

**Crown Trading Centre, Hayes**  
**in the London Borough of Hillingdon**  
**planning application no. 73955/APP/2020/139**

**Strategic planning application stage 1 referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Demolition of existing buildings for residential-led mixed use development comprising buildings between 3 and 11 storeys to provide 407 residential units and 1,175 sq.m. of ground floor employment floorspace with associated access and car and cycle parking, landscape and amenity areas and associated servicing.

**The applicant**

The applicant is **Engie Regeneration Ltd** and the architect is **Frank Reynolds Architects**.

**Strategic issues summary**

**Principle of development:** The proposed residential-led mixed use development is strongly supported in principle (paragraphs 20-25).

**Housing:** 26% affordable housing by habitable room (22% by unit) split 64% affordable rent/ 36% intermediate. This does not accord with the 50% threshold for the Fast Track Route for developments on industrial land and therefore must follow the viability tested route. Grant funding must be explored, and review mechanisms secured. Information on the affordability of the intermediate units must be provided (paragraphs 26-33).

**Urban design and heritage:** The proposed density, layout and height and massing are supported. The applicant should consider design changes to improve the quality of north-facing single-aspect units and measures to reduce noise and nuisance from the proposed commercial units. The proposal would not cause harm to the significance of any conservation areas or listed buildings (paragraphs 34-55).

**Transport:** The level of car parking should be reduced given the level of access to public transport and the impact of vehicle movements on traffic congestion. A contribution of £290,000 is sought for a package of measures for the A312; this should be secured in the S106 agreement. A Construction and Logistics Plan, Delivery Servicing Plan and Travel Plan should be secured (paragraphs 64-71).

Further information on **inclusive design, energy** and **urban greening** is required.

**Recommendation**

That Hillingdon Council be advised that the application does not yet comply with the London Plan and the Mayor's intend to publish London Plan, for the reasons set out in paragraph 75 of this report; but that the possible remedies set out that paragraph could address these deficiencies.

## Context

1 On 29 January 2020, the Mayor of London received documents from Hillingdon Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor has until 3 March 2020 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1A, 1B(c) and 1C(c) of the Schedule to the 2008 Order:

- 1A *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”;*
- 1B(c) *“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 outside Central London and with a total floorspace of more than 15,000 square metres”;*
- 1C(c) *“Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London.”*

3 Once Hillingdon Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

5 The 1.38 hectare site is located in the London Borough of Hillingdon, within the Heathrow Opportunity Area. This site has recently been released from SIL by Hillingdon Council's Local Plan Part 2: Site Allocations and Designations.

6 The site is approximately 210 metres west of Hayes District Town Centre. The Thorn EMI Conservation Area is located approximately 50 metres to the south of the site. Around 60 metres to the south of the site is the Grade II listed Enterprise House and 260 metres to the north is the Grade II listed Botwell House.

7 The site is currently occupied by a variety of sui generis and light industrial uses, occupied by businesses such as tyre fitting, MOT testing, steel fabrication and scaffolding storage. The site has a site allocation, reference SA3A, in the Hillingdon Local Plan Part 2 for the residential-led mixed use development of the site, including small scale commercial uses at ground floor.

8 The site is bounded by the Grand Union Canal to the north, which on its opposite side is occupied by a storage for a builders' merchant and by two residential gardens for properties along Neild Road. To the east the site is bounded by further industrial land, which also has a site allocation, reference SA4 25 - 39 Fairview Business Centre, in the Hillingdon Local Plan Part 2 for residential-led mixed use development. This site is the

subject of a planning application (reference 58758/APP/2019/3517) that was considered by the GLA at Stage 1 (reference GLA/5091/01) on 17 February 2020. To the south the site is bounded by Clayton Road and to the east it is bounded by industrial units within SIL that is proposed to be retained.

9 Hayes and Harlington station is approximately 340 metres to the southeast of the site and is served by TfL Rail services to Paddington, and will be served in the future by the Elizabeth Line. There are currently 8 bus routes operating in the vicinity of the site with the nearest bus stop, which serves a single route (route 350), approximately 120 metres away in Clarendon Road. The remaining 7 bus routes can be accessed from bus stops along Station Road to the southeast. The site records a public transport access level (PTAL) of 4, on a scale of 0 to 6b, where 6b is the highest, meaning the site has good access to public transport.

10 The nearest part of the Transport for London Road Network (TLRN) is Parkway (A312) and Bulls Bridge Roundabout, approximately 1.8 kilometres to the southeast of the site. The nearest part of the Strategic Road Network (SRN) is over 2 kilometres away, whilst the M4 is approximately 2.5 kilometres from the site. The local cycle network includes a segregated cycle lane along Station Road to the east of the site. Quietway 16, which will run between West Drayton and Paddington, is proposed to run along the northern side of the Grand Union Canal.

## **Details of the proposal**

11 The applicant is proposing the demolition of all existing buildings and the construction of 407 residential units with 1,175 sq.m. of B1(c) employment floorspace arranged in six buildings ranging in height between 3 and 11 storeys.

12 Buildings A and D (the “linear building”) would be located in the western part of the site and would be wholly residential, accommodating all of the affordable housing. Duplexes would be provided at ground floor. The buildings would be separated from the adjacent site by a two-storey podium, referred to as the “linear podium”. The podium would provide car parking, cycle parking, plant and refuse storage and collection. Vehicle access would be provided to the east and south. The affordable housing would be provided within the linear building.

13 The linear building would be separated from Buildings C and E by a linear area of green space, providing play space and residential amenity. This would be divided by vehicle access between the two podiums on the site. To the north of this space would be a new path along the side of the Grand Union Canal.

14 Buildings B, C, E and F (the “perimeter building”) would be located on the remaining portion of the site. These buildings form the four corners of a central two-storey podium and would be joined by smaller residential blocks. Car parking, cycling parking, energy centre, plant and refuse storage and collection would be located underneath the central podium. A mezzanine level would provide further car parking, accessed by two ramps. Vehicle access would be provided to the east, connecting to the linear building across the green space and to the west connecting to the public realm. The podium would contain private amenity space, as well as general amenity space, landscaping and play space. The central podium would be surrounded by duplexes in Buildings B and E and by commercial floorspace with an internal mezzanine level in Buildings C and F.

15 The site boundary would be located to the west of Buildings C and F. Within this space the applicant is proposing an area of paved shared space, with a green buffer next to the adjacent western site. The applicant has also submitted an alternative design for the space, designed in conjunction with the applicant for the neighbouring site, whereby the space to the front of the commercial units would be wholly pedestrianised, with a central green space and vehicle access provided within the adjacent site.

Table 1: Proposed floorspace

Floorspace by use (GIA)	Existing (sq.m.)	Proposed (sq.m.)	Change (sq.m.)
<b>Commercial (B1c light industrial use)</b>	9,940	1,175	-8,765
<b>Residential</b>	0	38,925	+38,925
<b>Total</b>	9,940	40,100	+30,160

## Case history

16 On 22 October 2019 a pre-application meeting was held with the GLA. The proposed redevelopment of this industrial site, to be released from SIL following a planned process, to provide a residential-led scheme with flexible commercial uses was supported in principle. Issues relating to affordable housing; urban design; inclusive access; climate change; flood risk, drainage and water; and transport were required to be addressed in order to make the proposals compliant with the London Plan and draft London Plan.

## Strategic planning issues and relevant policies and guidance

17 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Hillingdon Local Plan Part 1: Strategic Policies (2012), the Hillingdon Local Plan Part 2: Development Management Policies (2020) and the Hillingdon Local Plan Part 2: Site Allocations and Designations (2020).

18 The following are also relevant material considerations:

- The National Planning Policy Framework (revised February 2019);
- National Planning Practice Guidance;
- The London Plan Intend to Publish version (December 2019); and
- In August 2017 the Mayor published his Affordable Housing and Viability SPG. This must now be read subject to the decision in R (McCarthy & Stone) v. Mayor of London.

19 The relevant issues and corresponding policies are as follows:

- Opportunity Areas *London Plan;*
- Industrial Land *London Plan; Land for Industry and Transport SPG;*
- Housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*

- Affordable housing *London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG;*
- Urban design & heritage *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Environment *London Plan; Sustainable Design and Construction SPG; London Environment Strategy;*
- Transport & Parking *London Plan; Mayor's Transport Strategy.*

## **Principle of development**

20 London Plan Policy 4.4 and the Mayor's intend to publish London Plan Policy E4 seek to manage London's industrial capacity through the managed release and/or intensification of industrial land. London Plan Policy 4.4 states that there could be limited release of industrial land in Hillingdon. The Mayor's intend to publish London Plan Policy E4 sets Hillingdon a revised policy to retain industrial capacity.

21 The site is designated as a Strategic Industrial Location (SIL). London Plan Policy 2.17 directs the promotion, management and, where appropriate, protection of SILs, and seeks specifically to protect London's reservoirs of industrial capacity. The Mayor's intend to publish London Plan Policy E5 directs SILs to be proactively managed through a plan-led approach in order to sustain London's industrial capacity and to support the functioning of the economy. The policy goes on to state that uses in SILs other than those set out in part C of the policy, (including residential development, retail, places of worship, leisure and assembly uses) should be refused, except where the SIL has been formally released. In addition, development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis.

22 This site has been released through the Council's Local Plan Part 2: Development Management Policies and Site Allocations and Designations, which has been recently adopted. The site is covered by Site Allocation SA3A, for residential-led development, including provision of commercial floorspace. The GLA supported the site's release from SIL in its response to the Hillingdon Local Plan. Given the above, the introduction of residential uses on this site is acceptable. The provision of 1,175 sq.m. of commercial floorspace is also supported in line with the site allocation. The application form refers to this space as B1(c) light industrial use and the design of the units is consistent with this, which is supported.

23 London Plan Policy 2.13 and the Mayor's intend to publish London Plan Policy SD1 provide that proposals in Opportunity Areas should seek to maximise density and contain a mix of uses. The London Plan identifies the Heathrow Opportunity Area as having an indicative development capacity for 12,000 new jobs and a minimum of 9,000 new homes. This is revised in the Mayor's intend to publish London Plan to an indicative capacity of 11,000 new jobs and 13,000 new homes. The proposal for a residential-led mixed use development with housing and commercial space is supported in the Opportunity Area.

24 London Plan Policy 3.3 sets Hillingdon an annualised average housing completion target of 5,593 units between 2015 and 2025, which is increased to 10,830

units between 2019/20 and 2028/29 in the Mayor's intend to publish London Plan Policy H1. The proposal would contribute towards meeting 7.3% of the London Plan target and 3.8% of the Mayor's intend to publish London Plan target. The proposal to introduce residential use to this under-utilised site responds positively to London Plan and the Mayor's intend to publish London Plan policies to increase housing supply and optimise sites, which is supported, subject to the resolution of issues regarding affordable housing as set out below.

## Housing

25 The following residential unit breakdown has been provided with the application:

Table 2: Proposed housing provision

Housing type	1 bed units	2 bed units	3 bed units	4 bed units	Total units (%)	Total habitable rooms (%)
Market sale	156	130	32	0	318 (78.1%)	819 (74%)
Intermediate	16	8	11	0	35 (8.6%)	103 (9.3%)
Affordable rent	16	6	28	4	54 (13.3%)	185 (16.7%)
<b>Total</b>	<b>188</b>	<b>144</b>	<b>71</b>	<b>4</b>	<b>407</b>	<b>1,107</b>
<b>Percentage of units</b>	46.2%	35.4%	17.4%	1%		

### Affordable housing

26 London Plan Policy 3.9 seeks to promote mixed and balanced communities by tenure and household income and Policy 3.12 seeks to secure the maximum reasonable amount of affordable housing. Policy H4 of the Mayor's intend to publish London Plan and the Mayor's Affordable Housing and Viability SPG set a strategic target of 50% affordable housing. Policy H5 of the Mayor's intend to publish London Plan and the Mayor's Affordable Housing and Viability SPG set out a 'threshold approach' whereby schemes meeting or exceeding a specific threshold of affordable housing (in this case 50% on industrial land) by habitable room without public subsidy and which meets other criteria are not required to submit viability information to the GLA, nor would the application be subject to a late stage review mechanism. At a local level, Hillingdon Council's Local Plan Part 1 (2012) sets a borough-wide strategic target of 35% affordable housing.

27 The applicant proposes to deliver 26% of the scheme by habitable room (21.9% by unit) as affordable housing, split 64.2% as affordable rent/ 35.8% as intermediate. Whilst this offer is welcomed as a starting point it does not accord with the 50% threshold for the Fast Track Route for this type of application on industrial land as described in Policy H6 of the Mayor's intend to publish London Plan or the approach set out in the Mayor's SPG. The applicant has provided a viability assessment, which will be robustly interrogated by GLA officers to ensure the scheme delivers the maximum amount of affordable housing. The applicant must also investigate the potential for Mayoral grant funding (and any other available public subsidy) with a view to further increasing affordable housing delivery within the scheme.

28 The applicant has not provided any detail regarding the affordable rent levels or the income thresholds associated with the intermediate rent units. The affordability of the units must comply with the requirements of Policy H6 of the Mayor's intend to publish London Plan, the Mayor's Affordable Housing and Viability SPG, and the London Plan Annual Monitoring Report (AMR). The applicant must confirm that the affordable rent units are either social rented or London Affordable Rent units and should confirm that the proposed rent levels are set at social rent levels or are in line with London Affordable Rent levels and benchmark rent levels must be detailed for each unit size. In accordance with paragraph 4.6.9 of the Mayor's intend to publish London Plan, the intermediate homes should be available to people on a range of incomes below the maximum household income, which is currently £90,000, as set out in the AMR. Once agreed, these ranges for the intermediate units and the rent levels for the affordable rent units must be secured within the S106 agreement.

29 The requirement for an early stage viability review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the Council), as set out in the Mayor's Affordable Housing and Viability SPG and Policy H6 of the Mayor's intend to publish London Plan. A late stage review must also be secured should the affordable offer remain below the 50% threshold for the Fast Track Route. GLA officers request early engagement with the Council and the applicant to ensure appropriate wording for review mechanisms, and covenant as well as obligations around phasing and delivery of affordable housing within the Section 106 agreement.

### Housing choice

30 London Plan Policy 3.8 and the Mayor's intend to publish London Plan Policy H10 encourage a full range of housing choice. Policy H10 'Housing size mix' of the Mayor's intend to publish London Plan states that boroughs should not set prescriptive dwelling size mix requirements for market and intermediate homes; and for low cost rent, boroughs should provide guidance on the size of units required to ensure affordable housing meets identified needs.

31 Of the 407 units, 17.4% are three-bed and 1% are four-bed. In addition, the applicant has indicated that 48.3% of the affordable housing would be family-sized, which is welcomed. As such, the proposed housing mix does not raise any strategic concerns.

### Children's play space

32 Policy S4 'Play and informal recreation' of the Mayor's intend to publish London Plan and London Plan Policy 3.6 seek to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sq. m. per child. The proposal would provide 1,468 sq.m. of dedicated play space, which is slightly below the calculated requirement of 1,613.8 sq.m. of play space as set out in the Mayor's SPG; however, the play space would exceed the calculated provision of 1,279 sq.m. for children aged 0-12 years old. The applicant has identified play space for children aged 12+ years old at Lake Farm Country Park, which is within 800 metres of the site and accessible via a safe route from the childrens' homes. The applicant should consult with the Council to identify if a

contribution is required towards off-site play space. The applicant should provide further information that confirms that the on-site play space would not be segregated by tenure.

## **Urban Design**

33 London Plan Policies 7.1 and 7.4 and the Mayor's intend to publish London Plan Policies D1, D2 and D3 seek to ensure that new developments are well-designed and fit into the local character of an area. New buildings and spaces should respond to the form, style and appearance to successfully integrate into the local character of an area, with a positive relationship with the natural environment and respect and enhancement of the historic environment.

### Optimising the potential of the site

34 London Plan Policy 3.4 and the Mayor's intend to publish London Plan Policy D3 seek to optimise the potential of sites, having regard to local context, design principles, public transport accessibility, and the capacity of existing and future transport services, using an assessment of site context and a design-led approach to determine site capacity. The scheme would have a residential density of 295 units per hectare or 802 habitable rooms per hectare. This exceeds the guidance ranges in Table 3.2 of the London Plan, but is within the thresholds for increased scrutiny of design quality set out in the Mayor's intend to publish London Plan Policy D4 (Part D).

35 The proposed layout effectively facilitates north-south movement through the site and provides a variety of active frontages both within the site and on its outside. This is particularly notable along the eastern side of the site, where the commercial uses would provide a very well activated frontage and public realm. The location of the podium spaces is logical and would provide generous areas of shared amenity space, which is welcomed. The location of the car parking underneath the podiums would mean that there is no parking within the public realm, helping to create a quiet and pedestrian and cyclist-friendly development. Furthermore, the linear podium provides a degree of separation between the western residential units and the adjacent industrial land, which will help to mitigate the impacts on the residential units and is welcomed.

### Public realm

36 The proposal would include several significant areas of public realm. The centre of the development would include a linear park, including a large amount of green space and landscaping. Play space would be well-integrated into the design of this space, which is welcomed. However, the applicant proposes a vehicle route between the under-podium car parks in the linear building and the podium building. This route would involve refuse vehicles emerging onto the public realm from an inset vehicle exit into a predominately pedestrian space, potentially creating conflict between pedestrians and vehicles. Officers question the necessity of this route given that the both car parks on site have alternative entrances and exits. The applicant should consider removing this route or provide further information on how it could be used safely in line with the Mayor's Vision Zero Action Plan.

37 The applicant is also proposing a large area of paved public realm to the east of the site, adjoining the commercial frontage. Two designs are proposed for this site; one

of which would come forward if the adjacent Fairview Business Centre site is developed and the other would come forward if the adjacent site was not developed.

38 For the first scenario, the space would be wholly pedestrianised, with an area of green space, planting and seating on the boundary of the Fairview Business Centre site. The total width of the public realm is significant and the green space and planting is essential to breaking up this space; as such the final landscaping strategy should be secured by condition. Vehicle access to the podium would be through the adjacent site. The two sites would share the same materials for this space, which should be secured by condition. In the no development scenario, the public realm would be a shared space; however, given the volume of car parking and likely light goods vehicle movements the applicant should include public realm interventions clearly separating pedestrian routes from the roadway. This space would also include a loading bay towards the northern end. The green buffer would also be retained, which is welcomed/

#### Access to the canal

39 London Plan Policies 7.27, 7.28 and 7.30 and the Mayor's intend to publish London Plan Policies SI16 and SI17 support the restoration and enhancement of London's canals, including protecting and improving their use and enjoyment by the public, their heritage and their open character. Development proposals adjacent to London's canal network should also contribute to their accessibility and active water-related uses, including through providing new mooring infrastructure.

40 The proposed public access to the Grand Union Canal is strongly supported. This frontage is unlikely to attract significant pedestrian movement as it does not yet form part of a continuous route. As such, the applicant has introduced seating areas and urban greening to this area, which would create a more sedentary area of public realm and will enhance the biodiversity value of the canal. The applicant should engage with the Council on the street furniture and materials for this frontage, which should be aligned with the adjacent Fairview Business Centre application, and should be secured by condition to ensure a consistent and coherent canalside frontage. The applicant should also consult with the Canal & River Trust on the need for new moorings in the area.

#### Height, massing and architecture

41 The proposed height and massing are generally supported. The development would provide a transition in scale between the southern portion of the site along Clayton Road, which would be 9 storeys and the northern portion of the site along the canal, which would be 11 storeys high. The 9 storey southern buildings would respond well to the nearby 8 storey Enterprise House, both in terms of height and through architectural references. The heights of the buildings would also be broadly similar to the proposed heights for the adjacent Fairview Business Centre site, as well as to buildings within the nearby recently developed Old Vinyl Factory development.

42 The proposed architecture is supported. The lower height southern buildings would consist of a dark grey brickwork separated by a grid pattern of light brickwork framing every two storeys and edges of the facade. The top storey would be covered in grey cladding and would be set back, reducing the perceived mass of the building. The balconies would be a mix of extruding and inset and would have metal balustrades. The taller northern buildings would consist entirely of red brickwork with inset balconies. The

smaller buildings linking the southern and northern buildings would be grey brickwork. The differentiation between the northern and southern parts of the site provides a simple but attractive variation in architectural style that responds well to the surrounding context. The Council should secure details of materials by condition.

#### Housing quality

43 London Plan Policy 3.5 and the Mayor's intend to publish London Plan Policy D6 promote quality in new housing provision, with further guidance provided in the Mayor's Housing SPG. All of the units would meet the London Plan and the Mayor's intend to publish London Plan minimum space standards, which is supported. The applicant should provide an accommodation schedule detailing the provision of private outdoor amenity space for each unit.

44 The double height under podium car parks raise issues around residential quality. The applicant is proposing duplex units at ground floor but about 70% of these would be single aspect. A reduction in the level of car parking could allow for design changes to address this issue, which the applicant should consider. The development includes two north-facing single-aspect units. These units should be oversized or include additional amenity space to compensate for this issue. In total, only 48% of the 407 units would be dual aspect, which should be improved as far as feasible.

#### Agent of change

45 The Mayor's intend to publish London Plan Policy E7 requires that proposals for mixed-use redevelopment of industrial sites carefully consider the impacts on industrial and related activities on-site and in surrounding parts of the SIL, LSIS or non-designated industrial land. These uses should not be compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation. The Mayor's intend to publish London Plan Policy D13 further requires applicants to take account of the Agent of Change principle and consider and mitigate for existing noise and other nuisance generating uses in a sensitive manner in new development.

46 The development is immediately adjacent to two sites currently in industrial use; the Fairview Business Centre to the east and the Clayton Business Centre to the west on the retained SIL. The applicant has carried out a noise assessment that shows that the dominant source of noise at present is Clayton Road, not the adjacent industrial uses. Nonetheless, the applicant has incorporated an acoustic barrier into the podium, which itself provides a degree of separation, further reducing noise impacts. Additional acoustic protection to the podium and podium level flats is also proposed. This is a welcome additional step to safeguard the residential units from future noise. However, given the presence of single-aspect units facing onto the podium, the applicant should consider further vegetation screening along the acoustic wall opposite these units. It is noted that the Fairview Business Centre is currently in a mix of industrial and sui generis uses; the applicant has introduced a large area of public realm at the boundary of this site which will reduce the noise impacts from this site and is supported. The proposed noise mitigation measures should be secured by condition.

47 The application documents do not make reference to noise and other nuisance mitigation measures for the proposed commercial units. The applicant should consider measures to reduce noise and other nuisance, including acoustic protection between floors, ventilation and dust extraction.

## Fire safety

48 In accordance with Policy D12 'Fire safety' of the Mayor's intend to publish London Plan, the applicant has produced a fire statement, produced by a third party suitable qualified assessor. The statement includes details of: the construction methods, products and materials; the means of escape for all building users; features which reduce the risk to life, including sprinklers in all apartments; access for fire service personnel and equipment; access for fire appliances; and the future management of the development. The applicant should provide a fire evacuation lift within each building core for the evacuation of wheelchair users and other less mobile occupants. The Council should review the fire statement in consultation with building control officers.

## **Heritage**

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

50 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Policy HC1 'Heritage conservation and growth' of the Mayor's intend to publish London Plan, as well as London Plan Policy 7.8, states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets.

51 There are no listed buildings on the site and it does not lie within a Conservation Area. The Thorn EMI Conservation Area is located approximately 50 metres to the south of the site. Around 60 metres to the south of the site is the Grade II listed Enterprise House and 260 metres to the north is the Grade II listed Botwell House.

52 The development would be obscured by intervening development between the site and the Thorn EMI Conservation Area. The proposal would also not be visible or would appear outside the setting of the Conservation Area in views looking towards the development. As such, the proposal would have a neutral impact on the setting of the Conservation Area. It is further noted that the Conservation Area is undergoing redevelopment, which shows it is adaptable to change. In any case, the development would not otherwise affect its character and appearance, and as such no harm is caused to the overall significance of the Thorn EMI Conservation Area.

53 The Grade II listed Enterprise House is within the Thorn EMI Conservation Area, which as noted above would not have its significance harmed by the proposed development. The development would also be obscured by intervening development in views of the front and sides of the Grade II listed Enterprise House, which are the views in which the listed building is best appreciated. As such, the proposal would have a neutral impact on its setting. Historic England notes that the building is significant as an example of an early reinforced concrete building which is unusual for its date and for its rooftop watertank. Its significance is also due to its relationship with the other buildings within the Thorn EMI Conservation Area, many of which were also once part of the same HMV gramophone factory. This development to the north of the building would have no impact on the historic and architectural interest of the building or its setting and so no harm is caused to the significance of the Grade II listed Enterprise House.

54 The proposal would be entirely obscured by the Grade II listed Botwell House. It would therefore have a neutral impact on the setting of the listed building and would not otherwise affect other aspects of the significance of the listed building; as such the development causes no harm to the setting of the Grade II listed Botwell House.

## **Inclusive design**

55 London Plan Policy 7.2 and the Mayor's intend to publish London Plan Policy D3 seek to ensure that proposals achieve the highest standards of accessible and inclusive design (not just the minimum) ensuring that developments can be entered and used safely, easily and with dignity by all; are convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; and are designed to incorporate safe and dignified emergency evacuation for all building users.

56 Policy 3.8 of the London Plan and the Mayor's intend to publish London Plan Policy D5 requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. The proposal would provide 10% of homes as wheelchair accessible, equivalent to 41 homes. The applicant should provide a plan or accommodation schedule showing the location of the wheelchair accessible homes. The Council should secure M4(2) and M4(3) requirements by condition as part of any permission.

## **Environment**

### Energy

57 In accordance with the principles of London Plan Policy 5.2 and Policy SI2 of the Mayor's intend to publish London Plan, the applicant has submitted an energy statement, setting out how the development proposes to reduce carbon dioxide emissions. In summary, the proposed strategy comprises: energy efficiency measures (including a range of passive design features and demand reduction measures) and renewable technologies (comprising PV panels and heat pumps). The approach proposed would achieve a 54% carbon dioxide reduction for the domestic element and a 34% reduction for the non-domestic element against 2013 Building Regulations. The carbon dioxide savings for the domestic element exceed the target within Policy 5.2 of the London Plan and the Mayor's intend to publish London Plan Policy SI2, but fall marginally short of the target for the non-

domestic element. The applicant should investigate and adopt further passive measures to reduce the risk of overheating, provide drawings showing that the proposal is designed for future connection to a district heating network and a drawing showing the route of the heat network, and provide estimated heating costs to occupants for the proposed heat pumps.

## Water

58 The site is in Flood Zone 1, in an area benefitting from River Thames tidal defences. A Flood Risk Assessment (FRA) has been submitted as required under the NPPF. The residual flood risk to the site is low; as such the proposal raises no strategic concerns, subject to the view of the Lead Local Flood Authority.

59 The surface water drainage strategy for the proposed development generally complies with London Plan Policy 5.13 and the Mayor's intend to publish London Plan Policy SI13. The proposed development generally meets the requirements of London Plan Policy 5.15 and the Mayor's intend to publish London Plan Policy SI5 on water use and infrastructure.

## Urban greening and biodiversity

60 London Plan Policy 5.10 and the Mayor's intend to publish London Plan Policy G5 state that developments should provide new green infrastructure that contributes to urban greening. Policy G5 also sets out a new Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The Mayor's intend to publish London Plan Policy G6 further states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. London Plan Policy 7.21 and the Mayor's intend to publish London Plan Policy G7 seek to protect existing trees of value, which should be retained where possible or otherwise replaced.

61 The proposal includes a large amount of green infrastructure, including extensive brown roofs covering the entire roof space of each building and integrated with PV provision, which is strongly supported. The applicant is not proposing to retain any of the existing low-quality trees but would replace them with a range of high-quality trees, which is acceptable. The applicant also proposes significant shrub, flower and grass planting, which is supported. The applicant should provide the UGF score for the development with the aim of meeting the target of 0.4 for predominantly residential developments as set out in the Mayor's intend to publish London Plan Policy G5. A drawing showing the surface cover types and accompanying UGF calculation should be submitted.

62 The applicant has carried out a preliminary ecological assessment that suggests the site is currently important for birds and bats. The applicant is proposing planting including nectar-rich species to attract bees and butterflies and species which attract night-flying insects which will be of value to foraging bats, as well as provision of nesting/ roosting habitat and hedgehog passes. The applicant has also identified areas for deadwood habitat for stag beetles. This is supported; the recommendations presented in the Preliminary Ecology Appraisal and Preliminary Roost Assessment should be secured by condition.

## **Transport**

63 Two vehicle access points on Clayton Road are proposed which is a reduction from

four existing access points. A pedestrian and cycle only through route from Clayton Road to the Grand Union Canal is proposed. This is welcomed. The eastern access is shared with the adjoining Fairview Business Centre. This road serves all modes and provides a publicly accessible pedestrian and cycle through-route to the Grand Union Canal and therefore its design must minimise vehicle dominance. It is unclear as to whether the final design of this road has been agreed and as such should be secured by legal agreement. Access for delivery and servicing vehicles is considered to be acceptable.

64 The issues and improvements identified by the Active Travel Zone assessment are noted. In keeping with the Mayor's intend to publish London Plan Policy T2 Healthy Streets approach, improvements with a pedestrian and cycle emphasis are proposed for Clayton Road. Additionally, the development introduces two new public pedestrian and cycle routes through the site, which is welcomed. The proposed public realm improvements in Clayton Road should be secured through a Section 278 Agreement. These public realm improvements will complement the planned Hayes and Harlington station and the town centre schemes.

65 A total of 203 car parking spaces are provided. This equates to 0.5 spaces per dwelling. Whilst this level of car parking accords with the maximum recommended parking standards set out in the Mayor's intend to publish London Plan Policy T6, officers would support a reduced level of car parking, given the availability of public transport, the contribution of vehicle trips to congestion and the Mayor's target for 80% of all trips to be made by active modes or public transport by 2041, as detailed in the Mayor's intend to publish London Plan Policy T1. 21 blue badge parking spaces are provided for the residential element and therefore comply with the Mayor's intend to publish London Plan Policy T6 requirement for a minimum of 3% from the outset and an overall provision of 10%. It is understood that Blue Badge parking for the commercial use will be accommodated on the shared access road to the east of the site. A Section 106 clause restricting residents from obtaining permits for the local controlled parking zone should be secured.

66 The car park should be monitored, managed and enforced through a Parking Design and Management Plan secured by condition. In accordance with the Mayor's intend to publish London Plan 20% of spaces must have an active electric vehicle charging point and at least passive provision is required for the rest.

67 Cycle parking accords with the Mayor's intend to publish London Plan minimum standards. Further detail is required on the type of provision (including at least 20% Sheffield stands and further 5% wider spaces for non-standard bicycles) and to confirm compliance with London Cycling Design Standards in line with the Mayor's intend to publish London Plan Policy T5. Cycle parking should be secured by condition.

68 With regards to the trip generation and impacts, the proposal will result in a net increase of 34 and 46 two-way vehicle trips in the AM and PM peaks respectively. Whilst it is accepted that these additional vehicle trips do not rise to the level of severe impacts on the strategic road network, it is important to consider the growth context of the site and consequently the cumulative traffic impacts, particularly the A312 Bulls Bridge junction, which currently experiences heavy peak hour traffic congestion. The applicant should consider how a reduction in car parking could reduce the cumulative traffic impacts. The public transport assessment in the Transport Assessment is incomplete; notwithstanding this, it is expected that the generated public transport demand can be accommodated

within the existing network capacity.

69 Given the projected scale of growth in Hayes and the anticipated increase in vehicle flows through the A312 corridor (especially the Bulls Bridge junction that is currently at capacity) and consequent deterioration in conditions for all roads user, particularly for pedestrians, cyclists, and bus passengers, TfL has developed a package of measures for the A312, including a Healthy Streets Scheme for the A312 Bulls Bridge Junction. Based on the number of residential units proposed, a contribution of £290,000 is sought, although this may change depending on clarification of the trip rate information. This will need to be secured by Section 106 agreement.

70 A Construction Logistics Plan (CLP) will need to be secured by condition. Given the other development in the area, the CLP will need to include co-ordination arrangements to ensure management of cumulative impacts. A Delivery and Service Plan should be secured by condition and include consideration of management of home deliveries. A full Travel Plan should be secured through the Section 106 agreement.

## **Local planning authority's position**

71 Hillingdon Council officers are currently reviewing the application. A committee date for the application has not yet been set.

## **Legal considerations**

72 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purposes of determining the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## **Financial considerations**

73 There are no financial considerations at this stage.

## **Conclusion**

74 London Plan and the Mayor's intend to publish London Plan policies on Opportunity Areas; housing; affordable housing; social infrastructure; design; heritage; inclusive design; climate change; green infrastructure; and transport are relevant to this application. Having regard to these policies the application complies with some of these policies but not with others as per the schedule below:

- **Principle of development:** The proposed residential-led mixed use development is strongly supported in principle.

- **Housing:** 26% affordable housing by habitable room (22% by unit) split 64% affordable rent/ 36% intermediate. This does not accord with the 50% threshold for the Fast Track Route for developments on industrial land and therefore must follow the viability tested route. Grant funding must be explored, and review mechanisms secured. Information on the affordability of the intermediate units must be provided.
- **Urban design:** The proposed density, layout and height and massing are supported. The applicant should consider design changes to improve the quality of north-facing single-aspect units and measures to reduce noise and nuisance from the proposed commercial units.
- **Heritage:** The proposal would not cause harm to the significance of any conservation areas or listed buildings.
- **Inclusive design:** The Council should secure M4(2) and M4(3) requirements by condition as part of any permission.
- **Environment:** The Energy Hierarchy has broadly been followed but applicant should provide further information on overheating, future-proofing for district heating connection and the heat pumps. The extensive area of urban greening is strongly supported. The applicant should provide the UGF for the development with the aim of meeting the target of 0.4 for residential developments as set out in the Mayor's intend to publish London Plan Policy G5.
- **Transport:** The level of car parking should be reduced given the level of access to public transport and the impact of vehicle movements on traffic congestion. A contribution of £290,000 is sought for a package of measures for the A312; this should be secured in the S106 agreement. A Construction and Logistics Plan, Delivery Servicing Plan and Travel Plan should be secured.

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