housing and Viability Supplementary Planning Guidance (2017); policy SC2 (maximising provision of affordable housing) of the London Borough of Hounslow Local Plan; and the aims and objectives of the National Planning Policy Framework.

4. The proposed development, in the absence of a completed legal agreement to secure the necessary planning obligations in respect of securing: provision of training and employment opportunities; a comprehensive travel plan, car club membership, restriction on resident parking permits and financial contribution towards Gunnersbury Station improvements; construction of new vehicular access and stopping up and reinstatement of existing accesses; provision of a new public open space; compliance with the Considerate Contractor Scheme; and financial contribution toward the Borough's carbon offset fund, would fail to be acceptable in planning terms as it would not mitigate fully its impacts on the local area through providing training and employment opportunities for local people, limiting the use of private cars and contributing to use of more sustainable modes of transport, improving pedestrian permeability and the wider public realm, minimising disruption during construction stage, and reducing carbon dioxide emissions. This would be contrary to: policies 4.12 (improving opportunities for all), 5.2 (minimising carbon dioxide emissions), 6.3 (assessing effects of development on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.2 (an inclusive environment) and 8.2 (planning obligations) of the London Plan; policies ED4 (enhancing local skills), CC2 (urban design and architecture), EQ1 (energy and carbon reduction), EC1 (transport connections) and EC2 (delivering a sustainable local transport network) of the London Borough of Hounslow Local Plan; and the aims and objectives of the National Planning Policy Framework.

5. The development is required to appropriately mitigate its impacts in respect of sustainable design and drainage. The information provided in supporting documentation is insufficient to determine that the development would satisfy the provisions of London Plan policies 5.3 (sustainable design and construction) and 5.13 (sustainable drainage) and policy EQ2 (sustainable design and construction) of the London Borough of Hounslow Local Plan.

34 Stage 2: On 26 February 2018, the Mayor considered a planning report reference D&P/4279/02. The report concluded that having regard to the details of the application, the development was of such a nature and scale that it would have a significant impact on the implementation of the London Plan, and there were sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The report identified that there were outstanding matters that needed to be resolved, including delivery of the maximum level of affordable housing. The Mayor agreed this recommendation and on 26 February 2018 issued a direction that he act as local planning authority for the purpose of determining the application.

35 Since the Mayor issued this direction, GLA officers have worked with the applicant to resolve the outstanding issues on this case, notably securing revisions to the scheme to optimise the housing delivery on the site and improve the affordable housing offer. Revised plans were submitted by the applicant on 15 May 2018 and the amendments are set out in detail in paragraph 18, above. The implications of these amendments are discussed in the relevant appraisal sections in this report. In addition to revised plans, an increase in affordable housing to 50% by habitable room has been secured.

36 Re-consultation on amended plans: A 30-day re-consultation was carried out by the Mayor on 25 May 2018, notifying interested parties on proposed amendments by the applicant to plans and documents.

37 Site visit: The Mayor has undertaken an accompanied site visit with GLA and TfL officers, representatives from the Council, Historic England and the applicant team.

Relevant legislation, policies and guidance

38 This application for planning permission must be determined by the Mayor in accordance with the requirement of s.70(2) of the Town and Country Planning Act 1990 and s.38(6) of the Planning and Compulsory Purchase Act 2004. In particular the Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. The development plan for this purpose comprises the 2016 London Plan (consolidated with alterations since 2011) and Hounslow Local Plan (2015).

39 On 1 December 2017, the Mayor published his draft London Plan for public consultation. Consultation on the plan closed on 2 March 2018. This must be taken into account but the weight attached to the draft Plan must reflect its stage of preparation, in accordance with the guidance set out within the NPPF.

40 On October 2017, Hounslow Council published the preferred options consultation on the Great West Corridor Local Plan Review and the draft Brentford East Supplementary Planning Document. Consultation on these documents closed on 10 December 2017. These must be taken into account but the weight attached to the draft documents must reflect their stage of preparation in accordance with the guidance set out within the NPPF.

41 The Mayor is also required to have regard to national planning policy in the form of the NPPF and NPPG, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies. On 5 March 2018, the Government published the draft revised National Planning Policy Framework and draft Planning Practice Guidance for consultation. These must be taken into account having regard to their early stage of preparation.

42 The principal material planning considerations relevant to this current application are: land use principles (including mixed use development, employment, retail, residential uses); housing

(including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, public realm, play space, views); heritage; inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking and noise/disturbance); sustainable development (including climate change mitigation and adaption, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage); transport and car parking provision; other environmental issues (including air quality, contaminated land and waste management); socio-economic; and, mitigating the impact of development through necessary planning obligations. The relevant planning policies and guidance at the national, regional and local levels are as follows:

National planning policy and guidance

43 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy framework, key to which, is a presumption in favour of sustainable development. The NPPF defines three dimensions to sustainable development: an economic role contributing to building a strong, responsive and competitive economy; a social role supporting strong, vibrant and healthy communities; and, an environmental role contributing to protecting and enhancing our natural, built and historic environment. The relevant components of the NPPF are:

- 1. Building a strong, competitive economy;
- 2. Ensuring the vitality of town centres;
- 4. Promoting sustainable transport;
- 6. Delivering a wide choice of high quality homes;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment; and
- 12. Conserving and enhancing the historic environment.

44 The National Planning Practice Guidance is also a material consideration.

Regional planning policy and guidance

45 The London Plan 2016 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.6 Outer London;
- Policy 2.7 Outer London: Economy;
- Policy 2.8 Outer London: Transport;
- Policy 2.13 Opportunity areas;
- Policy 2.6 Strategic outer London development centres;
- Policy 2.18 Green infrastructure;
- Policy 3.1 Ensuring equal life chances for all;
- Policy 3.2 Improving health and addressing health inequalities;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people's play and informal recreation facilities;
- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;

- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 3.18 Education facilities;
- Policy 4.1 Developing London's economy;
- Policy 4.2 Offices;
- Policy 4.3 Mixed use development and offices;
- Policy 4.7 Retail and town centre development;
- Policy 4.8 Supporting a successful and diverse retail sector;
- Policy 4.9 Small shops;
- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.4A Electricity and gas supply;
- Policy 5.5 Decentralised energy networks;
- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.11 Green roofs and development site environs;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.17 Waste capacity;
- Policy 5.18 Construction, excavation and demolition waste;
- Policy 5.21 Contaminated land;
- Policy 6.1 Strategic approach;
- Policy 6.2 Providing public transport capacity and safeguarding land for transport;
- Policy 6.3 Assessing the effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.7 Better streets and surface transport;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 6.14 Freight;
- Policy 7.1 Lifetime neighbourhoods;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.7 Location and design of tall and large buildings;
- Policy 7.8 Heritage assets and archaeology;

- Policy 7.10 World Heritage Sites;
- Policy 7.13 Safety, security and resilience to emergency;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.19 Biodiversity and access to nature;
- Policy 7.21 Trees and woodlands;
- Policy 8.2 Planning obligations; and
- Policy 8.3 Community Infrastructure Levy.

46 The draft London Plan was published for consultation on 1 December 2017. This must be taken into account in the determination, but the weight attached to the draft Plan must reflect its stage of preparation, as referred to above. The following policies are considered to be relevant:

- Policy GG1 Building strong and inclusive communities;
- Policy GG2 Making best use of land;
- Policy GG3 Creating a healthy city;
- Policy GG4 Delivering the homes Londoners need;
- Policy GG5 Growing a good economy;
- Policy GG6 Increasing efficiency and resilience;
- Policy SD1 Opportunity Areas;
- Policy SD10 Strategic and local regeneration;
- Policy D1 London's form and characteristics;
- Policy D2 Delivering good design;
- Policy D3 Inclusive design;
- Policy D4 Housing quality and standards;
- Policy D5 Accessible housing;
- Policy D6 Optimising housing density;
- Policy D7 Public realm;
- Policy D8 Tall Buildings;
- Policy D10 Safety, security and resilience to emergency;
- Policy D11 Fire Safety;
- Policy D13 Noise;
- Policy H1 Increasing housing supply;
- Policy H3 Monitoring housing targets;
- Policy H5 Delivering affordable housing;
- Policy H6 Threshold approach to applications;
- Policy H7 Affordable housing tenure;
- Policy H12 Housing size mix;
- Policy S1 Developing London's social infrastructure;
- Policy S3 Education and childcare facilities;
- Policy S4 Play and informal recreation;
- Policy E1 Offices;
- Policy E9 Retail, markets and hot food takeaways;
- Policy E11 Skills and opportunities for all;
- Policy HC1 Heritage conservation and growth;
- Policy HC2 World Heritage Sites;
- Policy HC3 Strategic and local views;
- Policy G5 Urban greening;
- Policy G7 Trees and woodland;

- Policy G8 Biodiversity and access to nature;
- Policy SI1 Improving air quality;
- Policy SI2 Minimising greenhouse gas emissions;
- Policy SI3 Energy infrastructure;
- Policy SI4 Managing heat risk;
- Policy SI5 Water infrastructure;
- Policy SI7 Reducing waste and promoting a circular economy;
- Policy SI12 Flood Risk Management;
- Policy SI13 Sustainable drainage;
- Policy T1 Strategic approach to transport;
- Policy T2 Healthy streets;
- Policy T3 Transport capacity, connectivity and safeguarding;
- Policy T4 Assessing and mitigating transport impacts;
- Policy T5 Cycling;
- Policy T6 Car parking;
- Policy T6.1 Residential parking;
- Policy T6.3 Retail parking;
- Policy T6.5 Non-residential disabled persons parking;
- Policy T7 Freight and servicing;
- Policy T9 Funding transport through planning; and
- Policy DF1 Delivery of the plan and planning obligations.

47 The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Affordable Housing and Viability SPG (August 2017);
- Housing SPG (March 2016);
- Crossrail Funding SPG (March 2016);
- Social Infrastructure SPG (May 2015);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- Shaping Neighbourhoods: character and context SPG (June 2014);
- Sustainable Design and Construction SPG (April 2014);
- Shaping Neighbourhoods: play and informal recreation SPG (September 2012);
- All London Green Grid SPG (March 2012);
- London World Heritage Sites (March 2012);
- Planning for Equality and Diversity in London (October 2007);
- Mayor's Environment Strategy (May 2018);
- Mayor's Housing Strategy (May 2018); and
- Mayor's Transport Strategy (March 2018).

Local planning policy and guidance

48 Hounslow's Local Plan (2015) provides the local policy approach for the Borough. The relevant policies are:

- Policy SV1 Great West Corridor Plan;
- Policy TC3 Managing the growth of retail and other main town centre uses;
- Policy ED1 Promoting employment growth and development;

- Policy ED2 Maintaining the borough's employment land supply;
- Policy ED4 Local skills;
- Policy SC1 Housing growth;
- Policy SC2 Maximising the provision of affordable housing;
- Policy SC3 Meeting the need for a mix of housing size and type;
- Policy SC4 Scale and density of new housing development;
- Policy SC5 Ensuring suitable internal and external space;
- Policy CC1 Context and character;
- Policy CC2 Urban Design and architecture;
- Policy CC3 Tall buildings;
- Policy CC4 Heritage;
- Policy GB4 The Green Infrastructure Network;
- Policy GB7 Biodiversity;
- Policy GB9 Playspace, outdoor sports facilities and burial space;
- Policy CI1 Providing and protecting community facilities;
- Policy CI2 Education and school places;
- Policy EQ1 Energy and carbon reduction;
- Policy EQ2 Sustainable design and construction;
- Policy EQ3 Flood risk and surface water management;
- Policy EQ4 Air quality;
- Policy EQ5 Noise;
- Policy EQ6 Lighting;
- Policy EQ7 Sustainable waste management;
- Policy EQ8 Contamination;
- Policy EC1 Strategic transport connections;
- Policy EC2 Developing a sustainable local transport network;
- Policy IMP1 Sustainable development; and
- Policy IMP3 Implementing and monitoring the Local Plan.

Supplementary planning guidance (SPG) and supplementary planning documents (SPD)

49 The following SPDs are also relevant to the proposal:

- Air Quality SPD (2008);
- Planning obligations and Community Infrastructure Levy SPD (2015);
- Draft Brentford East SPD (2017); and
- London Borough of Hounslow Urban Context and Character Study (2014).

Other relevant plans and strategies

50 The Council is currently undertaking two Local Plan Reviews; the West of the Borough Local Plan review and the Great West Corridor Local Plan review. Consultation on the 'Preferred Options Consultation' document for both these reviews, and amendments to the adopted Local Plan, was undertaken between 23 October 2017 and 10 December 2017. The policies of these draft plans are capable of being a material consideration to planning decisions but the weight to be given to these draft Plans must be determined having regard to the guidance given in the NPPF, as referred to above. The policies will gain more weight as they move through the examination process to adoption. At this stage, only limited weight is to be given to these draft plans given their early stage.

Hounslow Community Infrastructure Levy

51 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL (which sets a charging rate of £35 per sq.m. in the London Borough of Hounslow). Hounslow Council's CIL came into effect on 24 July 2015. The Hounslow CIL charging schedule for "CIL Zone 1 (East)" of the borough (where the application proposal is located) sets a rate of £200 per sq.m. for housing, £155 per sq.m. for retail where the additional gross retail space is over 280 square metres, a nil charge for healthcare, education and emergency service facilities, and a £20 per sq.m. charge for all other uses.

Response to consultation

52 As part of the planning process Hounslow Council has carried out statutory consultation on the application. The application was publicised by sending notifications to 1,092 addresses in the vicinity of the site, as well as posting site notices close to the site and publishing press notices. The consultation also included all relevant statutory bodies, neighbouring boroughs and amenity groups. All consultation responses received in response to Hounslow Council's local consultation process, and any other representations received by Hounslow and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below, and have been taken into account in this report. The Mayor has been briefed on the amount and content of all consultation responses and has copies of these available to him in either electronic or hard copy for consideration.

53 In addition, the Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below.

Statutory consultee responses to Hounslow Council

54 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: D&P/4279/01) and the Mayor's stage II decision (GLA report ref: D&P/4279/02) are set out in those reports and summarised in the 'Relevant case history 'section above.

55 Transport for London: Commented as part of the Mayor's stage 1 and 2 reporting above, and also provided a separate detailed response to Hounslow Council, setting out issues in relation to car parking and access, walking and cycling, public transport, healthy streets travel planning, servicing, construction management, and Mayoral CIL. Specific issues relating to cycle parking were set out, along with a number of suggested conditions and s106 obligations. The detailed consideration of these points is set out in the Transport section below.

56 Historic England: Objects to the proposal on the basis of the substantial harm it would cause to the significance of the Strand on the Green Conservation Area, and further to the harm it would cause to several designated heritage assets in the vicinity including parts of the Royal Botanic Gardens Kew World Heritage Site and its buffer zone.

57 Historic England (archaeology): raised no objection and no further assessment or conditions considered necessary.

58 Highways England: Raised concerns over insufficient information to assess the impact on strategic highway network.

59 Natural England: Raised no objection as the proposal is unlikely to affect any statutorily protected sites, consideration should be given to the impact on the Thames Path. The local authority should assess impact on protected species and locally protected sites.

60 Heathrow Airport: Raised no objection to the proposal.

61 National Air Traffic Services: Raised no objection to the proposal.

62 London and Middlesex Archaeological Society: Objects to the proposal over excessive scale and overdevelopment including impact on Kew gardens and the historic riverside, along with pollution and traffic congestion.

63 Thames Water: No objection subject to securing conditions regarding wastewater, water supply, surface water drainage and piling.

64 Neighbouring borough (LB Richmond upon Thames): Objects to the proposal on the basis that the height, bulk and massing of the scheme would be visually intrusive in views across the river from the Kew Green Conservation area, the Royal Botanic Gardens Kew World Heritage Site, the setting of listed buildings and from the River Thames riverside Metropolitan Open Land.

65 Neighbouring Borough (LB Ealing): No objection.

Individual neighbourhood responses

66 At the time of making a delegated decision on the proposal, Hounslow Council reported that it had received eight responses from local residents, of which seven were objections and one raised a general query about whether the Fountains Leisure Centre would be provided on the site. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Mayor in advance of the hearing.

67 The main concerns and issues raised in objection to the proposals can be summarised as follows:

- Lack of family housing;
- Adverse impact on views and heritage assets;
- Excessive height and massing;
- Poor quality housing;
- Cumulative impact on infrastructure particularly transport;
- Adverse traffic, parking and public transport impact;
- Adverse impact on adjoining sites including the Fountain Leisure Centre;
- Exceeds an appropriate density;
- Development should not come forward ahead of the adoption of the Great West Corridor Local Plan and/or Brentford East SPD; and
- Proposal does not conform with the draft Brentford East SPD.

Other responses to the Council, including residents' groups and elected members

68 Kew Society: Objects to the proposal. Raised concerns over the cumulative impact of developments in the area, the height and appearance of the buildings, impact on views from Kew Gardens and along the river, increase in traffic congestion and pollution, impact on public transport, impact on health facilities, and concern over the safety of cyclists on surrounding roads.

69 Brentford Community Council: Objects to the proposal on the basis that the application does not conform with the draft Brentford SPD; is too tall, dense and out of character, impact on heritage, would aggravate congestion and traffic, inadequate community consultation, concern over the future of the leisure centre, impact on infrastructure, concern over integration with adjacent schemes, inadequate family housing, family safety, housing quality, amenity and air quality and concern over the design of cycle storage.

70 West Chiswick and Gunnersbury Society: objects to the proposal on the basis that the proposal is too dense and too high, should not replicate the Brentford Community Stadium scheme; inadequate family housing, poor housing quality, amenity space and air quality, visual amenity impact on neighbours, construction impact, impact on heritage, lack of infrastructure and impact on public transport and traffic.

71 Gunnersbury Park Garden Estate Resident's Association: Objects to the proposal due to the excessive scale of development and impact on infrastructure and transport

72 Internal consultees: Borough officers have provided comments in relation to drainage, transport, and sustainability. The points raised have been considered in the body of the report and are reflected in the suggested conditions.

Representations made to the Mayor of London

Re-consultation exercise

73 The Mayor took over the planning application for his own determination on 26 February 2018. A re-consultation exercise took place on 25 May 2018 for 30 days in relation to revisions to the scheme that had been updated since the original consultation exercise which are summarised in paragraph 20. Letters were sent to all those consulted by the Council when the application was first submitted, in addition to all those who had responded to the planning application thus far. A press notice was posted in Get West London on 25 May 2018 and site notices were erected.

74 Responses: At the time of writing this report, the Mayor and/or GLA officers have received 12 emails or letters (ten responses in objection and two general response) as a result of the re-consultation exercise. The majority of the objections reiterate concerns raised with the Council at the initial consultation stage, as detailed above. These responses have been made available to the Mayor, and have been taken into account in this report. Responses have been received from the following individuals and groups, reiterating the comments and objections to the application that have been raised previously:

- West Chiswick and Gunnersbury Society (WCGS)
- The Kew Society
- Brentford Community Council
- London and Middlesex Archaeological Society
- Ms Dorothy Geary-Jones
- Mr Robert Reynolds
- Ms Melody Landwehr
- Mr Derek Montefiore

75 In summary, the issues raised in objection are:

- Height, scale, density and visual impact including the additional impact of the increase in height of block three;

- Impact on designated heritage assets including Royal Botanic Gardens Kew World Heritage Site to which the increase in height of block three would amplify;
- Due weight must be given to the cumulative harm to townscapes and heritage assets;
- Impact on public transport capacity including the capacity of Gunnersbury Station;
- Overshadowing, loss of light and loss of privacy;
- Poor appearance and design;
- Welcomed the high level of affordable housing however this should not be at the expense of poor quality development;
- Council and residents should be listened to;
- Impact on car parking nearby and increased traffic;
- Impact on infrastructure, open space and ecology;
- No need for additional housing in Hounslow;
- Sustainability concerns and impact of construction activity;
- Development should not come forward ahead of the adoption of the Great West Corridor Local Plan and/or Brentford East SPD;
- The site is not yet a designated Opportunity Area. Objections to the proposed designation of the Great West Corridor Opportunity Area; *GLA officers note, that objections to the designation of the Opportunity Area in the draft London Plan and Hounslow Local Plan Review are not a consideration of this planning application. Any objections to this should be made on the draft London Plan and local policy review.*
- Proposal does not conform with the draft Brentford East SPD; and
- Air quality impact.

76 The two general responses were received regarding the impact of the proposal on the adjacent sites. One on behalf of Redington Capital (the owner of 1-4 Capital Interchange Way) seeking to ensure that GLA officers were satisfied that the proposal did not compromise the ability of this site to bring forward development. *GLA officers have considered the impact of the proposal on potential future development sites and have concluded that it would not prejudice development coming forward on adjacent sites. See paragraph 194 of this report.*

77 The second general response was from Lionel Road Developments Ltd and Kew Bridge Gate Developments Ltd seeking to ensure that the construction and operational phases associated with the proposed Citroen scheme have no adverse impact on the operations of the new stadium and in particular the residential phase to the west of the site (known as the Capital Court Phase). *GLA officers have considered the impact of the proposal on the Brentford Community Stadium and are satisfied the proposal would have no adverse impact on the operations of the new stadium and the residential phases of the scheme. See paragraphs 266-280 of this report.*

78 Heathrow airport responded reiterating previous comments.

79 Historic England responded reiterating previous comments and stating that the revised proposal did not consider any additional mitigation or amelioration of the seriously harmful impacts identified by Historic England and that the increase in height of Core 3 adds additional scale to the development as seen in key views including view 23 (Strand on the Green) and view 30 (the Grade I listed Orangery at Royal Botanic Garden Kew World Heritage Site). Historic England also drew the GLA's attention to paragraph 36 of the National Planning Practice Guidance which states that:

> *'Planning authorities are required to consult the secretary of the state for Communities and Local Government before approving any planning application to which Historic England maintains an objection, and which would have an adverse impact on the Outstanding Universal Value, integrity, authenticity and significance of a World Heritage Site or its setting*

including any buffer zone or its equivalent. The Secretary of State then has the discretion as to whether to call-in the application for his/her own determination'.

80 GLA officers have noted the above, and can confirm that the application will be referred to the Secretary of State should the Mayor of London resolve to approve the application. This is reflected in the recommendation summary at the start of this report.

81 Royal Botanic Gardens, Kew submitted an objection to the proposal due to its visual impact on the Royal Botanic Gardens, Kew and consequent harm to attributes of Outstanding Universal Value as set out in the World Heritage Site Management Plan; in particular to Kew's rich and diverse historic landscape, and iconic architectural legacy. In addition, the objection goes onto to state that *'the cumulative impact of consented residential buildings at Brentford Community Stadium, in addition to the current proposal will urbanise the backdrop of key buildings…. the impact of the development is particularly harmful seen in view 30 as it is directly behind the Orangery itself, a Grade I listed building, one of six at Kew.* The objection also raised concerns with the increase in height of Block three from 15 to 17 stories stating that as it is only the top stories of the development that are visible from Kew the increase in height of two stories would have a disproportionate additional impact on Kew.

82 An objection to the scheme was received from the London Borough of Hounslow. The Council concluded that they had well founded reasons to refuse the scheme and these reasons have not been overcome by the submitted amendments. The proposal would harm surrounding designated assets, although it has been identified that this would be less than substantial. In summary, the issues raised in objection are as follows:

- Principle of development: The site is within the Great West Corridor which has been indicated as an area of growth and is subject to the Great West Corridor Local Plan review and the draft Brentford East SPD and the proposal has the potential to contribute toward growth targets for this area, however the Council has concerns with the overall height of the proposal and how damaging a scattered approach to tall buildings might be. Therefore, while there is significant Council support for the regeneration of the site, there are significant concerns about the impact of the height of the proposal.

- Provision of housing: the amended scheme would deliver 53.6% of the borough's current housing need as outlined in the London Plan and Local Plan. The provision of 50% affordable housing (by habitable room) would deliver 67% of the borough's annual affordable target. This represents a significant benefit of the proposal. However, the original submission, and amendments submitted, fail to demonstrate that this quantum of units couldn't be provided in a lower building that has much less harmful effects on the significance of heritage assets. Given the harm identified to heritage assets and views, and the level of delivery Hounslow has secured, and will secure going forward, the benefit of the housing proposed has to be given appropriate weight in the planning balance.

- Housing mix: The mix proposed doesn't meet the housing need identified locally, with no justification for this provided in the amended scheme.

- Affordable housing: While the offer of 49% affordable housing (based on units) is strongly supported, the demonstrated delivery of housing and affordable housing by the borough highlights that affordable housing does not need to be delivered at the expense of heritage considerations or other plan considerations, such as mix. The proposal fails to confirm a policy compliant mix of affordable housing and the Council cannot confirm that the affordable offer would be the optimum that could be secured for the site.

- Design and scale: the proposed increase in height results in a development of considerable scale without sufficient accentuation. The additional stories are an arbitrary response to the need to maximise affordable housing as opposed to a considered design response. No justification for a departure of the maximum height of 48 metres as proposed in the draft Brentford SPD.

- Heritage: Council accept that the harm to heritage assets is less than substantial in relation to the NPPF tests and this needs to be weighed against the benefits of the scheme. The benefits are identified as the additional housing, affordable housing and other uses proposed on site. As outlined above, the benefit of 49% (by unit) affordable housing is significant, however, the benefit, especially of the amended scheme, has to be balanced against the harm caused. Given the Council's housing land supply which is predicted to go beyond current housing targets, and strong history of affordable housing delivery, the benefits of the housing and affordable housing proposed is not considered to outweigh the harm caused to heritage assets.

- Traffic and parking: the applicant should submit further detail on cycle parking, delivery and servicing management plan and travel plans to ensure the proposal meets the relevant local policy. *GLA officers can advise that these matters would be dealt with via conditions and the S106 matters.*

- Sustainability: the drainage information submitted does not demonstrate why it would not be possible to discharge at a lower maximum rate than 3x A100 year Greenfield rate. The applicant must provide further information on the proposed drainage system. *GLA officers can confirm these concerns have been addressed and are discussed further in paragraphs 296-301 of this report.*

Representations summary

83 All the representations received in respect of this application have been made available to the Mayor in printed form; however, in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above.

84 The main issues raised by the consultation responses, and the various other representations received, are addressed within the material planning considerations section of this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

85 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are termed "EIA applications". The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an application for EIA and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

86 The applicants submitted a Scoping Report (submitted July 2017) outlining the scope of the Environmental Statement (ES) prior to the submission of the application to Hounslow Council. Following consultation with the relevant consultation bodies, Hounslow Council issued a Scoping Opinion on 26 September 2017. This confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a

range of potential effects that would need to be included in the ES that was required to be submitted with the application.

87 The submitted ES is divided into four volumes covering the 1) main assessment text; 2) the townscape, heritage and visual impact assessment; 3) technical appendices (including sunlight, daylight and overshadowing, archaeology, transport, air quality, wind, contamination, noise and vibration, ecology and biodiversity and socio-economic effects); and 4) non-technical summary. The statement included qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

88 Under the various subject headings, this report refers to the content and analyses contained within the ES and comments upon its findings and conclusions.

89 An addendum to the ES was submitted by the applicant on 15 May 2018 to accompany the revisions to the application. The addendum confirms that the revisions do not cause any additional impacts that were not previously assessed, and revision to the ES is not therefore necessary.

Material planning considerations

90 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Land use principles (including mixed use development, employment, and residential uses);
- Housing (including delivery of affordable housing, tenure, mix, density, quality);
- Design (including urban design, public realm, play space, views);
- Heritage (Including the setting of World Heritage Sites, listed buildings and conservation areas and archeology);
- Inclusive design;
- Residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance);
- Sustainable development (including climate change mitigation and adaption, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage);
- Other environmental issues (including air quality and waste management);
- Transport, including parking provision;
- Socio-economic issues; and
- Mitigating the impact of development through planning obligations and conditions.

91 These issues are considered within the following sections of the report.

Land use principles

92 The principle of redevelopment must be considered in the context of the London Plan, draft London Plan and borough policies, as well as the NPPF, together with other policies relating to mixed-use development, housing, employment and retail uses. The draft NPPF should also be considered but having regard to its early stages of preparation. The NPPF identifies a set of core land-use planning principles which should underpin both plan-making and decision-taking. Those

core land use planning principles of particular relevance to the application site are that planning should:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

93 The site is not allocated for particular development in the current Hounslow Local Plan. However, the site is located within the emerging Great West Corridor Opportunity Area as identified in as a potential Opportunity Area in paragraph A1.4 of Annex One of the London Plan and an Opportunity Area in the draft London Plan recognising the potential for intensification of employment and housing. Policy SD1 of the draft London Plan sets a target of at least 7,500 additional homes and 14,000 new jobs within the Opportunity Area. In addition, The London Plan identifies the Great West Corridor as a Strategic Outer London Development Centre (SOLDC) for media and Policy 2.16 seeks to bring forward adequate development capacity to create a distinct and attractive business offer, including mixed-use development and public realm.

94 The Council are currently undertaking a Local Plan Review for the Great West Corridor which sets aspirations for development opportunities along the Great West Corridor reflective of its emerging Opportunity Area status and identifies the Citroen site as appropriate for residential led mixed use development. In addition, the Council has developed the draft Brentford East Supplementary Planning Document (SPD) which seeks to provide detailed information and planning and design guidance for new development within the Brentford East area. The SPD was developed in response to a need to provide interim guidance on development within this portion of the Opportunity Area given the early stages of the draft Great West Corridor Local Plan review to ensure development in this area coming forward in the shorter term does so in a coordinated and planned manner. The SPD identifies five character areas of which the site is located in character area C (Two Squares (Capital Interchange Way and land north of the Chiswick Roundabout). The SPD seeks residential led mixed use development within this character area.

95 The site comprises a Citroen car dealership, service workshop and associated hardstanding for the sale and storage of vehicles (Use Class Sui Generis). In line with the NPPF and the London Plan, there is no concern over the loss of this car yard with extensive surface car parking, which represents an inefficient and car dominant use of this accessible site.

96 As stated above, the Hounslow Local Plan does not set a particular land use allocation for this site but this does not, of itself, preclude appropriate development being approved on the site. The site's London Plan designation as part of the a SOLDC does not pre510clude mixed use development and the proposals inclusion of flexible commercial floorspace provides opportunity for economic growth including for media uses in accordance London Plan Policy 2.16.

97 The site is a highly accessible, underutilised brownfield site in an emerging Opportunity Area and as such, a residential-led, mixed use development on the site is considered to be consistent with the up to date aims of strategic and local current and emerging planning policy. Specific land use considerations are outlined further below.

Housing

98 London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London, and sets a target for the Council to deliver a minimum of 8,222 homes in the Plan period 2015-2025. The draft London Plan increases this ten-year target to 21,820. In monitoring delivery against these targets, Hounslow has been assigned an annual target of a minimum of 822 net additional homes per year, increasing to 2,182 in the draft London Plan. In addition, as discussed above Policy SD1 of the draft London Plan sets a target of at least 7,500 additional homes and 14,000 new jobs within the emerging Great West Corridor Opportunity Area

99 Hounslow's Local Plan Policy SC1 seeks to maximise the supply of housing in the borough to meet housing need in a manner that is consistent with sustainable development principles and is built at a rate that will exceed the London Plan annualised completion targets to achieve at least 12,330 new homes between 2015 and 2030. The Policy goes on to state that this will be achieved by *'encouraging the effective use of land by reusing previously developed land provided that it is not of high environmental value or in a use that is protected otherwise in the Local Plan'*.

100 Therefore, in line with the principles of encouraging the re-use of previously developed land and in light of the Council's local policy, the principle of the housing-led redevelopment of this site, to include 441 new homes, which equates to 54% of the Council's annual housing target (in excess of 20% of the draft London Plan target), is supported and in line with both London Plan and local planning policy.

101 The housing element of the proposals is discussed in further detail in paragraphs 113-157 of this report.

Employment

102 As discussed above the site contains a car dealership and service workshop with a total floor area of 3,287 sq.m (Use Class Sui Generis). The applicant has confirmed that the existing site has an employment yield of 30 full time equivalent (FTE) staff.

103 The site is a designated Strategic Outer London Development Centre (SOLDC) for media and London Plan Policy 2.16 seeks to bring forward adequate development capacity and create a distinctive and attractive business offer, including new public realm. The site is also within the emerging Great West Corridor Opportunity Area which has been identified in the Great West Corridor Masterplan and Capacity Study (2017) and Policy SD1 of the draft London Plan as being able to accommodate up to 14,000 additional jobs.

104 Hounslow's Local Plan Policy ED2 sets out that development proposals should accord with the objectives of the Great West Strategic Outer London Development Centre and submit the following information where a loss of industrial, office or similar employment uses is proposed:

- Evidence of active marketing of the site for employment uses for a period of at least two years in the Key Existing Office Locations or for a period of at least one year in other locations;

- An assessment demonstrating that the introduction of non-employment uses is necessary to achieve sufficient viability to deliver a development scheme. Preference will be given to the provision of the new employment uses, followed by a mix of employment and non-employment uses. Proposals for non-employment uses will only be considered once the retention of employment uses has been shown to be unviable; and

- Evidence that surrounding employment uses/sites will not be undermined.

105 The scheme would provide flexible spaces totally 510 sq.m. at ground floor level for use as employment (Use Class B1) or retail (Use Classes A1-A3), which could result in 43 new full-time equivalent jobs (an uplift of approximately 13 jobs) providing new employment opportunities in line with London Plan Policies 2.13, 2.16 and 4.12, draft London Plan Policies SD1 and E11 and Hounslow Local Policies SV1 andED2. Whilst the proposal would result in the loss of overall employment floorspace it is expected to increase job generation and exceed the current yield jobs within the existing low employment density car garage. Moreover, emerging policy, which reflects the need for more homes, particularly on brownfield land is considered to clearly outweigh any conflict with the explicit requirements of ED2. Furthermore, the flexible commercial space could be taken up by a media firm and the SOLDC designation does not preclude other employment uses.

106 Furthermore, a local employment agreement would be secured as part of the S106 agreement, which would seek to promote local employment throughout both the construction phase and within the completed development, in accordance with the Council's Planning Obligations and CIL SPD.

107 In summary, the proposals comply with the Hounslow's Local Plan policies noted above, which seek to ensure that there is no loss of employment capacity within the Great West Strategic Outer London Development Centre. Furthermore, the designation of the Great West Corridor in the draft London Plan and Great West Corridor Local Plan Review puts greater emphasis on residential development in this location compared to the employment focussed SOLDC designation, which this application responds to by delivering a mixed use residential-led scheme with a diverse commercial offer. There is some conflict with the evidential requirements within policy ED2 of the Hounslow Local Plan, but limited weight is attached to this conflict for the reasons set out above.

Retail uses

108 The site sits outside a designated town centre with the closest designated town centres being the Brentford and Chiswick Town Centres both just over one kilometre from the site. The application proposes two retail units totalling up to 479 sq.m, which would front onto the new public square. The NPPF, London Plan Policy 4.7 and Local Plan Policy TC3 all set out a town centre first approach to the provision of new town centre uses. However as less than 500 sq.m. of retail is proposed; sequential assessment is not required in this instance. The proposed retail offer is considered to respond to a qualitative and quantitative need for essential everyday local shopping, café/restaurants and local services arising from the development in accordance with Hounslow Local Plan Policy TC1 (which recognises that local shops help to meet the 'day to day' needs of local residents) and would be unlikely to have a material adverse impact on any nearby town centre. Therefore, the proposed retail floorspace is acceptable in principle as part of this mixed use development, and would assist in animating the proposed public realm.

Social infrastructure and funding

109 The proposal includes the provision of a 250 sq.m. children's nursery day care. London Plan Policy 3.18, Policy S3 of the draft London Plan and Hounslow Policies CI1 and CI2 support the provision of child care facilities where there is an identified need. The submitted Planning Statement demonstrates that this proposal and neighbouring developments within the wider regeneration area will generate a need for a childcare facility to which the proposal responds.

110 In more general terms, London Plan Policy 3.16 requires boroughs to ensure that adequate social infrastructure provision is made to support new developments. Since the introduction of the borough's community infrastructure levy (CIL), CIL receipts from new development are expected to take the place of traditional individual S106 contributions towards the provision of necessary additional social infrastructure such as school places, healthcare facilities and leisure facilities. The Borough CIL receipt from this development is expected to be up to £8,237,400. Site specific works,

such as highway infrastructure, landscaping and public realm to mitigate the impacts of the development, are recoverable via the S106 agreement, as set out in paragraphs 360-368 below.

Principle of development conclusion

111 As set out above, given the site's context as a previously developed site in an accessible location, its location in the emerging Great West Corridor Opportunity Area, and the strategic priority afforded to housing in the London Plan, the principle of the housing-led redevelopment of this site is strongly supported. The application includes the provision of employment space which will deliver jobs in excess of the number currently generated on the site and small scale retail and community space to provide activity to the public realm. No reasons for refusal are cited by Hounslow Council in relation to land use principles.

112 Having regard to the above, the proposal would make a significant contribution towards the wider policy and regeneration objectives of Hounslow's Local Plan, including housing and employment, and will deliver a number of public benefits, including a new high quality public realm and nursery school. The principle of the proposed development therefore in general accordance with the NPPF, London Plan, draft London Plan and Council policy.

Housing

Affordable housing and financial viability

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

114 London Plan Policy 3.12 requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Negotiations on sites should take account of their individual circumstances including development viability, resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

115 In August 2017 the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to the delivery of affordable housing, introducing a Fast Track Route for applications that deliver at least 35% affordable housing (by habitable room) on site, subject to tenure and increasing this further through the use of grant funding. The document also sets out detailed guidance to the form, content and transparency of viability assessments and the requirements for review mechanisms. The threshold approach to affordable housing is also set out in draft London Plan policies H6 and H7. The Mayor also launched in November 2016 a new Affordable Homes Funding Programme for the period of 2016-21, which introduced new affordable products, rent benchmarks and grant rates.

116 London Plan policy 3.11 also sets a preferred tenure split of 60% social and affordable rent and 40% for intermediate rent or sale. It goes on to state that that priority should be accorded to the provision of affordable family housing. Policy H7 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG sets out a preferred tenure split of at least 30% low cost rent (social or affordable rent significantly less than 80% of market rent), at least 30% intermediate (with London Living Rent and shared ownership being the default products), and the remaining 40% to be determined by the Local Planning Authority.

117 Hounslow Local Policy SC2 seeks the maximum provision of affordable housing with a strategic target that 40% of additional housing delivered across the borough between 2015 and 2030 be affordable, with the expectation that 60% of which should be for social or affordable rent and 40% intermediate tenure in line with the strategic target set out in the London Plan. For individual planning applications, the borough seeks to ensure the maximum reasonable amount of affordable housing is provided and that a financial viability assessment should be submitted on all developments. The policy also seeks to secure a review mechanism on partial or full completion of a development where financial viability assessments demonstrate on current market conditions would support less than 40% affordable housing.

118 It should be noted that the scheme proposed is being delivered by L&Q who across their delivery programme as a whole is contracted by the GLA to deliver at least 60% of their homes as genuinely affordable homes. To qualify for the Fast Track Route, an approved provider-led planning application must unconditionally commit to deliver at least 35 per cent affordable housing. This commitment must be absolute, with no conditional lower level of affordable housing. When securing this level of affordable housing through a s106 agreement there should be no reference to grant.

119 When the Mayor considered the application at Stage 1, the application proposed 168 affordable units consisting of 61 for affordable rent and 107 shared ownership, equating to 40% of the scheme on a habitable room basis. The Mayor noted at the time that the affordable housing offer incorporated grant funding and that there was uncertainty over the baseline position (without grant) and whether the scheme met the 35% threshold for the Fast Track Route as set out in draft London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG. A viability assessment explaining the with and without grant scenarios was requested to be robustly interrogated by GLA officers to determine the maximum affordable housing provision that the scheme can support.

120 Following Stage 1, the applicant submitted a viability assessment however this was not subject to independent review by the Council. Rather the Council resolved to refuse the application under delegated powers, including in respect to affordable housing, without assessing this aspect fully. The absence of a legal agreement to secure planning obligations in respect of affordable housing and review mechanisms was cited as a reason for refusal.

121 At Stage 2, the Mayor made clear that all options for increasing on-site affordable housing must be explored. Since the Mayor's decision to take over the application in February 2018, GLA officers have worked with the applicant to secure additional affordable housing.

122 Since stage 2, the proposal was revised from 427 to 441 homes (an uplift in 14 units), and the affordable housing offer was increased to 50% by habitable room (49% by unit) with grant. In addition, the applicant confirmed that they would commit (via S106) to delivering 50% affordable housing as an absolute figure (i.e. would not seek to secure a lower 'without grant' scenario).

123 The evolution of the affordable housing offer from the initial submission to date is summarised in Table 1 (below).

	Initial submission (November 2017)	Current proposal (July 2018)
Private	259	223
Affordable Rent	61	66
Intermediate Shared Ownership	107	152
Total affordable units	**168** (40% by habitable room)	**218** (50% by habitable room)
Total units	**427**	**441**
Notes:	*Considered by the Mayor at Stage 1 (January 2018) and Stage 2 (February 2018)*	*Current proposal*

Table 1: affordable housing history

124 The proposed affordable housing meets the Fast Track route as set out within the Mayor's Affordable Housing & Viability SPG and draft London Plan and exceeds Hounslow's Council's strategic target for 40% of all additional housing delivered across the borough to be affordable housing. The Affordable Housing & Viability SPG (para 2.40) sets out the Mayor's preferred tenure split as follows:

- at least 30 per cent low cost rent (social rent or affordable rent). London Affordable Rent should be the default level of rent, and should be assumed by applicants in the absence of alternative guidance from LPAs on the rent levels that they consider to be genuinely affordable.
- at least 30 per cent as intermediate products, with London Living Rent and/ or shared ownership being the default tenures assumed in this category.
- the remaining 40 per cent to be determined by the LPA taking account of the relevant Local Plan policy. Applicants should consider local policies and consult with LPAs to determine the relevant approach.

125 The proposed tenure split is 35% (affordable rent)/ 65% (intermediate) by habitable room which accords with the Mayor's SPG tenure split requirement however it does not comply with the Council's expected target split in Local Plan Policy SC2 but rather is weighted toward intermediate provision. However, it should be noted that Policy SC2 states that the 60/40 expected split is a starting point for negotiation and deliverability will vary on a scheme by scheme basis. The resultant tenure split should also be viewed in the context of the overall uplift in affordable accommodation that has been secured since the Mayor took over this application, with onsite affordable housing increasing from 168 units to 218 units including five additional affordable rented units. Furthermore, the affordable rented units will be let at London Affordable Rent which are significantly below 80% of local market rent and the applicant has weighted the unit mix toward the delivery of family sized units within the affordable rented tenure which results in an improved

mix of affordable homes onsite. It is considered therefore that the proposed tenure split is acceptable.

126 Given that the application delivers 35% affordable rented tenure in excess of the minimum requirements of the Mayor's Affordable Housing and Viability SPG and draft London Plan Policy H7, the inclusion of London Affordable Rent and the uplift in affordable housing secured, the application can be considered under the Fast Track Route. Hounslow's Local Plan Policy also states that a late review mechanism does not need to be secured on schemes that deliver over 40% affordable housing. As such, an affordable housing review would only be triggered if an agreed level of progress has not been reached within two years of grant of planning permission, utilising the review formulae within the Mayor's Affordable Housing and Viability SPG

127 This affordable housing commitment will be secured in the S106 agreement and comprises the following:

affordable units	**number of units**	**number of hab rooms**	**% by unit**	**% by habitable room**
intermediate	152	373	70%	65%
affordable rent	66	201	30%	35%
total (% of scheme)	218	574	49%	50%

Table 2: affordable housing breakdown

Affordability

128 The Mayor's Affordable Housing & Viability SPG makes clear that in determining tenure, homes are to be genuinely affordable. For the low cost rent element, whilst a local planning authority may specify rental levels they consider to be genuinely affordable, the Mayor expects this to be significantly less than 80% of market rent. For intermediate products for purchase, these should be shared ownership and accord with the London Plan Annual Monitoring Report (AMR) affordability criteria with a clear expectation that a full range is secured below the upper limit.

129 The affordable rented housing would be let at London Affordable Rent which are set annually by the Mayor at levels significantly less than 80% market rent. The rents are set out in the below table, with market rents provided for comparison. The affordable rented homes are therefore considered to be genuinely affordable and accord with the Mayor's SPG and Policy H7 of the draft London Plan.

unit type	London Affordable Rent (2017-2018 benchmark)	market rents (London Rents Map)	London Affordable Rent as % Of Market Rent
1 bed	£144.26pw	£308pw	47%
2 bed	£152.73pw	£368pw	41%
3 bed	£161.22pw	£396pw	41%

Table 3: affordable rent levels

130 The income thresholds for the shared ownership units would be subject to a priority cascade meaning in the first three months they would be offered to priority band one which would be capped at household incomes significantly less than £90,000. The units would then be capped at a gross household income of £90,000, in line with London Plan Policy 3.10 and draft London Plan Policy H7. A range of affordability has been secured, with maximum housing costs at 40% of net household income in line with the latest London Plan Annual Monitoring Report (July 2017). This will therefore ensure that housing is provided at a range of income thresholds below the upper limit to ensure the housing is genuinely affordable, in accordance with the Mayor's Affordable Housing & Viability SPG.

Conclusion on affordable housing and financial viability

131 In response to concerns raised by the Mayor at both consultation stage and Stage 2, GLA officers worked with the applicant to increase affordable housing provision in accordance with the Mayor's Affordable Housing & Viability SPG. The increased affordable housing offer, meets the Fast Track Route threshold target of 35% as set out within the Mayor's SPG, and represents a 10% proportionate increase since the Council determined the application. The rents and income levels specified within the S106 agreement accord with strategic and local guidance on affordability and will ensure that the affordable homes are genuinely affordable. Whilst the tenure split to be secured does not meet the expected tenure split set out in Policy SC2 of the Hounslow Local Plan, which is expressed as a starting point for discussion, it is considered in light of site specific factors (as discussed above) the tenure split is nonetheless acceptable in this instance. On this basis, the affordable housing provision complies with NPPF policy, as well as London Plan and those Hounslow Council's local policies, which require the maximum amount of affordable housing to be delivered.

132 Details of the affordable housing will be secured in the section 106 agreement, should permission be granted. This will include details of affordable housing definitions, fit out, the income thresholds and marketing strategy for the intermediate accommodation and rent levels for the affordable rented units.

Review mechanisms

133 The Mayor's Affordable Housing & Viability SPG clearly sets out the requirements for review mechanisms which are necessary to secure the maximum public benefit from schemes and to encourage build out.

134 As noted above, the scheme meets the requirements of the Fast Track Route, established in the Mayor's SPG. As such, in line with the Mayor's SPG an early implementation review will be

secured. This would be triggered if the development has not been substantially implemented within two years of the date of consent. A forward-looking review would take place which will analyse the development costs and values at that time, capturing any uplift in viability towards a cascade from London Shared Ownership to additional London Affordable Rented on the site up to a level of 30% of the total habitable rooms delivered by the scheme (reflecting Hounslow's Policy complaint affordable housing tenure split).

135 Officers are satisfied that this review mechanism is required to incentivise delivery and accords with the Mayor's Affordable Housing & Viability SPG and draft London Plan Policy H7.

Housing mix and tenure

136 The application, as amended, would provide 441 residential units, 152 of which would be shared ownership and 66 of which would be affordable rented. The housing mix would be as follows:

unit type	market sale	shared ownership	affordable rent	total	percentage
Studio	14	0	0	14	3%
one-bed	80	83	13	176	40%
two-bed	118	69	37	224	51%
three-bed	11	0	16	27	6%
total	223	152	66	441	

Table 4, housing mix

137 London Plan Policy 3.8, draft London Plan Policy H12 and the Housing SPG promote housing choice in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these. London Plan Policy 3.11 and draft London Plan Policy H12 state that priority should be accorded to the provision of affordable family housing. Hounslow Local Plan Policy SC3 seeks to meet local housing need by securing a mix of new housing type, size and tenure across the borough. The Policy sets out indicative borough level proportions for all housing tenures and an expectation that market one bed and studio units will not exceed 30% of the units.

138 The proposed mix doesn't accord with the borough's expected indicative mix as it exceeds the indicative targets for one and two-bedroom units and falls short of the targets for family sized units (considered to be 3+ bed units). The indicative mix as set out in Policy SC3 is expressed as a starting point for discussion and site specific circumstances including local need should be taken into consideration when determining an appropriate housing mix. It should also be noted that one of the reasons for Hounslow's refusal of the application was *'the proposed development, by virtue of its heavy reliance on the provision of one and two bedroom units…would fail to deliver a wide choice of housing'*.

139 The 2017 London Strategic Housing Market Assessment (SHMA) identifies that over the period of 2016/2041 a significant proportion of housing demand will be for one and two bedroom units. It is noted that Hounslow do not currently have an up to date Housing Market Assessment however the 2016 Hounslow Housing Market Assessment identifies that the average household size in the borough is decreasing. In addition, it identifies that future trends such as worsening affordability and changes to planning policies may produce a greater demand for smaller dwellings.

140 The scheme provides a good proportion of the proposed three-bedroom units in the affordable rented tenure (24%) which is supported by London Plan Policy 3.11 and draft London Plan Policy H12 and is an improvement from stage 2 (where only 18% of the affordable rented units were three bedroom). In addition, it is noted that the site's environmental constraints (with regards to noise and air quality), the delivery of commercial uses on the ground floor (an aspiration of the draft Brentford East SPD) and the delivery of 50% affordable housing results in the delivery of family sized housing being particularly challenging.

141 As such, having regard to the local indicative mix within Policy SC3, and the particular characteristics of this site, notably its highly accessible location designated for intensive housing growth, the appropriateness of high density development and the site's environmental constraints, it is considered that while the proposal does not strictly accord with the expected indicative mix set out in local policy, which is expressed as a starting point for discussion, on balance based on the considerations above it is considered that the housing mix is acceptable and in accordance with London Plan and draft London Plan Policies.

Housing quality and residential standards

Density

142 London Plan Policy 3.4 and draft London Plan Policy D6 seek to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services. The higher the density of a development, the greater the level of design scrutiny that is required, particularly qualitative aspects of the development design, as described in draft London Plan policies D2 and D4. This approach is reinforced in the Council's Local Plan Policy SC4.

143 The public transport accessibility level (PTAL) of the site is 3 in the north of the site and 4 to the south, closer to the boundary with the Fountain Leisure Centre, (6b being the highest on the density range). The site lies in a "urban" setting, as defined by the London Plan. Consequently, Table 3.2 of the London Plan sets out an indicative density range of 45-260 units or 200-700 habitable rooms per hectare. In addition, the threshold set for design scrutiny in draft London Plan Policy D6(C) is 240 units per ha for sites with a PTAL of 3.

144 Based on the net residential site area of 0.96 hectares and the proposed units (441) and number of habitable rooms (1,146), the net residential density would be 490 units per hectare and 1,273 habitable rooms per hectare. This is above the indicative density range in the London Plan, and exceeds the threshold for design scrutiny as set out in draft London Plan Policy D6.

145 The site is suitable for high density development; it is accessible to public transport and is within an emerging Opportunity Area where residential densities are expected to be optimised as discussed in earlier sections of this report. The standard of design and residential quality is also high and provides an appropriate mix of housing, with affordable housing maximised, and appropriate levels of play and amenity secured. As such the high-density nature of the proposals represent the optimisation of a currently underutilised site and is therefore in accordance with London Plan, draft London Plan and local plan policies.

Standard of accommodation

146 Policy 3.5 within the London Plan and Policy D4 of the draft London Plan seek to ensure that housing developments are of the highest quality internally, externally, and in relation to their context and to the wider environment. London Plan Table 3.3 and draft London Plan Table 3.1, which supports this policy, sets out minimum space standards for dwellings. The Mayor's Housing

SPG builds on this approach, and provides further detailed guidance on key residential design standards including unit to core ratios, and the need for developments to minimise north facing single aspect dwellings.

147 Hounslow Policy SC5 (ensuring suitable internal and external space) sets out minimum standards for new residential development and also refer to the national space standards and the Mayor's Housing SPG standards.

148 Internal and external space standards: All units will meet the London Plan, draft London Plan, Mayor's Housing SPG and Local Plan internal space standards, and 2.5 metre floor-to-ceiling heights will be achieved. All units would have access to private outdoor amenity areas in the form of gardens for the houses, balconies or winter gardens, which meet the Mayor's SPG external space standards. In addition, communal roof terraces and internal facilities (resident's gym) are also proposed. Based on the proposed number of habitable rooms, the proposal has a short fall of approximately 7,000 sq.m of communal amenity space based on the requirements of Local Plan Policy SC5 although it should be noted that the shortfall reduces when taking into account the 2,845 sq.m. of public realm. Hounslow officers concluded in their report that as the site is within an urban area, some flexibility on the quantum of communal amenity space is reasonable and overall the amenity space proposed is considered adequate as there are suitable areas of private space. GLA officers concur with this assessment and consider the application to provide a good degree of private, communal and public spaces, which exceed London Plan requirements.

149 Layout, aspect and daylight: There are no single aspect north facing units and 45% of the total units are dual or triple aspect. A further 51 units contain winter gardens that have a corner window offering an element of dual aspect views. Single aspect units are proposed in each block facing east and west. The scheme would provide no more than eight units per core, with dual lifts and natural light/ventilation for each core. It is considered that the layout and aspect result in high quality accommodation.

150 Hounslow Council raised concerns with daylight /sunlight in their delegated officer report and citied this as one of the reasons for refusal. Scheme amendments have been secured by GLA officers following Hounslow's resolution to refuse the application and the Mayor's call in which included alterations to windows and glazing to increase daylight levels. The applicant's internal daylight and sunlight assessment demonstrates that 88% of bedrooms and living rooms/kitchens analysed (located on the lower floors of the 5 core blocks) meet the minimum Average Daylight Factor (ADF) recommended by the Building Research Establishment's guidelines (which form the industry standard for assessing appropriate natural lighting levels). This is an improved position on the refused scheme where only 72% of bedrooms and living rooms/kitchens meet the minimum ADF. The assessment considered 55% of the 553 habitable rooms within the scheme. Given the high percentage pass rate on the lowest floors, it is considered the overall scheme would deliver good levels of daylight amenity as the access to daylight will improve the higher up the scheme which would result in on a level of compliance of 95% based on 1146 habitable rooms. The rooms which fall below the standards are all affected by the overshadowing effect of the projecting balconies to flats above or recessed balconies of the units themselves. It should be noted that the proposals do not include non-daylit internal kitchens and the calculations are therefore based on the combined area of the open plan living/kitchen space which provides a deeper than usual floorplate. It is therefore considered that the proposals generally provide satisfactory levels of daylight to all units.

151 Noise: London Plan Policy 7.15, draft London Plan Policy D13 and Local Plan Policy EQ5 seeks to ensure an acceptable environment in new residential developments with regard to noise. There is potential for the proposed development to be exposed to noise and vibration from nearby road traffic on the A4 and M4. The applicant has carried out a noise assessment as part of their Environmental Statement which has identified that with suitable mitigation measures, including

acoustically specified facade materials and glazing, screening and an appropriate ventilation strategy, an acceptable internal level of noise can be achieved. A condition is imposed requiring the applicant to submit for approval detailed design for the noise insulation of the building facades, and to incorporate these measures into the final build. The plant and machinery and ground floor uses proposed as part of the scheme are also unlikely to unduly impact on residential amenity, subject to conditions requiring detailed specification of equipment and internal sound insulation measures between ground and first floors to be approved.

152 Outlook and privacy: The Council's Local Plan Policy CC2 requires a high quality environment for housing to be provided, and seeks to ensure that the visual privacy and personal security is safeguarded, particularly from undue overlooking of ground floor accommodation. No specific building separation distance is established. The Mayor's Housing SPG notes that "in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18- 21 metres between habitable rooms. Whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density."

153 The proposal has a minimum separation distance of 14.9 metres (between blocks two and three and blocks three and four) and a minimum separation distance of 15.3 metres between block one and blocks two and three. This increases to 56 metres at its widest point (between blocks two and five). While the minimum separation distance is a tighter relationship than the 18-21 metres suggested in the guidance, given the orientation of the buildings and the urban context officers considered this to be acceptable. Hounslow officers assessed the proposals and concluded that the proposal did not give rise to an adverse window to window relationship due to the differing orientations of the buildings. The privacy of residents whose flats face out onto the podium level communal gardens would be adequately safeguarded by planting, the details of which would be secured through the landscaping condition.

154 In summary, the scheme would deliver high quality residential accommodation, and the standard of the units is in broad compliance with London Plan policy and guidance, and Local Plan policies.

Open space and play space

155 London Plan Policy 3.5 and draft London Plan Policies D4 and D7 set out expectations in relation to quality and design of housing development, to include public, communal and open spaces. Policy 3.6 of the London Plan and draft London Plan Policy S4 require developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Guidance on the application of this policy is set out in the 'Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG'. This sets a benchmark of 10 square metres of useable child play space to be provided per child, with under-five's play space provided on-site as a minimum (within 100 metres walking distance from a residential unit). Provision for 5-11 year olds should be provided within 400 metres of residential units and provision for over-12s should be provided within 800 metres. Hounslow Local Plan Policy SC5 seeks to ensure developments delivery high quality external space and Policy GB9 reiterates that new place spaces should be provided in new developments in accordance with London Plan standards.

156 The development proposes a number of amenity spaces, including private communal podium gardens totalling 1,800 sq.m., and public amenity spaces at ground level of approximately 2,845 sq.m including a new urban plaza. The total play space provision would be 1,072sq.m including 533 sq.m. of playspace for under 5's. Subject to a condition requiring the details of this

space to be approved, the scheme would make satisfactory on-site provision of amenity and playspace in accordance with the Mayor's SPG.

157 As such the proposal makes acceptable provision for play space and open space in accordance with strategic and local policy. Further discussion on the landscaping proposals is contained in the urban design section below.

Urban design and heritage

158 The NPPF (at paragraph 56) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 63 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, Chapter 7 of the London Plan and Chapter 3 of the draft London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. In relation to the London Plan Policy 7.1 (Lifetime neighbourhoods) sets some overarching design principles for development in London as does Policy D2 of the draft London Plan (delivering good design). Other relevant design polices in this chapter include specific design requirements relating to: inclusive design (London Plan Policy 7.2/ draft London Plan Policies D3 and D5); designing out crime (London Plan Policy 7.3/ draft London Plan Policy D10); local character (London Plan Policy 7.4/ draft London Plan Policy D1); public realm (London Plan Policy 7.5/ draft London Plan Policy D7); architecture (London Plan Policy 7.6 and draft London Plan Policy D2); tall and large scale buildings (London Plan Policy 7.7 and draft London Plan Policy D8) and heritage assets (London Plan Policies 7.8, 7.9 and 7.10 and draft London Policies HC1,HC2 and HC3). These are discussed more specifically below.

159 Hounslow's Local Plan Policy CC1 (Context and Character) seeks to ensure that new development, amongst other things, should help reinforce or enhance the character, legibility, permeability and accessibility of its neighbourhood as well as having due regarding to the Hounslow Urban Context and Character Study. Local Plan Policy CC2 (Urban Design and Architecture) seeks to retain, promote and support high quality urban design and architecture to create attractive, distinctive and liveable places.

160 The Hounslow Urban Context and Character Study identifies and analyses the urban character of the Borough. By assessing the character of those areas of the Borough likely to undergo significant growth over the Local Plan period, the Context and Character Study can help new development to add to local character in ways which enhance positive qualities and address negative issues.

161 Local Policy CC3 sets out locations where tall buildings are likely to be inappropriate, as well as the building heights (number of storeys) that are considered tall in these areas. For the Great West Corridor, it is stated that specific sites will be identified for tall buildings however these must be sensitively placed in response to surrounding heritage assets. Policy CC3 also sets out criteria that proposals for tall buildings will need to address.

162 The draft Brentford East SPD also identifies sites for landmark buildings of up to 48 metres in height (equivalent to 16 residential storeys or 12 commercial storeys), with the tallest buildings fronting the Great West Road. It should be noted that the application site is not a site recognised to accommodate tall buildings in the SPD.

163 This scheme was considered in detail at pre-application stage, during the initial Stage 1 considerations by the Mayor, and by the Council planning officers. As set out in Paragraph 33, Hounslow's first reason for refusal specifically addresses design, notably that the proposed

buildings by virtue of their location, scale and design would not enhance the quality of the built environment and would cause serious harm to the significance of a range of designated heritage assets.

Layout

164 The proposed layout is an improvement to the existing buildings on site, which have a poor relationship with Capital Interchange Way and is dominated by the blank frontage of the Citroen car showroom and surface car parking. The single podium layout arrangement assists in concealing the majority of car parking from public view and the overall approach to layout is a significant improvement on the existing and has the potential to respond well to the future context on the adjacent Brentford Leisure Centre. The proposal creates a new urban block, completing a perimeter route around the site, which in the long term will contribute to significantly improved permeability across the wider area for pedestrians through the provision of two new public routes to the south-east and north-east of the site. To the south, the building line steps back to create a new public plaza which will open up views towards the new pedestrian footbridge to the Brentford Community Stadium from Chiswick High Road.

165 The ground floor is well activated, including a good distribution of residential and commercial frontage around the edge of the block, including two storey mews houses with individual entrances. Following the Mayor's decision to call the application in for his own determination, amendments have been secured to the layout to switch the CHP and the resident's gym to further activate the north-eastern elevation addressing concerns raised by GLA officers at Stage 1 that this elevation was dominated by bin stores, plant rooms and the car park entrance. The distribution of uses on the site ensures delivery of an active frontage reflective of the objectives of the Hounslow Great West Corridor draft Local Plan Review and draft Brentford East SPD which seek to ensure that the public realm is well animated and feels safe to use.

166 The proposal is arranged in three residential blocks above the single storey podium. The residential blocks are orientated predominantly east/west to eliminate single aspect north facing units, and pivot to reduce overlooking between blocks and open out long views to the wider context. The staggered blocks and the triple height cut away under block one would ensure a clear line of sight from Chiswick High Road to the entrance of the Brentford Community Stadium, which responds well to pedestrian desire lines and the high footfall expected on match days.

Landscaping

167 The scheme provides a good level of planting for an urban development in line with the objectives of London Plan Policy 5.10 and draft London Plan Policy G5, including tree planting and raised planters within the public spaces. Appropriate provision is also made for street furniture, including lighting, seating and visitor's cycle storage. Subject to details of planting, hard surface treatments and street furniture, this would ensure a high quality setting for the buildings proposed. The planting here will help to address air quality and urban greening objectives. The impact of the development on trees is addressed in more detail in paragraphs 306-310 below.

168 The detail of the landscaping treatment along these boundaries will be secured by condition. In addition, a S106 obligation has been secured ensuring that the boundary treatment alongside the Leisure Centre site is delivered in a comprehensive manner with the emerging scheme for this site.

Summary of layout

169 The proposed building layout and landscaping proposals optimise the development capacity of the site whilst responding well to its constraints and the aspirations and objectives outlined in the draft Hounslow Great West Corridor Local Plan review and draft Brentford East SPD, notably providing active frontage, urban greening and improving access to the stadium. The proposed site layout is therefore supported in line with the policy context set out above.

Height and massing

Tall buildings policy

170 The site is not identified in Hounslow's Local Plan or the draft Brentford East SPD as being appropriate for tall buildings. The Urban Character and Context Study defines a tall building as any buildings or structure which is over 20 metres in height and/or which is significantly taller than the surrounding townscape and/or which recognisably changes the skyline. The massing strategy positions the tallest building closest to the M4 (Blocks 4 and 5 which are part 13/part 18 storeys), the height then drops down to part 12/part 17 storeys in the middle buildings and part 13/part 16 storeys on the western portion of the site. All of the residential buildings are therefore considered to be tall buildings.

171 London Plan Policy 7.7 (Location and design of tall and large buildings) and draft London Plan Policy D8 set out the strategic policy with regard to tall buildings and establish that the Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London's character and help to provide a catalyst for regeneration where they are acceptable in terms of design and impact on their surroundings. Suitable locations for tall buildings may include the Central Activities Zone and Opportunity Areas, and areas of good access to public transport. The policies recognise that the impact of tall buildings in sensitive locations such as conservation areas, the setting of listed buildings and World Heritage Sites needs particular consideration.

172 The Council's Local Policy CC3 states that applications for tall buildings would be supported in identified locations which accord with the principles of sustainable development. It is acknowledged that this site is not identified in this policy or in the draft Great West Corridor Local Plan review as a site for a tall building. However, the sites location within an emerging Opportunity Area and the changing immediate context including the consented Brentford Community Stadium development suggests that taller buildings could be considered appropriate on this site. Furthermore, the site is isolated from lower rise residential development and therefore would not erode the suburban character of Brentford. GLA officers therefore consider that the principle of tall buildings on this site is acceptable.

173 Policy CC3 also requires applications for tall buildings to address 12 criteria in order to demonstrate compliance with policy. These criteria include ensuring an acceptable visual impact, integrating the massing into the surrounding context and streetscape, provide a comfortable microclimate, provide for biodiversity and comply with the requirements for the Public Safety Zone for London Heathrow Airport.

174 The draft Brentford East SPD does not identify a specific height for buildings on the Citroen site however it does state that taller or special landmark buildings of up to 48 metres would help to, in accordance with detail guidance on taller buildings accentuate the corridor in key locations to provide interest to the journey along the M4, increasing legibility of the urban form and help demarcate the Brentford East area of the 'Two Squares (Capital Interchange Way and land north of the Chiswick Roundabout)' character in which the Citroen site is located.

175 The draft Great West Corridor Local Plan Review Policy GWC3 states that the Council will support the delivery of landmark buildings at a number of specified locations including the inside corner of the M4 at Capital Interchange Way, to respond to the bookend landmark at Chiswick Roundabout.

Tall building and massing analysis

176 A detailed assessment against the criteria set out in Local Policy CC3 is set out below. The Council's reason for refusal cited that the proposal was contrary to London Plan Policy 7.7 and Local Plan Policy CC3. It is noted that the Council made its assessment based on a lower scheme prior to the most recent amendments, with the Block three being 15 storeys.

177 Criteria (i): be sensitively located and be of a height and scale that is in proportion to its location and setting, and carefully relate and respond to the character of the surrounding area: The Council's reason for refusal, made against the lower proposal, stated that the scale of the proposal would not enhance the quality of the built environment. The surrounding area has a mixed character of mostly 20th Century buildings in commercial use including low rise commercial estates, car showrooms, big box retail, storage and leisure centre uses. This coarse and incoherent urban grain is framed by large scale road infrastructure; notably the elevated M4 alongside which taller landmark buildings such as Vantage West are situated. As discussed, the Brentford Community Stadium is currently undergoing large mixed-use development adjacent to the site and includes the erection of 12 towers between 12 and 16 storeys, setting the scene for the future immediate context. As noted in the Hounslow Character Study the immediate area has a low sensitivity to change. Given the changing context, the proposal is considered to be proportionate to both the existing setting (adjacent to the M4) and emerging context (Brentford Stadium), it is also considered to improve the character of the surrounding area which is currently dominated by hardstanding and low activity uses. GLA officers consider this criteria to be satisfied.

178 Criteria (j): be of the highest architectural design and standards; be attractive, robust and sustainable: Hounslow officers stated in their report the dominant use of brick on the towers is not appropriate and the design of the scheme was cited in the first reason for refusal. The brickwork provides reference to the low rise residential terraces to the south of the site while the use of the gold cladding on the exterior of the houses and the nursery add interest and differentiate these elements from the taller blocks. The expression of the individual blocks through variance in material colour, tone and the use of the gable tie ins creates a distinct identity. The horizontal emphasis references the art deco buildings along the M4. The materials used are considered to be robust and the brickwork will not require significant cleaning or maintenance and will age well. The design meets or exceeds the latest sustainability standards. The architectural design and choice of materials is considered to be high quality, robust and would result in the creation of an attractive scheme. GLA officers consider this criteria to be satisfied.

179 Criteria (k): be of a scale that reflects their relevance and hierarchical importance when located within a grouping/cluster of tall buildings: as discussed above, the proposed height and scale is considered to be proportionate to the existing context and the emerging context which includes the Brentford Community Stadium. It is noted that the draft Brentford East SPD states that in this character area landmark buildings should be positioned close to the M4 and the height should scale away from this which the proposal achieves. GLA officers consider this criteria to be satisfied.

180 Criteria (l): be designed to give full consideration to its form, massing and silhouette, including any cumulative impacts, and the potential impact of this on the immediate and wider context: the development is considered to complement the surrounding context including the adjacent Brentford Community Stadium redevelopment, Wheatstone House and previous proposals for the adjacent redevelopment site known as 1-4 Capital Interchange Way. The buildings have

been set back from their boundary edges and configured to ensure clear visual breaks in both long and short range views. The massing of the three principle buildings have been staggered to further break up the facade and different brick types used to delineate separate elements within the scheme. GLA officers consider this criteria to be satisfied.

181 Criteria (m): relate height to widths of spaces to achieve comfortable proportions, and provide a positive edge to the public realm and a human scale through the careful treatment of ground floors and lower levels: the proposal delivers a significant quantum of public realm including the creation of a public square. A positive edge around the scheme has been delivered in the form of the streetscape and the creation of active spaces fronting Capital Interchange Way and the streetscape. The relocation of the resident's gym as requested by the GLA has sought to further activate this space. A section 106 obligation has been secured to ensure the boundary treatment between the site and the leisure centre responds positively to redevelopment of the leisure centre site. The double height cut through under Block one forms an attractive entrance to the public square. The houses have individual front doors onto the street ensuring a human scale at lower levels. GLA officers consider this criteria to be satisfied.

182 Criteria (n): provide a comfortable and pleasant microclimate which minimises wind vortices and overshadowing: A daylight and sunlight report, an air quality assessment, a wind microclimate study, and a noise and vibration assessment report have been undertaken, and are discussed in more detail in the relevant sections of this report. These demonstrate that while the development would have some impact compared to the existing situation due to the increase in scale and mass of development on the site, there would be no substantial adverse climatic effects as a result of the proposal. The Council concurred with this assessment, albeit as part of the assessment of the lower scheme. The additional storeys proposed through subsequent amendments do not result in materially greater microclimate impacts than the previous iteration. GLA officers consider this criteria to be satisfied.

183 Criteria (o): provide for biodiversity within the building form and be sensitive to surrounding open spaces including waterways to ensure minimal impact: the existing environment has limited ecological value given it is dominated by hardstanding with a small amount of planting around the site boundary. The proposal delivers an uplift in green spaces, planting and delivers brown roofs significantly increasing the biodiversity of the site. There are no waterways within close vicinity to the site. GLA officers consider this criteria to be satisfied.

184 Criteria (p): take opportunities to enhance the setting of surrounding heritage assets, the overall skyline and views: The proposals adverse impact on surrounding heritage assets is cited by Hounslow as reason one for refusal of the application. The site is not located within a conservation area nor does it contain any heritage assets. However, the proposal will be viewed in the setting of several heritage assets including the Royal Botanic Gardens Kew World Heritage Site. The applicant has submitted a Townscape, Heritage & Visual Assessment (THVA) with verified and cumulative views demonstrating views of the proposal would be viewed in the settings of conservation areas and listed buildings within one kilometre of the site. GLA officers are satisfied that the THVA has presented accurate views from all relevant vantage points to enable a full assessment of the proposals and their impact. The impact of the proposal on the setting of surrounding heritage assets is discussed in detail in paragraphs 197-239 below and has been found to be acceptable on balance as set out in paragraphs 360-365. The proposal itself would introduce a new point of interest on the local skyline particularly when viewed from the M4 cementing this area of the Great West Corridor as an area of change and providing an additional landmark to the Brentford Community Stadium. The detailing of the materials and horizontal emphasis proposed relate well to the immediate context including the art deco buildings along the M4 and neighbouring Wheatstone House. In relation to the schemes wider impact on the setting of heritage assets, GLA officers conclude that the proposal would result in less than substantial harm to the significance of the

Grade I Listed Orangery at the Royal Botanic Garden Kew World Heritage Site and Strand on the Green Conservation Area. The proposal does not result in harm to other identified heritage assets.

185 Criteria (q): carefully consider the facade and overall detailing to ensure visual interest, vertical and horizontal rhythms, an indication of how the building is inhabited, internal thermal comfort and the visual break-up of the building visually at varying scales; each building creates a rhythm of brick bays and windows within the facade, with protruding and recessive elements which provide texture and depth to its appearance. The gable ends have a stepped and serrated form which adds further visual interest. The use of brick provides a reference to the residential use, transitioning to the low rise residential dwellings to the south from the glass and steel materials used on neighbouring commercial developments to the north. This is considered to be an appropriate design response, therefore GLA officers consider this criteria to be satisfied.

186 Criteria (r): use materials and finishes that are robust, durable and of the highest quality, with facades providing innate interest, variety and function; as discussed above the materials proposed are considered to be of robust and of the highest quality, providing interest, variety and function. Details of the materials will be secured by condition to ensure that this is carried through to the build out. GLA officers consider this criteria to be satisfied.

187 Criteria (s): Incorporate innovative approaches to provide high quality, useable, private and communal amenity space where residential uses are proposed; The proposal delivers both private and communal amenity space in the form of balconies, winter gardens and communal podium gardens. In addition, the scheme proposes a large public square that can be utilised by both residents and visitors. The square will be constructed from robust and hardwearing materials to ensure the quality is maintained despite the expected large volumes of pedestrian movements on match days. GLA officers consider this criteria to be satisfied.

188 Criteria (t) Comply with the requirements of the Public Safety Zone: the site is located outside of the Heathrow Public Safety Zone. The proposal has however, demonstrated compliance with the zone's requirements. In addition, the Civil Aviation Authority and Heathrow Airport raised no safeguarding objection to the proposal. GLA officers consider this criteria to be satisfied.

189 The tall buildings are also consistent with the criteria set out in London Plan Policy 7.7. The site is located within an emerging Opportunity Area (the Great West Corridor) and well located for public transport (Criteria C(a)) and the buildings would have an acceptable massing and relationship to the surroundings (Criteria C(b) and (c)). The proposal would serve as a landmark for the M4 gateway, aid wayfinding and enhance the skyline through high quality architecture and use of materials (Criteria C(d) and (e)). A good level of active frontage will be provided on the ground floor, as well as new routes and spaces to enhance the permeability of the site (Criteria C(f) and (g)). Given the location and residential nature of the proposals, it is not considered appropriate to provide publicly accessible areas on the upper floors (Criteria C(h)). The scheme would provide new employment space, retail and housing, as well as public realm, for the benefit of new residents and visitors (Criteria C(i)). In accordance with the technical assessments discussed in the relevant sections of this report and subject to mitigation recommended through conditions, the development would not impact adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation or telecommunication interference (Criteria D(a)). The development would not impact on designated local or strategic views in accordance with (Criteria D(b)). The proposal is located within an area considered to be a sensitive location in accordance with Criteria E given the potential for tall buildings to be visible in the setting of several listed buildings, conservation areas and the Royal Botanic Gardens Kew World Heritage Site. The proposals impact on designated heritage assets is discussed in the heritage section of the report below.

190 The tall buildings are also considered to meet the criteria set out within draft London Plan Policy D8.

Summary of height and massing

191 Hounslow officers refused the scheme under delegated authority citing the impact of the proposals height and massing on local character as a reason for refusal. GLA officers have had regard to this reason for refusal when assessing the height and massing of the proposal against the relevant policies.

192 In summary, in terms of the visual impact of the height and massing on the identified townscape and visual receptors, the proposals would have a noticeable impact on the local townscape. However, the significance of the degree of change does not necessarily indicate that the proposals are harmful. In this case, the proposals would involve the redevelopment of an underutilised motor car garage dealership for a scheme of high quality architecture, which will improve the quality of the townscape, provide new public realm of a high quality, and will complement the wider regeneration of the Great West Corridor.

193 The proposal would act as a landmark, aiding wayfinding to Brentford Community Stadium with a distinctive high quality design. In more distant views the proposal would appear in the existing context of the blocks of flats and commercial buildings between eight and twelve storeys along the M4 corridor, the series of six 24 storey residential towers that make up the Green Dragon Estate and the emerging context including buildings of up to 16 storeys which form the Brentford Community Stadium. Although the site is not within a location where the current Local Plan expressly supports tall buildings, the proposal is considered to conform to the relevant assessment critical set out within Local Policy CC3 and the site's location within an emerging Opportunity Area (the Great West Corridor) recognises that this is an area that will undergo significant change in townscape. The form of the buildings would respond positively to the emerging townscape and landscape features and would have a positive effect on the skyline. The proposal would result in less than substantial harm to identified designated heritage assets as set out in paragraphs 211-254 below. However, the proposal would deliver a number of public benefits including affordable housing, new public realm and pedestrian routes and an appropriate mix of uses, including new employment and retail space.

194 GLA officers are satisfied that the proposed height and massing would not prejudice the development potential of adjacent sites including the Brentford Leisure Centre and 1-4 Capital Interchange Way.

195 To conclude, the height and massing of the scheme is considered appropriate on this site. The high quality of the architecture and the distinctive form of the tall buildings would create a landmark residential-led development, and this combined with the new public realm and permeability created by the proposals will contribute positively towards place making and regeneration.

196 Subject to detailed design and architectural quality, which is considered below and will be secured by condition, the principle of height and massing is acceptable in line with the policy context set out above. The impact on heritage is considered separately in paragraphs 197-239 below.

Detailed design and architecture

197 Six distinct architectural treatments are proposed for each building and the design rationale remains the same following the recent amendments to increase the height of the buildings. The architectural approach takes reference from the art deco surroundings and clearly expresses the

transition from the high rise predominantly commercial buildings to the north (along the M4) and the finer urban grain to the south-east.

198 Hounslow's delegated report stated that the *'dominant use of brick on these tall towers isn't appropriate given both the tower typology and the local vernacular around the site'* and that the proposal failed to take opportunities available for improving the character and quality of the area. GLA officers note that there are several examples of taller brick buildings in and around London. The use of the brick relates the scheme to its predominantly residential use contrasting to the predominantly glass and steel commercial buildings located along the M4. The brick vernacular would be read from a distance as a similar tone to the Golden Lane Estate relating the scheme to neighbouring residential towers as opposed to the surrounding lower rise context.

199 The two storey houses and nursery will be clad in contrasting metal work which adds interest and will differentiate these elements from the taller blocks. The expression of the individual blocks through variance in material colour, tone and the use of the gable tie ins creates a distinct identity. The robust composition of contrasting brickwork proposed across the blocks provides visual interest and relief in the facades created by stepped and angled elements. It is considered that the architectural appearance of the buildings would result in a development of good design quality when viewed from all aspects including in long distance views and from the elevated M4.

200 The final choice of materials and quality of detailing will have a significant impact on the quality of development as a whole. In this respect, a planning obligation will be secured requiring the applicant to retain the existing architect or one of equivalent standard until the development is completed. Key details such as window reveals, balconies, ground floor frontages and samples of facing materials will be secured through conditions.

Fire safety

201 In the interests of fire safety and to ensure the safety of all building users, Policy D11 of the draft London Plan seeks to ensure that development proposals achieve the highest standards of fire safety.

202 The applicant has submitted a fire statement prepared by a suitably qualified third party assessor (fds consult) which demonstrates that all features and materials would comply with Part B of the Building Regulations. Means of escape will be based on each apartment (fire affected) evacuating independently in the residential accommodation. For areas of the development that include for commercial or ancillary accommodation, it is proposed that these areas adopt a simultaneous evacuation upon activation of their individual fire alarm and detection systems (where specified).

203 The building would contain a sprinkler system to reduce the risk to life and significantly reduce the degree of damage caused by fire. Access to the commercial units are fully accessible to all parts within 45 metres from a suitable Fire Services pump appliance parking location. Appropriate ventilation systems are in place in the residential and commercial units and the enclose car park to deal with smoke.

204 The fire evacuation strategy put forward would ensure safe evacuation of the building if needed. The submitted fire statement demonstrates that the proposal would deliver the highest standard of fire safety in accordance with draft London Plan Policy D11.

Designing out crime

205 Policy 7.3 of the London Plan and draft London Plan D10 seeks to ensure that measures to design out crime are integral to development proposals and considered early in the design process.

A number of criteria are set out in this policy regarding reducing opportunities for criminal behaviour and contributing to a sense of security without being overbearing or intimidating. Hounslow Local Plan Policy CC2 requires proposals to provide a comfortable, usable and safe place.

206 The scheme design has carefully considered the interaction of the buildings with the public realm, ensuring that public open spaces are overlooked by active uses at ground and upper floors on all elevations. Residential core entrances would be well distributed and whilst there are some areas of servicing, cycle and refuse storage on the ground floor, these would be minimised and broken up by residential entrances and commercial uses to ensure that the public realm feels safe to use. Following Stage 2, the scheme was amended to increase the amount of active frontage by relocating the resident's gym to the north-east side of the site to address concerns raised regarding passive surveillance on this boundary.

207 A condition is recommended to ensure that the scheme achieves Secured by Design accreditation. As such, the proposals are acceptable with respect to designing out crime and comply with London Plan Policy 7.3, draft London Plan Policy D10 and Hounslow Local Plan Policy CC2.

Conclusion on urban design

208 The Council under delegated authority resolved to refuse the application on the grounds of excessive height, scale and massing, with resultant adverse impact on the surrounding townscape, visual amenity and the historic environment.

209 GLA officers consider that the design of the scheme is well-considered, responds to the development principles outlined in the site allocation and achieves a high quality of place making. The massing strategy responds to the site characteristics and the existing and emerging context. The tall buildings, whilst higher than the indicative guidance set in draft Local Plan Policy and the draft Brentford East SPD, are well designed and justified in the context of the relevant criteria set out in the Local Plan and the London Plan. The quality of the design, architecture and materials will ensure a distinctive and high-quality development which will contribute positively to the regeneration of the Great West Corridor Opportunity Area.

210 The development will thus comply with the relevant development plan policies set out in paragraphs 158-162 above.

Heritage

211 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings section 66 of the Act states that 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"*.

212 Pursuant to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, planning decisions must also give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development.

213 The NPPF identifies that the extent and importance of the significance of the heritage asset is integral to assessing the potential impact, and therefore acceptability. The definition of significance in this context is the value of the heritage asset in relation to its heritage interest and this may be archaeological, architectural, cultural or historic. It may also derive from a heritage asset's physical presence as part of the townscape or its setting, where a proposed development will

lead to 'substantial harm' or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development will lead to substantial harm, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

214 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council confirmed that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given *"considerable importance and weight" when the decision-maker carries out the balancing exercise."*

215 Criterion D of Policy 7.8 of the London Plan states *"Development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail"*. The supportive text explains that development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character. This is also stated in Policy HC1 of the draft London Plan. Criterion E states that new development should make provision for the protection of archaeological resources, landscapes and significant memorials.

216 London Plan Policy 7.10 and Policy HC2 of the draft London Plan states that development should not cause adverse impacts on World Heritage Sites or their settings, and, in particular, should not compromise the ability to appreciate Outstanding Universal Value (OUV), integrity, authenticity or significance.

217 Hounslow Local Plan Policy CC4 states that the Council will identify, conserve and take opportunities to enhance the significance of the borough's heritage assets as a positive means of supporting an area's distinctive character and sense of history. It is expected development proposals will:

- *Conserve and take opportunities to enhance any heritage asset and its setting in a manner appropriate to its significance;*
- *Retain, conserve and reuse a heritage asset in a manner appropriate to its value and significance;*
- *Demonstrate that substantial harm to or loss of a heritage asset is avoided, unless exceptional circumstances can be demonstrated, consistent with the NPPF;*
- *Demonstrate that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (see glossary) this harm will be outweighed by the public benefits of the proposal, including securing its optimum viable use; or*
- *Have regard to any harm to, or loss of, the significance of a non-designated heritage asset including from both direct and indirect effects. Non-designated heritage assets include locally listed buildings, Archaeological Priority Areas and areas of special local character.*

218 The site is not in a Conservation Area nor does it contain any listed buildings. There are nine Conservation Areas, 26 statutorily listed buildings and two locally listed buildings within one kilometres of the site. The figures below show the locations of the nearest Conservation Areas and listed buildings and structures. The Royal Botanic Gardens Kew World Heritage Site (RBGK WHS) is situated south of the River Thames, approximately 600 metres from the site. The site is also within an Archaeological Priority Area.

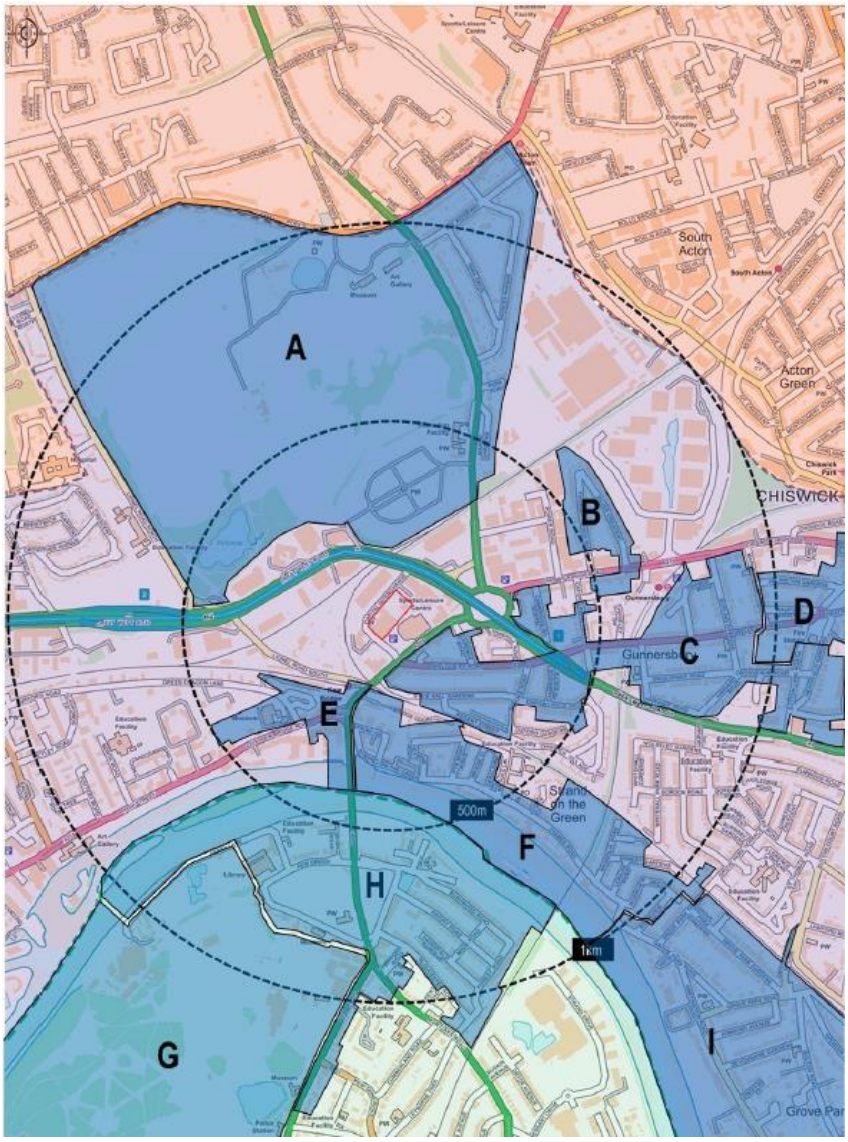

Figure 5 – conservation areas within one kilometre of the site (shown bound in red).

Key	Name	Key	Name
A	Gunnersbury Park	F	Strand on the Green
B	Thorney Hedge	G	Royal Botanic Gardens
C	Wellesley Road	H	Kew Green
D	Turnham Green	I	Grove Park
E	Kew Bridge		

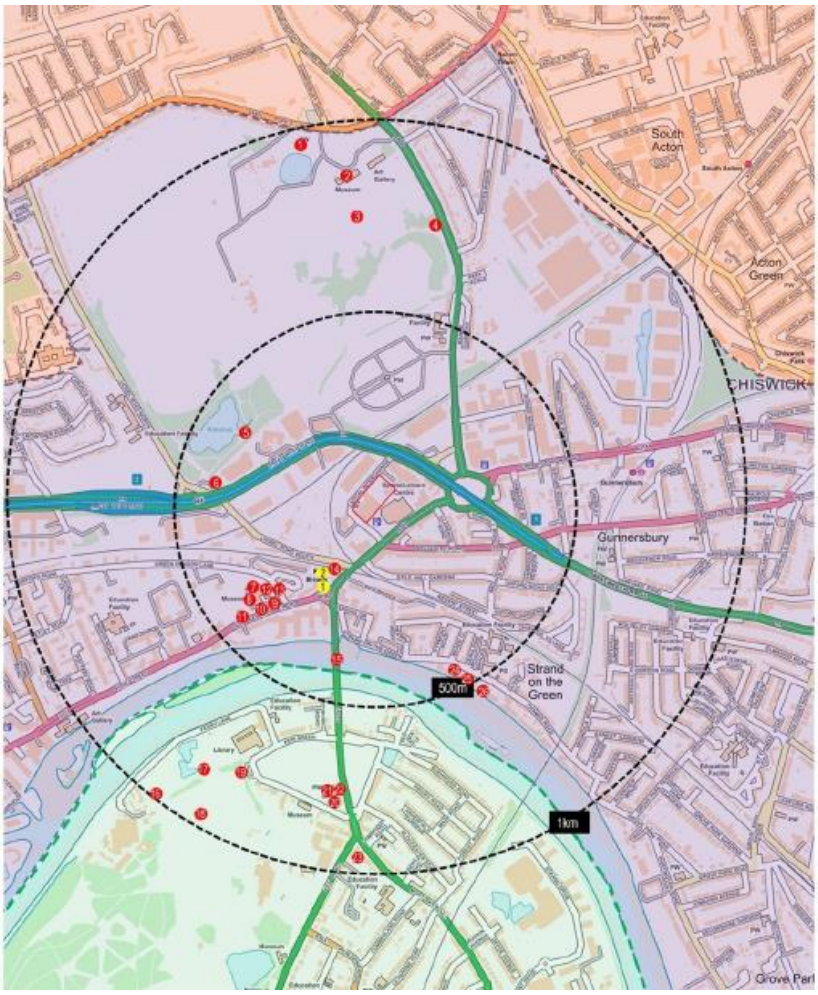

Figure 6 – listed buildings within 1 kilometre radius (site shown bound in red):

Statutorily Listed buildings (Red):

1. Temple in Gunnersbury Park Grade II*
2. Gunnersbury Park – Large Mansion Grade II*
3. Conservatory in Gunnersbury Park Grade II*
4. East Stables in Gunnersbury Park Grade II*
5. Gothic Boathouse and Pavilion on South Shore of Potomac Fish Pond, Gunnersbury Park Grade II
6. West Lodge Grade II
7. Main Building, Kew Bridge, Pumping Station Grade I
8. Great Engine House, Kew Bridge Pumping Station Grade I
9. Metropolitan Water Board Pump House Tower, Kew Bridge Grade I
10. Railings, two sets of gatepiers and wall fronting Kew Bridge Road Grade II
11. Gatehouse and Boundary Wall at Kew Bridge Pumping Station Grade II
12. Boiler Houses, Coal Store, Steam Engine House and Link to Great Engineer House at Kew Bridge Pumping House Grade II
13. Range of Ancillary Buildings and Workshops at Kew Bridge Pumping House Grade II
14. Kew Bridge Station Grade II
15. Kew Bridge Grade II
16. Kew Palace Grade I
17. Aroid House Grade II*
18. Orangery Grade I
19. Principle Entrance Gates and Railings Fronting Kew Green Grade II*
20. Churchyard of Church of St Anne, to the south of Church Grade II*
21. Parish Church of St.Anne Grade II*
22. Churchyard of Church of St. Anne, to East Grade II*
23. 356 and 358 Kew Road, Grade II*
24. 71 Strand on the Green Grade II
25. 70 and 70A, Strand on the Green Grade II
26. Zofanny House Grade II*

219 A Heritage Townscape and Visual Impact Assessment (HTVIA) has been submitted within the Environmental Statement (ES) which tests the impacts of the proposal on the setting of surrounding heritage assets and townscape including sensitive views from neighbouring conservation areas, listed buildings and RBGK WHS. The HTVIA assesses potential townscape impacts from agreed viewpoints that were selected in consultation with Hounslow and GLA Officers. Verified views provided in accurate visual representations (AVRs) showing how the proposal would look from different locations, accurately merging the scheme into photos of the townscape have been submitted. The assessment considers the visual implications of the changes from these viewpoints, taking into account their sensitivity and magnitude of the impact during both construction and operation phases of the development. Officers concur that all key views have been considered however it should be acknowledged the submitted representations are static and perceptions of the development would vary when moving around each location. It is also not possible to evaluate every single view point from where the development may be seen, however the views selected are considered to be those most sensitive.

Royal Botanic Gardens Kew World Heritage Site

220 The site is located approximately 600 metres to the north-east of the principle northern boundary of the RBGK WHS, which contains a number of listed buildings, is a listed Conservation Area and Registered Park and Garden. In 2003 RBGK was inscribed by UNESCO as a World Heritage Site. The gardens originated in the mid-eighteenth century during the occupation of Fredrick, Prince of Wales and his wife, Princess Augusta, who established the first botanic collection there in her widowhood. World Heritage Sites are places of Outstanding Universal Value and the effect of the development on the RBGK WHS is a key consideration.

221 The attributes of Outstanding Universal Value identified in the RBGK WHS management plan include:

- A rich and diverse historic cultural landscape providing palimpsest of landscape design;
- An iconic architectural legacy;
- Globally important preserved and living plant collections;
- A horticultural heritage of keynote species and collections.

222 The gardens contain 44 listed buildings. Amongst the most significant buildings at Kew is the Grade I Listed Orangery which was designed by William Chambers for Princess Augusta shortly after she established the botanic garden. As an ornamental building the Orangery is a spectacular example of the intersection of architecture and landscaping at Kew. Within the history of the garden itself the building is evidence of the role of Kew as a centre of architectural patronage, and is a forerunner of the later glasshouses that would place Kew at the cutting edge of botanical collecting and research.

223 The London Plan World Heritage Site SPG states the '*the extent of the setting* [of a World Heritage Site] *changes depending on the nature of the proposal, and includes any area in which change of development is capable of having an adverse effect on the OUV of the World Heritage Site.*' Specifically, in relation to RBGK WHS it highlights that Kew Gardens is the least urban of all the WHS in London given the '*village atmosphere of Kew Green with its church and lofty Georgian houses, together with the Victorian villas and streets around the station provides an agreeable and low key approach to the gardens. High rise development north of Kew at Brentford and along the A4 is the most tangible evidence of the Botanic Gardens urban context*'.

224 The proposal would also have a visual impact on the setting of the RBGK WHS as it will be partially visible in the background of views within the WHS. The applicants submitted HTVIA has assessed a series of views from within Kew Gardens (views 25-31). In views 25-29, the HTVIA

demonstrates that there would be no views of the development. Views 29, 30 and 31 contain long distance views of the scheme from within the WHS and the impact of the proposal on these views is discussed further below:

View 29: The Hive, Royal Botanic Gardens, Kew:

225 This viewpoint is taken from the raised area surrounding the Hive (a visitor attraction within Kew Gardens) approximately 1 kilometre to the south of the site. The existing site cannot be seen from this viewpoint. The tallest elements of the proposed development would be visible in the skyline above existing mature planting within the Gardens which would introduce a new built form element to the setting. This view already includes an awareness of the surrounding built environment including the tall buildings of the Golden Lane Estate and the introduction of the new buildings would form part of the wider urban context of this view.

226 Officers are of the opinion that in this view the proposal would result in limited impact on the setting of the RBGK WHS from this viewpoint and would not result in harm to its significance or its OUV.

View 30: Crossroads within gardens, south east of Tree House Towers Play Area, Royal Botanic Gardens, Kew:

227 This viewpoint is taken from a footpath within the Great lawn (one of the largest lawn spaces within the gardens). approximately 1.3 kilometres to the south of the site looking toward the Grade I Listed Orangery. This view provides one of the most open views of the Grade I Listed Orangery. The buildings setting within the Great Lawn contributes toward the buildings significance along with the buildings classical architectural style and its previous function for growing citrus fruits. The existing site cannot be seen from this view point however it should be noted that the tall buildings associated within the Golden Lane Estate and other tall commercial buildings along the M4 are visible in this part of the gardens.

228 The proposed development would be visible above the roofline of the Grade I Listed Orangery. It should be noted that Historic England commented that at present, the Orangery is appreciated as a free-standing structure within a garden setting with only the sky above and trees around and that the introduction of new elements above the roofline would be harmful in this prominent view. The applicant's HTVIA demonstrates that the scheme would be viewed in the context of cumulative developments including the Brentford Football Stadium which is currently under construction and the existing Golden Lane Estate.

229 Officers are of the opinion that given the height and massing of the proposal and the physical separation between the subject site and the WHS, it would not visually overwhelm the Orangery and its ability to be read as a distinct element within its setting. It is considered that the proposal would have a slight harm to the setting of the Grade I Listed Orangey and would have limited impact on the significance of the RBGK WHS or its OUV from this viewpoint both when the proposal is considered individually and cumulatively with other existing and consented development in the area.

View 31: South of lake, Palm House, Royal Botanic Gardens, Kew

230 This viewpoint is taken from within Kew Gardens to the west of the Grade I Listed Palm House approximately 1.5 kilometres to the south of the site. The existing site cannot be seen from this viewpoint. The development would be visible behind planting within the garden however it is largely obscured by this deciduous planting even in winter. The proposal would blend in as part of the urban context in this view.

231 Officers are of the opinion that in this view the proposal would result in limited impact on the setting of the WHS from this viewpoint and would not result in harm to its significance or OUV.

Conclusion

232 The proposal would generally be screened by mature tree cover within the RBGK WHS and only be visible in limited locations. The development will have limited impact upon the majority of listed structures and would not harm their setting and therefore their significance. One of the more sensitive locations in which the development can be seen is in views of the Grade I Listed Orangery, where the development can be partially glimpsed. It will however form a distant backdrop above the roofline, with a similar height to the Brentford Community Stadium development which will, once completed be visible in this view. While the GLA's Stage 1 report stated that this would not cause harm to the Grade I Listed Orangery, GLA officers having considered the revised scheme and consultation comments received have concluded that the proposal would cause slight harm (at the lower end of the 'less than substantial') to the setting of the Grade I Listed Orangery and therefore to its significance.

233 It is concluded that the schemes impact on the wider RBGK WHS, including its buffer zone and the Kew Green Conservation Area is limited. The proposal would result in a slight adverse impact on the setting and therefore the significance of the Grade I Listed Orangery. However notwithstanding the impact on the Grade I Listed Orangery as an asset in its own right, it is considered that the development does not compromise the viewer's ability to appreciate the Outstanding Universal Value, integrity, authenticity or significance of the of the RBGK WHS as a whole. There is considered to be no unacceptable adverse effect on the RBGK WHS itself, or its setting, its OUV or significance.

Conservation areas

234 As discussed above, there are eight conservation areas within 1 kilometre of the site, five of these are within 500 metres of the site. There would be views of the scheme from Gunnersbury Park Conservation Area, Thorney Hedge Conservation Area, Wellesley Road Conservation Area, Kew Bridge Conservation Area, Strand on the Green Conservation Area and Kew Green Conservation Area. View 10 (Chiswick War Memorial) of the applicant's TVHIA confirms that the proposal would be unable to be seen from Turnham Green Conservation Area.

235 The development would be predominately screened within views from the Wellesley Road, Gunnersbury Park and Thorney Hedge Conservation Areas and where it would be visible the high quality architecture would introduce a positive feature. Therefore, the proposed development would preserve the setting and cause no harm to the significance of these two Conservation Areas.

236 The Kew Bridge Conservation area includes Grade I and Grade II Listed Buildings associated with the Kew Pumping Station and the Grade II Listed Kew Bridge Station and Kew Bridge itself. The setting of the Conservation Area and listed buildings is dominated by the busy Kew Bridge Road and surrounding large scale development both existing and emerging. The listed buildings in the Conservation Area are predominantly industrial and robust in character. Where the proposal is visible in glimpsed views, its high quality architecture and use of appropriate materials would ensure that no harm is caused to the character, appearance or setting of the Conservation Area or other listed heritage assets within it and therefore the significance of these heritage assets would be preserved.

Kew Green Conservation Area

237 The Kew Green Conservation Area contains a large part of the buffer zone of the RBGK WHS and retains the original core of the historic village of Kew. The area consists of a village green including cricket pitch and is surrounding by mostly Grade II listed eighteenth and nineteenth century buildings. To the south of the green is the Grade II Listed church of St Anne which features within its churchyard the Grade II* listed tombs of Zoffany and Thomas Gainsborough both of whom painted landscapes and portraits that are considered to be influential pieces of English art history. At the west of the Green is the Grade II* Listed Elizabeth Gate which is one of the entrances to RBGK WHS.

238 Within the Conservation Area, the development would be largely screened by the buildings and trees that line the edges of the Green. Where visible between breaks in the trees (as demonstrated in HTVIA views 20 and 22) the building would appear above the roofline of the perimeter buildings; however, it would sit in the distance below the treeline and not create an intrusive or prominent feature. In addition, given the distance between the buildings on the northern side of the Green and the proposal, where the proposed the buildings would be viewed on a different plane and would be read as distinctly different architectural elements, they would not detract from the architectural value of the eighteenth and nineteenth century dwellings. As such, the development would not cause harm to the setting of the conservation area or the listed buildings to the north of the green or to their significance.

Strand on the Green Conservation Area

239 The Strand on the Green Conservation Area originated as a fishing settlement in the Bronze Age and appears to have been fairly continuously occupied. Its name derives from the waterside path populated by fishermen's cottages with orchards and fields to the rear. The opening of Kew Bridge in 1759 injected wealth into the community and this is evident in the eighteenth century houses found on the Strand itself, the most of important of which, Zoffany House, is Grade II* listed and was occupied in a lavish fashion by the German court painter Johan Zoffany (1733-1810). Zoffany's celebrated painting of the Last Supper was produced whilst he lived there, using local fishermen as models for his faces of the Disciples. Other historically significant residents of the Strand on the Green included Dylan Thomas and Nancy Mitford.

240 Zoffany House is part of a run of listed buildings from 64-71 Strand on the Green which were identified at the time of their listing for their group value. The designation of the Strand of the Green Conservation area in 1968 was one of the earliest of its kind.

241 Historic England commented in relation to the character of the Conservation Area that *'today the Strand on the Green constitutes one of three character reaches of the Thames in London that show finely grained historic buildings constructed to face the river. Of these the area is unique as the only example of its kind to be unembanked. Alongside polite houses and fishermen's cottages, Strand on the Green also consists of boat building sheds, maltings and is renowned for its riverside pubs, several of which were established in the eighteenth century. The result is a rich but informal collection of listed and unlisted buildings of great charm and visual appeal. This is properly appreciated from the south side of the river where the buildings can be understood as a group, and their relationship to the Thames is seen to its best advantage'*.

242 The Strand on the Green Conservation area appraisal sets out the areas established significance and states that the *Strand on the Green's special interest lies in its use of and setting beside the waters edge, with fishermen's cottages, boat builders' sheds, public houses, maltings and larger and more elegant private houses added in the late 18th century. The conservation area also includes the various modest but attractively detailed Victorian and Edwardian terraced housing that has made use of the former access road to service and industrial buildings to the rear of the riverside*

plots, and developed on from there. The narrow alleyways and paths between the path and rear road are of great character in their tiny scale and detailed interest. The overall effect is one of picturesque charm, where a variety of individual buildings but of common interest and scale, with narrow lanes and alleys connecting the riverside with Thames Road add to the leisure value of the pub and restaurant destinations.

243 View 23 of the applicants HTVIA (Footpath South of Oliver's Island) taken from the south bank of the river demonstrates that in its current form the eighteenth-century dwellings form the focus of the Conservation Area. However, it should be noted that the backdrop and peripheries include an appreciation of larger development (both modern and historic) reinforcing the urban centre of Kew Bridge. The existing tall building context visible in panoramic views across the Strand-On-The-Green Conservation Area includes: the historic standpipe tower forming part of the mid-late-19th century Grand Junction Waterworks (c.60 metres high located on Kew Bridge Road); Golden Lane Estate (a series of six c.24 storey mid-20th century residential towers); Rivers House (c.nine storey mid-20th century office block converted for residential use, located on Kew Bridge Road); Vantage London (c.12 storeys on the north side of the Great West Road); and the BSI Building (c.18 storeys/60 metre high located directly north of Gunnersbury Station and forming No.389 Chiswick High Road). Wheatstone house is currently under construction to the south of the site (C.9 storeys). Planning permission has also been granted and implementation has begun for Brentford Community Stadium (c.38-61 metres high adjacent to the site) and a office development on the Chiswick Curve site referred to as 'the Citadel' (C.13 storeys/59 metres on the Chiswick roundabout).

244 It is clear in View 23 that the proposal would introduce a new contemporary element to the background of the view of Strand on the Green Conservation Area effectively above the roofline of the Grade II listed dwelling, 71 of Strand on the Green when viewed from the south of the river. Due to the buildings prominence within the historic riverine setting and the contrast between the fine grained historic character and the larger contemporary proposal there would be an impact upon the setting of the Conservation Area and the listed buildings 61-74 Strand on the Green. View 23 does demonstrate that the proposal would be viewed as part of an emerging context of tall buildings being developed as part of the Brentford Community Stadium scheme, as well as the existing context as discussed above. In addition, the scheme would not appear above the roofline of the Grade II* listed Zoffany House retaining the existing setting of this building of significance.

245 It should be noted that Historic England consider the proposal would result in substantial harm to the significance of the Strand on the Green Conservation Area. In addition, they stated in their consultation response to Hounslow Council that *'there is also harm caused to the setting of each of the listed buildings along Strand on the Green from number 71 to 64. Number 71 will be seriously harmed by the introduction of a tall building directly against its roofline when seen in View 23. And as designations which share a group value the whole run of listed buildings from 71 to 64 will be harmed by the transformation of their existing riverside setting into one of intensive development on a city-centre scale'*.

246 While the proposal would be visible above the roofline of the existing buildings within the Conservation Area, it would be viewed within the context of the existing and emerging contemporary context including existing modern apartment developments further along the Thames and taller commercial and residential buildings closer to the M4. View 23 shows the scheme in the static view of the proposal which has been taken from the Thames Path on the south bank of the Thames, a kinetic environment utilised by walkers, runners and cyclists. The perspective of the scheme in relation to the Strand on the Green Conservation Area changes dependent on the viewers location on the path. Further to the west and east of the site the scheme appears completely removed from the context of the Conservation Area and in some instances, is completely blocked by the mature trees located on Oliver's Island (located in the middle of the river). The staggered nature

of the proposal mitigates any impact on the conservation area preventing the scheme of being viewed as a 'wall' of development where it is visible in the background of the Conservation Area.

247 The appeal case *'Cross Property Investment SAEL and Cross Property Investment West SARL v London Borough of Tower Hamlets'* confirmed that substantial harm is a very high test that is unlikely to arise from an impact on setting alone. The proposal would clearly be visible in the setting of the Strand on the Green Conservation Area materially altering the composition of the Conservation Area as viewed from the Thames Path. From the Thames Path on the south bank of the river, the scheme would form an addition to the wider evolving urban context to the north of the Conservation Area which includes existing tall buildings, as well as traffic noise, aeroplane traffic and contemporary alterations to some of the buildings within the Conservation Area itself. The Conservation Area appraisal lists the view of the Conservation Area from the south side of the Thames as one element of historic value or significance alongside the narrow alleys and paths and the combination of residential, fishing and pub/restaurant uses. The distinct skyline and riverside profile of the Conservation Area and its established character and ability to be understood as an informal group of finely grained historic buildings constructed to face the river will be retained. All elements considered, GLA officers consider that the proposal would result in less than substantial harm to the setting of the Strand on the Green Conservation Area and the setting listed buildings of 71-64 Strand on the Green and therefore would result in less than substantial harm to the established significance of these heritage assets.

Listed buildings

248 GLA officers have considered the impact of the scheme on the Grade I Listed Orangery Building, Grade II Listed church of St Anne, Grade II* listed tombs of Zoffany and Thomas Gainsborough, the Grade II* Listed 356 and 358 Kew Road, the Grade II Listed 71, 70 and 70A Strand on the Green and the Grade II* Listed Zofanny house in the relevant World Heritage Site/Conservation area assessments above.

249 The proposals would not impact on the setting of the other listed buildings identified in figure six due to their distance from the application site and the fact that most cases the proposed buildings would not be seen together in any significant views of these buildings.

Registered Parks and Gardens and Locally listed buildings

250 Gunnersbury Park is a Registered Park and Garden (Grade II) and Conservation area was made a public park in 1926 (it was previously a large country mansion built in C1658-63 for Sir John Maynard by John Webb and used as the summer residence of Princess Amelia in the 18th Century). Due to the open nature of Gunnersbury Park the development will be visible in various locations through the park and cemetery. Views 1 (North-west corner of Gunnersbury Park, looking south east) and 3 (Orangery, Gunnersbury Park, looking south) contained in the HTVIA demonstrate that in the open areas of the park where the development will be visible above the tree line, it will form part of the park's urban backdrop in conjunction with the towers of the Golden Lane Estate, Vantage West Building and the Brentford Community Stadium development. As demonstrated in View 2 of the HTVIA from the edge of the pond and outside the Grade II* listed Gunnersbury temple the development would be largely screened by mature trees and seen within the context of the Vantage West building. View 4 (Gunnersbury Cemetery, looking south west) and View 5 (Gunnersbury Cemetery, looking south/south east) of the HTVIA shows that the proposal would be clearly visible from parts of the cemetery, however given the separation distance and existing background development this would not be overbearing. Overall, officers consider that the proposed development would not have an adverse effect upon the setting of Gunnersbury Park, or any of the listed buildings and structures and landscape features within in and would therefore have no impact on the significance of these designated heritage assets.

251 Officers are satisfied that there would be no adverse impact on the setting and therefore the established significance of any locally listed buildings as a result of the proposals.

Archaeology

252 Historic England (Archaeology) recommends a programme of archaeological works is undertaken to mitigate any impact of the proposals on archaeological heritage assets, given the site's location within an Archaeological Priority Area, this will be secured by condition.

Conclusion on heritage assets

253 GLA officers conclude that the proposals would not have an adverse impact on the significance of almost all identified heritage assets and the amendments made to the height of the scheme following the Mayor's decision to call the application in do not cause any additional material harm. The proposal would not physically impact of the identified heritage items nor would it not have an adverse impact on the RBGK WHS or its OUV. Less than substantial harm to the significance Grade I Listed Orangery, as an asset in its own right, Strand on the Green Conservation Area and the Grade II Listed Buildings of 71 Strand on the Green has been identified as the proposal would add a new contemporary element to the continually evolving urban setting of the assets. The harm identified is a visual harm to the setting of these heritage assets affecting only one element of the assets established heritage significance. Although considerable weight and importance must be attached to this harm, the limited nature of the harm must be outweighed by the public benefits delivered by the scheme (discussed further in paragraphs 360-366 below). In coming to these conclusions, GLA officers have taken account of the statutory duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.

254 It is noted that the objection to the scheme submitted by Royal Botanic Gardens Kew refers to the cumulative impact of the proposal on the RGBK WHS when viewed alongside the Chiswick Curve. This scheme is currently subject to a public inquiry and therefore planning permission has not yet been granted for it. It is not yet therefore a committed development and its acceptability, individually and cumulative, including with this proposal is not a planning consideration for officers at this point in time.

Inclusive design

255 London Plan Policy 7.2 (An inclusive environment) and draft London Plan Policy D3 requires that all future development meets the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. London Plan Policy 7.6 (Architecture) requires that buildings and structures meet the principles of inclusive design, and Policy 3.8 (Housing choice) and draft London Plan Policy D5 require that ninety percent of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and ten per cent of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The Mayor's SPG "Accessible London: Achieving and Inclusive Environment" provides guidance on the implementation of these policies.

256 Hounslow Council's Local Plan Policies SC5 (Ensuring suitable internal and external space) and CC2 (Urban Design and Architecture) also promote accessible and inclusive design.

257 Details of accessible and inclusive design have been provided within the Design & Access Statement which focuses on the inclusive design measures within the public realm and buildings.

The application drawings and landscape drawings also show how key inclusive design features would be incorporated.

Accessible homes

258 All residential units in would meet Building Regulation requirement M4(2). A total of 44 units would meet Building Regulation M4(3), representing 10% of the units. These are split proportionally by tenure and unit sizes. Detailed layouts for the M4(3) units are included as part of the submitted drawings and will ensure that the scheme delivers accessible homes of an acceptable standard in accordance with London Plan and Local Plan policy. A condition is recommended to ensure that the units meet the relevant Building Regulations requirement.

Public realm

259 The submitted drawings and landscape drawings demonstrate that appropriate levels and gradients can be provided across the site to ensure an inclusive environment throughout. Whilst the vehicle route into the site would be a shared surface, there would be corduroy tactile paving running alongside which would alert blind or partially-sighted people. Furthermore, the low vehicle movements and low speeds associated with the access would not give rise to an unacceptable conflict between pedestrians and vehicles. The wider public realm has been designed to be inclusive to all users, including adequate illumination and tactile and visual aids for navigation. Level access would be provided to all commercial uses.

Car parking

260 The overall development would include 48 car parking spaces, of which 13 would be reserved as Blue Badge accessible parking spaces for residential units. There would also be 1 Blue Badge visitor parking space provided within the public realm. Whilst the accessible car parking provision falls short of London Plan policy requirements, it does meet draft London Plan requirements. A car parking management plan, secured through the S106 agreement, will set out measures to monitor and increase this provision, if necessary. This will be secured within the S106 agreement.

Inclusive Design Conclusion

261 For the reasons set out above, the proposal would achieve a high level of accessible and inclusive design and would comply with London Plan Policies 3.8, 6.13, 7.1, 7.2, 7.,5 7.6, draft London Plan Policies GG1, D3, D5, T6.1, T6.5, the Accessible London SPG and Hounslow Local Plan Policies SC5 and CC2.

Neighbouring amenity impacts

262 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy 7.6 (Architecture) and draft London Plan Policy D2 (Delivering good design) states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. London Plan Policy 7.7 and draft London Plan Policy D8 (Location and design of tall buildings) states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference. London Plan Policy 7.15 and draft London Plan D13 (Noise) seeks to reduce and manage noise associated with development.

263 Hounslow Council's Local Plan Policy CC2 (Urban design and architecture) seeks to ensure that development does not harm the amenity of nearby properties through unacceptable noise, vibration, traffic congestion, air pollution, overshadowing, overbearing, poor outlook, privacy or daylight and sunlight. Policy CC3 (Tall buildings) specifically addresses the impacts of tall buildings, including their impact on microclimate.

264 Owing to the commercial character of its location, the site is relatively isolated from existing residential properties. The closest existing permanent residential properties to the site are the terraced housing on the other side of the South Circular to the south-east. Wheatstone House which is currently under development to construct 95 residential units is also located to the southeast of the site.

265 Residential development is also currently being developed to the west of the site as part of the redevelopment of the Brentford Community Stadium site.

266 Additionally, to the north is a cleared site being used for storage. To the east is a VW car garage and to the immediate south, is the Brentford Leisure Centre.

Daylight and sunlight assessment

267 The applicant has submitted a full daylight/sunlight assessment within the Environmental Statement (ES), which considers the impact of the proposal upon existing nearby properties and also the resultant daylight and sunlight levels within the proposed residential units and public spaces. The ES has been updated to reflect amendments made to the scheme. The analysis is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component for assessing daylight and Annual Probable Sunlight Hours (APSH) for assessing sunlight. It also assesses average daylight factor (ADF) for the proposed properties at Wheatstone House.

268 Vertical Sky Component (VSC): This method of assessment is a "spot" measurement of daylight, taken at the mid-point of a window. It represents the amount of visible sky that can be seen from that reference point from over and around the obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky and therefore represents the amount of daylight available for that particular window. The maximum VSC value is almost 40% for a completely unobstructed vertical wall or window. A window may be adversely affected if its VSC measured at the centre of the window is less than 27% and less than 0.8 times is former value.

269 It should also be noted however that the 27% VSC recommended guideline is based on a low density suburban housing model and in an urban environment it is recognised that VSC values in excess of 20% are considered as reasonably good, and that VSC values in the mid-teens are deemed acceptable.

270 Average Probable Sunlight Hours (APSH): In relation to sunlight and overshadowing, the ES sets out an analysis of APSH of windows which face the site and are located within 90° of due south (as per the application of the BRE Guidelines). A window may be adversely affected if a point at the centre of the window receives for the whole year less than 25% of the APSH, including at least 5% of the APSH during the winter months (September 21 to March 21) and less than 0.8 times its former sunlight hours during either period, and for existing neighbouring buildings, if there is a reduction in total APSH which is greater than 4%.

271 To confirm, the BRE Guidance is intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and should not be used as an instrument of planning policy. Of particular relevance, the Guidance states: *"This guide is a*

comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location." As stated above, the Guidance is based on a suburban model, and in urban areas such as this one, VSC values of less than 27% would be considered to maintain reasonable daylight conditions.

272 Given the location and surroundings, the residential properties with the potential to be most impacted as a result of the proposal are listed below:

- 525 Chiswick High Road
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- 561 Chiswick High Road
- 563 Chiswick High Road
- 565-569 Chiswick High Road
- Wheatstone House
- Capital Court

273 Daylight: The ES sets out an analysis of 94 windows in the residential properties referred to above, using the VSC criteria. The assessment concludes that all windows analysed would either retain a VSC of at least 27% or retain a VSC which is at least 0.8 times its former value, thereby meeting BRE Guidance criteria in regard to VSC. As such, the impact is considered to be acceptable.

274 Sunlight: the scheme's impact on sunlight to surrounding properties has not been tabulated in the applicant's ES as no existing surrounding properties have site facing windows orientated within 90 degrees due south and therefore this assessment was not required.

275 The Council's planning officers confirmed in their committee report that they considered the impact on neighbouring properties in terms of daylight and sunlight to be acceptable, and GLA officers concur with this view. There would be no material increase in the level of impact as a result of the increase in height of the proposal now proposed. The limited losses of daylight and sunlight that would occur to certain windows in adjacent residential properties are within the levels of acceptability in an urban environment and the scheme achieves a very good level of compliance with relevant BRE Guidance. The impact on commercial properties is also acceptable.

276 The internal daylighting for units within the propose scheme has been considered in paragraphs 149-150.

Overshadowing

277 The applicant's ES also looks at the impact of the scheme in terms of overshadowing to amenity and public spaces. The BRE Guidance suggests that where large buildings are proposed, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year. The path of the sun is tracked to determine where the sun would reach the ground and where ground would be overshadowed. BRE Guidance recommends that at least 50% of a garden or amenity area should receive at least 2 hours of sunlight at the Spring Equinox (21 March) to appear adequately sunlit, or else the area which receives 2 hours of direct sunlight on 21

March should not be reduced to less than 0.8 times its former value (i.e. reduced by more than 20%).

278 The applicant identifies Kew School Play Area as the only sensitive receptor and GLA officers agree with this assessment. The ES considers the overshadowing impacts to this public space. When compared to the baseline analysis the proposal would not cause any additional overshadowing to the play area and therefore fully complies with the BRE guidelines.

Privacy

279 Hounslow Council's policies do not specify minimum privacy distances between existing and proposed units, but require developments to avoid overlooking and loss of privacy. The Mayor's Housing SPG (March 2016) notes that commonly used minimum separation distances between habitable rooms of 18-21 metres are yardsticks, but advocates a more flexible approach to managing privacy.

280 In this case, all of the nearby existing residential buildings are at least 90 metres from the proposed buildings. The proposed homes within the Wheatstone House are approximately 60 metres from the proposed buildings. The proposed homes within the Brentford Community Stadium scheme (referred to as Capital Court) are at least 25 metres from the proposed buildings. Both these proposals are in excess of the yardstick distances of 18-21 metres referred to in the Mayor's Housing SPG, and the development would have no demonstrable harmful impact on privacy to existing or proposed homes in the vicinity of the site.

281 The impact on privacy to the proposed units within the scheme itself has been addressed at paragraphs 152-153 above.

Noise

282 The applicant's ES reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases.

283 During the construction phase, there will inevitably be some abnormal noise caused to nearby residential properties caused by construction activities and vehicles. These impacts will be temporary, confined to normal working hours (8am to 6pm) and can be controlled through the implementation of mitigation measures outlined in a construction environmental management plan (CEMP) (covering hours of works, use of Best Practicable Means, "quiet piling" techniques, erection of hoardings etc). The submission and implementation of the CEMP will be secured by condition.

284 During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be confined to noise from plant and services, as there are no inherently noisy activities proposed. A condition is imposed requiring details of plant and machinery associated with the development to be approved. This will ensure that noise from plant will be at least 5dB below background noise level, measured at the nearest residential premises, along with other mitigation such as screening.

285 Whilst the ES has not specifically considered the impact on the future residents from noise from commercial uses on the site, officers note that the proposed small scale commercial uses are compatible with residential uses and consider that any noise impacts can be adequately controlled via the imposition of conditions limiting the opening hours for any Class A3 (cafe/restaurant) uses. As mentioned in paragraph 146 above, conditions are also attached to ensure that the building envelope of the buildings are adequately sound insulated to protect future residents against adverse noise conditions from road traffic.

Neighbouring amenity impacts conclusion

286 The assessment above has been based on the information provided by the applicant and analysis by borough officers and GLA officers. It is concluded that on balance and having regard to the increase in scale proposed following amendments to the scheme, given the context and scale of impact, the proposal would not result in a level of sunlight or daylight loss to neighbouring residential properties to warrant alteration to or rejection of the scheme. Furthermore, the overshadowing impacts associated with this development are acceptable; the development would not cause loss of privacy; and issues of noise and disturbance would be adequately mitigated through planning conditions. The impact of the proposals on the residential amenity of existing residents close to the site would be acceptable, and the proposals therefore comply with London Plan Policies 7.6, 7.7 and 7.15, draft London Plan Policies D2, D8 and D13 and Hounslow Policies CC2 and CC3.

Sustainability and climate change

287 London Plan climate change policies, set out in Chapter Five, collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.1 (Climate change mitigation) sets out the strategic approach to reducing carbon emissions in London, and Policy 5.2 (Minimising carbon dioxide emissions) sets out an energy hierarchy for assessing applications. Policy 5.2 sets a minimum target for carbon dioxide emissions reduction in new buildings of 35% beyond Part L of the Building Regulations (as amended 2013) for commercial buildings and zero-carbon for residential buildings. London Plan Policy 5.3 (Sustainable design and construction) requires future developments to meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management.

288 Draft London Plan climate change policies are set out in chapter 9, again collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, minimise carbon dioxide emissions and meet the highest standard of sustainable design. The policies go further than the current London Plan setting more stringent standards regarding air quality, greenhouse gas emissions, energy infrastructure, water infrastructure and waste and the support for the circular economy. Draft London Plan Policy G5 (Urban Greening) states that all major development proposals should contribute to the greening of London.

289 The Mayor's Sustainable Design & Construction SPG sets out how these policies should be implemented.

290 Hounslow Council's Local Plan Policies GB4, GB7, EQ1, EQ2, EQ3, EQ4 and EQ7 set out the borough's approach to climate change and requires developments to meet the highest standards of sustainable design, including sustainable drainage and the conservation of energy and water and meeting London Plan carbon reduction standards.

Energy

Energy strategy

291 The applicant has submitted an energy strategy for the site. This sets out measures to reduce carbon dioxide emissions beyond the 2013 Building Regulations in excess of 35%, in compliance with the London Plan target. In reporting the application at Stage 1, it was observed that the scheme broadly followed the London Plan energy hierarchy, with a range of passive design features and demand reduction measures proposed, together with combined heat and power (CHP)

and renewable energy sources, and that the carbon savings met the London Plan's targets. There did remain outstanding issues that required resolution before it could be confirmed that the scheme was fully in accordance with the London Plan and since that time further discussion has taken place. This related to details of measures to reduce overheating and clarification of CHP performance.

292 Energy efficiency (Be Lean): A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include, mechanical with ventilation heat recovery (MVHR) units and insulated pipework. The demand for cooling will be minimised through solar control glazing and shading by balconies.

293 District heating (Be Clean): The applicant carried out an investigation into whether there were any existing or proposed district heating networks within the vicinity of the proposed development. It was confirmed that there are no existing or proposed district heating networks within the vicinity of the proposal. The applicant is proposing to install a site heat network connecting all the proposed uses, served by an energy centre at ground floor level. This system would enable future connection to an area wide network and the applicant will be required to continue to prioritise connection through a S106 obligation. The applicant is proposing to install a gas fired CHP unit as the lead heat source.

294 Renewable technology (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies and has identified photovoltaics (PV) as well as Air Source Heat Pumps (ASHPs) as the most suitable renewable technologies. A total of 750 sq.m. of PV panels is proposed.

295 Overall savings: Based on the energy assessment submitted, a reduction of 238 tonnes of carbon dioxide per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant development for the residential element, equivalent to an overall saving of 36%. For the non-residential element, the savings would be 15 tonnes per annum, or 35%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan for the commercial element of the scheme, but not for the residential zero-carbon requirement. A contribution is therefore required to make up for this deficit, which has been estimated at £768,600 and will be paid into Hounslow's carbon offset fund, to be secured in the S106 agreement.

296 A condition is also recommended requiring an updated energy strategy to be submitted and approved prior to occupation. This will enable a more accurate assessment of the carbon dioxide savings to be made at that time. In this respect, the proposals are in compliance with London Plan and borough policies on energy efficiency and carbon savings.

Flood risk and drainage

297 London Plan Policy 5.12 (Flood risk) and draft London Plan Policy SI12 seeks to ensure that developments address flood risk and incorporate flood resilient design. Policy 5.13 (Sustainable drainage) and draft London Plan Policy SI13 states that developments should use sustainable urban drainage systems (SUDS), and should ensure that surface water run-off is managed as close to its source as possible in line with the London Plan drainage hierarchy.

298 Hounslow Local Plan Policy DMS5 (Flood risk management) seeks to ensure that flood risk is reduced by ensuring developments are located appropriately and incorporate any necessary flood resistance and resilience measures and to manage surface water through sustainable drainage.

299 The application is supported by a Flood Risk Assessment (FRA) and drainage strategy as part of the ES which assesses any likely significant effects of flooding and drainage. The site is

located within Flood Zone One (low risk) however it is located within an area that has the potential for elevated groundwater and there are historic records of groundwater flooding within the immediate vicinity of the site.

300 Hounslow's reason for refusal five is related to the fact that the information submitted with the proposal was insufficient to determine if the proposal meets London Plan Policy 5.13 (sustainable drainage) and Hounslow Local Plan Policy EQ3 (Flood Risk and Surface Water Management). Following the Mayor deciding to call the application in the applicant submitted a revised surface water drainage strategy that responded to concerns raised by Hounslow's local lead flood authority and the GLA's inhouse flooding and drainage experts. GLA officers have assessed the FRA and have determined that the development would be at low risk from flooding.

301 The site is currently largely impermeable, and the development would introduce a range of sustainable drainage and water attenuation measures such as infiltration in soft landscaping areas, permeable paving blocks, green and blue roofs and beneath ground water storage tanks to improve the existing surface water run off levels. These measures would restrict peak surface water flows to greenfield rates in line with London Plan and draft London Plan policy.

302 GLA officers recommend that a detailed drainage strategy and a site specific maintenance plan is submitted by condition and discharged in consultation with the Lead Local Flood Officer. These conditions have been secured. The development thus complies with London Plan Policies 5.12 and 5.13, draft London Plan Policies SI12 and SI13 and Hounslow Local Plan Policy EQ3

Sustainability strategy

303 The applicant has submitted a Sustainability Report for the site, which sets out a number of climate change adaptation measures proposed in the design and construction process. Where appropriate, the themes within the Sustainability Statement have been considered separately in this report under sections addressing energy, flood risk and drainage, transport, ecology and biodiversity, waste management and landscape. The remaining themes are considered as follows:

304 BREEAM: The applicant is targeting a BREEAM "excellent" rating for the non-residential floorspace. It is recommended that the commitment relating to BREEAM is secured by way of planning condition, in line with the requirements of Hounslow Local Plan Policy EQ2.

305 Water use demand: The applicant has set out the measures that would be incorporated into the scheme to reduce the water demand of the development, including water metering and use of water efficient appliances and fittings. This is welcomed in accordance with London Plan Policy 5.15 (Water use and supplies), draft London Plan Policy SI5 and Hounslow Local Plan Policy EQ2. The implementation of these measures will be secured by condition.

306 Materials and construction waste recycling: The applicant has set out commitments using deconstruction techniques where possible in order to recycle materials, and to using local sources for materials where possible. A site waste management plan would be implemented, with targets to be agreed for recycling waste and reduced waste to landfill. The commitments within the site waste management plan would be secured by condition.

Trees and urban greening

307 London Plan Policies 5.10 and 7.21 seek to retain existing trees of value, or mitigate their loss, and require developments to incorporate urban greening measures. Draft London Plan policies G5 and G7 go beyond the London Plan policies by embedding urban greening measures and retention of existing trees of quality into the planning process. As set out in draft London plan Policy G5 the Mayor has developed a generic Urban Greening Factor model to assist boroughs and

developers in determining the appropriate provision of urban greening for new developments. This is based on a review of green space factors in other cities. The factors outlined in Table 8.2 of the policy are a simplified measure of various benefits provided by soils, vegetation and water based on their potential for rainwater infiltration as a proxy to provide a range of benefits such as improved health, climate change adaption and biodiversity conservation.

308 Hounslow Local Plan Policy GB4 seeks to ensure proposals incorporate elements of green infrastructure on site to integrate into the borough's wider network of green infrastructure, and assist in greening the borough. This includes the provision of green roofs, sustainable drainage systems, trees, squares, plazas and pedestrian routes. Local Plan Policy GB7 seeks to encourage greening of the borough through landscaping and tree planting and the protection of existing trees through Tree Preservation Orders (TPOs).

309 As discussed above the site is dominated by hardstanding with limited boundary planting. The applicant undertook an arboricultural study of the site which identified that there are no trees on the site protected by a TPO however the survey did identify that the site contains a number of early-mature and mature trees which are predominately considered to be in good condition. The study concluded however that retention value of the existing trees was low because they were growing in a hostile environment including planting pits and hard surfacing which serve to downgrade the longevity of the trees. The applicant is proposing the removal of ten individual trees and one group of five trees (all of the existing trees have been assessed in the applicant's arboricultural report as category C trees (of low quality and value) with the exception of a Whitebeam Tree which is considered to be a category B tree (of moderate quality and value)) as well as the removal of two areas of shrub planting to facilitate the development.

310 The proposal seeks to maximise the quantum of soft landscaping by incorporating new green spaces planting and brown roofs resulting in a significant uplift of planting on site including a net gain of trees across the site (approximately 106 trees will be planted in the scheme of a variety of species, size and level of maturity). While it is acknowledged that the draft London Plan has limited weight, the urban greening factor of the proposal has been calculated in accordance Policy G5 which recommends a target score for residential development of 0.4. It is noted that Hounslow don't yet have an urban greening target score for the borough. The urban greening score for the proposal is 0.17. While this falls short of the Mayor's target, the proposal does provide a significant uplift in greening and trees (an uplift of 91 trees) on the existing site and utilises all greening measures identified by the Mayor including high quality landscaping, green roofs and nature based sustainable drainage. On balance, given the uplift in green cover and tree planting, the urban character of the scheme and the public benefit of the new square and public realm, it is considered that the proposal maximises urban greening provision and the level of green space is considered to be acceptable.

311 It is considered that the landscaping proposals for the site significantly enhance the wider area. Conditions will be secured that require a full landscaping and maintenance scheme to be submitted and approved to ensure the proposals are carried through to the build out. The proposal is considered to be compliant with London Plan, and Local Plan policies on trees and urban greening. While it doesn't meet the draft London Plan urban greening target, given the specific circumstances discussed above, this is considered acceptable. Hounslow officers did not discuss the level of green spaces and trees on the site in their delegated report. GLA officers consider that given the increase in greenspace and trees and the high quality of the landscaping to be delivered, the application is considered to be policy compliant in respect of urban greening and trees.

Ecology and biodiversity

312 London Plan Policy 7.19 and draft London Plan Policy G6 require developments to make a positive contribution to the protection, enhancement and creation of biodiversity. Local Plan Policy

GB7 seeks to ensure all developments protect and enhance the borough's natural environment and increase the quantity and quality of the borough's biodiversity.

313 The site does not fall within the boundaries of any statutory or non-statutory sites of nature conservation and is not designated for any nature conservation purposes. A preliminary ecological assessment and bat survey have been carried out and forms part of the applicant's ES. This concluded that the habitats within the site are of value to wildlife within the immediate vicinity only, as having the potential for providing suitable breeding habitats for a range of bird species.

314 As such, it is recommended that a condition requiring site clearance to be undertaken outside the bird nesting season (February-August) is imposed. Where this is not possible, an appropriately qualified ecologist should assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.

315 Ecological enhancements are also proposed, including bird and bat boxes as well as soft landscaping and green and brown roofs. A lighting strategy will also ensure that the proposed lighting does not unduly impact on protected species. Details of these measures will be approved by condition and accordingly it is considered the scheme would be in accordance with strategic and local policy on ecology and biodiversity.

Conclusion on climate change and sustainability

316 The proposed development would minimise carbon dioxide emissions to meet London Plan targets and local policy regarding climate change. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has committed to achieve high standards in sustainable design and construction. In these respects, the development is in compliance with relevant planning policies regarding sustainability and adapting to climate change.

Other environmental issues

Air quality and odour

317 London Plan Policy 7.14 (Improving air quality) seeks to ensure that new development minimises increased exposure to existing poor air quality and makes provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)) and be at least "air quality neutral". Draft London Plan Policy SI1 goes further to state that development within Opportunity Areas should propose methods of achieving an 'air quality positive' approach. Hounslow Local Plan Policy IS4 seeks to reduce the potential air quality impacts of development and promote air quality conditions across the borough in accordance with the Hounslow Air Quality Action Plan.

318 The whole of Hounslow, including the application site, is within an AQMA. The applicant has submitted an assessment of the proposal's impact on air quality, set out in the Environmental Statement. This looks at the impacts of demolition and construction, and traffic generated by the scheme, as well as the impact of traffic pollution on the health and comfort of future occupiers of the development. An Air Quality Neutral Assessment has been submitted.

319 *Construction Phase.* Whilst the risk to air quality from dust and vehicle emissions during demolition and construction would be high if not mitigated, with proposed mitigation measures, including following best practice to reduce dust emissions from works, the likely effects would be reduced so as not to be significant. As such a planning condition is recommended that requires the

approval and implementation of an Air Quality and Dust Management Plan (AQDMP). In addition, in order to comply with London Plan policy 7.14(b) and the associated SPG "Control of Dust and Emissions during Construction and Demolition" compliance with the Non-Road Mobile Machinery Low Emission Zone will also be secured by condition. Subject to these conditions, the likely temporary effects on air quality during the construction period are acceptable.

320 *Operational Phase*. The site is located close to both the A4 and the M4 and as a result experiences high levels of air pollution. The main polluting operations associated with the proposed development once built include emissions from traffic movements and the CHP plant. The applicant undertook dispersion modelling to quantify the pollutant concentrations at the site and assess potential exposure of future users. The modelling indicated that annual mean nitrogen dioxide concentrations were above the relevant air quality standards across the development site on the ground floor and first floor levels. Additionally, predicted nitrogen dioxide concertation's were classified as APEC Category B at some residential units located on the second and third floor. The application has proposed mechanical ventilation with heat recovery (MVHR) to mitigate the impact onto future residents and visitors from elevated concentrations. This mitigation measure is considered acceptable subject to a condition to ensure that the design of the ventilation system is suitable.

321 Having reviewed the applicant's air quality study, GLA officers consider that identified air quality impacts can be suitably mitigated via the proposed design interventions and conditions and therefore the proposal is considered to meet the Air Quality Neutral Standard. Hounslow Council officers concurred with this assessment. It should be noted that the wording of the air quality conditions secured reflect the draft London Plan's higher targets for improved air quality.

Wind

322 London Plan Policy 7.7 (Location and design of tall and large buildings) and draft London plan Policy D8 state that tall buildings should not affect their surrounding adversely in terms of (amongst other things) microclimate and wind turbulence. The Mayor's Sustainable Design and Construction SPG identifies the Lawson Criteria as a means for identifying suitability of wind conditions. Hounslow Local Plan Policy CC3 requires tall buildings to address climatic effects on their surroundings, including wind conditions.

323 The applicant's ES reports on an assessment on wind microclimate, based on wind tunnel testing without landscaping in place, in order to create a 'worst case' set of results under the Lawson Criteria. Sensitive receptors that were assessed include locations at ground floor around the site, including surrounding footways and public spaces. Within the scheme itself, proposed open spaces and a significant number of proposed private amenity spaces (balconies) were tested.

324 Overall wind conditions in and around the proposed development show that the spaces are mostly suitable for their intended uses with isolated areas of stronger than desired wind conditions or exceedances of strong winds around some thoroughfares, two entrances, podium terraces and some terraces and corner balconies. Mitigation measures are proposed in the form of canopies and the recessing of balconies as well as landscaping proposals and a condition is imposed requiring details to be approved.

325 As such, with the mitigation measures in place, the proposals are not likely to have an adverse impact on wind conditions for people on the site, or using surrounding areas.

Waste

326 London Plan Policy 5.17 (Waste capacity) requires adequate provision for waste and recycling storage and collection and Policy 5.18 (Construction, Excavation and Demolition Waste)

requires applicants to produce site waste management plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

327 Draft London Plan Policy SI7 seeks to reduce waste and increase material reuse and recycling and promotes a circular economy. The policy also sets several waste targets including a strategic target of zero biodegradable waste or recyclable waste to landfill by 2026.

328 Hounslow Local Plan Policy EQ7 requires development proposals to incorporate suitable arrangements for waste management, including the location, size and design of waste and recycling facilities and transport access.

329 Construction waste: The applicant has committed resource efficiency and material management during construction, including targets for directing construction waste away from landfill, and planning conditions are recommended to ensure that contractors adhere to this plan.

330 Operational waste: The applicant has prepared an operational waste strategy for the site. This has the following key themes:

- Each residential unit will be provided with adequate space to allow segregation of waste;
- Each residential block would be provided with a dedicated bin store at ground floor accommodating communal bin storage for each waste stream;
- On collection days, the Council waste management contractor will park their refuse collection vehicle in the loading bay adjacent to each of the waste storage areas and will collect the bins directly from the stores; and
- Adequate provision is made for commercial waste, with separate bin stores distributed across the scheme and access for collection vehicles via the nearest layby on either Capital Interchange Way or the internal service road.

331 The Council's waste officer has not provided comment on either the previous scheme design, or this scheme as presented which has since been amended to increase the capacity of bin stores commensurate with the increase in unit numbers. However, waste storage and collection arrangements were not cited as a reason for refusal by Hounslow Council. Further information is required to ensure that adequate waste management facilities are provided and it is necessary to impose a condition requiring an amended detailed waste strategy to be submitted and approved by the Council.

Contaminated land

332 London Plan Policy 5.21 (Contaminated land) supports the remediation of contaminated sites and bringing contaminated land back into beneficial use. Hounslow Local Plan Policy EQ8 requires measures to be taken to ensure that development is safe regarding the re-use of land.

333 The applicant's ES reports on the findings of an assessment of ground conditions and likely significant contamination effects. As with most previously developed sites with a history of oil and chemical use, some land contamination is likely. The contaminated land report has identified the potential for the presence of contaminants such as polyaromatic hydrocarbons, phenols, creosotes, total petroleum hydrocarbons, sulphates, cyanides, heavy metals and metalloids in soil and groundwater from the previous site uses.

334 Both the applicant's investigation report and Hounslow officers concluded that the risks posed from soil; and ground contamination on the site range from negligible to medium. To minimise risk to human health and controlled water regulators planning conditions have been secured requiring a phased hardstanding strip and placement of a clean capping layer on areas of proposed soft landscaping. Subject to these, and a condition requiring the approval and

implementation of an appropriate construction environmental management plan, and a site investigation report (as requested by Hounslow's Land Quality Team), the potential contaminated land will not cause a significant risk.

Transport

335 The NPPF states that *"Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives… The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel."* London Plan Policy 6.1 applies these principles within the strategic approach for transport in London. Other relevant strategic transport policies in this case include: Providing public transport capacity and safeguarding land for transport (Policy 6.2); Assessing effects of development on transport capacity (Policy 6.3); Enhancing London's transport connectivity (Policy 6.4); Funding Crossrail and other strategically important transport infrastructure (Policy 6.5); Better streets and surface transport (Policy 6.7); Cycling (Policy 6.9); Walking (Policy 6.10); Smoothing traffic flow and tackling congestion (Policy 6.11); Road network capacity (Policy 6.12); Parking (Policy 6.13); The Mayor's priorities for planning obligations (Policy 8.2); and, Mayoral Community Infrastructure Levy (Policy 8.3).

336 The Mayor's Transport Strategy (2018) (MTS) looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. The MTS seeks to impose high expectations on developers to deliver transport solutions that will promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. It will also seek to restrict car parking provision within new developments, with those locations more accessible to public transport expected to be car free or car-lite. Provision for car parking should be minimised and designed for alternative uses in the future as car dependency decreases.

337 The aspirations of the Mayor's Transport Strategy is embedded in the policies of the draft London Plan particularly the policy approaches such as 'Healthy Streets', 'Good Growth' and the Mayoral mode share targets. Draft London Plan Policy T1 sets the Mayor's strategic target of 80 per cent of all trips to be made by foot, cycle or public transport by 2041. Draft London Plan Policy T2 seeks to ensure that development proposals deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Draft London Plan Policies T3-T6 seek to enable the achievement of the Mayor's strategic target.

338 Hounslow Local Plan Policy EC2 states that the Council will promote 'car free' or 'low car' developments. The policy defers to London Plan standards for car parking, cycle parking, motorcycle parking, coach parking and electric vehicle charging. The policy also states that development proposals must demonstrate that adverse impacts on the transport network are avoided including preparation of Transport Assessments for all major schemes, and providing contributions or improvements to transport networks. The draft Brentford SPD states that development proposals should consider potential new routes across the area and actively promote their integration with existing routes on site and neighbouring sites. The emerging framework has identified six potential new routes including 'Capital Interchange Way to Power Road' and 'Capital Interchange Way to Lionel Road Station and Gunnersbury Park' which would facilitate people to and from the new Brentford Stadium past the site to Gunnersbury Station.

339 Issues with respect to transport were considered by the Council as having been satisfactorily addressed, subject to agreement of appropriate planning conditions and section 106 obligations to secure necessary mitigation measures. Transport does not feature in the Council's proposed reasons for refusal. The Mayor's Stage 1 comments concluded that some further work was required on

capacity on the public transport network, impacts on the local and strategic highway network, walking and cycling routes, public realm and arrangements for access and servicing, construction logistics as well as the adequacy of supporting measures including the travel plan.

340 These matters have been satisfactorily resolved subject to planning conditions and section 106 obligations.

Trip generation

341 The Transport Addendum dated May 2018 estimates that the development will generate 266 two-way person trips in the AM peak and 277 in the PM peak across all modes of transport. Of those trips, 57 two way vehicles trips are predicted in the AM peak hour and 58 in the PM peak hour. The existing use on site currently generates 27 and 20 two-way vehicle trips in the AM and PM peak hours respectively. Therefore, the total net change in vehicle trips generated by the development is 30 in the AM peak hour and 38 in the PM peak hour. As such, it is concluded that the proposals would not materially impact on traffic flow on the Transport for London Road Network (TLRN) or the wider highway network.

342 The Transport Assessment also predicts that the majority of trips will be made by public transport, walking and cycling. It is estimated that the proposal will generate 209 combined public transport/walk/cycle trips in the AM peak hour and 218 in the PM peak hour. This level of trips emphasises the need to ensure a high quality pedestrian and cycle network within the immediate area.

Car parking

343 The proposed development includes the provision of 48 car parking spaces for the residential element of the development only, which equates to a car parking ratio of 0.14 spaces per dwelling. This is an improvement compared to the original proposal, that proposed a car parking ration of 0.16 spaces per dwelling. The commercial element of the development is car free with the exception of one blue badge parking space. Whilst the public transport accessibility of the site presents an opportunity for a car free residential development (with the exception of Blue Badge provision), the level of parking proposed is considered acceptable in accordance with strategic and local policy.

344 In line with the draft MTS, the proposed development is car-lite and supported by the provision of a car club space and electric vehicle charging points, along with high quality walking and cycling provision to encourage mode shift away from the private car.

345 A total of 14 Blue Badge car parking spaces are proposed (13 for the residential uses and one for the commercial). Whilst this is short of the London Plan requirement (which would require one space per accessible unit, and 1 space for the commercial uses equating to 45 spaces) it meets the draft London Plan which requires at least one designated blue badge parking bay per dwelling for three per cent of dwellings is available from the outset as well as one space for the commercial uses. The car parking management plan to be secured via S106 agreement will be required to include a mechanism whereby demand for disabled parking is monitored and should demand arise the provision will need to be increased. In line with draft London Plan parking standards, 20% of the parking spaces will be provided with electric vehicle charging points (EVCP) and with the remainder to have passive provision, this will be secured by planning condition.

346 In order to prevent parking overspill and to encourage the use of sustainable modes, the development will be subject to an appropriate legal restriction whereby occupiers will be exempt from accessing parking permits for the surrounding Controlled Parking Zones (CPZs).

347 A car parking management plan along with the provision of one car club space and two years free car club membership will be secured through the S106 agreement.

Cycling

348 The application proposes 881 cycle parking spaces; consisting of a total of 816 long stay spaces and 65 short stay spaces. The long stay residential cycle parking provision will be provided in a mixture of enclosed cycle stores within the ground floor car park and at first floor podium level specific to each residential block. The short stay spaces will be located within the first floor podium. Cyclist changing facilities with showers and lockers would also be provided within the commercial part of the development in accordance with London Plan Policy 6.9B. The overall level of cycle parking proposed is acceptable and would exceed the minimum standards set by London Plan Policy 6.13 and Table 6.3 meeting the minimum standards set by draft London Plan Policy T5 and Table 10.2. The details of the cycle parking provision will be secured by condition.

Public transport

349 The site is served by six bus routes, at a capacity of one every 4-14 minutes. The development is expected to generate 18 two way bus trips in the AM peak hour and 20 in the PM. It has been confirmed by Transport for London (TfL) officers that this can be accommodated within the existing bus network capacity. Therefore, mitigation for bus service improvements has not been sought for this development.

350 Kew Bridge National Rail Station and Gunnersbury Underground Station are located within an acceptable walking distance to the site. Hounslow's officer report notes that Gunnersbury Station suffers from capacity constraints in the AM peak and already implements crowd management measures during peak hours. The development is expected to generate an additional 60 departures and 14 arrivals during the AM peak at Gunnersbury Station. This equates to an average of additional six passengers per peak time train. Hounslow and TfL officers are currently working to identify ways in which to increase the station capacity. This has been identified by Hounslow officers in their report and the lack of a S106 obligation to secure a contribution toward Gunnersbury Station is part of Hounslow's fourth reason for refusal. GLA officers have secured a contribution of £30,000 from the applicant to be used toward capacity improvements at Gunnersbury Station to mitigate the additional impact the scheme would have on the station. The draft Brentford SPD identifies that developments should facilitate enhanced accessibility to Gunnersbury Station and the scheme delivers this through both the contribution to improve public transport capacity, and the delivery of public realm and connections linking with the adjacent Brentford Community Stadium development with public transport as discussed further below.

351 Given the range of public transport options in this area and having regard to the predicted demand from these proposals, the development would not adversely impact the capacity of Kew Bridge Station or local bus routes. A contribution has been secured towards capacity enhancements at Gunnersbury station in acknowledgment that the station is already at capacity in the AM peak and the scheme would cause additional impact

Highway access and public realm works

352 It is proposed to stop up the two existing vehicular accesses on Capital Interchange Way and to provide two new vehicle accesses adjacent to the site boundaries with the Volkswagen Dealership and Leisure Centre sites. The applicant is required to engage with TfL and the Council on the detailed designs of the stopping up of the existing access and the proposed new site access, through a S278 agreement for highway works associated with the development, including the site access, which will be secured through the S106 agreement.

Pedestrian and cycle routes

353 The proposed development will see an increase in pedestrian and cycle trips to / from the site and the local area. Public realm improvements are proposed along the entire site boundary on Capital Interchange Way as well as a large public plaza to the south of the site which will form part of the key route for football supporters on match days to the Brentford Community Stadium (currently under construction), linking across the proposed bridge to the north of Capital Interchange Way. Legible London signage has been secured to clearly signpost this route.

354 The high-quality pedestrian and cycle environment proposed will contribute to the Mayor's "Healthy Streets" agenda for encouraging active travel and mode shift away from the private vehicle.

Delivery, servicing, construction and travel planning

355 The development provides two loading bays on the new access road supported by three on-street servicing and delivery bays on Capital Interchange Way to the north of the site. A concierge will be located to the south-western corner of the site will be available to manage servicing and deliveries to the whole site. It is proposed that use of the onstreet delivery bays will be suspended on match days at the nearby Brentford Community Stadium. The scale of the predicted service trips is not a concern given that they are spread throughout the day and noting the predicted net increase in peak hour vehicle trips generated by the development and quantum of vehicle trips generated by the existing use on site. Both the Council and TfL agree that the deliveries and servicing arrangement proposed are acceptable and accord with London Plan Policies 6.3, 6.13D, 6.14 and 2.15C. The proposals are also in accordance with Hounslow Local Plan Policy EC2. Furthermore, a Deliveries and Servicing Plan (DSP) is secured by condition. The DSP would set out how delivery and servicing movements will be controlled, managed and adhered to by all occupiers.

356 London Plan Policy 6.14B promotes the uptake of construction logistics plans (CLP) and the TfL Fleet Operators Recognition Scheme (FORS), to minimise the impact and safety risks of construction activities on people and the transport network. This will be secured by condition.

357 An outline residential Travel Plan has been submitted as part of the application, which will be used as the basis for a full Travel Plan prepared for the development prior to occupation. This will be secured, monitored, reviewed and enforced through the S106 agreement.

Conclusion on transport

358 The proposals for a high density residential led mixed use scheme in a very accessible location accords with the London Plan policy of encouraging such development in locations that give rise to patterns of development that minimise the need to travel, particularly by car. The development will make acceptable alterations to the public realm around the site in order to accommodate the expected pedestrian and cycle demand and will encourage sustainable travel.

359 Subject to a suitable framework of controls and mitigation as identified above being secured through the S106 agreement and use of appropriate planning conditions, the transport impacts of this development are in accordance with strategic and local transport policies in the London Plan (Policies 6.1, 6.3, 6.5, 6.9, 6.10, 6.12, 6.13, 6.14, 8.2 and 8.3); Hounslow Local Policies EC1 and EC2.

Socio-economic

360 The applicant's ES has modelled the impact of the development on social infrastructure in the area, including schools and healthcare facilities. The development is expected to generate 894 residents, including 200 school age children. The ES concludes that there is adequate capacity within local schools to cater for the expected child population of the development. Furthermore, the additional population of the development would not necessitate the need for a new GP. The development would also make a substantial Community Infrastructure Levy (CIL) contribution, which could be used to fund new infrastructure in the area. As such the development would have an acceptable socio-economic impact.

Mitigating the impact of development through planning obligations

361 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are statutory tests.

362 The NPPF states that *"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."* At the regional level, London Plan Policy 8.2 sets out the Mayor's priorities for planning obligations, and states: *"Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance"*. Draft London Plan Policy DF1 recognises there the most critical areas for investment to achieve the step change in housing delivery that London needs are increased investment in transport infrastructure and fundamental changes to the housing market. At the local level Hounslow Council's Planning Obligations and CIL SPD (2015) provides the basis for determining planning obligations when considering planning applications for development in the borough.

363 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure a number of planning obligations required to appropriately mitigate the impact of this development. A full list of the obligations is provided under paragraph 8 above, and where appropriate there is detailed consideration given in the relevant topic section of the report. Where appropriate, GLA officers have provided an additional commentary below to support the consideration within this report and to inform the detailed drafting of a section 106 legal agreement.

Affordable housing

364 As discussed in the housing section of this report, 218 affordable units will be secured, comprising 152 shared ownership units and 66 affordable rent units. Details of affordable housing definitions, fit out, the income thresholds and marketing strategy for the shared ownership units rent levels for the affordable rented units and the retention of the affordable units at the proposed rent levels, would be secured in the section 106 agreement, as set out in this report.

365 GLA officers propose an early implementation review is secured. This would be triggered if the development has not been substantially implemented within two years of the date of consent. A forward-looking review would take place which would analyse the development costs and values at that time, capturing any uplift in viability towards the provision of additional affordable rented accommodation housing on the site up to a level of a 60% affordable rent/40% intermediate

tenure split reflective of a policy compliant tenure split in accordance with Hounslow's Local Policy SC2.

Transport infrastructure

366 The following transportation mitigation and improvement measures would be secured:

- £30,000 secured for capacity improvements to Gunnersbury Station;
- Travel Plans and monitoring;
- Car parking management plan;
- Delivery and servicing plan;
- Car club provision;
- Prohibition on resident's parking permits;
- Pedestrian and cycle access;
- Contribution toward legible London signage;
- Section 278 works.

Open space and landscaping

367 Provision of public realm within the scheme as publicly accessible, including maintenance and management arrangements, will be secured. An obligation securing the comprehensive delivery of the boundary treatment between the site and the adjoining Brentford Leisure Centre has been agreed.

Architect retention

Retention of the scheme architects in some capacity on the scheme to ensure necessary design quality or their replacement with architects of a similar calibre and reputation to the satisfaction of the Council and GLA has been agreed.

Employment and training

A local employment agreement will be secured to promote local labour and apprenticeships during construction and operation, in accordance with the Council's Planning Obligations SPD.

Sustainability

368 As discussed in the energy section of this report, the development will be future proofed to enable future connection to a district heating network and a planning obligation will require the applicant to continue to prioritise connection. A carbon off-set payment will also be payable into the Council's fund. This is estimated to be £768,600, but could change depending on the final energy strategy, to be approved by condition.

Council's costs

369 The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured.

Balance of considerations

370 The proposal would deliver a number of public benefits as recognised in the above sections of this report. Mitigation has been secured to address any potential adverse impacts of the scheme in relation to biodiversity, energy, air quality, drainage and transport. Paragraph 253 of this report establishes that the impact on the significance of designated heritage assets within the vicinity is limited to impacts on setting and concludes that that the proposal would result in less than substantial harm to the significance of heritage assets specifically the setting of the Grade I Listed Orangery located within the Royal Botanic Garden Kew World Heritage Site and the Strand on the Green Conservation Area including the Grade II/II* Listed 64-70 Strand on the Green.

371 As discussed in paragraph 213 above paragraph 134 of NPPF states that *'where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'*.

372 The foremost public benefit of the scheme would be the delivery of 218 affordable units equating to 50% of the scheme by habitable room. The delivery of 50% affordable housing by the proposal exceeds the 35% site specific threshold target set by the Mayor in the draft London Plan and the Affordable Housing and viability SPG and meets the Mayor's strategic target of 50% of all new homes to be affordable. The Hounslow Local Plan sets a local borough wide target of 40% affordable housing, equating to a numerical target of 329 affordable homes per year based on the London Plan Housing Target and 873 based on the draft London Plan. The latest SHMA and draft London Plan significantly increase the housing target and consequentially the affordable housing target for the borough. The delivery of 218 additional affordable dwellings would contribute significantly to the borough achieving its target for affordable housing delivery and is a significant public benefit of the scheme.

373 The appeal decision *Cross Property Investment SAEL and Cross Property Investment West SARL v London Borough of Tower Hamlets* stated that *'it is common ground that the provision of new housing should be given substantial weight. The provision of affordable housing to the maximum viable level can also be taken as a positive benefit'*. The proposal would delivery 441 new residential units equating to 50% of the Council's annual housing target (20% of the draft London Plan target).

374 In addition to the above the scheme would deliver a transformational change to the site and its redevelopment plays a key role as a catalyst for redevelopment of the wider Great West Corridor Opportunity Area as envisaged by the draft Hounslow West Local Plan review and the draft Brentford East SPD. The replacement of existing car showroom, and hard standing and poorly presented public realm by carefully considered new buildings that would re-create street edges, provide a high quality public plaza and define a clear route from Gunnersbury Station to the Brentford Community Stadium would be a significant benefit.

375 The scheme also delivers a number of other public benefits including the following:

- **Economic Benefits** (including short and longer term local employment and training opportunities) as discussed in employment section of this report

- **Social Benefits** (including promotion of equal opportunities through employment and training obligations to respond to local skills gaps; and removal of barriers to access and inclusion at the site) as discussed in the employment and inclusive design sections of this report; and

- **Environmental Benefits** (including delivery of energy efficient and sustainable buildings; sustainable drainage measures; improvements to public access through the site and public realm and the introduction of active frontages, promoting increased vibrancy, activity and means of passive surveillance) as discussed in the design and sustainable development sections of this report.

376 Having regard to paragraph 134 of the NPPF, the above factors, and the substantial public benefits of the scheme, GLA officers conclude that the proposed development would provide a substantial contribution to the boroughs housing and affordable housing targets as well as employment growth and substantial public realm. As such, the public benefits of the scheme are considered to significantly outweigh the less substantial harm identified to the setting of heritage assets.

377 There are a number of strategic and local policies of relevance to the proposed scheme. This report demonstrates that the proposal is in general conformance with many of the relevant policies including those of strategic importance such as housing and affordable housing delivery. In those instances where the proposal has departed from policy, this has been justified ensuring the delivery of a high quality, residential-led mixed use development. When considered overall, the development is considered to accord with the London Plan, draft London Plan and Hounslow Local Plan and there are no material considerations that indicate that planning permission should not thereby be granted.

Legal considerations

378 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: 01508/A/P6

379 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

380 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

381 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

382 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

a) The provisions of the development plan, so far as material to the application;
b) Any local finance considerations, so far as material to the application; and
c) Any other material consideration.

383 Section 70(4) defines "local finance consideration" as:

a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or

b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

384 In this context "grants" might include the Government's "New Homes Bonus" - a grant paid by Central Government to local councils for increasing the number of homes and their use.

385 These issues are material planning considerations when determining planning applications or planning appeals.

386 Furthermore in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

387 Other guidance, which has been formally adopted by Hounslow Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

388 Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

389 As regards Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £1,353,110, whilst the Hounslow CIL payment is estimated to be £8,237,400. Both figures take into account the expected relief from the affordable housing floorspace.

390 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990). These matters have been addressed within earlier sections of the report.

391 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues, whilst others remain outstanding at this point in time. Both the Mayor and the borough are given powers to enforce planning obligations.

392 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the

conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

393 The key Articles to be aware of include the following:

(a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
(b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
(c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

394 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

395 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

396 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

397 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

398 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity.

Conclusion

399 As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

400 When assessing the planning application, the Mayor is required to give full consideration to the provisions of the Development Plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.

401 When considering the proposals, GLA officers have had special regard to the desirability of preserving the setting of listed buildings in the vicinity of the proposed development and they have given special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas near to the site.

402 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

403 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principles (including mixed use development, employment and residential uses); housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, public realm, play space); historic environment; inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance); sustainable development (including climate change mitigation and adaption, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage); other environmental issues (including air quality, contaminated land and waste management); transport, including parking provision and socio-economic issues; and; mitigating the impact of development through planning obligations and conditions. When considered overall the development complies with the development plan and there are no material considerations which indicate that planning permission should not thereby be granted.

404 Accordingly, the recommendations set out at the beginning of this report are proposed.

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for further information, contact GLA Planning Unit (Development Management Team):
Juliemma McLoughlin, Chief Planner
0207 983 4271 email juliemma.mcloughlin@london.gov.uk
John Finlayson, Head of Development Management
0207084 2632email john.finlayson@london.gov.uk
Nick Ray, Principal Strategic Planner
020 7983 4178 email: nick.ray@london.gov.uk
Kate Randell, Senior Strategic Planner, case officer
020 7983 4783 email kate.randell@london.gov.uk
