
CD10.1h – New Road, Feltham (2018) – Application Ref: P/2018/1775

Proof Reference – Paragraphs 5.2.18 – 5.2.19;

Relevant Officer Report Paragraphs – 7.63 – 7.74

In terms of locational comparison with this Appeal site, the site at New Road, Feltham is in a **PTAL 4** and is on the western extent of Hounslow in close proximity to the strategic highway network (this site being 7.8 km from the nearest junction with the M25 in comparison to Nestles Avenue being a 7.9 km from its nearest junction with the M25, therefore the two are comparable when considering access to the Strategic Highway Network. A parking ratio of just 0.1 spaces per unit was considered acceptable by London Borough of Hounslow which is also an Outer London Borough.

PLANNING COMMITTEE

Rupinder.dhoot@hounslow.gov.uk

5th July 2018

References:	P/2018/1775	00793/M/P1
Address:	Council Car Park, New Road & No's 2, 4, 6, 8, 10, 12 and Labour Club, Manor Place, Feltham, TW14 9BT	
Ward:	Feltham North	
Proposal:	Redevelopment of the site to provide 120 residential units in buildings ranging from 4 to 10 storeys, with 13 car parking spaces (including car club and accessible provision); communal landscaped amenity areas, secure cycle parking and other associated works.	

This application is being taken to planning committee as a Major application which requires a S106 Legal Agreement.

1.0 SUMMARY

- 1.1 The application seeks to redevelop the site to provide 120 residential units in a mix of 1, 2 and 3 bedrooms in blocks of 4 to 10 storeys, with 13 accessible parking spaces (including car club) communal landscaped amenity areas, cycle parking and other associated works.
- 1.2 The proposal would provide much needed additional housing including 40% affordable and family sized units. The proposal would not cause significant harm to neighbouring residential amenity and would enhance the character of the surrounding area through high quality design. Therefore the proposal is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The site consists of a public car park accessed from the north west of New Road and sits on the corner with Bedfont Lane further west, No's 2, 4, 6, 8, 10 and 12 Manor Place which are a block of four terraces house and two detached houses. To the north of the site is a single storey building previously used as a Labour Club but is now vacant.

car club and accessible provision); communal landscaped amenity areas, secure cycle parking and other associated works.



4.2 The 120 residential units would consist of:

- 35 x 1 bed 2 person units
- 55 x 2 bed (25 x 3 person and 30 x 4 person units)
- 30 x 3 bed (3 x 4 person and 27 x 5 person units)

4.3 13 accessible parking spaces would be provided within the courtyard area including 1 car club space. 202 cycle parking spaces would be provided for residents and 6 visitor cycle stands. Access would be from Manor Place, with the existing car park access from New Road closed and made good.

4.4 Each unit would be provided with private amenity space in the form of terraces and balconies. Communal amenity space would be provided within the central courtyard area.

5.0 CONSULTATIONS

- 5.1 541 neighbouring residents and businesses were notified on 17th May 2018 and a site notice was erected on 22nd May 2018 and a press notice was published on the 25th May 2018. 21 responses were received as follows:

Comment	Response
Lack of parking on site will cause parking on local streets causing obstruction and hazards	See 7.67- 7.72
Structure is too high for the area	See 7.18- 7.28
No provisions for added pressure of additional flats, school places, doctors, dentists	The development is CIL liable – the money from CIL will be used to provide additional infrastructure
How will HMO's be managed at this site	The development proposes single residential dwellings. Permission is not sought for HMO use and should such a use arise which would require planning permission then this would be a breach of planning control and subject to enforcement action.
What additional play facilities are there for children?	There are additional play facilities proposed within the court yard of the site. A condition will be included to request further details of the play space to ensure it meets the requirements of the London Plan. A bridge would also be provided for direct access into the Glebelands park.
Will bikes be secure	All cycle stores are to be secure and only accessible by residents of the development.
Overlooking, loss of outlook, loss of privacy	See 7.46- 7.60
Effect on businesses on Bedfont Lane, where would people using the MOT centre park.	It is not considered that there would be an impact on the businesses on Bedfont Lane; the businesses include Restaurant, Hairdressers, MOT centre and health provision. The development of residential units is likely to benefit these businesses. The parking of vehicles related to the MOT centre is not a material

	planning consideration.
A three storey building was rejected in 2013, what makes this acceptable?	Although an application for a three storey building was refused in 2014 a subsequent application for a three storey building was approved in 2014 (See 3.2). Further, since the 2013 application there has been a change in policy framework and the Local Plan was adopted in 2015.
Impact on Town Centre conservation area	See 7.26
This development is not what the community requires	There is an established need for housing which currently outstrips demand.
The development will create demand for CPZ	See 7.67- 7.72
A bridge into the Glebelands would cause more anti-social behaviour	The undercroft walkway to the rear of the development has been carefully design to ensure there are visible views from the street to the location of the proposed bridge, the area to the rear of the site opposite the bridge will be overlooked by the units to the rear of Block C and D and therefore would be surveyed. It is therefore not considered the bridge would lead to an increase anti-social behaviour.

- 5.2 The Environment Agency were consulted and stated that they had no objection to the proposal subject to a condition to restrict light spill.
- 5.3 Transport for London (TFL) were consulted and had no objection to the proposal, however requested that residents are excluded from applying for parking permits in the local CPZs, that a residential Travel Plan be secured via S106 and that a Construction Logistics Plan and Delivery and Servicing Plan be secured by condition.
- 5.4 Royal Parks were consulted prior to the submission of the application and stated that they had no objection to the provision of a bridge over the river.
- 5.5 Thames Water were consulted and requested standard informatives be included on any approval.

OBJECTIONS LIST

- 5.6 The application was placed on the Pending Decisions List dated 15th to 22nd June 2018 (Week 25).

6.0 POLICY

Determining applications for full or outline planning permission

- 6.1 The determination must be made in accordance with the development plan unless material considerations indicate otherwise. Local finance considerations must also be assessed.

The National Planning Policy Framework

- 6.2 The National Planning Policy Framework (NPPF) came into force on 27 March 2012, and from April 2014 National Planning Practice Guidance (NPPG) in the form of an online guidance resource to support the NPPF came into effect. The Local Planning Authority (LPA) considers that, where pertinent, the NPPF and NPPG are material considerations and as such, will be taken into account in decision-making as appropriate.

The Development Plan

- 6.3 The Development Plan for the Borough comprises the Council's Local Plan (adopted by the Council on 15 September 2015), the West London Waste Plan and the London Plan Consolidated with Alterations since 2011.
- 6.4 The draft New London Plan was published on 29 November 2017, for consultation from 1 December 2017 to 2 March 2018. The policies of the draft Plan are capable of being a material consideration in planning decisions. Its policies will gain more weight as it moves through the examination process to adoption; however the weight given to it is a matter for the decision maker. At this stage only limited weight is to be given to the draft Plan due to it being only in the initial stages of consultation.
- 6.5 The Council are currently undertaking two Local Plan Reviews; the West of 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 in planning decisions. Their policies will gain more weight as it moves through the examination process to adoption; however the weight given to them is a matter for the decision maker. At this stage only limited weight is to be given to these draft Plans due to them being only in the initial stages of consultation.
- 6.6 The adopted Local Plan documents and emerging Local Plan Review documents can be viewed on the Planning Policy pages of the Hounslow website.
- 6.7 **London Plan-** relevant policies

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of new housing (Table 3.3 minimum space standards)
- Policy 3.6 Children and young people's play and informal recreation
- Policy 3.8 Housing Choice
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.13 Sustainable Drainage
- Policy 6.13 Parking
- Policy 6.9 Cycling
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.4 Local Character
- Policy 7.6 Architecture

The draft London Plan December 2017

- H1 Increasing housing supply

6.8 **Local Plan-** relevant policies and documents

- SC1 Housing Growth
 - SC2 Maximising the provision of affordable housing
 - SC3 Meeting the need for a mix of housing size and type
 - SC4 Scale and density of new housing development
 - SC5 Ensuring suitable internal and external space
 - SC8 Specialist and supported housing
 - CC1 Context and Character
 - CC2 Urban design and architecture
 - CC3 Tall buildings
 - CI1 Providing and protecting community facilities
 - GB7 Biodiversity
 - EQ1 Energy and carbon reduction
 - EQ2 Sustainable design and construction
 - EQ3 Flood Risk and surface water management
 - EQ5 Noise
 - EQ7 Sustainable waste management
 - EC2 Developing a sustainable local transport network
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- Feltham Vision and Concept Masterplan
 - Emerging West of the Borough Plan

7.0 ASSESSMENT

7.1 The main planning issues to consider are:

- The principle
- Affordable housing, mix and tenure
- Visual impact and design
- Quality of the accommodation
- Impact on neighbouring residential amenity
- Parking, servicing and access
- Sustainability
- Environmental consideration

The principle

- 7.2 The NPPF states that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material consideration indicate otherwise.
- 7.3 Policy SC1 of the Local plan states that the Council will support proposals for new development and conversions on other sites, including small sites, in the context of presumption in favour of sustainable development.
- 7.4 The Council's Feltham Masterplan 2017 is being used as an evidence base for a new West of Borough Plan which is part of the Local Plan review; the plan will promote the redevelopment or refurbishment of buildings or sites near to the town centre to include a mix of residential and leisure uses, and improve transport access into the Town Centre. The Masterplan looked to expand town centre living in to an area within which the site lies. This would establish a fringe of apartment buildings around the centre with walkable compact developments that support a vibrant Town Centre, providing higher density in the centre and around the station and larger units for families at the periphery of the centre.
- 7.5 The site also lies within Feltham Town Centre Housing Zone which is one of 30 Housing Zones which are hoped to bring accelerated housing development within London. Feltham Town Centre Housing Zone has a target of 3339 new homes with 1406 of these being affordable. The site would bring much needed housing, in accordance with the Housing Zone objectives and also policies within the adopted Local Plan and London Plan.

- 7.6 Policy CI1 states that the Council will protect existing community facilities in the borough that continue to serve the community and direct new community facilities to the most appropriate locations. This will be achieved by ensuring that existing community facilities continue to be used for the benefit of the community where they are still providing the intended community service. This Policy states that the Council will therefore expect development proposals to meet the following criteria if the scheme would result in the loss of a community use and is not re-providing the existing community use elsewhere, at an equivalent capacity that suits existing and future needs and has been agreed with the Council;
- i. The facility has been vacant or significantly underused for a continuous period of 18 months and is not appropriate for any other community uses as demonstrated by the applicant through evidence of sufficient marketing;
 - ii. The facility is no longer required by the body that operates it; and
 - iii. Robust evidence has shown that the use is no longer required to serve its catchment area.
- 7.7 The application would result in the loss of the former Labour Club on site, which will not be re-provided within the proposed development and therefore the requirements of policy CI1(i-iii) above would need to be satisfied.
- 7.8 In regards to criteria i and ii it is noted that the Labour Club has been vacant for 6 years and had been activity marketed without success. It is considered that given the poor condition of the building it would be unlikely to be viable without redevelopment.
- 7.9 Further, the applicant has provided a Community Facilities and Services Audit in order to satisfy criteria iii above in regards to the Labour Club. The audit assessed the provision of other community facilities within the Local Impact Area which could provide for the needs of the demographics of the local population. The report concluded that within the Local Impact Area there are sufficient facilities, which can meet the requirements of the local community.
- 7.10 It is considered therefore, that the report has satisfied points i-iii of policy CI1, that the Labour Club is no longer required as a community facility to serve its catchment. Therefore there is no objection to the loss of community facilities within the site.

7.11 The proposal would also see the loss of 6 family sized residential units. The loss of community facilities has been satisfactorily justified as outlined above; the family sized units would be re-provided within the proposed development. The proposal would bring 120 much needed residential units to the Housing Zone of which 40% would be affordable. Therefore in principle the redevelopment of the site is considered acceptable subject to meeting the requirements of other policies and guidance.

7.12 Emerging policy H1 of the draft London Plan states at B,2 that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions; especially the following sources of capacity;

b) mixed-use redevelopment of car parks and low density retail parks.

It is considered that this development would be in line with the aims of this emerging policy.

Affordable housing, mix and tenure

7.13 Policy 3.8 of the London Plan encourages new developments to offer a range of housing choice in terms of mix and housing sizes and types. The draft London Plan housing target for Hounslow, based on a city-wide strategic housing market assessment (SHMA), is 2,182 new units compared with the existing annual target of 822 (FALP,15).

7.14 The need for affordable housing in the borough significantly outstrips the capacity and supply. The Council's Housing Needs Assessment (2009) identifies that approximately half of all households in the borough seeking to move cannot afford market housing, either to rent or buy (assuming 40% of income is spent on housing). Rising housing need and homelessness, combined with severe shortage in the supply of affordable private sector rental accommodation have resulted in escalating deficits in the Council's Temporary Accommodation budget. It is a corporate priority to secure 5000 affordable units during the period 2014-2018 with 3000 affordable rent units. Increasing supply is part of the solution and the borough is very focussed on promoting new housing delivery.

7.15 Policy SC2 states that the Council will seek the maximum reasonable amount of affordable housing to be negotiated on a site by site basis on all sites with a capacity to provide ten or more homes with reference to the strategic borough- wide target of 40%. We will therefore expect development proposals to be accompanied by an open book viability assessment and any supporting evidence to demonstrate the maximum provision of on-site affordable housing. We will also expect a mix of 60% affordable/social rent and 40% intermediate tenures on all qualifying site; and provide an appropriate mix of both housing size and tenure in accordance with housing needs set out in Policy SC3.

7.16 The application proposes to provide 40% affordable housing in line with Policy SC2 of the Local Plan. 25% of this affordable housing would be provided by the developer and the remaining 15% would be provided by

Greater London Authority (GLA) funding. All schemes are expected to maximise the delivery of affordable housing and make the most efficient use of available resources to achieve this. The Council have worked closely with the GLA and the applicant to increase the provision onsite to 40% to meet the borough's strategic affordable housing target. The tenure housing split onsite of the affordable offer will now be, 52% affordable rent and 48% shared ownership.

7.17 The following is a breakdown of the proposed units across the whole site.

Summary	Private	RENT	S/O	Total	Percentage
1B 2P	17	8	10	35	29%
2B 3P	11	6	8	25	
2B 4P	25	2	3	30	46%
3B 4P	0	3	0	3	
3B 5P	19	6	2	27	25%
Total	72	25	23	120	
Percentage	60%	21%	19%	100%	100%

7.18 Should the developer not receive Government funding to bring affordable housing to the target 40% then there will be a review mechanism which will be secured through the S106.

7.19 The proposed size and mix of units is considered acceptable and would provide a good mix of unit sizes across all tenures.

Visual impact and design

7.20 Policy CC1 of the Local Plan states that the Council will recognise the context and varied character of the borough's places, and seek to ensure that all new development conserves and takes opportunities to enhance their special qualities and heritage.

7.21 Policy CC3 of the Local Plan states that in order to contribute to regeneration and growth the Council will support tall buildings of high quality in identified location which accord with the principles of sustainable development. This will in part be achieved by supporting a limited number of tall buildings in Feltham Town Centre.

We will expect tall buildings development proposals to:

- (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;
- (j) Be of the highest architectural design and standards; be attractive, robust and sustainable;
- (k) Be of a scale that reflects their relevance and hierarchical importance when located within a grouping/cluster of tall buildings;

- (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;
- (m) Relate heights 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;
- (n) Provide for a comfortable and pleasant microclimate which minimises wind vortices and overshadowing;
- (o) Provide for biodiversity within the building form and be sensitive to surrounding open spaces including waterways to ensure minimal impact;
- (p) Take opportunities to enhance the setting of surrounding heritage assets, the overall skyline and views;
- (q) Carefully consider the façade 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;
- (r) Use materials and finishes that are robust, durable and of the highest quality, with facades providing innate interest, variety and function;
- (s) Incorporate innovative approaches to provide high quality, usable, private and communal amenity space where residential uses are proposed; and
- (t) Comply with the requirements of the Public Safety Zone.

- 7.22 The Council Feltham Masterplan which forms part of the evidence base for the West of the Borough Local Plan review, highlights the site as being one that could accommodate a 8-10 storey building on the corner with New Road and Longford River.
- 7.23 The current site contains a hard surface car park in New Road, which is of no architectural merit and therefore its loss in design terms would not be resisted. The site also contains a block of four terraced houses (No's 2-8 Manor Place) of a traditional design with bay windows and hipped roof, No.10 is a detached property of quite an indistinctive design it has been extended by way of a flat roofed two storey side extension. No.12 Manor Place was originally a chalet bungalow style dwelling but has been extended extensively to form a two storey double gable ended building. These houses are not of an exemplary design and therefore their loss will not be resisted in design terms. The Labour Club to the end of Manor Place is a single storey gable ended building which is in a poor state of repair and provides no architectural merit to the area, therefore its loss will not be resisted in design terms.
- 7.24 The surrounding area is made up of a mixture of two storey terraces 74-80 Bedfont Lane with commercial at ground floor and residential at first floor. The block of four terraced properties 74-80 Bedfont Lane are to be retained. There is a two storey block of more modern flats at 82 Bedfont Lane with habitable living space in the roof. On the opposite site of Bedfont Lane is another modern two storey block of flats. Further along Bedfont Lane is a block of nine terraced properties which make up a parade of commercial with residential on first and second floors. Further south of the site within the Town Centre are seven storey blocks of residential units. Opposite the

subject car park is the single storey building of Feltham Train Station. The surrounding area is made up of buildings of differing heights and design with no one distinct character however there is a strong established building line along Bedford Lane which makes up the character of the area.

- 7.25 The proposal is for a part 4, 6, 7 and 10 storey building of 7 interconnecting blocks. The building would be orientated to line up with the established building lines of Bedford Lane to the south west and would angle away slightly to the east and then would have primary frontages onto New Road and the Longford River. The building would curve inward to a central courtyard accessed from Manor Place. The proposal would see the creation of a street frontage onto New Road which would create a more attractive approach from Hounslow Road towards Bedford Lane, marking the Longford River, which is at present obscured. The building would be finished with differing building lines and heights to mark the edges of the site.

3D Proposed Aerial



- 7.26 The parade of 74-80 Bedford Lane is two storey with the proposal being four storey closest to this parade. The lower height at this point provides a transition to the taller elements of the scheme. The building also angles away to return on the corner from the rear of the parade to ensure that the development does not overpower the parade. The building then steps up to six storeys when fronting the Feltham Train Station.



- 7.27 The taller 10 storey element would sit on the corner of New Road and the Longford River. Currently when on approach to Bedfont Lane from New Road, there is no sense of place or focus. On one side of New Road is the blank elevation of the Lidl building and on the other there are no distinct features or structures. The development would bring focus and a sense of place to New Road and greater legibility, giving the area some character and feature.



- 7.28 To the south east of the site is the Grade II listed St Catherine's Spire. The Feltham Masterplan highlighted that views of the Spire are important to the character of the area and should be carefully maintained. The Design and Access Statement includes some key views of the Spire, including the view from Glebelands and from Bedfont Lane, which shows that views of the Spire would be maintained. The site is also close to the Feltham Town Centre Conservation Area which lies 120m to the west of the site. Given the distance of the development from the conservation area and the presence of other taller structures within the Town Centre closer to the conservation area it is not considered there would be any harm to the character and appearance of the conservation area.
- 7.29 The development proposes to use a varied materials palette arranged across the blocks in vertical and horizontal elements. There would be a contrasting corduroy brick to add interest to the elevations which would be carried across the development to bring cohesion. The building would be finished with a mixture of dark brick, buff brick, corduroy brick, dark fenestration and metal cladding. Entrances from New Road into the development are marked with double height dark metal cladding to create a distinguishable feature and bring active frontages to the building.
- 7.30 Overall it is considered that the design, massing and bulk of the development is considered acceptable and would bring some much needed vibrancy and activity to this corner site. A condition will be included requiring the submission of materials prior to commencement to ensure the development is of a high quality design.

Quality of the accommodation

Internal space provision

- 7.31 The Nationally Described Space Standards provide minimum internal floor areas for all new residential units and are mimicked in policy 3.5 of the London Plan. Below is a section of table 3.3 of the London Plan which shows the minimum space standards for units of between one and three bedrooms as proposed:

Table 3.3 Minimum space standards for new dwellings⁷

Number of bedrooms	Number of bed spaces	Minimum GIA (m ²)		
		1 storey dwellings	2 storey dwellings	3 storey dwellings
1b	1p	39 (37)*		
	2p	50	58	
2b	3p	61	70	
	4p	70	79	
3b	4p	74	84	90
	5p	86	93	99
	6p	95	102	108

- 7.32 All of the proposed units would meet or exceed the minimum space standards with the one bedroom two person units measuring between 50.2 - 54sq.m, the two bed three person units measuring between 61.1 – 73.2sq.m, with the two duplexes measuring 73.2sq.m, the two bed four persons units measuring between 70.3- 80sq.m, the three bed four person units all measuring 78.2sq.m and the three bed five person units measuring between 86.2 – 88.3sq.m.
- 7.33 Policy 3.5 of the London Plan also states that new homes should have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose, meeting the changing needs of Londoners. All of the units are well laid out with sufficient layout of rooms ensuring bedrooms are coupled together where possible away from living space; each unit is afforded with storage space and private amenity areas. All double bedrooms measure at least 11.5sqm and all single rooms measure at least 7.5sq.m in line with the Nationally Described Space Standards.
- 7.34 The Minor amendments to the London Plan state that 90% of new housing should meet Building Regulation requirements M4(2) 'accessible adaptable dwellings' with 10% meeting M4(3) 'wheelchair user dwellings' and should be designed to be wheelchair accessible or easily adaptable. The proposed development would provide 12 units as wheelchair accessible in accordance with building regulations Part M4(3) with the remaining units all meeting building regulations part M4(2) meaning they are wheelchair adaptable units. Although only one wheelchair accessible unit is provided on the ground floor, all upper floor accessible units would be served by two lifts. Of the 12 fully adaptable units two would be offered as affordable rent.

External space provision

- 7.35 Policy SC5 of the Local Plan and the Mayors housing SPG states that each unit of up to two people should provide a minimum of 5sq.m of private outdoor amenity space and an addition 1sq.m per additional occupant.

- 7.36 Each unit would be provided with private amenity space in the form of terraces or balconies and would all meet or exceed the minimum space requirements. The private amenity space would range between 5sq.m for some of the one bed two person units to 31sq.m private terrace on the ground floor for a two bed three person unit. A condition would be added to request further details of balconies including any required privacy screens.
- 7.37 Communal amenity space should also be provided in line with Policy SC5 of the Local Plan which states that for each unit of up to 3 habitable rooms 25sq.m should be provided, 30sq.m for 4 habitable rooms and 40sq.m for 5 habitable rooms. This total would be less a reduction in private amenity space. This is also in accordance with the requirements of the Mayors Housing SPG. A total of 3,185sq.m of communal amenity space would be required (89 units at 25sq.m, 28 units at 30 sq.m and 3 units at 40sq.m) less a reduction in private amenity space. The total amount of private amenity space provided is 931sq.m. Therefore a final total of 2,254sq.m of communal amenity space is required for the development.
- 7.38 Communal amenity space is provided in the ground floor courtyard area and includes a play area, the communal amenity space on site measures a total of 560sq.m. This is a substantial shortfall from the minimum standards. The Glebelands Park lies adjacent to the site and although there is access to the park from an existing path on New Road a financial contribution would be made via the S106 to fund a new pedestrian and cycle bridge over the Longford River linking the rear of the development to the park. Therefore given that there would be an improved and direct link into the park which can be used by residents of the development (and others), is it considered in this instance, that the shortfall in onsite communal amenity space is considered acceptable. This coupled with the provision of private amenity space for every unit the proposal would provide good quality, spacious and usable amenity space for future residents.
- 7.39 London Plan policy 3.6 and the Mayor's SPG on *Providing for children and young people's play and informal recreation* states that any development for housing should include play and informal recreation. The proposed development includes the provision of a children's play space to the within the courtyard of the site. This play space would be for the use those residing at the development.

Daylight/sunlight/outlook

- 7.40 The scheme has been designed to maximise the views available around the site. Wherever possible units have an outlook onto the river and the park beyond. Some of the units will have an outlook onto the central courtyard area which will be landscaped with hard and soft landscaping to provide an attractive environment.
- 7.41 Most of the proposed units would be dual aspect, with some single aspect units, most of the single aspect units would not be north facing. There are a few north facing single aspect units which have been designed to have recessed balconies to provide views in multiple directions, these units also have views out over the river.

- 7.42 The application has been accompanied by a Daylight, Sunlight and Overshadowing report. The report states that a daylight and sunlight assessment was undertaken in accordance with the Building Research Establishment (BRE) publication “site Layout Planning for Daylight and Sunlight, A guide to good practice” (2011). Three methods were used to calculate daylight, the Vertical Sky Component (VSC), No Sky Line (NSL) or daylight distribution analysis and the third Average Daylight Factor (ADF).
- 7.43 In regards to the proposed units it was established by the report that all units will achieve a good level of daylight and sunlight.

Noise and disturbance

- 7.44 There is a parade of commercial properties at 74-80 Bedfont Lane, the uses are hairdressers, restaurant, chiropody and MOT centre. All the uses bar the MOT centre are not likely to lead to noise and disturbance to future residents of the development that you would not expect to find in a town centre location. However the noise levels produced by the MOT centre and other air, road, rail noise need to be considered. A noise impact assessment had been submitted with the application. Noise levels affecting internal areas of the proposed development) before any mitigation measures are introduced) have been used to determine the Noise Risk Category (NRC) in accordance with the Council’s Noise SPD.
- 7.45 The results of the NRC indicate that the facades closest to New Road will fall within the medium NRC for day and night periods, resulting in a significant adverse effect before mitigation. The middle of the site backs towards Manor Place and is predicted to have a low NRC, resulting in an adverse effect before mitigation. The report therefore recommends mitigation to include enhanced glazing and acoustic ventilation for worst-case habitable rooms facing and side on to noise sources such as New Road, the railway line and the aircraft flight path. Facades to the rear of the site and some facing inwards will be adequate with either windows open or standard glazing closed and trickle vents open for ventilation. The recommended mitigation measure will be secured by condition.
- 7.46 In regards to external noise levels the report notes that within external amenity areas noise levels are likely to exceed the recommended $55\text{dBL}_{\text{Aeq,T}}$ for balconies that directly face and are side on to New Road and the east of the site. However the report goes on to state that the development would provide quieter amenity areas on site that can be utilised by future residents. It is also noted that future residents will have access to the Glebelands Park which would be set back from any road traffic and bus movement noise. Therefore given the location of the site in an urban Town Centre location it is considered that the noise criterion of 55dB(A) cannot always be met.
- 7.47 It is considered that given the overall design of the scheme providing good quality of accommodation, amenity space and outlook the development would provide good quality of accommodation for future occupants.

Impact on neighbouring residential amenity

- 7.48 Policy CC2 of the Local Plan states that development proposals should provide adequate outlook, minimise overbearingness and overshadowing, and ensure sufficient sunlight and daylight to proposed and adjoining/ adjacent dwellings.

Privacy and overlooking

- 7.49 The closest residents to the site are those on the first floor of 74-80 Bedfont Lane and the block of flats 82 Bedfont Lane. The London Plan SPG on Housing states that a minimum of 18-21m separation distance between habitable room windows is a useful yardstick for assessing visual privacy.
- 7.50 There are habitable room windows to the first floor of the rear of 74-80 Bedfont Lane that would face directly towards the development. Given the orientation of the block to the east of No.74 there would be no direct overlooking. There would be a distance of between 34-35m between habitable windows between the block of four properties and units within Block C of the proposed development. This distance is well in excess of the recommended 18-21m and therefore it is considered there would be no loss of privacy caused to residents of 74-80 Bedfont Lane.
- 7.51 In regards to the flats at 82 Bedfont Lane there are two small windows to the rear of the block that would face Block D of the proposed development. There is one at first floor and one at ground floor which appear to serve bathrooms or are secondary windows. The ground floor window is partially obscured by a brick wall enclosing a cycle store. These windows are 37m away from any habitable room windows in block D of the proposed development. Therefore it is considered there would be no loss of privacy or overlooking caused to residents of 82 Bedfont Lane.

Overshadowing, loss of light and loss of outlook

- 7.52 The nearest neighbouring properties which would be impacted by the development in terms of overshadowing, loss of light and outlook are again 74-80 and 82 Bedfont Lane. The application is accompanied by a Daylight, Sunlight and Overshadowing report which assessed the impact to those neighbouring residents listed above based on BRE guidance document "Site Layout Planning for Daylight and Sunlight- A guide to good practice" (2011). The report looks at two methods for assessing the impact:
- 7.53 *The numerical values contained within the BRE Guidelines, to establish whether the proposals will have a significant effect on the daylight enjoyed by the neighbouring properties are based initially on a Vertical Sky Component analysis (VSC). It seeks for each window to achieve a VSC of 27% or 0.8 times the existing. These values are for suburban rather than urban locations where it is considered a VSC of 20% is more appropriate.*
- 7.54 *In relation to daylight, the BRE Guidelines also set out numerical values for daylight distribution and seeks to ensure that a significant portion, which is considered to mean at least 0.8 times the existing area of each habitable room lies in front of the NSL.*

- 7.55 *An alternative method of considering the implications the proposals will have on the neighbouring properties is to calculate the Average Daylight Factor (ADF) in accordance with Appendix C of the BRE guidelines. This takes into account the area of glazing serving the room as well as the size of the room and expresses the ratio of daylight in the room as a portion of the daylight outside. The recommended minimum level, depends on the room use. For a kitchen the recommended level is 2%, whilst for a living room it is 1.5% and a bedroom 1%.*
- 7.56 *With regard to sunlight, the BRE Guidelines seek that all windows within 90o of due south achieve 25% of the Average Probable Sunlight Hours (APSH) with at least 5% during the winter months. Where this is not achieved and the difference between the existing and proposed APSH is more than 4%, the BRE Guidelines state that the proposals will not have a noticeable effect on sunlight provided the total APSH, as well as during the winter months, are within 0.8 times the existing.*
- 7.57 74 – 78 Bedfont Lane, these properties have habitable room windows to first floor level, based on VSC analysis it is considered that the bedroom windows overlooking the proposal would not achieve the numerical values set out in the BRE guidance for suburban locations but would exceed those for an urban location. In addition, the recommended minimum ADF for a bedroom is exceeded. Therefore it is considered given the findings of the report and the orientation of the development angling away from the rear of these properties and siting in line with the front of them, there would be no significant harm in terms of the amount of daylight/sunlight received and overshadowing experienced.
- 7.58 80 Bedfont Lane, this property also has habitable room windows to first floor, based on VSC analysis it is considered that the window serving a habitable room achieved the numerical values set out in the BRE guidance. Given that this property sits the furthest away from the development in comparison to 74-78, and given the findings of the report it is considered there would be no significant harm in terms of the amount of daylight/sunlight received and overshadowing experienced.
- 7.59 82 Bedfont Lane, this property is a block of 9 units and has residential accommodation over two floors. The VSC analysis shows that all expect one window, serving a room served by two other windows, would achieve the numerical values set out in the guidance. The window would achieve 0.78 times the existing situation and given that the room is served by two other windows the difference is not considered to be one that would be noticeable. The daylight distribution has also been considered by plotting the NSL and looks at both living rooms and bedrooms. The results demonstrate that the two ground floor bedrooms of the block that do not have a significant portion of their area (>80%) in front of the NSL, will have 75% which is considered to be a good level of daylight distribution for a bedroom. There are two living rooms that would not achieve the recommended level of daylight and these are single aspect and in excess of 5m deep. Therefore, in accordance with paragraph 2.2.10 of the BRE guidance greater movement of the NSL is unavoidable. Given the findings of the report and the fact that there are a limited number of windows that

would be affected by the development , and these windows would still receive acceptable levels of daylight/sunlight, it is considered on balance that there would be no significant harm cause to the amenity of residents in this block.

- 7.60 In regards to loss of outlook, this needs to be assessed for properties 74-80 Bedfont Lane as they have habitable room windows that would directly look out onto the development (Block C).
- 7.61 74-80 Bedfont Lane currently have views out over 2-12 Manor Place, which are two storey buildings and their rear gardens. For 78 and 80 they currently look out at first floor on to the flank wall of No.2. Therefore it is considered given that 2-12 Manor Place would be demolished and new structures would be over 30m away the outlook for these two properties would actually be improved and they would look out onto the courtyard of the proposed development.
- 7.62 In regards to 76 and 74 Bedfont Lane they currently look out over the rear gardens of 2-12 Bedfont Lane and then in the distance have views towards the river. It is noted that these two properties benefit from somewhat of an open view, however given that the habitable room windows are at 1st floor the views are obscured by mature trees and shrubs. Block A of the proposed development would sit 2m away from the flank wall of No.74 and at four storeys. However Block A sits at a different orientation to No.74 angling away from its rear elevation, and therefore would not be readily visible from No.74 or the rest of the block. The proposed development (Block C) would be over 34m away from where it directly fronts 74 and 76. Although it is agreed that there would be some loss of open views to No.74 and 76, given the distance of the development from the rear of these two properties coupled with the improvements to landscaping within the site it is considered there would be no detrimental impact to the outlook of these two properties.

Parking, servicing and access

- 7.63 The existing site comprises of a public car park accessed from New Road, and six residential building and the Feltham Labour Club building accessed from Manor Place. Both New Road and Manor Place are adopted highway. Bedfont Lane CPZ operates to the south and west of the site (Mon-Fri 9:30am-6:30pm).
- 7.64 The site has a PTAL of 4 and is therefore considered to have good accessibility to public transport. Feltham Station is between 40-160m walking distance to the south of the site and there are three bus services within a 150m walk of the site. There are an additional five bus services within 500m of the site.
- 7.65 The southern portion of the site is contained within Feltham Town Centre as defined by the Local Plan. Part of the highway land contained within the red outline of the application has an unknown ownership, therefore this piece of

land will need to be subject to a Compulsory Purchase Order, which would be separate to this planning application process.

- 7.66 The proposal includes the loss of a 38 parking spaces in a public car park which is accessed from New Road. Surveys of public car parking facilities within 400m of the site were undertaken by the applicant on a typical Friday and Saturday and the results are compiled in the Transport Assessment. The parking facilities surveyed were New Road car park, Feltham Station car park, The Centre car park, and Sydney Road car park.
- 7.67 The results demonstrate that ample publically accessible parking would remain within a 400m walk to accommodate the displaced parking from New Road car park, even assuming that all 38 spaces were regularly occupied.
- 7.68 Since the surveys were undertaken Sydney Road car park has been closed to facilitate the Feltham Town Centre highway improvement works. The loss of these 34 spaces, in addition to the loss of the 38 spaces in the New Road car park, can be comfortably accommodated in the remaining public parking facilities.
- 7.69 Census data for the Mid Super Output Area indicates that the average car ownership level for a development such as that proposed would be 65. This is based on the proposed tenure mix of the development.
- 7.70 To control overspill parking, the flats should be made ineligible for parking permits for the adjacent CPZ by way of an obligation in the legal agreement, while on-street waiting restrictions within the vicinity of the site would prevent parking in areas outside the CPZ. The closest unrestricted space to the site on the public highway is approximately 300m away. This distance would be too great to make it attractive for future residents of the proposed flats to use on a regular basis, especially when there is no guarantee that they would get a space that close to the site. As such, the proposed scheme would essentially operate as a low car development.
- 7.71 Local Plan Policy EC2 commits the council to promoting 'low car' development where appropriate, as well as car clubs. It also states that "'Car-free' and 'low car' development will be encouraged in locations of high public transport accessibility and locations where there are Controlled Parking Zones (CPZs)." Given that the site is adjacent to Feltham Station, numerous bus routes, has a good public transport accessibility level (PTAL 4), and is in an area where on-street parking is controlled by either a CPZ or "no waiting" restrictions, it is considered to fulfil the criteria for a low car development. Furthermore, the site is adjacent to Feltham town centre and all of its facilities and services which future residents will be able to make use of without needing access to a car. To provide some flexibility, a car club bay would be provided and the developer would be obliged to offer new residents membership of the scheme for a number of years. The car club facility would also be available to members of the public. A comprehensive Travel Plan will be secured by S106 so that alternative sustainable modes of transport are promoted to residents and their take-up encouraged. This

reinforces the need to have a good quality cycle parking provision which the proposal is currently lacking.

- 7.72 The benefit of a low car scheme is that there would be a significant reduction in vehicular trips associated with the site, thereby having a positive impact on congestion, air quality, and noise pollution in the immediate vicinity. A low car development in this situation would also accord with both the current and draft London Plan, and the aims of the National Planning Policy Framework.
- 7.73 The layout of the on-site parking spaces is satisfactory, while the management of the spaces will be in line with appendix 8 of the Transport Statement- Parking Design and Management Plan which is considered satisfactory. The parking spaces, electric charging points and management of the car park will be secured by condition.
- 7.74 One car club bay would be provided in a satisfactory situation. The applicant has stated that Zip Car have been approached and are interested in offering a car from this location.

Cycle parking

- 7.75 As mentioned earlier the development comprises 35 x one-bed, 55 x two-bed and 30 x three-bed flats. Therefore, with reference to The London Plan, the development attracts a demand for 205 long-stay (visitor) and 3 short stay (visitor) cycle parking spaces.
- 7.76 A total of 205 long stay spaces are shown on the plans, the number of cycle spaces provided is in line with the London Plan requirements however many of the spaces are formed by the use of semi-vertical racks. Policy EC2 and the West London Cycle Parking Guidance warns against proposing these type of racks as they are not easily accessible by people of all abilities and are less likely to be regularly used than horizontal spaces. Cores B and D would have a deficient number of spaces, Core D significantly so. Furthermore, in the latest plans vertical and semi-vertical spaces are still being proposed. These types of spaces are not conducive to convenient or regular use, are not accessible by people of all abilities, and are explicitly resisted by Policy EC2. Internal doors to the stores need to be provided so that residents don't have to walk out of the building then back into it to access their bikes. Again, this would diminish the convenience of cycling as an attractive mode of travel. Therefore a condition that will be included to state that, notwithstanding what is shown on the proposed/approved plans, details of a satisfactory parking provision are submitted and agreed by the council. As the ground floor layout, and possibly the site layout, will likely need to be revised to accommodate a satisfactory provision, this condition will need to be a pre-commencement condition

Deliveries and servicing

- 7.77 There is sufficient space within the site for deliveries to take place from, while swept paths have been provided to show how a refuse lorry can access and egress the site with minimal reversing.
- 7.78 A Delivery and Servicing Plan has been submitted to detail how the site would be managed to ensure that deliveries and servicing can take place in an acceptable manner. The DSP is acceptable and a condition will be attached so that it is implemented for the lifetime of the development.

Trip generation

- 7.79 The existing car park and residential properties on the site has the potential to generate approximately 732 two-way vehicular movements throughout a weekday, including 45 and 79 during the AM (08:00 – 09:00) and PM (17:00 – 18:00) peak hour periods respectively.
- 7.80 To calculate the likely trip generation profile of the proposal, the applicant interrogated the TRICS database for comparable sites. This estimated that the proposed development would generate 39 two-way vehicular trips including 5 during each of the AM and PM peak hour periods. Though census data for area's "method of travel to work" should have been used to establish the mode share, it is accepted that reduction in vehicle movements as a result of the proposal would represent a significant benefit to the public highway.

Works to public highway and river side

- 7.81 Contributions would be sought to provide a 2m wide path from New Road along the western bank of the Longford River and the back of the site. This should be widened to 3m to allow for shared use by pedestrians and cyclists (based on the minimum effective width prescribed by the Local Transport Note 1/12. As there is a level difference between New Road and the river bank.
- 7.82 The bridge would follow the alignment of Manor Place across the river and be widened to 3.5m to allow for shared use by cyclists and pedestrians. A financial contribution towards the bridge will be secured via a S106.
- 7.83 A means to secure access for pedestrians and cyclists to the river side through the site from Manor Place will also be included in the S106 agreement.
- 7.84 The access to the southern parking area will need to be shown as a crossover on the plans to emphasise pedestrian priority. The back of the public footway on the eastern side of Manor Place should follow the line established by the side elevation of 80 Bedford Lane. Details of these works need to be agreed with the council and completed prior to occupation. The highway works and widening of the public footway will require a s38/s278 agreement which will be secured via a planning condition.

- 7.85 The proposal would require approximately 24m of highway at the end of Manor Place to be stopped up. This would require a Stopping Up Order to be made which is being undertaken through a separate process. The means to secure pedestrian and cyclist access to the river side, referred to above, would replace the right of way currently afforded by the highway designation.

Construction Logistics Plan

- 7.86 A Construction Logistics Plan has been submitted with the application however it is some information that we would expect to see within a CLP and it does not conform to TfL's latest guidance on CLPs. The CLP should also take into account any road closures, diversions, and timings of the borough's Feltham Town Centre improvement works. To ensure that the construction phase of the development would be undertaken in a way that would minimise its impact on the local highway network, we would look to impose our standard CLP condition unless an satisfactory CLP is submitted prior to a decision being made. A condition has been included at the end of this report however this is subject to change pending further amendments to the CLP.

Travel Plan

- 7.86 A Travel Plan has been submitted and is currently being assessed. The Travel plan will be secured via the S106 agreement.

Sustainability

- 7.87 London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) applies to all developments and states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy
- 7.88 As a major residential development we would expect the development to show a 35% reduction in emissions on Building Regulations Part L compliant baseline (2013), zero carbon homes, internal water use of 105L/Person/Day or less and sustainable material standards. The application was accompanied by an Energy Statement and a sustainability Statement.
- 7.89 The submitted documents show an onsite reduction in emissions of 35.4%. Conditions have been included to ensure that the development is carried out to deliver at least 35% reductions as well as water efficiency and sustainable sourcing of materials.
- 7.91 In order to achieve compliance with the 'zero carbon' homes standard, the applicant is required to make a financial contribution to the Council's Carbon Offset Fund through a legal agreement.

Environmental consideration

Land quality

- 7.92 Owing to the history of the site, there may be some contamination. The NPPF advises where there is suspicion, or where evidence suggests there may be some contamination, planning permission may be granted subject to condition that development may not start before site investigation and assessment have been done and that the development itself will incorporate any remedial measures necessary. Policy 5.21 (Contaminated Land) of the London Plan and adopted Local Plan Policy EQ8 (Contamination) provide a policy context for this matter.
- 7.93 The Land Quality team have been consulted and have requested that a phased contamination condition be added to any approval.

Noise

- 7.94 London Plan Policy 7.15 states that development should seek to reduce and manage noise and Policy EQ5 requires submission of a noise assessment where major schemes or a change to a more noise sensitive use are proposed. The supporting information to that policy also states that between the 63 and 57dBA LAeq contours all new built development should have high levels of sound attenuation and acoustically treated ventilation because of the effect of aircraft noise.
- 7.95 The site lies within a Heathrow Noise contour of 48dBA LAeq and therefore in accordance with policy EQ5 would be suitable for family housing as it is outside the 63-72dBA LAeq noise contours. Therefore there is no objection to additional family housing in this location, and a noise assessment has been carried out to demonstrate that the development could provide acceptable internal noise environments. Further detailed analysis of the noise environment is set out above under the Quality of Accommodation section.

Biodiversity

- 7.96 The Environment Agency were consulted as part of the application and commented that they had no objection to the proposal subject to a condition restricting light spill from external artificial lighting into the watercourse or adjacent river corridor habitat.

Drainage and Flooding

- 7.97 The drainage details are still being assessed by the Lead Local Flood Risk Authority and further details will be included in an addendum before committee. Condition have been included at the end of the report, however these are subject to change.

8.0 EQUALITIES DUTIES IMPLICATION

- 8.1 The public sector equality duty applies to all council decisions.

- 8.2 A public authority or any person who exercises public functions must, in the exercise of those functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited by or 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.
- 8.3 Having due regard to the need to advance equality of opportunity, this involves having due regard, in particular, to the need to:
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 8.4 This shall include, in particular, but is not limited to steps to take account of disabled persons' disabilities.
- 8.5 The exercise of public functions must have due regard to the need to foster good relations between persons who share a relevant protected characteristic and those who do not, in particular, to the need to:
- (a) tackle prejudice; and
 - (b) promote understanding.
- 8.6 Compliance with these duties may involve treating some persons more favourably than others. This is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.
- 8.7 The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; marriage and civil partnership; and sexual orientation.
- 8.8 Due regard needs to be demonstrated in the decision making process and requires an analysis of the material with the specific statutory considerations in mind. It does not follow that the considerations raised will be decisive in a particular case the weight given to them will be for the decision maker. The equalities duty is not a duty to achieve a particular result. Some equalities considerations are covered under other legislation such as building control matters. Officers have in considering this application and preparing this report had regard to the public sector equality duty and have concluded that due regard has been given to the Council's duty in respect of its equalities duties and that if approving or refusing this proposal the Council will be acting in compliance with its duties.

9.0 PLANNING OBLIGATIONS

- 9.1 Local Plan Policy IMP3 seeks to ensure that development proposals fully mitigate the impacts of the development on the area through a Section 106 agreement, where necessary or appropriate, having regard to supplementary planning document and provide the Community Infrastructure Levy (CIL) payments required by any charging schedule, including the Mayor of London's CIL. A payment or other benefit offered in a Section 106 or other legal agreement is not material to a decision to grant planning permission and cannot be required, unless it complies with the provisions of the Community Infrastructure Levy Regulations 2010 (regulation 122), which provide that the planning obligation must be:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 9.2 The Section 106 or other legal agreement will not address all the impacts since some of these will be addressed by CIL, in order to satisfy the Regulation 122 tests above.
- 9.3 The NPPG provides guidance on use of planning obligations, which may impose a restriction or requirement, or provide for payment to make acceptable development proposals that might otherwise not be acceptable in planning terms. The Council's Supplementary Planning Document on Planning Obligations (adopted March 2008) contains guidance on imposition of planning obligations in compliance with such guidance. These obligations may offset shortfalls in the scheme or mitigate a development's impacts.
- 9.4 It is mandatory that each criterion be satisfactorily addressed prior to granting planning permission subject to a satisfactory legal agreement(s) or unilateral undertaking under Section 106 of the Town and Country Planning Act 1990.
- 9.5 The following draft Heads of Terms are likely to form the basis of the any legal agreement, all of which are considered to satisfy the three Regulation 122 tests referred to above:
- i. Affordable housing
 - To provide 40% affordable with government funding; or
 - Provide reasonable maximum amount of affordable housing following a viability review
 - ii. Pedestrian and cyclist footbridge, highway and public realm improvement works- £200,000
 - iii. Job brokerage and Construction training- £59,125
 - iv. Travel plans
 - v. Car free agreement
 - vi. Car club space
 - vii. Considerate contractor schemes
 - viii. Carbon offset payment

10.0 LOCAL FINANCIAL CONSIDERATION

Community Infrastructure Levy

- 10.1 Local finance considerations means the Community Infrastructure Levy, or a grant or other financial assistance that has been, or will or could be, provided to a relevant authority (such as the Council, the Mayor of London, the Homes and Communities Agency, etc.) by a Minister of the Crown.
- 10.2 Some new developments granted planning permission will be liable to pay Community Infrastructure Levy (CIL) to the Mayor of London and Hounslow.
- 10.3 CIL is payable on m² of new floor space or where a new dwelling is created or the net floor area increase exceeds 100 m²

Mayors £35 per m ²				
Hounslow	Housing East £200 m ² Central £110 m ² West £70 m ²	Supermarkets, superstores and retail warehousing £155 m ²	Health care, education and emergency services facilities £0	All other uses £20 m ²

- 10.4 This proposal would be liable to pay Community Infrastructure Levy on the community centre use only because affordable housing is exempt from CIL payments. However as the community centre floorspace would be less than the buildings to be demolished, which have been in use for 6 months for the past 36 months, no payment is required.

Current lawful floorspace: 1,034sq.m

Demolished floorspace: 1,034sq.m

Liable floorspace: 9,757sq.m

- 10.5 This proposal would be liable to pay the CIL which is index linked.
- 10.6 The estimated Hounslow CIL payable is £682,990 and Mayoral CIL payable is £341,495

11.0 CONCLUSION

- 11.1 The proposal would provide much needed additional housing including 40% affordable and family sized units. The proposal would not cause harm to neighbouring residential amenity and would enhance the character of the surrounding area through high quality design. Therefore the proposal is recommended for approval.

12.0 RECOMMENDATION:

That planning permission be **granted** subject to the following conditions and securing the abovementioned planning obligations by the prior completion of a satisfactory legal agreement or unilateral undertaking made under Section 106 of the Town and Country Planning Act 1990 and or other appropriate legislation, the exact terms of which shall be negotiated by appropriate officers within the Housing, Planning and Communities Department on the advice of the Assistant Director Corporate Governance.

The satisfactory legal agreement or unilateral undertaking outlined above shall be completed and planning permission issued by 1st January 2019 or such extended period as may be agreed in writing by appropriate officers within the Housing, Planning and Communities Department or within Legal Services.

If the legal agreement or unilateral undertaking is not completed by the date specified above (or any agreed extended period), then the Chief Planning Officer or Head of Development Management is hereby authorised to refuse planning permission for the reason that the proposal should include planning obligations required to make the development acceptable in planning terms in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, development plan policies and the Planning Obligations SPD, as described in this Report.

Following the grant of planning permission, where (a) requested to enter into a deed of variation or legal agreement in connection with the planning permission hereby approved and by the person(s) bound by the legal agreement authorised in paragraph 1 above, and (b) to make minor variation to wording of conditions, and (c) where the planning obligations are not materially affected, and (d) there is no monetary cost to the Council, (e) make minor variation to wording of conditions, the Chief Planning Officer or Head of Development Management is hereby authorised (in consultation with the Chair of the Planning Committee and upon the advice of the Assistant Director Corporate Governance) to enter into a legal agreement(s) (deed of variation) made under Sections 106 and/or 106A of the Town and Country Planning Act 1990 and or other appropriate legislation.

If planning permission is refused, the Chief Planning Officer or Head of Development Management (in consultation with the Chair of the Planning Committee) is hereby authorised to approve any further application for planning permission validated within 12 months of the date of refusal of planning permission, provided that it (a) duplicates the planning application, and (b) that there has not been any material change in circumstances in the

relevant planning considerations, and (c) that a satisfactory legal agreement or unilateral undertaking securing the obligations set out in the Report is completed within any specified period of time.

That the applicant enter into a s38 agreement (Stopping Up Order) with the Local Highways authority.

APPROVE

Conditions:

1 A1a Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with provisions of section 91 of the Town and Country Planning Act 1990.

2 B5 Detailed Applications

The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted (3128-D3511-rev01, 3128-D3510-rev00, 3128-D3155-rev01, 3128-D3154-rev01, 3128-D3153-rev01, 3128-D3152-rev01, 3128-D3160-rev01, 3128-D3832-rev00, 3128-D3830-rev00, 3128-D3712-rev02, 3128-D3000-rev02, 3128-D1000-rev02, 3128-D1701-rev01, 3128-D1700-rev01, 3128-D1010-rev01, FNH429 LS/01, CGI perspective of undercroft walk way, Landscape Specification dated 20/04/2018, Landscape Management Plan dated 20/04/2018, Daylight, Sunlight and Overshadowing report dated 4th April 2018, Community Facilities and Services Audit dated March 2018, Archaeological Desk Based Assessment dated April 2018, Residential Travel Plan dated April 2017, Planning Statement dated April 2018, Energy Statement dated 19th April 2018, Sustainability Statement dated 19th April 2018, Geotechnical and Geoenvironmental Interpretative report dated April 2018, Statement of community involvement dated April 2018, Noise Impact Assessment dated 11th April 2018, Transport Assessment dated April 2018, Air Quality Assessment, Air Quality Impact Assessment covering letter dated 8th March 2018, Preliminary Flood Risk Assessment dated 16th April 2018 and Design and Access Statement dated April 2018. Received: 16th May 2018, 3128-D3390-rev03 and 3128-D3391-rev02. Received: 17th May 2018. Foul Water, Surface Water and SUDs strategy dated 12th June 2018. Received: 12th June 2018. 3128-D3159-rev02, 3128-D3158-rev02, 3128-D3157-rev02, 3128-D3156-rev02, 3128-D3150-rev04, 3128-D3151-rev02, 3128-D3710-rev01, 3128-D3831-rev01, 3128-D3711-rev03, CGI perspective of Longford River elevation, CGI perspective of New Road

elevation. Received 19th June 2018. Demolition and Construction Management Plan Rev 003 dated June 2018. Received: 21st June 2018. Construction Logistics Plan Rev 003 dated June 2018. Received: 25th June 2018) therewith and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority before the building is used.

Reason: To ensure the development is carried out in accordance with the planning permission.

3 B4 **Samples of materials**

No development (except any demolition, site clearance, ground investigation and remediation work) shall take place until details and samples of the bricks and other materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

The samples/details shall include:

- (a) brick/stonework (including brick/stone and mortar on-site sample panel min. 2m x 2m);
- (b) cladding materials/render (including specifications where relevant);
- (c) window treatments (including sections and reveals);
- (d) balcony structures, privacy screens and balustrading treatment (including sections); and
- (e) any other materials/fittings to be used including extract vents, boiler flues etc.

The development shall not be carried out otherwise than in accordance with the approved details.

Reason: In order that the Council may be satisfied as to the details of the development; in accordance with Local Plan policy CC2.

4 **Energy Statement**

- A) The development hereby permitted shall not commence until a finalised Energy Strategy (demonstrating how the targets for carbon dioxide emissions reduction are to be met in line with the Mayor's energy hierarchy) and overheating assessment has been submitted to and approved in writing by the Local planning Authority.
- B) The development shall be implemented in accordance with the approved Energy Strategy and shall not commence above ground until full Design Stage calculations under the Standard Assessment

Procedure have been submitted to and approved in writing by the Local planning Authority to show that the development will be constructed in accordance with the approved Energy Strategy, and any subsequent approved revisions.

- C) Prior to first occupation of the building(s) evidence (e.g. photographs, installation contracts and As-Built certificates under the Standard Assessment Procedure) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with the approved Energy Strategy, and any subsequent approved revisions.
- D) Upon final commencement of operation of the solar PV panels, suitable devices for the monitoring of the solar PV panels shall have been installed, and the monitored data shall be submitted automatically to a monitoring web-platform at daily intervals for a period of three years from the point of full operation.
- E) Upon final commencement of operation of the CHP, suitable devices for the monitoring of the CHP shall have been installed, and the monitored data shall be submitted automatically to a monitoring web-platform at daily intervals for a period of three years from the point of full operation.

Reason: To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan Policy 5.2 and the London Borough of Hounslow Local Plan Policy EQ1.

5

Water efficiency

- A) Prior to construction, evidence will be submitted to the Local Planning Authority and approved in writing to demonstrate that the internal water consumption of the development will not exceed 105 litres/person/day in line with The Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government.
- B) Prior to first occupation of the building(s) evidence (schedule of fittings and manufactures literature) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with the approved internal water use calculations.

Reason: in order to protect and conserve water supplies and resources in accordance with London Plan Policy 5.15 and

the London Borough of Hounslow Local Plan Policy EQ2.

6

Sustainable sourcing of materials

A) No development shall take place until details have been submitted to and approved by the Local Planning Authority that:

- At least three of the key elements of the building envelope (external walls, windows roof, upper floor slabs, internal walls, floor finishes/coverings) are to achieve a rating of A+ to D in the Building Research Establishment (BRE) The Green Guide of specification.
- At least 50% of timber and timber products are to be sourced from accredited Forest Stewardship Council (FSC) or Programme for the Endorsement of Forestry Certification (PEFC) scheme.
- No construction or insulation materials are to be used which will release toxins into the internal and external environment, including those that deplete stratospheric ozone.

B) The development shall not be occupied until evidence (e.g. photographs and copies of installation contracts) have been submitted to the Local Planning Authority to demonstrate that the development has been carried out in accordance with the approved details under Part A of this condition.

Reason: in order to ensure the sustainable sourcing of materials in accordance with the London Plan Policy 5.3 and the Mayor of London's Sustainable Design and Construction SPG.

7

Highway works

Prior to the commencement of development (except any demolition, site clearance, ground investigation and remediation work) the applicant shall have entered into a Highways Agreement under s38/s278 of the Highways Act 1990 with the Local Highways Authority to ensure that the highways improvements and stopping up order as shown on the submitted plans hereby approved are implemented prior to occupation.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of general highway safety along the adjoining highway and to accord with policies CC2 (New Development) and EC2 (Developing a Sustainable Local Transport Network) of the adopted Local

Plan.

8

Play space

Prior to commencement of the development (except any demolition, site clearance, ground investigation and remediation work) full details of the proposed play space as shown on the submitted plans shall be submitted to and approved in writing by the Local Planning Authority and the shall be implemented in strict accordance with the approved details.

Reason. To ensure that adequate play space is provided in line with the London Plan policy 3.6 and the Mayors SPG - Providing for children and young people's play and informal recreation.

9

J12

Contamination

"Before the development (except demolition above ground floor slab level) hereby permitted commences:

a. Details of an intrusive site investigation are required in addition to the phase 1 desk study previously submitted.

These details shall be submitted to, and approved in writing by, the Local Planning Authority. The site shall be

investigated by a competent person to identify the extent and nature of contamination. The report should include a tiered risk assessment of the contamination based on the proposed end use of the site. Additional investigation may be required where it is deemed necessary.

b. If required, a scheme for decontamination of the site shall be submitted to the Local Planning Authority, for written approval. The scheme shall account for any comments made by the Local Planning Authority before the development hereby permitted is first occupied.

During the course of the development:

c. The Local Planning Authority shall be notified immediately if additional contamination is discovered during the course of the development. A competent person shall assess the additional contamination, and shall submit appropriate amendments to the scheme for decontamination in writing to the Local Planning Authority for approval before any work on that aspect of development continues.

Before the development is first brought into use:

d. The agreed scheme for decontamination referred to in clauses b) and c) above, including amendments, shall be fully implemented and a written validation (closure) report submitted to the Local Planning Authority for approval.

Reason.

Contamination is known or suspected on the site due to a former land use. The LPA therefore wishes to ensure that the

development can be implemented and occupied with adequate regard for public and environmental safety.

Supporting notes:

- a. An initial phase 1 desk study has been submitted with the original application and is considered satisfactory. A phase 2 intrusive investigation will need to be submitted and will include investigation into outstanding potential contamination issues to be communicated by the local planning authority and allow the development of a site Conceptual Model (CM), which identifies all potential pollutant linkages on the site. Risk assessments must adhere to current UK guidance and best practice.
- b. The scheme for decontamination shall provide details of how each potential pollutant linkage, as identified in the conceptual model, will be made safe.
- c. In some instances the LPA may require work on site to be ceased whilst the nature of additional contamination is investigated fully.
- d. The validation report shall revisit the site conceptual model, and provide evidence that each aspect of the decontamination scheme was carried out correctly and successfully. This report shall prove that the development is suitable for its new use.
- e. We request that site investigation reports or site plans be sent electronically to landquality@hounslow.gov.uk or by post on a cd or dvd wherever possible.

10

Noise mitigation

Notwithstanding the submitted Noise Impact Assessment, the building shall be constructed so as to provide sound insulation against externally generated noise of not less than the standards outlined in BS8233:2014 (page 24 table 4) with windows shut and other means of ventilation provided. The sound insulation works shall be completed before the building is first occupied or brought into use and retained thereafter.

Reason: To safeguard the amenities of future residential properties; in accordance with Local Plan policies CC2 & EQ5.

11

Hours of construction

No demolition or construction work shall take place on the site except between the hours of 8am to 6pm on Mondays to Friday and 9am to 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: In order to safeguard the amenities of adjoining residents and the amenities of the locality in accordance with Local Plan policies CC1, CC2 and EQ5 and Policies 7.15 (Reducing noise and enhancing soundscapes) and 5.3

(Sustainable design and construction) of the London Plan.

12 **Demolition and Construction Management Plan**

The development shall be carried out in strict accordance with the submitted Demolition and Construction Management Plan Rev 003 dated June 2018

Reason: To ensure highway safety is maintained and preserved in accordance with policy EC2 of the Local Plan.

13 **Construction Logistics Plan**

The development shall be carried out in strict accordance with the submitted Construction Logistics Plan Rev 003 dated June 2018.

Reason: To ensure highway safety is maintained and preserved in accordance with policy EC2 of the Local Plan.

14 **Hard and soft landscaping**

Hard and soft landscaping on site shall be carried out in strict accordance with the submitted landscape plan FNH429 LS/01, the Landscape specification dated 20/04/2018 and maintained in accordance with the submitted Landscape Management Plan dated 20/04/2018.

Reason: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with policies CC1 Context and character and CC2 Urban design and architecture of the adopted Local Plan.

15 **Delivery and servicing plan**

All deliveries and servicing shall be carried out in strict accordance with the submitted Delivery and Servicing Plan dated April 2018 (Appendix 9 of Transport Statement) for the duration of the development.

Reason. To ensure that deliveries and servicing activities do not impact on the local highway network or amenity of the local area in accordance with Local Plan policies CC2(Urban Design and Architecture) and EC2 (Developing a sustainable local transport network)

16 **Waste and recycling stores**

Prior to commencement of the development (except any demolition, site clearance, ground investigation and remediation work) and notwithstanding the approved plans

full details for the storage of waste and recycling for residents use shall be submitted to and approved in writing by the local planning authority. The waste and recycling stores shall be made available for use as approved prior to first occupation.

Reason. To ensure the storage areas are suitable to accommodate the number and size of bins required for both uses and in accordance with policy EQ7 (Sustainable waste management)

17

Lightspill

There shall be no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat. To achieve this the specifications, location and direction of external artificial lights should be such that the lighting levels within 5 metres of the top of bank of the watercourse are maintained at background levels. The Environment Agency considers background levels to be a Lux level of 0-2.

Reason. To minimise light spill from the new development into the watercourse or adjacent river corridor habitat. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat, and in particular is inhibitive to bats utilising the river corridor.

18

Cycle stores

Prior to the commencement (except any demolition, site clearance, ground investigation and remediation work) of the hereby approved development, full details (including manufacturers' specifications) of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall conform to current guidance (West London Residential Cycle Parking Guidance) the design and layout and shall not include semi-vertical stands and be fully implemented in strict accordance with the approved details and be made available for use before the first occupation of the development and thereafter retained for use at all times without obstruction.

Reason. In accordance with policy 6.9 (Cycle parking) of the London Plan and Local Plan policy EC2 (Developing a sustainable local transport network).

19

Detailed Drainage Design

Notwithstanding the submitted details, prior to commencement of works above ground level (except any demolition, site clearance, ground investigation and

remediation work) the applicant must submit for review and approval by the Lead Local Flood Authority final detailed drainage designs (including drawings), and details of additional storage in relation to attenuating further surface water at ground level (or evidence that it is impractical to locate these on site and they will not provide any further benefit reduce flood risk on and off site), an associated detailed maintenance plan for each of the drainage feature components (including routine maintenance tasks and frequencies and the responsible body/bodies) and evidence of the necessary approvals from Thames Water to allow surface water runoff to enter their sewer network.

Reason: To prevent the risk of flooding to and from the site in accordance with the approved Flood Risk Assessment (July 2016) and the Sustainable Drainage Systems Assessment (May 2016) documents and relevant policy requirements including but not limited to London Plan Policy 5.13, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Hounslow Council's Local Plan Policy EQ3.

20

Drainage evidence

Prior to occupation of the development, the applicant must submit for review and approval by the Local Planning Authority, evidence that the drainage system has been built as per the final detailed drainage designs through the submission of photographs and copies of installation contracts, and written confirmation that the drainage features will be managed as per the detailed maintenance plan for the lifetime of the development.

Reason: To ensure that the methods to mitigate the risk of surface water flooding have been constructed as agreed and that the drainage system is suitably managed.

21

Existing crossover

Prior to first occupation of the hereby approved use the existing crossovers from New Road to the site shall be permanently closed and reinstated to footway in consultation with the Local Highways Authority.

Reason. To improve highway safety in accordance with Local Plan policy EC2 (Developing a sustainable local transport network).

22

Wheelchair user dwellings

A minimum of 12 Wheelchair User Dwellings, built to Building Regulations M4(3) standards, shall be provided in accordance with the approved plans. These units shall be

retained as such for the duration of the development.

Reason. To ensure a socially inclusive and sustainable development in accordance with Local Plan Policy SC3 and policies 3.5 (Quality and design of housing developments) and 7.2 (creating an inclusive environment) of the London Plan.

23

Parking spaces

Prior to the occupation of the hereby approved development the parking spaces (including car club space and active and passive electric vehicle charging points) as shown on the submitted plans shall be made available for use and shall be maintained as such for the duration of the development in line with the submitted Transport Statement Appendix 8- Car Park Design and Management Plan. Any spaces that are not providing the required active electric vehicle charging point shall be installed with a passive charging point for adaptation in the future.

Reason. To ensure parking is provided in line with Local Plan policy EC2 (Developing a sustainable local transport network) and Policy 3.16 (Parking) of the London Plan.

24

Boilers

Any boilers installed in the hereby approved development shall be Ultra Low Emissions (<40 mg NOx/kWh) and in accordance with the London Plan Sustainable Design and Construction SPG.

Reason. To ensure that the development is air quality neutral in accordance with policy EQ4 (Air quality) of the Local Plan and the London Plan.

25

Air Quality mitigation

The development shall be carried out in accordance with the mitigation measures proposed in the submitted Air Quality Assessment during construction and operational phases.

Reason. To ensure that there is no adverse impact on air quality in accordance with policy EQ4 (Air quality) of the Local Plan.

Informatives:

1

To assist applicants, the London Borough of Hounslow has produced planning policies and written guidance, which are available on the Council's website. The Council also offers a pre-application advice service. In this case, the scheme was

submitted in accordance with guidance following pre application discussions.

2

CIL Liable

Some new developments granted planning permission on or after 1st April 2012 will be liable to pay Community Infrastructure Levy (CIL) to the Mayor of London with respect to the funding of Crossrail. This is at the rate of 35 pounds per sq.m of new floor space.

This development is liable for CIL. A Liability Notice will follow shortly. For further information please contact the CIL team on 020 8583 4898/4895 or view our web page:
http://www.hounslow.gov.uk/index/environment_and_planning/planning.htm

or the planning portal web page:
<http://www.planningportal.gov.uk/wps/portal>

3

Thames Water

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that

your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

4

Environment Agency

The applicant should be aware to adequately protect the riparian zone from disturbance, including tracking, dust and noise. Not only because this land belongs to Royal Parks to maintain, but because of the potential for sensitive species to be resident along and within the river banks. It is the applicant's responsibility to ensure adequate mitigation measures against disturbance and damage are put in place and do not undermine the conservation status of species, and the overall wildlife value of connected habitats in this case, the river corridor.