

Agreed Statement of Common Ground

Appeal Reference: APP/R5510/W/19/3230503

Site: Stanford House, 9 Nestles Avenue

Parties entering into Statement of Common Ground:

Healey Development Solutions (Hayes) Limited
London Borough of Hillingdon

30th September 2019

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1. Introduction

- 1.1 This Statement of Common Ground (SoCG) has been agreed by Healey Development Solutions (Hayes) Limited (the Appellant) and the London Borough of Hillingdon (the Council).
- 1.2 The appeal reference is APP/R5510/W/19/3230503.
- 1.3 The appeal site is Stanford House, 9 Nestles Avenue, UB3 4SA ("the Site").
- 1.4 The planning application subject to this appeal was submitted to the London Borough of Hillingdon ("the Council") on the 5th December 2018 by Daniel Watney LLP on behalf of the Appellant. The planning application was given the reference number: 51175/APP/2018/4260.
- 1.5 The agreed description of development is the:

"Demolition of existing building and redevelopment to provide a building up to 10 storeys, with 868 sq.m of commercial or community space (Use Class B1 or D1) at ground floor level and 81 (44 x 1-bed, 28 x 2-bed and 9 x 3-bed) residential units to the upper floors, with associated landscaping, access, car parking and cycle parking."
- 1.6 The application was appealed against non-determination on 7th June 2019. The Council resolved to refuse the planning application at Major Applications Planning Committee on 19th June 2019.
- 1.7 This SoCG has been prepared following the latest PINS guidance, issued in August 2019.

2. Appeal Plans

- 2.1 Whilst the application was appealed against non-determination prior to the Council making a decision, below is the agreed set of application drawings and documents:

Architectural Drawings – Prepared by Brimelow McSweeney

- 0820-0100 – Existing Ground Floor Plan;
- 0820-0101 – Existing First Floor Plan;
- 0820-0102 – Existing Roof Plan;
- 1820-0300 – Existing Elevations;
- 1820-1000-D – Location Plan;
- 1820-1001-B – Block Plan;
- 1820-1002-B – Site Plan;
- 1820-1011-C – Ground Floor Plan, including Landscape;
- 1820-1100-D – Ground Floor Plan;
- 1820-1101-D – First Floor Plan;
- 1820-1102-D – Second Floor Plan;
- 1820-1103-D – Third Floor Plan;
- 1820-1104-E – Fourth Floor Plan;
- 1820-1105-E – Fifth Floor Plan;
- 1820-1106-D – Sixth Floor Plan;
- 1820-1107-D – Seventh Floor Plan;
- 1820-1108-D – Eighth Floor Plan;
- 1820-1109-D – Ninth Floor Plan;
- 1820-1110-D – Tenth Floor Plan;
- 1820-1200-A – Long Section;
- 1820-1300-B – West Elevation;
- 1820-1301-B – Nestles Avenue Elevation;
- 1820-1302-B – East Elevation;
- 1820-1303-A – Rear Elevation.

Documents submitted with the Application

- Planning Statement, prepared by Daniel Watney LLP;
- Design and Access Statement, prepared by Brimelow McSweeney Architects;
- Landscape Design Statement, prepared by Outer Space;
- Daylight and Sunlight Assessment, prepared by EB7;
- Statement of Community Involvement, prepared by BECG;
- Arboricultural Report, prepared by The Ecology Consultancy;
- Transport Assessment, prepared by i-Transport;
- Technical Note dated 10th April 2019, prepared by i-Transport;
- Delivery & Servicing Plan, prepared by i-Transport;
- Draft Travel Plan, prepared by i-Transport;
- Archaeological Assessment, prepared by CgMS;
- Flood and Drainage Assessment, prepared by Heyne Tillett Steel;
- Noise Impact Assessment, dated April 2019, prepared by Mayer Brown;
- Air Quality Assessment, prepared by Mayer Brown;
- Energy and Sustainability Assessment Issue 3, dated March 2019, prepared by Mecserve;
- Energy Response to the GLA, dated March 2019, prepared by Mecserve;
- Overheating Assessment, prepared by Mecserve;

- Viability Assessment, prepared by ULL;
- Ground Conditions Assessment, prepared by GEA.

Additional plans and documents submitted following determination of the planning application

- Dwg No. ITL14154-SK-008, contained within i-Transport Technical Note submitted with the Appeal Statement;
- i-Transport Technical Note ITL14154-011;
- Mayer Brown Noise Report v1.0 – issued September 2019;
- HTS Response to SUDS Comments – dated August 2019;

3. Relevant Planning History

Reference	Description	Decision	Date
51175/APP/2019/187	Demolition of existing buildings and redevelopment to provide a building up to 10 storeys, comprising 84 (44 x 1 bed, 28 x 2 bed and 12 x 3 bed) residential units, associated landscaping, access, car parking and cycle parking.	Refused	17/07/2019
51175/APP/2018/4260	Demolition of existing building and redevelopment to provide a building up to 10 storeys, with 868 sq.m of commercial or community space (Use Class B1 or D1) at ground floor level and 81 (44 x 1-bed, 28 x 2-bed and 9 x 3-bed) residential units to the upper floors, with associated landscaping, access, car parking and cycle parking	Undecided – subject to this planning appeal.	
51175/A/97/0919	Details of landscaping scheme in compliance with Condition 2 of planning permission ref: 51175/96/1522 dated 18/12/96; change of use from Class B1 (business) to Class B2 (general industrial) with provision of associated parking.	Approved	09/10/1997
51175/96/1522	Change of use of premises from Class B1 (business) to Class B2 (general industrial) with provision of associated parking.	Approved	18/12/1996

4. Planning Policy

- 4.1 The Development Plan for the site currently comprises the adopted 2012 LB Hillingdon Local Plan Part 1, and the extant 2007 Saved Unitary Development Plan (UDP) Policies, saved in 2012.
- 4.2 Regard should also be given to all additional planning legislation, guidance and policies including the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and the 2016 Consolidated London Plan.
- 4.3 Both the new London Plan and the emerging LB Hillingdon Local Plan Part 2 have recently been through Examination. The weight afforded to relevant emerging policies is done so in line with Paragraph 48 of the NPPF 2019.

Policies held in reasons for refusal

- 4.4 Whilst the appeal was submitted against the non-determination of this planning application, the Council subsequently resolved that they would have refused the application against the below policies:

2012 Local Plan Part 1

Policy H1
Policy H2
Policy BE1
Policy HE1

Extant Saved UDP Policies

Policy BE4
Policy BE13
Policy BE14
Policy BE19
Policy BE38
Policy R17
Policy AM7
Policy AM14
Policy BE21
Policy BE23
Policy R17
Policy OE1
Annex 1 - 'Car Parking Standards'

London Plan

Policy 3.4
Policy 3.5
Policy 3.6
Policy 3.10
Policy 3.11
Policy 3.12
Policy 3.13
Policy 5.2

Policy 6.12
Policy 7.1
Policy 7.5
Policy 7.6
Policy 7.15
Policy 8.2

Draft Local Plan

Emerging Policy SA5
Emerging Policy DMHB1
Emerging Policy DMHB2
Emerging Policy DMHB11
Emerging Policy DMHB12
Emerging Policy DMHB14
Emerging Policy DMT2
Emerging Policy DMT5
Emerging Policy DMCI7

Supplementary Guidance

LBH SPD on Planning Obligations
LBH SPD on HDAS: Residential Layouts
LBH SPD on Design and Accessibility Statement: Residential Layouts
LBH SPD on HDAS: Residential Extensions
GLA SPD on Affordable Housing and Viability

5. Areas where parties are working together

5.1 The Appellant and the Council are currently working together to resolve the below reasons for refusal:

- 2: Affordable Housing – both the Appellant's and the Council's viability advisors are in negotiation about the level of affordable housing that the scheme can deliver. It is hoped that agreement is reached in advance of the Hearing and therefore whilst the issue currently remains contentious, a separate Statement of Common Ground will be issued ahead of the Hearing to agree comparables.
- 8: Highways Safety (Maneuverability) – the Council have agreed that this reason for refusal is conceded, subject to the imposition of a planning condition in respect of Drawing ITL14154-SK-008;
- 10: Sustainable Drainage – the Appellant has prepared a revised SUDS Strategy to address comments raised by the Council, which the Council have accepted to concede subject to conditions.
- 11: Section 106 – the Appellant and Council are agreeing Heads of Terms within the Statement of Common Ground, whilst a signed bilateral undertaking will be provided in advance of the Hearing.

6. Areas of agreement

6.1 The following matters are not in dispute between the Council and the Appellant:

- **Principle of Residential-Led Development** – the principle of a residential-led development on site is acceptable in the context of emerging Policy SA5 which seeks the managed release of a large parcel of land to facilitate a residential-led masterplan.
- **Unit Mix** – the mix of housing proposed through the application is appropriate in respect of its proposed tenure as Build to Rent and also the mix of 1, 2 and 3-bed units given the Site's location within the Opportunity Area and in close proximity to Hayes & Harlington Station;
- **Design / Materiality** – the materials proposed are considered appropriate, subject to a condition requiring sample materials prior to construction.
- **Provision of Multi-Modal Transport System** – the provision of the Multi-Modal Transport System corridor is supported which includes east / west pedestrian, cycle and landscape routes;
- **Air Quality** - there are no issues with regards to air quality as a result of the Scheme, subject to a planning condition and a financial contribution to deliver the Councils air quality local action plan
- **CO2 reduction** - The information provided broadly demonstrates compliance with London Plan policy but zero carbon is not achieved. This is offset by an agreed financial contribution and controlled by condition.
- **Daylight and Sunlight** - there are no issues with regards to daylight and sunlight impacts on existing and proposed neighbouring residential properties as a result of the Scheme;
- **Energy and Sustainability** - there are no issues with regards to the energy and sustainability strategy
- **Landscaping and Trees** – there are no issues with regards to the proposed landscaping of the site, including the delivery of the sustainability and landscape corridor within the southern part of the site;
- **Conservation and Archaeology** - there are no issues with regards to conservation or archaeology;
- **Biodiversity** - there are no issues with regards to biodiversity as a result of the Scheme;
- **Play space** – the quantum of play space provided within the scheme exceeds the minimum standards set by the GLA.

7. Areas of disagreement

Areas of Disagreement			
Comprehensiveness			
	Appellant	LPA	Prospect of Resolution
	The scheme is not contrary to Policy SA 5 of the Emerging Local Plan: Part 2 as the policy itself recognises that it is a preference the schemes are delivered comprehensively, but not an explicit requirement. The documents submitted with the Appeal identify that the Scheme has been prepared in a manner which explicitly allows for the remainder of Site B to come forward in the future.	Emerging Policy SA 5 provides the policy context for new development in this location, including the basic infrastructure that is required to convert an existing industrial area into an area suitable for high density mixed use development. The scheme fails to demonstrate compliance with a number of criteria established within the policy, largely as a result of the piecemeal nature of the scheme. This was cited as a key issue within the Inspector's Report at the nearby 3 Viveash Close Appeal (APP/R5510/W/18/3218824), which was dismissed under the same policy.	No
Overdevelopment			
	The size, scale, bulk and detailed design of the scheme are very similar to the consented scheme for the adjacent former Nestles Factory site to the east, and 233-236 Nestles Avenue to the west, for which there is a resolution to grant consent.	.Whilst it is acknowledged that large scale buildings have been approved as part of the former Nestle Factory site, they formed part of a comprehensive development scheme and were carefully considered as part of a much larger site which included their own public space and parks rather than in isolation, which is the case here.	No

	The GLA support the height, massing and density of the proposals. The proposed building footprint occupies 53% of the total site area, leaving almost half of the site area for amenity space and access. The building steps in line with the consented buildings of the same height consented on the former Nestle Factory site, which will be equally visible from Nestles Avenue	The development is proposed to be built up close to the boundaries of the site. This would create a narrow corridor along the eastern boundary with very little landscaping to provide pedestrian and vehicular access. The proposal has been considered in isolation and fails to safeguard the satisfactory redevelopment and make an adequate contribution to the provision of open areas due to it's bulky size and layout.	
	The proposed reason for refusal suggests the 8 / 10 storey blank elevations against the southern boundary would fail to respect the pattern and scale in the immediate area. It is clear this is copied from another decision notice as the southern elevation is not this height. The northern elevation proposes blank elevations to explicitly allow for the site to the north to be redeveloped in the future.	There is an error in Refusal Reason 3 where it states that: <i>"in particular the ten and eight storey blank elevation against the southern boundary which would be highly visible from Nestles Avenue"</i> This should read: <i>"in particular the ten storey blank elevation to the northwest of the site fronting onto the Squirrels Trading Estate which will be seen from the surrounding streets including the consented green pedestrian link 'Sandow Avenue'..</i> The north-west was correctly stipulated in the Committee Report, and at the formal broadcasted discussion at Planning Committee on 19th June 2019. The proposal would appear harsh and dominant due to the stark contrast between the proposed north elevation and the neighbouring low industrial buildings.	No

Urban Design			
	The access lane on the eastern boundary is 5.5m wide, which is generous for a primarily pedestrian and cyclist access route, and also allows for soft landscaping. The Appellant does not propose a boundary fence, and the Council could seek to secure a low or visually permeable boundary fence to the Nestles Factory through the application currently pending consideration under 1331/APP/2018/4307.	The appellant's development is proposed to be built up close to the boundaries of the site. This would create a narrow corridor along the eastern boundary with very little landscaping to provide pedestrian and vehicular access. This will be largely overshadowed by 'Block D' of the adjacent Nestle Factory development, the part covered way and the boundary treatment that separates the sites and enclosed at the north end with gates creating a functional unwelcoming austere appearance	No
	The access lane will benefit from natural surveillance from the apartments above and on the former Nestle Factory site.	This does not in itself overcome the objections raised above	
Car Parking			
	The adopted and emerging Development Plan all set maximum car parking standards. The site's very good accessibility to public transport (PTAL 5) supports a car-free development on this site, aside from fully accessible parking for disabled residents. Further, the development would prevent all future occupiers from obtaining parking permits which can be controlled by the Council. This can ensure there are no on-street or overspill parking issues. Transport for London (TfL) strongly support a car-free approach in this location.	Agreed Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has good access to public transport with a PTAL rating of 4. The level of parking proposed as part of the development proposals would effectively be deemed as 'car free' notwithstanding the four spaces proposed. This level is significantly below the London Borough of Hillingdon's maximum parking standards which would require 133 parking spaces. The Council accepts a lower parking ratio of 0.6, which is in accordance with nearby surrounding development.	No

		The developer is required to enter into a S106 agreement with the Council that restricts occupiers of the new development from joining the existing Parking Management Scheme in place along Nestle Avenue TFL comments do not reflect the fact that the London Borough of Hillingdon is an outer London authority, with greater use of the private car.	
Highway Safety	The loading bay proposed through the scheme would represent an improvement to safety and the free flow of traffic when compared with the current servicing arrangements and provide a practical servicing arrangement in accordance with the emerging London Plan hierarchy. The proposal will improve the situation for all road users upon that which currently exists and improve the situation further both in the short-term (before the sustainability corridor is introduced) and in the longer term once it has been brought forward.	<i>An increase in on-street car parking in an area where such parking is at a premium will lead to conditions which would be detrimental to the free flow of traffic and to highway and pedestrian safety</i>	No
	The loading bay would facilitate servicing and deliveries alongside a 'sustainability corridor' in accordance with TfL's design guidance.	<i>The servicing and delivery arrangements proposed will, give rise to conditions prejudicial to the free flow of traffic and would be detrimental to highway and pedestrian safety.</i>	No
Amenity Space			
	The proposal is policy compliant in relation to the quantum of children's play space.	The proposal is policy compliant in relation to the quantum of childrens playspace.	Yes

	Private roof terraces to four apartments are located adjacent to communal roof terraces. The private terraces will be screened from the communal terraces using shrubs up to 1.5 metres high. On the fourth floor, one room has a window overlooking the communal terrace, but is located half a storey above the terrace to provide privacy from people looking in. Each habitable room facing a communal terrace also has a window with a different aspect.	The rooftop and parkland amenity areas do not incorporate <u>usable, attractively laid out conveniently located garden space in relation to the flats they serve, contrary to policy.</u> <u>Rooftop areas</u> - a poor relationship exists between the communal outdoor areas and the close proximity of windows serving main habitable rooms. Defensible space to terraces is unworkable. Parkland amenity areas - directly overlooked from Nestles Avenue and from the public access route.	No
	Each residential apartment has private amenity space which meet or exceed the London Plan minimum space requirement. Additional communal open spaces are found at upper levels, whilst there is immediate access to high quality open spaces, being implemented and planned across the wider masterplan.	The Council raises no objection to the proposed balconies. The quantum of communal open spaces is deficient but offset by a financial contribution to assist with improvement works at the nearby Cranford Park. The quality of communal open spaces is poor as identified above	<u>In part.</u> <u>No</u>
Noise	The extant land uses do not create an unacceptable co-location of uses, which would result in a significant adverse noise impact on the proposed development requiring additional mitigation to discharge 'Agent of Change' obligations imposed by the NPPF. The existing use of the Squirrels Trading Estate would not have a significant adverse impact on the proposed residential development of Stanford House. The LPA has already approved planning permission for	The applicant has not provided sufficient assessment of the character of the industrial/commercial noise from existing uses, to establish the significance of the effect from the Squirrels Trading estate and consented B2 use at 7 Nestle Avenue (and the cumulative effect of these noise sources), to demonstrate if there is a significant adverse effect or not in external amenity areas. A BS4142 assessment of the existing industrial/commercial noise sources and application of acoustic feature corrections has not been made, or discussed in the Stage 2 ProPG assessment.	

	more extensive residential development which immediately adjoins the eastern boundary of Squirrels Trading Estate, a development which proposes single aspect dwellings and projecting balconies.	With assessment of the industrial/commercial noise taking into account the acoustic feature corrections suitable mitigation can be proposed and secured by planning condition.	

8. Possible Conditions

8.1 The below conditions are agreed, should the Inspector decide that planning permission should be allowed:

1 - Time Limit. The development hereby permitted shall be begun before the expiration of three years from the date of permission.

2 - Approved drawings. The development hereby permitted shall not be carried out except in complete accordance with approved plans, namely:

- 0820-0100 – Existing Ground Floor Plan;
- 0820-0101 – Existing First Floor Plan;
- 0820-0102 – Existing Roof Plan;
- 1820-0300 – Existing Elevations;
- 1820-1000-D – Location Plan;
- 1820-1001-B – Block Plan;
- 1820-1002-B – Site Plan;
- 1820-1011-C – Ground Floor Plan, including Landscape;
- 1820-1100-C – Ground Floor Plan;
- 1820-1101-D – First Floor Plan;
- 1820-1102-D – Second Floor Plan;
- 1820-1103-D – Third Floor Plan;
- 1820-1104-E – Fourth Floor Plan;
- 1820-1105-E – Fifth Floor Plan;
- 1820-1106-D – Sixth Floor Plan;
- 1820-1107-D – Seventh Floor Plan;
- 1820-1108-D – Eighth Floor Plan;
- 1820-1109-D – Ninth Floor Plan;
- 1820-1110-D – Tenth Floor Plan;
- 1820-1200-A – Long Section;
- 1820-1300-B – West Elevation;
- 1820-1301-B – Nestles Avenue Elevation;
- 1820-1302-B – East Elevation;
- 1820-1303-A – Rear Elevation.

3 - Material Samples. No development, other than demolition and site clearance, shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such. Details should include information relating to make, product/type, colour and photographs/images.

4 - Privacy Mitigation Measures. Details of the measures to ensure that the units provide adequate privacy, which may include side privacy screens for the balconies, vertical fins to buildings, obscure glazing etc. to include details of design, construction and materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.

The measures shall be installed prior to the occupation of the residential units and thereafter retained for so long as the development remains in existence.

5 - Radar Mitigation Scheme. No construction shall commence on site until a Radar Mitigation Scheme (RMS), (including a timetable for its implementation during construction), has been agreed in writing with NATS and approved in writing by the Local Planning Authority.

6 - Crane Operation Plan. Prior to the commencement of development, full details of a "Crane Operation Plan" shall be submitted to and approved in writing by the Local Planning Authority in consultation with the "Radar Operator" (NATS) and BAA Safeguarding. Construction at the site shall only thereafter be operated in accordance with the approved "Crane Operation Plan".

7 - Sustainable Water Management Scheme. Prior to the commencement of above ground works, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall follow the strategy set out in 'Flood Risk Assessment' and 'Surface Water Drainage Strategy', produced by Heyne Tillet and Steel.

8 - Construction Environment Management Plan. Before the development hereby approved commences, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with Network Rail. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction.

Appropriate written arrangements should be made and adhered to in relation to the monitoring and responding of complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

9 - Internal Noise Levels. The noise level in habitable residential rooms at the development hereby approved shall meet the internal noise standard specified in BS8233:2014.

10 - The approved development shall have an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely living room and kitchen above bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

11 - Air extraction system noise and odour. Prior to use, any machinery, plant or equipment, extract/ ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such for the lifetime of the development.

12 - Contaminated land.

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary

Planning Guidance Document on Land Contamination, and approved in writing by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

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

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

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

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

13 - Prior to above ground works, full details of the low and zero carbon technology shall be submitted to and approved in writing by the Local Planning Authority. The details following requirements must demonstrate compliance with the reductions set out in the Energy Assessment:

1 - Details of the CHP should also include the heat network, the plant type and its location. Full

details of the fuel inputs and energy outputs shall also be presented.

2 - Details of the PVs, including fixing mechanisms, pitch, orientation and plans (roof and elevations)

shall also be included

The development must proceed in accordance with the approved plans.

14 - Accessible hard and soft landscaping. All areas of hard and soft landscaping shall be constructed to accord with the prescribed standards and tolerances set out in BS8300:2018.

15 - No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -1. Details of

Soft Landscaping (to include details of the provision to be made for defensible adjacent to windows)

- 1.a Planting plans to include pollution absorbing semi-mature trees (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
 2. Details of Hard Landscaping
 - 2.a Cycle Storage to include cycle parking spaces
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration that 48 spaces are served by electrical charging points, with 48 spaces being made capable of easy conversion in the future (passive provision))
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (including details of the designated children's play area, play equipment and furniture)
 3. Living Walls and Roofs
 - 3.a Details of the inclusion of living walls and roofs
 - 3.b Justification as to why no part of the development can include living walls and roofs
 4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
 5. Schedule for Implementation
 6. Other
 - 6.a Existing and proposed functional services above and below ground
- Thereafter the development shall be carried out and maintained in full accordance with the approved details.

16 - Prior to occupation of the development, details in respect of the play equipment accessible to disabled children, shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be adhered to during the construction of the development and for the lifetime of the development unless agreed in writing by the Council.

17 - Accessible units. The development hereby approved shall ensure that **ten percent** of the residential units are constructed to meet the standards for Category 3 M4(3) wheelchair user dwelling to be accessible or adaptable for wheelchair users, with all remaining units being constructed to meet the standards for Category 2 M4(2) dwelling, as set out in Approved document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

18 - delivery and servicing hours. There shall be no loading or unloading of vehicles, including the collection of waste from the site outside of the hours of:-
07:00 and 23:00 hours, Monday to Saturday, and
09:00 and 18:00 hours on Sundays, Public or Bank Holidays.

19 - Piling. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and

approved in writing by the local planning authority in consultation with Thames Water and Network Rail. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

20 - D1 use. The D1 use hereby approved shall be unrestricted other than for use as a place of worship for the lifetime of the development.

21 – Vehicle Maneuvering. The development shall be carried out in strict accordance with drawing no. ITL14154-SK-008, to ensure sufficient maneuvering distances between car parking spaces.

22 - No above ground works shall commence until a low emission strategy has been submitted to and approved in writing by the Local Planning Authority. The low emission strategy shall address:

- 1) the specification of the CHP as low NO_x emissions and boilers as ultra-low NO_x emissions;
- 2) show what benefits are given to development purchasers that own a Euro 6 or cleaner or have implemented retrofitting devices that will enable compliance with such Euro standards;
- 3) a travel plan for residents; and
- 4) an electric vehicle bay charging aligned with the London Plan requirements.

The strategy shall detail the steps that will be followed in addressing the lower emissions requirements stated above and what measures will be taken to take into account future changing standards and available technologies and be updated accordingly in agreement with the local planning authority.

The Low Emission Strategy shall have targets for emission reduction and timescales, with pollution savings quantified. At the end of each calendar year an implementation plan shall be submitted for approval in writing by the local planning authority, which on approval shall be fully implemented in accordance with the details and measures so approved. The measures in the agreed scheme shall be maintained throughout the life of the development.

The LES shall include details of the following components:

- Travel plan including mechanisms for discouraging high emission vehicle use and encouraging the uptake of low emission fuels and technologies
- A Welcome Pack available to all new residents online and as a booklet during the sales period, containing information and incentives to encourage the use of sustainable transport modes
- Car club provision within development or support given to local car club/eV car clubs
- Designation of parking spaces for low emission vehicles

23 - No development shall commence until proof of the registration in GLA's database (nrmm.london/nrmm/about/what-nrmm-register) and compliance with the London's Low Emission Zone for non-road mobile machinery requirements is submitted to and approved in writing by the Local Planning Authority.

The non-road mobile machinery shall comply with the standards set out at Supplementary Planning Guidance 'The Control of Dust and Emissions from Construction and Demolition'.

This will apply to both variable and constant speed engines for both NO_x and PM. These standards will be based upon engine emissions standards set in EU Directive 97/68/EC and its subsequent amendments. NRMM used on the site of any major development within Greater London will be required to meet Stage IIIA of the Directive as a minimum.

9. Statement of compliance with statutory and policy requirements for conditions and s106

To follow once the s106 agreement is agreed.

10. Draft heads of terms for any Section 106

10.1 These are appended to this statement.

11. Core Documents List

[illegible]

CD2	Additional / Amended Reports and / or Plans submitted after validation
CD3	Committee Report and Decision Notice
3.1	Officer's Report to Committee
3.2	Minute of Committee Meeting
	Tbc - Various Consultee Responses
CD4	The Development Plan
	Local Plan Part 1
	Saved UDP
	London Plan
CD5	Emerging Development Plan
	Emerging Local Plan
	Draft London Plan
CD6	Relevant Appeal Decisions
CD7	Relevant Judgements
CD8	Other

Appendix 1 – draft Heads of Terms

Section 106 Agreement – Heads of Terms Stanford House, 9 Nestles Avenue

1. Affordable Housing:
 - An obligation to provide [] x 1-bed and [] x 2-bed units at the development as affordable private rent units for the lifetime of the development.
 - Restriction on occupation of more than 50% of the private rent units in the development until the affordable private rent units are available.
 - Early stage and late stage review mechanisms.
2. Built to Rent:
 - 15 year covenant to maintain development as a build to rent scheme.
 - Clawback contribution if conversion to market sale scheme within 15 years.
 - Provisions relating to management and tenancy length.
3. Construction Training: an obligation to either (i) deliver a construction training scheme during the construction phase of the development or (ii) pay a financial contribution to the Council.
4. Boundary Treatment: an obligation to use reasonable endeavours to work with the neighbouring landowner to agree a suitable boundary treatment on the eastern part of the site.
5. Carbon off-set: an obligation to pay a financial contribution to the Council for carbon off-set.
6. Travel Plan: an obligation to submit a travel plan for approval by the Council prior to occupation.
7. Parking permit free development: securing a restriction for existing and future residents from obtaining a parking permit and an obligation to pay a financial contribution towards the extension of a parking management zone.
8. Multi-modal transport spine (MTS) along Nestles Avenue: an obligation to (i) enter into a section 38 agreement to dedicate land for the use of the MTS and (ii) pay a financial contribution of £10,770.11 to the Council to be used for the delivery of the MTS.
9. Cranford Park improvements: an obligation to pay a financial contribution to the Council to be used for Cranford Park improvements..
10. TfL Bus Contribution: an obligation to pay a financial contribution for additional bus capacity.
11. Monitoring Fee.
12. Air Quality Contribution of £5,371.