

Appeal Statement

St Andrew's Park - Non-determination
appeal of condition 44

June 2017

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Our reference

VSMQ3001

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1. Introduction

1.1 This Appeal Statement has been prepared on behalf of VSM Estates (“the appellant”) as part of an appeal against the non-determination of a Discharge of Condition application to discharge condition 44 relating to the outline planning permission for the redevelopment of the former RAF Uxbridge site.

1.2 Outline planning permission was granted on 18 January 2012 (ref. 585/APP/2009/2752). This was a hybrid permission as some elements of the development were approved in full. The detailed description of development is provided within chapter 3 of this statement. A Section 73 application to vary the planning permission was granted on 21 December 2015 which enabled the reconfiguration of land uses, alterations to the massing of the development and consequential amendments in relation to access and landscaping in relation to the Town Centre Extension (ref. 585/APP/2015/848). The description of development is as follows:

“Variation of condition 5 of planning permission ref: 585/APP/2009/2752 dated 18/01/2012 (redevelopment of former RAF Uxbridge site) to amend approved plans and drainage strategy regarding the Town Centre Extension phase of the development.”

1.3 Condition 1 of the planning permission requires the development to begin either before the expiration of five years from the 18 January 2012, or before the expiration of two years from the date of approval of the last reserved matters to be approved (whichever is the later).

1.4 Condition 2 of the planning permission requires applications for approval of reserved matters to be made before the expiry of five years from the date of the permission. This relates to the date of the original outline permission of 18 January 2012 (as Section 73 cannot be used to extend the time limit). The last date on which reserved matters could be submitted under the outline permission was 17 January 2017.

1.5 Condition 44 of this varied permission requires that:

“Prior to the commencement of development (other than site preparation and enabling infrastructure works) a Car Park Management Plan covering the entire site shall be submitted to and approved in writing by the Local Planning Authority.

The provisions of the Car Parking Management Plan will be implemented and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.”

1.6 The application to discharge condition 44, the subject of this appeal, was registered by the London Borough of Hillingdon on 25 October 2016, together with the statutory fee of £97 for a discharge of condition application.

1.7 The application was not determined during the eight week determination period which expired on 20 December 2016, and at the time of preparing this statement, a decision had not been made. The deadline for submission of an appeal is therefore 20 June 2017.

- 1.8 Two previous applications to discharge this condition have been made. These previous applications were made on the original outline planning permission in respect of condition 43, which was carried forward on to the varied permission but renumbered as condition 44.
- 1.9 The first application to discharge condition 43 was submitted in July 2012. The application was considered by London Borough of Hillingdon's Central and South Planning Committee on 25 September 2012, who resolved to approve the details (application reference: 585/APP/2012/1662). As such the condition was considered 'discharged'. A copy of the letter confirming its approval is provided at **Appendix 4**.
- 1.10 The approved Car Park Management Plan (version 5.0 at **Appendix 5**) contained reference to parking associated with commercial functions being accommodated within a single parking area. At the request of the Council it gave the example of drawing the parking needed for an evening activity, such as a restaurant, from those occupied by office workers earlier in the day (paragraph 5.5).
- 1.11 The requirement for an element of shared parking is of significant concern to the appellant as it would have severe and negative impacts on the ability to successfully market, let and secure funding for the delivery of the offices in a highly competitive market in which prospective grade A office tenants are seeking 24 hour access to dedicated office parking.
- 1.12 For a number of reasons as set out within this statement, the appellant wishes to remove the requirement for shared parking for the offices and applied to redischARGE the condition with a revised Car Park Management Plan. The application was registered by the London Borough of Hillingdon on 29 September 2015 (reference: 585/APP/2015/3623) and despite on-going correspondence with the Council the application has not been determined. The Council did not agree to extend the determination period and as the deadline for submitting an appeal had passed, the appellant was not able to appeal against non-determination.
- 1.13 The application to which this appeal relates is a duplicate resubmission of the September 2015 application and comprised the submission of the version of the Car Park Management Plan as submitted during the course of the negotiations on the previous (2015) submission.
- 1.14 As will be demonstrated through this statement, there are no reasons to not approve condition 44, and indeed by not doing so the Local Planning Authority is delaying the delivery of approved (reference: 585/APP/2015/1297) employment floorspace and jobs to this town centre location.
- 1.15 The remainder of this statement is structured as follows:
- Chapter 2 describes the site and surroundings.
 - Chapter 3 sets out the relevant planning history for the site.
 - Chapter 4 sets out the case for the appellant.

- Chapter 5 provides the conclusion.

1.16 The accompanying appeal is supported by the following documents:

- A copy of the original application form, ownership certificate and agricultural holdings certificate sent to the LPA at application stage.
- A copy of the LPA's letter acknowledging the application.
- A site plan showing the location of the proposed development and its boundary.
- A copy of the Car Park Management Plan sent to the LPA as part of the application to discharge condition 44.
- A copy of the outline planning permission containing condition 44.
- A copy of the reserved matters approval for the office development.

2. Site and Surroundings

- 2.1 St Andrew's Park is the former RAF Uxbridge site located in Uxbridge in the London Borough of Hillingdon.
- 2.2 St Andrew's Park comprises approximately 46.6ha and is located immediately to the east of Uxbridge Town Centre. It is approximately 3.2km (2 miles) from the A40/M40. The northern most part of the site is located within 500m of Uxbridge underground station providing access to the Metropolitan and Piccadilly underground lines.
- 2.3 To the north of the site lies Uxbridge College and Hillingdon House Farm (athletics track and Uxbridge Lido). The town centre is situated to the west of the site, and to the south lies Brunel University, Uxbridge High School and Hillingdon Hospital. On the eastern side of the site off Vine Lane is the ACS Hillingdon International School.
- 2.4 The western boundary of St Andrew's Park adjoins Hillingdon Road (A4020). The B483 (Park Road) to the north, leads to the A40 providing access to central London to the east and Oxford and the Midlands to the west (via the M40).
- 2.5 The River Pinn passes north-south through the centre of the site in a mature parkland setting, providing an attractive backcloth to the site. A green corridor (now known as the District Park) within the eastern part of the St Andrew's Park site is designated Green Belt.

Development

- 2.6 St Andrew's Park is currently under extensive redevelopment. The site benefits from outline planning permission and a number of reserved matters applications have been submitted to the authority and are at various stages of implementation/determination.
- 2.7 A number of phases have been completed including the Primary School (John Locke Academy) in the northern part of the site and residential phases 1, 2 and 3a. A summary of the key reserved matters applications submitted to date are included in **Appendix 2**. A copy of the relevant phasing plan is enclosed at **Appendix 1**.
- 2.8 Of particular relevance to the appeal is the Town Centre Extension (TCE) which is proposed to be delivered as part of the St Andrew's Park scheme comprising a mix of residential, office, commercial and leisure uses.

3. Planning History

- 3.1 This chapter sets out a summary of the relevant planning history for context, with further detail set out within chapter four (Case for the Appellant) where relevant.
- 3.2 A hybrid planning application for the comprehensive redevelopment of the site for residential-led mixed use development was submitted to the London Borough of Hillingdon in 2009 and planning permission was granted in January 2012 (Application Ref. 585/APP/2009/2752). The planning permission (all matters reserved except for access), was granted subject to conditions and a S106 Agreement.
- 3.3 The outline planning permission element granted consent for:
- (a) Creation of up to 1,296 residential dwellings (Class C3) of between 2 to 6 residential storeys;
 - (b) Creation of up to 77 one-bedroom assisted living retirement accommodation of between 3 to 4 storeys;
 - (c) Creation of a three form entry primary school of 2 storeys;
 - (d) Creation of a hotel (Class C1) of 5 storeys of up to 90 beds;
 - (e) Creation of a 1,200 seat theatre with ancillary café (sui generis); office (Class B1a) of up to 13,860sqm; energy centre (sui generis) of up to 1,200sqm; and retail (Class A1, A2, A3, A4, A5) of up to 2,850sqm; in buildings of between 4 to 6 storeys as well as a tower element associated with the theatre of up to 30m;
 - (f) Creation of a local centre to provide up to 150sqm of retail (Class A1 and A2) and 225sqm GP surgery (Class D1); means of access and improvements to pedestrian linkages to the Uxbridge town centre; car parking; provision of public open space including district park; landscaping; sustainable infrastructure and servicing.
- 3.4 The full planning permission element granted consent for:
- (a) Creation of 28 residential dwellings (Class C3) to the north of Hillingdon House of between 2 to 3 storeys as well as associated amenity space and car parking;
 - (b) Change of use of Lawrence House (Building No. 109) to provide 4 dwellings (Class C3), associated amenity space and car parking including a separate freestanding garage;
 - (c) Change of use and alterations to the Carpenters building to provide 1 residential dwelling (Class C3);
 - (d) Change of use and alterations to the Sick Quarters (Building No. 91) to provide 4 dwellings (Class C3) as well as associated amenity space and car parking;

- (e) Change of use of Mons barrack block (Building No. 146A) to provide 7 dwellings (Class C3) as well as associated amenity space and car parking;
- (f) Change of use of the Grade II listed former cinema building to provide 600sq.m Class D1/2 use (no building works proposed);
- (g) Change of use and alterations to the Grade II listed Hillingdon House to provide 600sq.m for a restaurant (Class A3) on the ground floor and 1,500sq.m of office (Class B1) on the ground, first and second floors;

3.5 The outline planning application was supported by an illustrative masterplan and the following parameter plans:

- Access and Movement
- Landscape
- Land Use
- Character Areas
- Scale

3.6 The outline permission was subject to 87 conditions. These were carried forward through the Section 73 application approved in December 2015 (reference 585/APP/2015/848) with two additional conditions added. The Section 73 sought permission to vary Condition 5 on the outline planning permission to substitute the approved parameter plans with revised versions to enable a reconfiguration of the land uses within the town centre extension.

3.7 A small number of applications have been submitted for non-material amendments to the permission. These do not affect condition 44.

3.8 The outline permission expired on the 18 January 2017.

Office development

3.9 A reserved matters application was submitted for the office element of the Town Centre Extension (TCE) comprising two office blocks with a basement car park to provide 140 car parking spaces. The application was initially made on the basis that the car parking would be for the sole use of the offices, but at the request of the Council, the permission included a requirement for parking to be available for public use. An external pavilion building was added to the proposals to allow public access to the car park to avoid public access to the internal lift that serves the offices.

3.10 The inclusion of public access to the office basement car parking was not supported by the appellant and was only accepted to enable the application to be determined, as the Council was insistent on showing how provision of the shared parking would be made before taking the application to planning committee. The inclusion of shared parking within the office development for public uses was a significant compromise for the appellant and creates a fundamental issue for the delivery of the offices.

Remaining development plots

- 3.11 No reserved matters applications came forward for the remaining retail, hotel or theatre uses within the town centre phase before the deadline for submission of reserved matters of 17 January 2017. With the deadline having now passed, separate outline or full applications would now need to come forward for these uses to be delivered.

Car Park Management Plan - Condition 43/44

- 3.12 The outline planning permission granted in 2012 (and revised in 2015) allowed for provision of over 2099 car parking spaces across the site, with up to 265 car parking spaces identified for the commercial and retail uses (office, retail and theatre uses). This level of parking was compliant with the relevant London Plan and Hillingdon Unitary Development Plan policies at the time. At this time it was envisaged that parking associated with the main commercial functions could be accommodated in a single parking area, with parking needed for evening activities, such as those going to a restaurant or theatre, using spaces previously occupied by office workers earlier in the day (Transport Assessment and Framework Travel Plan, VSM/UXB/HPA/12.1, September 2010, para 5.7.3 – extract included at **Appendix 3**). The Transport Assessment noted that with this approach it would be possible to provide fewer parking spaces compared to simply adding up the total provision permitted for each individual use.
- 3.13 The first application to discharge condition 43 (as it was at the time) relating to the car park management plan was submitted in July 2012. The application was considered by London Borough of Hillingdon's Central and South Planning Committee on 25 September 2012, who resolved to approve the details and the condition was discharged on 30 October 2012 (ref 585/APP/2012/1662).
- 3.14 The car parking strategy, detailed in Section 3 of the Car Park Management Plan (version 5.0) is summarised below:
- Space for six car club bays are provided on site to encourage sustainable transport.
 - A maximum of 450 parking spaces for non-residential uses and 1,649 for residential was agreed within the planning application.
 - Car parking is provided on site as detailed in the Design Code approved as part of the 2012 outline planning permission.
 - Accommodate parking associated with commercial and leisure functions within a single parking area.
- 3.15 The final bullet point above is the aspect of the car park management plan that causes significant issues for the appellant as it requires an element of public access to private office buildings.
- 3.16 As set out in detail within chapter 4 of this statement, the implications of public access to the car park brings the development's viability severely in to question, having a detrimental impact on marketability, ability to secure lets in a highly competitive market,

reduced yield as a result of lower rental values, and therefore seriously impeding the funding prospects for delivering the office developments.

- 3.17 The implications are so severe as to render the development unimplementable, resulting in the loss of a key part of the town centre development at Uxbridge and its associated economic benefits for the town and wider area.
- 3.18 As a result of these concerns, a second discharge of condition application was submitted and registered on 29 September 2015 for condition 43 (ref 585/APP/2015/3623) seeking to amend the approved Car Park Management Plan. The appellant's rationale for requiring dedicated parking for the office development was set out in the covering letter submitted with this discharge of condition (**Appendix 6**). The updated version (version 7.0, provided at **Appendix 7**) submitted under this condition removed reference to a single parking area for office and commercial uses. As such the Car Parking Strategy (section 3) was updated to specify that the parking strategy for the development should "*accommodate parking associated with offices in town centre fringe locations, solely for their use. Remaining parking provision should be shared for other uses in the town centre extension*".
- 3.19 An amended version of the Car Park Management Plan (version 8.0) was submitted during the course of the application determination period. The updated version picked up minor changes to the text including removing the reference to the number of seats proposed within the theatre (as this was not known) and other minor corrections.
- 3.20 A decision was due by 24 November 2015. Despite the appellant's best efforts to work with the Council during the determination period, no agreement was reached. The appellant sought to extend the determination period but the Council did not confirm agreement to this. To date the application remains undetermined.
- 3.21 A third planning application was submitted in October 2016 (ref 585/APP/2016/3929). This was to discharge the same condition 43 but under its new reference as condition 44 as a result of re-numbering of conditions under the varied outline permission (ref: 585/APP/2015/848).
- 3.22 This resubmitted the latest version of the Car Park Management Plan as previously submitted during the course of the 2015 application (version 8.0 provided at **Appendix 8**). A decision was due by 20 December 2016. This application remains undetermined and is the subject of this appeal.

4. Case for the Appellant

Introduction

- 4.1 This section of the Statement explains the previous correspondence with the London Borough of Hillingdon in relation to the discharge of this condition and sets out the appellant's case for this appeal.

Background

- 4.2 No comments have been received from the Council in response to this application. As the application was a resubmission of a previous application relating to the same condition, correspondence on the previous submission to discharge the condition remains relevant.
- 4.3 The following summarises the Appellant's understanding of the Council's concerns over the Car Park Management Plan based on meetings held with officers and an email from London Borough of Hillingdon's Deputy Director, Planning Transportation and Community Projects (Chris Mansfield) dated 11 March 2016 (**Appendix 9**):
- The Council requested that the car parking spaces to be provided in the basement of the two office blocks within the Town Centre Extension (TCE) be shared with the remaining non-residential users of the Town Centre Extension.
 - The Council is concerned about the level of uncertainty for the remaining TCE area and the impact that approving circa 140 spaces for the sole use of the offices would have on the viability of the remaining TCE non-residential uses. A reserved matters application for the two office blocks was being considered at the same time as the 2015 submission to discharge the Car Park Management Plan. The offices scheme was approved on 14 July 2016 (ref. 585/APP/2015/1297) and the Council required pre-commencement condition 3 to be included on the reserved matters approval, requiring details of the layout of '*shared parking (that is parking not to be occupied solely by users of the office development)*' to be agreed in writing by the Local Planning Authority. The appellant will seek for this condition to be revised to remove the requirement for shared parking prior to development of the offices, should this appeal be successful.
 - The Council fully appreciates the economic reasons behind the appellant's desire to provide dedicated car parking for the offices but has advised that the Council cannot agree to this approach.
 - The Council is concerned about the proposed hotel and potentially retail elements of the TCE being brought forward without any parking provision.
 - The Council is concerned over the viability and deliverability of the remaining parking in the TCE area given the limited technical analysis done at this stage.
- 4.4 In response to this email, the appellant would note that the remaining uses within the Town Centre Extension that are yet to come forward and whose parking needs the

Council is seeking to provide for comprise hotel, retail and theatre developments. This includes the Council's aspiration for provision of a circa 1,200 seat theatre.

- 4.5 Material to the consideration of this appeal is that the outline planning permission for the site expired in January 2017. This means that the any future development of the site for hotel, retail or theatre uses within the Town Centre Extension can no longer be brought forward under the outline permission and would require a fresh planning application and (if needed) a separate S106. The Council has not made the Appellant aware of any proposals to progress a fresh planning application for the theatre or other remaining Town Centre Extension uses in the near future and there is no certainty that the remaining TCE uses, for which the appellant is currently required to provide parking, will be brought forward.

Appellant's case

Marketability

- 4.6 The appellant (through its retained commercial agents, Colliers) is seeking to attract national/multi-national companies to take up the grade A office space. Companies known to be in the market area for grade A office space require sole access to parking 24 hours a day and will not accept a shared car parking arrangement with the general public. Such companies want to run their businesses with minimal external influences. This is confirmed in the attached statement from Colliers at **Appendix 10**.
- 4.7 The Homes and Communities Agency Employment Density Guide 2015 specifies that generally technology is having an upward influence on employment density within office properties through the increased flexibility it provides for space planning/usage and operational efficiencies. For example, as consumer and customer demands increase and businesses are seeking greater operational efficiencies there have been some shifts in working hours and patterns in the past decade. Technology advances and flexibility in contracts and working environments results in greater variation to working hours and access to work networks and offices. International connections and working has resulted in a number of 24 hour working trends. The Employment Density Guide 2015 notes there are growing trends for 24 hour working environments. With this in mind access to parking serving the office buildings is expected to be required by prospective tenants on potentially a 24 hour basis.
- 4.8 As well as being unattractive in principle to future occupiers, shared car parking also raises concerns over security and control of access to the basement level of the building, which is even more pronounced at a time of heightened security across the UK.
- 4.9 Related to this are the implications on operational costs due to increased management needs of the parking area which would increase the service charge requirement as well as having implications on public liability insurance. Aside from an increase in costs, this creates practical issues as to how the increased costs would be split between different occupiers of the building.
- 4.10 Collier's advice confirms that in their experience, the vast majority of existing grade A offices in the vicinity of the appeal site have dedicated parking facilities. This is supported by a Costar UK Ltd search on office premises within 0.5 miles of the site that

comprises the 'main competition' for the appellant's scheme. This search confirms that of the 12 office premises identified, all benefit from private parking (**Appendix 11**).

- 4.11 One of the offices identified in **Appendix 11** is the recently refurbished Belmont building. Colliers have confirmed that prior to its refurbishment the office building provided some parking that was able to be shared at weekends with a gym within the building. Colliers advised that there was no evidence of the shared parking being used by gym members and the refurbished building now provides parking exclusively for the office occupiers. This is further evidence of the concept of shared parking having been tried, but it proving unsuccessful in this location.
- 4.12 In a highly competitive market, where exclusive parking for office developments is the norm, provision of shared parking presents a serious marketing issue as occupiers are far more likely to choose to locate in premises that can offer exclusive parking facilities and avoid complicated negotiations on the associated costs.

Deliverability

- 4.13 In addition to the challenges of marketing and letting the offices with a shared parking provision, the untypical character of a publically accessible and shared car park would have a negative impact on the rental value of the offices. This has a knock on impact on the expected yield of the development, making it a much less attractive investment prospect and therefore severely restricting the availability of funding for the development. Investors are unlikely to take the risk on such an abnormal parking arrangement for which the market interest is thought to be highly restricted. Without appropriate funding, the deliverability of the scheme is a concern to the Appellant.

Economic benefits

- 4.14 The consequences of maintaining the requirement for shared basement parking for the offices has a significant opportunity cost from the missed economic benefits that the development could bring if implemented; the office element of the TCE has the potential to generate considerable economic benefits for Uxbridge town centre. This helps deliver a key driver of the National Planning Policy Framework (NPPF) of building a strong and competitive economy through securing economic growth in order to create jobs and prosperity.
- 4.15 The proposed development is likely to support a substantial number of direct (temporary) employment opportunities for professionals, managers and trades people in the construction industry. The proposed development would increase levels of local retail expenditure from on-site construction workers which could create indirect employment opportunities. Construction works would also lead to increases in expenditure in construction supply chain industries/businesses in the local, regional and national marketplace. The Royal Institute of Chartered Surveyors estimate that the creation of 1 construction job creates 2 further jobs elsewhere, both directly and indirectly.
- 4.16 The office development in the proposed town centre extension will provide approximately 10,965sqm of floorspace (net internal area). Based on the net internal area, 914 jobs (full-time equivalent) could potentially be generated in this sector, this is based on the employment densities specified in the Homes and Communities Agency 3rd Edition Employment Density Guide 2015.

- 4.17 The development of the offices is also expected to act as a catalyst for further development within the TCE. For this reason, the discharge of this condition through this appeal would be in line with the clear intention of the National Planning Policy Framework to deliver economic development in sustainable locations.

Parking provision

- 4.18 Removing the requirement for sharing of the consented office parking spaces does not prejudice the ability of the site to accommodate further parking for the other future TCE uses. Of the maximum of 265 spaces envisaged for the commercial element of the TCE within the outline permission, using 140 solely for the offices leaves capacity for 125 spaces for remaining uses which have been tested through supporting capacity work.
- 4.19 The plan at **Appendix 12** shows that there is remaining capacity within the TCE for additional parking to be provided with any future development on this site. Allowing this appeal will not prejudice the possibility of providing additional parking elsewhere should it be required.
- 4.20 The plan at **Appendix 12** also shows that the reserved matters submission for the Town Centre West development (located to the south of the offices and east of the potential theatre/hotel/retail development site), does not prevent a disabled drop-off/pick-up area in front of the land identified within the outline permission for a new theatre. This could be brought forward through a standalone detailed application.
- 4.21 Notwithstanding the capacity of the site for provision of the remaining parking envisaged for the TCE site, the Transport Statement approved for the site through the site wide permission (2012) assessed the TCE site as having a Public Transport Accessibility Level (PTAL) rating of 4 (good). The level of accessibility is expected to increase as the developments and infrastructure on site are built out, new routes become available and the site is opened up through implementation of the site's planning approvals.
- 4.22 The sustainability of the site brings into question the scale of public car parking required for any future retail or leisure uses on the TCE site. It should be noted that it is feasible that no additional parking is provided for the proposed future TCE uses on the basis that the site is in a sustainable location, with good access to public transport and a number of existing public car parks. Parking is not essential for retail units, a new hotel or for the theatre, particularly given the sustainable location of the site.
- 4.23 Research carried out by Atkins to inform this appeal confirms that there are a range of existing car parks within reasonable walking distance of the site that are available for public use (**Appendix 13**). This includes the Intu Uxbridge Shopping Centre Car Park, approximately 270m from the appeal site, which was found to have a spare capacity of 406 parking spaces during a weekday afternoon, and 371 spaces during a Saturday afternoon. Similarly it had a spare capacity of 937 and 728 spaces as a minimum during the surveyed weekday and Saturday evening respectively. In addition, the Civic Centre Car Park, less than 500m to the west of the appeal site and open to the public on Saturdays, was found to have a spare capacity of 535 spaces during the surveyed Saturday afternoon.
- 4.24 Notwithstanding that the theatre would now need to be brought forward under a 'fresh' detailed or outline permission in due course, it should also be noted that the following

existing theatres operate without any dedicated public parking, highlighting that it is not uncommon for theatres to operate without dedicated parking:

- The Hexagon, Reading
- Orange Tree Theatre, Richmond
- Theatre Royal, Windsor
- The Marlowe Theatre, Canterbury
- Park Theatre, Clifton Terrace, Finsbury Park

4.25 With regard to the provision of a new theatre, the appellant is aware of previous evidence base work commissioned by the Council in support of the proposed theatre which identified provision of no additional theatre parking and use of existing remote car parks as being the preferred parking option (over and above provision of basement parking and provision of on-street parking).

4.26 In relation to the other remaining TCE uses (hotel and retail), it is also the appellant's experience that it would be unusual for parking (other than disabled access parking) to be provided in association with delivery of a hotel and small scale retail in this town centre and accessible location. Any retail is envisaged to be of a scale that would encourage linked trips rather than new destination retail.

4.27 In accordance with the NPPF, the principles of parking provision (para 39) should seek to reduce parking levels where possible. This gives further weight to the appellant's case that condition 44 should be approved.

Parking standards

4.28 In considering the planning policy context, it should be noted that whilst national planning policy advises that development proposals through their transport assessments can be an important tool in improving the quality (and where necessary to improve town centre viability), the quantity of car parking in town centres, developments should also be designed 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*' (Planning Practice Guidance, Paragraph: 006, Reference ID: 42-006-20140306).

4.29 Both the London Plan and LBH's adopted car parking standards set out in Annex 1 of the Unitary Development Plan are maximum figures implying the need for parking restraint where appropriate. The Council's adopted RAF Uxbridge SPD for the site refers to the need for car parking controls and restraint across the site, '*particularly areas located near transport nodes on the western side of the site and near the town centre extension*'.

4.30 In this context, it is considered that there is no policy justification for requiring the offices to provide parking for the remaining TCE uses and that allocating the office parking for the sole use of the office is policy compliant, notwithstanding that the site has capacity for additional parking should it be deemed necessary at the time that future development proposals come forward. There is no policy justification for requiring the

offices to provide parking for future uses that, if they are brought forward, would need to be subject to a separate full or outline planning application.

Summary

- 4.31 The appellant's case is clear: there is no reason to withhold the discharge of condition 44 and in doing so, the LPA is delaying the delivery of employment floorspace, jobs and wider economic benefits to this town centre location.

5. Conclusion

5.1 This Appeal Statement has been prepared on behalf of VSM Estates ('the appellant') in support of an appeal against non-determination of an application to discharge condition 44 relating to the outline planning permission for '*Variation of condition 5 of planning permission ref: 585/APP/2009/2752 dated 18/01/2012 (redevelopment of former RAF Uxbridge site) to amend approved plans and drainage strategy regarding the Town Centre Extension phase of the development.*' (Ref: 585/APP/2015/848) on the former RAF Uxbridge site.

5.2 The appellant's case is that it is unreasonable for the Car Park Management Plan to require the offices to provide parking to be shared with other users for the following reasons:

- The outline planning permission has expired and there is now no certainty over the type, scale or timing of any future development of the TCE. It is therefore unreasonable to have to provide parking for these future uses for which no planning permission currently exists.
- The site has capacity for further parking for future TCE uses if and when they come forward under new planning applications that are considered on their own merits.
- Relevant adopted parking standards are maximum requirements. The site is in a sustainable location, with the sustainability of the site likely to increase as further improvements to accessibility are made within the St Andrew's Park site (secured through the S106), meaning there is potential for future parking requirements to be reduced.
- There are other publically available car parks in the vicinity of the site with capacity in the afternoon and evening period. Specifically relating to a future theatre use, it is not uncommon for theatres to operate without any dedicated visitor parking.
- The offices are designed as grade A office accommodation. In order to let the properties in a highly competitive outer London market, the offices need to meet commercial requirements which include 24 hour access to parking spaces. Shared parking would result in greater costs and operational requirements related to security, car park management and insurance. This would have significant and negative impacts on the ability to successfully market the site and is likely to result in reduced rents, lowering investment yields and seriously jeopardising the ability to fund and deliver the development. These factors create additional risk that impact significantly on the ability to implement the office development permission.
- There are substantial benefits to Uxbridge that will not be realised if the office development does not come forward, both directly from employment during construction and operation of the building, as well as wider spin offs benefits in

the local economy and the potential for the offices to act as a catalyst for other developments in the vicinity of the site.

- 5.3 The Council's actions are preventing the delivery of economic development on this site. It is considered unreasonable to compromise the office development and put its viability at risk on the basis of potential future Town Centre Extension developments that would need to be subject to a fresh planning application, whose parking needs (which are in any event unknown at this stage) could feasibly be accommodated elsewhere.
- 5.4 The appellant respectfully requests that the appeal be allowed.

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