

Healey Development Solutions (Hayes) Limited

Planning Statement

Stanford House, 9 Nestles Avenue, UB3 4SA

November 2018

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1. Introduction

1.1 Daniel Watney LLP has been instructed by Healey Development Solutions (Hayes) Ltd to submit a planning application for the mixed-use redevelopment of 9 Nestles Avenue, Hayes, UB3.

1.2 Supported by this Planning Statement, a full set of existing and proposed floorplans and elevations, and a full suite of design and environmental surveys and assessment, this planning application proposes the following:

“Demolition of existing building and redevelopment to provide a building up to 10 storeys, with 868 sqm of Class B1 floorspace at ground and first floor level and 81 residential units to the upper floor, with associated landscaping, access, car parking and cycle parking.”

1.3 This Statement reviews the existing site, surrounding context and the wider regeneration of Hayes at Section 2.0, with the relevant planning history for both the site and surrounding schemes reviewed in Section 3.0. Section 4.0 outlines the works proposed, whilst Section 5.0 outlines the pre-application engagement that was undertaken. Section 6.0 outlines the Development Plan for the site, whilst Section 7.0 explores the emerging site allocation and wider Masterplan for the area. Section 8.0 provides an assessment of the scheme against additional relevant planning policies whilst Section 9.0 provides a summary and concludes.

1.4 This application is supported by:

- Planning application forms, signed and dated;
- Full set of existing and proposed floorplans and elevations;
- Design and Access Statement, prepared by Brimelow McSweeney Architects;
- Planning Statement, prepared by Daniel Watney LLP;
- 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;
- Phase 1 Habitat Survey, prepared by The Ecology Consultancy;
- Transport Assessment, 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, prepared by Mayer Brown;
- Air Quality Assessment, prepared by Mayer Brown;
- Energy and Sustainability Assessment, prepared by Mecserve;
- Overheating Assessment, prepared by Mecserve;
- Viability Assessment, prepared by ULL;
- Ground Conditions Assessment, prepared by GEA.

2. Site Description

- 2.1 Located south of Hayes & Harlington Station, towards the south of the London Borough of Hillingdon in Botwell ward, the site subject to this planning application comprises a 0.23 hectare parcel of land.
- 2.2 The rectangular site currently comprises a single storey commercial building to the rear of the site, with a 2 storey office element fronting Nestles Avenue. The existing building line is set back from Nestles Avenue through a forecourt which provides parking for the commercial occupants.



Figure 1: Site Location Plan

- 2.3 The land between the railway to the north and Nestles Avenue to the south is currently industrial in character, dominated by the former Nestle Factory site, albeit with smaller scale, single and two storey workshop and warehouse units located west of the former factory.
- 2.4 The property is not listed, nor does it fall within a Conservation Area. However the Botwell Nestle Conservation Area falls to the east, whilst part of the former Nestle Factory is locally listed.
- 2.5 To the south of the site falls in an area predominantly residential in character, comprising a mix of bungalows and two storey 1930s suburban housing. Hayes Town Centre is located to the north of the railway station.



Photographs 1 and 2: Existing Buildings on Site



Photographs 3 and 4: Typical Houses along Nestles Avenue



Photographs 5 and 6: Former Nestle Factory Building

- 2.6 The accessibility of the site can be measured using the TfL Public Transport Accessibility Level (PTAL) methodology, which provides a detailed measure of the accessibility of a site to the public transport network, taking into account the combination of walking time and service frequency.
- 2.7 The site currently has a PTAL rating of 4, indicating a good level of public transport accessibility as a reflection of the proximity to Hayes & Harlington Station and local bus stops.
- 2.8 As detailed latterly in this Statement and in the accompanying Transport Statement, the introduction of the Elizabeth Line will increase the PTAL rating of the site to 5, meaning very good access to the public transport network. This is principally as a result of the additional bus services that will be introduced to supplement Crossrail arriving at Hayes & Harlington.

Regeneration of Hayes section – with Crossrail, Opportunity Area and Housing Zone.

- 2.9 Hayes is undergoing significant change and regeneration as a result of Crossrail and the development opportunities that arise as a result of such an investment in infrastructure.

Elizabeth Line

- 2.10 Hayes & Harlington Station will benefit from the introduction of the Elizabeth Line serving Crossrail, a significant piece of new railway infrastructure adding approximately 10% of new railway capacity to the public transport system, creating new and easier journey opportunities east and west.

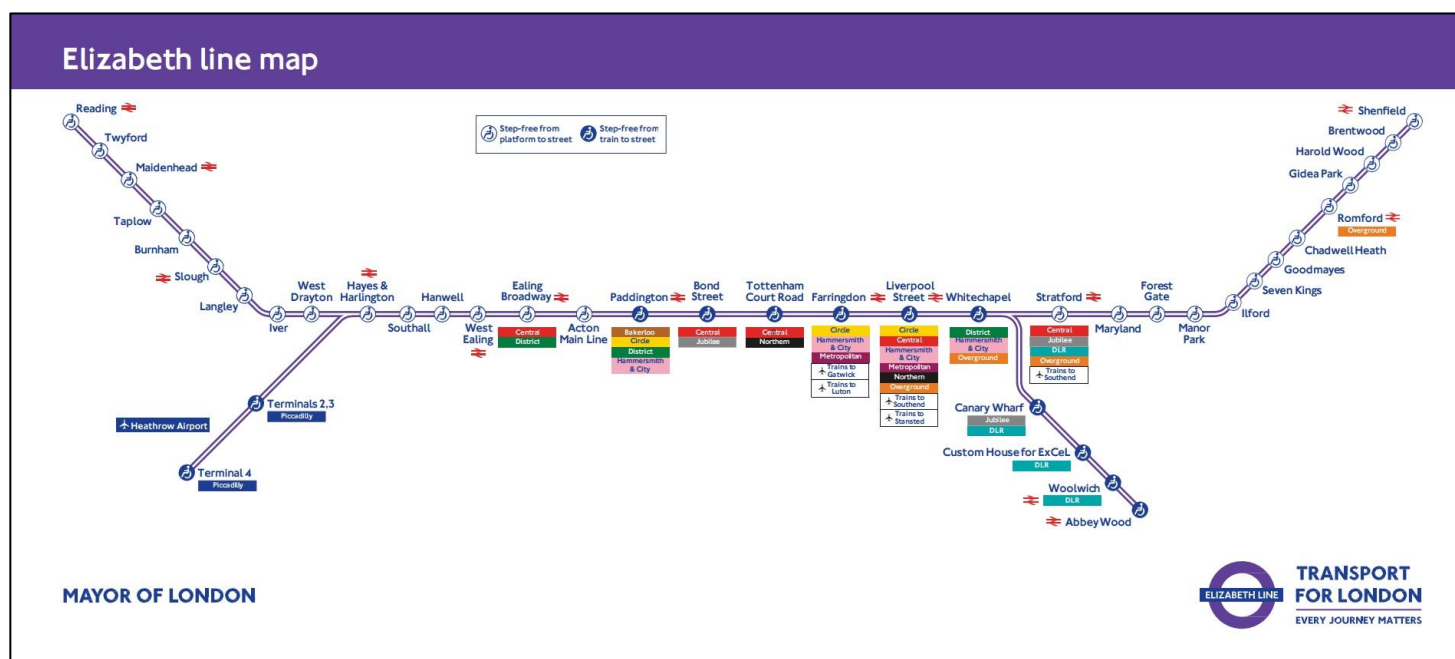


Figure 2: Crossrail Elizabeth Line Route Map

- 2.11 Stations along the route are being upgraded to accommodate the Elizabeth Line, with Hayes & Harlington to benefit from a new footbridge with four new lifts providing step free access to every platform, platform extensions and new replacement canopies in addition to lighting, customer information screens, station signage, help points and CCTV.
- 2.12 From December 2020, when the full route opens, up to ten Elizabeth Line services an hour will allow passengers from Hayes & Harlington to travel to Reading or Heathrow in the west, or through central London tunnels to Abbey Wood or Essex in the east.

- 2.13 As a result of the Elizabeth Line, significant changes to the local bus network have been proposed. For Hayes & Harlington, this results in the following:
- Extension of the H32 which currently operates between Southall and Hounslow from Southall to Hayes & Harlington Station (subject to the completion of the Southall Gasworks link road);
 - Curtailment of route 140 which currently operates between Harrow and Heathrow to operate between Harrow and Hayes & Harlington Station only;
 - Introduction of a new route, the X140, an express, limited stop service between Harrow and Heathrow (i.e. replicating the current 140) with a stop at Hayes & Harlington Station; and,
 - Introduction of a new route, the 278, providing a local service between Ruislip, Hillingdon, Hayes & Harlington and Heathrow.
- 2.14 These additional services result in the site having access to a further 15 buses per hour in each direction. These changes were confirmed in August 2018 by TfL and are to be introduced as consulted open, once the Elizabeth Line services are operational.
- 2.15 The effect of these additional services are that the PTAL of the site will increase from 4 to 5, as a result of the ever improving access to the public transport network, based on detailed calculations which are included within the Transport Assessment.

Heathrow Opportunity Area

- 2.16 In recognition of the arrival of Crossrail and the opportunities this will bring, the London Plan has identified Hayes as a key area of strategic growth and part of the Heathrow Opportunity Area (Policy 2.13), which covers an area of approximately 700 ha.
- 2.17 The identified Opportunity Area has an indicative employment capacity of 12,000 new jobs and the potential to create 9,000 new homes. This area also falls within the Hayes- West Drayton corridor, which the London Plan recognises as being able to offer a range of redevelopment opportunities, including small business parks, logistics and mixed uses.

Hayes Housing Zone

- 2.18 The application site is included within the Hayes Town Centre Housing Zone, a 238 ha area which was selected in March 2016 by the Mayor as one of 31 new Housing Zones in London. This is an initiative which was undertaken in partnership with London boroughs and their development partners as part of the GLA's Housing Strategy. A total of £600 million in funding has been made available by the Mayor and government for the construction of 75,000 new homes. The programme is also expected to provide 150,000 associated jobs.
- 2.19 In Hayes, the GLA anticipates that it will provide £39 million of funding as part of the overall expected £1 billion of total investment, with a total of 2,788 new homes provided across the Housing Zone, of which 847 would be affordable, and creating 5,576 new jobs.

3. Planning History

- 3.1 Daniel Watney LLP has reviewed the planning history of the site as made available online by LB Hillingdon. The site itself is limited in its planning history, with the only available online records identifying the below planning application.

Reference	Description	Decision	Date
51175/96/1522	Change of use of premises from Class B1 (Business) to Class B2 (General Industrial) with provision of associated parking.	Approved	02/10/1996

Table 1: Planning History for Site

There is extensive planning history in the surrounding area including the former Nestle Factory (1331/APP/2017/1883) to the immediate east of the site, which benefits from planning permission having been granted earlier in 2018, an application to the north at 3 Viveash Close (36678/APP/2017/1774) which was recently refused by LB Hillingdon, and 233-236 Nestles Avenue (73238/APP/2018/1145) to the west which is awaiting determination.

1 Nestles Avenue (Applicant - Access Self-Storage), submitted June 2017
1699/APP/2017/2201 – withdrawn in May 2018

Redevelopment for ground plus 10 storeys, mixed-use scheme, including 3 basement storeys of B8 and 164 residential units.

3 Viveash Close (Applicant – General Food Trading Company Ltd). 36678/APP/2017/1774 – submitted in May 2017, amended in February 2018. Refused.

Proposed redevelopment delivering 977 sqm commercial floorspace and 68 units across ground plus 10 storeys.

Application Site
– 9 Nestles
Avenue



233 – 236 Nestles Avenue (Applicant - Buccleuch);
73238/APP/2018/1145 – submitted in April 2018.

Redevelopment to deliver 474 residential units across 10 floors, with 834 sqm of A / B Class floorspace.

Former Nestle Factory (Segro and Barratt London) –
1331/APP/2017/1883: planning permission granted in July 2018.

Redevelopment to provide 1,386 residential units, 22,663 sqm of B1(c) / B2 / B8, data centre and additional commercial floorspace.

4. Proposed Works

- 4.1 This planning application seeks the demolition of the existing buildings on site and redevelopment to deliver a mixed use scheme comprising commercial floorspace at ground and first floor levels, with 81 residential apartments on the upper floors.
- 4.2 The existing 1,718 sqm of Class B floorspace will be demolished and replaced with 868 sqm of B1 floorspace, predominantly at ground floor but with a mezzanine level at first floor. This equates to a 50.5% reprovion of employment floorspace.
- 4.3 The 81 apartments are proposed to be built specifically for rent, to be managed by the Applicant as a single landlord.
- 4.4 The building will be 10 storeys at its highest at the northern boundary of the site, stepping down to ground plus 3 storeys in the southern part of the site fronting Nestles Avenue.
- 4.5 The ground floor comprises the employment floorspace, along with dedicated plant space for both the employment and residential uses, storage space for bikes and fully accessible car parking for residents and the commercial unit.
- 4.6 It is proposed to provide 3 disabled car parking spaces for residents of the building, and 1 disabled car parking space for the commercial unit. Storage for bicycles is provided at the two cores, with 136 spaces for the residents, 8 cycle parking spaces for the commercial unit and 7 short-stay / visitor cycle parking spaces.
- 4.7 The scheme is framed within a landscaping context given the wider aspirations for the masterplan of the area. To the front of the building, the scheme seeks to extend the landscaped corridor which is being delivered along Nestles Avenue which seeks to provide a sustainable transport link for cyclists / pedestrians, along with a landscaped amenity strip.
- 4.8 Roof terraces will be provided to deliver amenity space for residents of the building to enjoy, all of which will have a south facing aspect.

5. Pre-Application Engagement

- 5.1 This scheme has evolved through pre-application engagement with both the London Borough of Hillingdon (LBH) and the Greater London Authority (GLA).
- 5.2 A pre-application meeting was held with LBH on 23rd August 2018, with pre-application advice issued on 21st November 2018. Advice was provided under reference 51175/PRC/2018/151 and can be summarised as follows:
- Officers stated that they will not support a scheme if it comes forward as a stand-alone parcel, due to concerns that this would undermine the vision of the masterplan for the area;
 - Officers believed piecemeal development will prejudice other sites in Site B from coming forward;
 - Officers wished to see more 3 and 4 bedroom units within the scheme;
 - If less than 35% affordable housing is proposed, Officers advised the application will need to be supported by a financial viability assessment;
 - Officers suggested that it is only a matter of time before the rest of the Squirrels landowners want to realise the value of their land;
 - Officers felt there is no breathing space to the north west boundary which will constrain development opportunities in Site B;
 - Officers believed that this development would trigger questions over 'agent of change' in the context of the London Plan;
 - Officers suggested the 10 storey blank elevation against the northern boundary is a concern;
 - Officers supported the use of brickwork, broken up by fenestration, balconies and feature panels;
 - Officers did not support the cascading approach and suggest a more gradual stepping which would soften the impact of building and create usable podiums for amenity spaces;
 - Officers stated that the London Plan minimum space standards should be satisfied;
 - Officers suggested the private amenity space levels are insufficient;
 - Officers suggested some units would have poor outlook;
 - Officers stated that there should be a separation distance of 21m retained between habitable room windows;
 - Officers considered density to be excessive, based on the PTAL of the site being 3 [albeit the PTAL is actually 4 as it stands];
 - Officers felt the proposed level of car parking within the pre-app (0.2 spaces per unit) was significantly below the local requirements;
 - Officers stated that the proposed development must not compromise ability to deliver the East-West landscape links.
- 5.3 A pre-application meeting was held with Officers of the GLA along with TfL on 3rd October 2018, with initial written advice received on 26th November 2018. Advice can be summarised as follows:
- Principle: the mixed use redevelopment of the site is broadly supported in accordance with the aspirations of strategic and local plan policies. The applicant must seek to engage with neighbouring landowners to bring forward a more comprehensive form of development and where this is not possible it must be evidenced;
 - Employment: there is a strategic target of 50% employment re-provision across the wider strategic site. In order to meet the strategic target of 50% across Site B, individual plots must commit to providing more than 50% given the land dedicated to landscaping and pedestrian routes through the site.
 - Affordable Housing: an affordable housing offer of 50% should be made given the industrial characteristics of this site, and in order for the scheme to qualify for the 'Fast Track' route. If this is not achievable the maximum amount would need to be secured through the viability tested route.
 - Design: critically, where it can be demonstrated that a more comprehensive redevelopment of the wider strategic site is not possible, any design would need to ensure that the future realisation of the site's masterplan is not compromised. This would include safeguarding the route through the centre of the site.

- 5.4 A public exhibition was held on 1st November 2018 at Hayes & Harlington Community Centre, inviting local residents, businesses and other interested parties to view the proposals and ask any queries of the design and client team. Full details of the event and other stakeholder engagement are outlined in the Statement of Community Involvement which accompanies this planning application.

6. Planning Policy Context

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan, unless material considerations indicate otherwise.
- 6.2 The Development Plan for the site currently comprises:
- LBH Local Plan Part 1, adopted 2012.
 - Extant 2007 Saved Unitary Development Plan (UDP) Policies;
 - Consolidated London Plan, adopted March 2016.
- 6.3 There are a vast range of policy documents and guidance which will form material considerations in the determination of this planning application, including the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), the draft London Plan, the draft LBH Local Plan Part 2 Development Management Policies Document and Site Allocations and Designations Document and various Supplementary Planning Documents and Guidance (SPDs and SPGs) that LBH and the GLA have produced, providing technical guidance to accompany Development Plan policies.
- 6.4 The LBH draft Local Plan Part 2 documents were submitted to the Secretary of State in May 2018, with Examination taking place in August 2018. Whilst not yet forming part of the Development Plan, these documents will carry significant weight in the determination of this planning application. A schedule of Proposed Major Modifications and Proposed Minor Modifications were prepared in advance of the Examination which will be taken into account in the determination of this application.

Site Designations

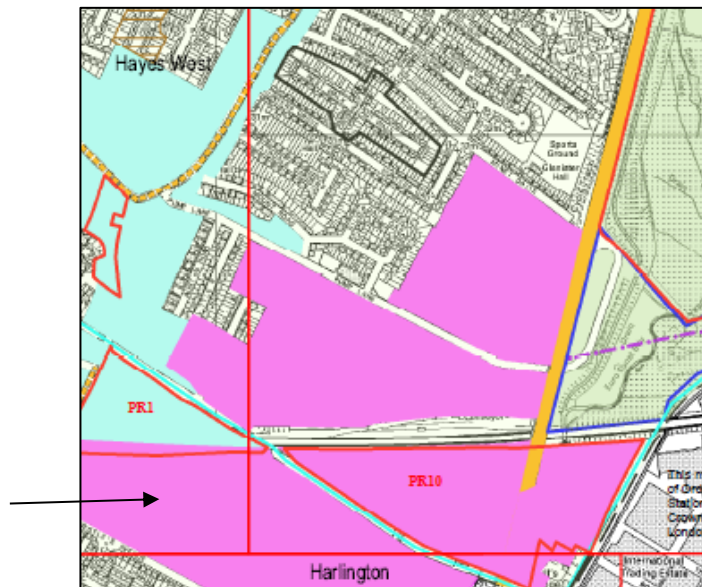


Figure 3: UDP Policies Map

- 6.5 Figure 3 above is from the Saved UDP and identifies that the application site, along with the remainder of the land to the south of the railway is protected as Strategic Industrial Land (SIL), identified through the pink block shading.

- 6.6 Figure 4 below is extracted from the LBH Policies Map submitted to Examination with Local Plan Part 2, with the site identified by the arrow.

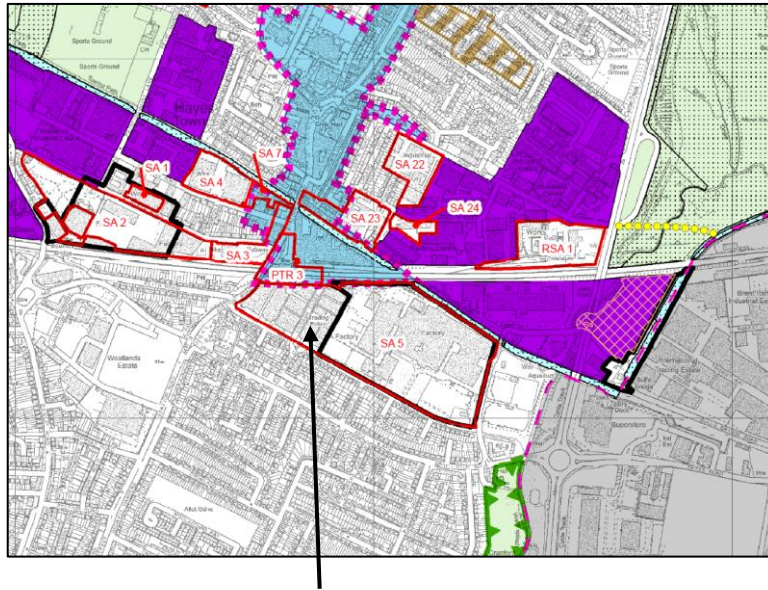


Figure 4: Emerging Local Plan Policies Map

- 6.7 The draft Policies Map identifies the site as falling within Site Allocation SA 5 (red outline), adjacent to the Botwell Nestle Conservation Area (black outline) and in close proximity to the town centre (light blue shading) and hotel growth location (pink outline).

7. Approach to Masterplan and Emerging Site Allocation

- 7.1 Reviewing both the draft Local Plan Part 2 documents submitted for Examination, and the schedule of Main Modifications issued in May 2018, Policy SA5 'land south of the Railway, including Nestle site' is earmarked to deliver a total of 1,800 new residential units, of which Site B is considered as follows:

"Site B

The provision of up to 300 residential units;

The provision of appropriate community infrastructure to support the overall quantum of development, including education as necessary;

Key principles for all sites

As a preference, Sites A, B and C should form a comprehensive development scheme across the whole site. The Council will co-ordinate the phasing of development to complement the wider Hayes Housing Zone area and all proposals will be expected to:

- Sustain and enhance the significance and integrity of heritage assets, including the Grand Union Canal, Conservation Areas, Areas of Special Local Character and Locally Listed buildings;
- Provide pedestrian links to Hayes Town Centre and key transport nodes;
- Reflect the Council's latest evidence of housing need in terms of the type and tenure of residential units;
- Comprise a proportion of employment generating uses to be agreed with the Council. Suitable uses will include B1 and elements of B2 and B8 that are compatible with the residential elements of the scheme;
- Provide appropriate community infrastructure to support the overall quantum of development including education, children's services, health, transport, community and sport / recreation facilities as necessary;
- Sufficient setback from Nestles Avenue to allow for the introduction of potential public transport improvements;
- Adopt a complementary set of scale, massing, layout and design principles that take account of surrounding land uses and existing suburban context, with lower building heights located on the Nestles Avenue side.

Subject to the outcome of area specific studies, the Council may consider an approach to car parking which departs from the standards set out in this plan, if supported by relevant public transport improvements and other mitigating measures."

- 7.2 The schedule of Main Modifications submitted in advance of the Examination states that "in addition, proposals from individual landowners should, as far as possible, come forward in a co-ordinated manner without prejudicing the development aspirations on other parts of the site."
- 7.3 Whilst pre-application discussions with LBH and the GLA have confirmed that the Council is supportive of the mixed-use redevelopment of the entirety of the Site (identified as SA5), there is an aspiration from Officers for the entirety of the site, or Site B on a smaller scale, to be brought forward as a comprehensive masterplan with all landowners in collaboration.
- 7.4 LBH advised at pre-application stage that the planning application at 3 Viveash Close was recently refused with the primary reason for refusal being piecemeal development of the wider site.
- 7.5 This Section summarises how the proposals will not prejudice the remainder of the Masterplan being delivered and how the development will help facilitate the delivery of emerging Policy SA 5.

- 7.6 The Applicant has consistently attempted to engage with neighbouring landowners within Site B to understand whether a comprehensive scheme could be brought forward, however there is currently no interest amongst other landowners within Site B to engage.
- 7.7 Having regard to Section 38(6) of the 2004 Act, any application must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.8 In terms of the adopted Development Plan, there is currently no requirement for Site B to be brought forward on a comprehensive basis.
- 7.9 With regards to emerging policy which will be afforded significant weight in the determination of this planning application, there is nothing that strictly requires Site B to be developed comprehensively. Whilst draft policy states that “*as a preference, Sites A, B and C should form a comprehensive scheme across the whole site*” (emphasis added), but this is a policy preference, and not an explicit requirement.
- 7.10 Site A has already been brought forward independently, with planning permission being granted in July 2018, whilst the Council is currently considering an application for part of Site C. The Council therefore are already considering individual sites within SA 5 on their own merits.
- 7.11 Further, the GLA were prepared to support a scheme in the north of Site B even though it was not brought forward on a comprehensive basis. Whilst the Stage 2 report for the scheme requested the Applicant to “redouble” its efforts to bring neighbouring landowners on board, the GLA were prepared (para 27 of the Stage 2 report) to support the design of the scheme when this proved unsuccessful.
- 7.12 There is also nothing in the draft London Plan that would prohibit a standalone planning application.
- 7.13 In short, it is clear that there is no explicit policy basis on which the Council can insist on Site B coming forward on a comprehensive basis.
- 7.14 Notwithstanding, the Applicant understands the importance of not undermining the ability for the entirety of the masterplan to come forward and deliver the vast benefits to the wider area.
- 7.15 It has been central to the design of the scheme for it to evolve in a way which enables it to be brought forward as a standalone parcel, but respects the principles established by the Masterplan and the approach taken by the approved scheme to the east in Site A and the emerging scheme to the west in Site C, enabling the remainder of Site B to be delivered.
- 7.16 Below reviews each of the policy requirements within emerging Policy SA 5 to explain how the scheme adheres to each item noted at 7.1 above.

Residential Accommodation

- 7.17 SA 5 seeks to deliver up to 300 residential units across Site B. This application seeks to deliver 81 of these units which will be a valuable contribution towards the overall quantum in line with the other land use aspirations for the site.

Community Infrastructure

- 7.18 The existing building located at no. 7 Nestles Avenue has a lawful D1 use due to its previous occupation as a higher education college, granted at appeal in December 2012 (LBH ref: 49059/APP/2011/2790).
- 7.19 It is considered that either this building in existing lawful community use, or one of the development

blocks fronting the linear park would be most appropriate for the incorporation of community infrastructure and therefore this is suggested through the indicative Masterplan prepared with this application.

Heritage Assets

- 7.20 The site allocation seeks to sustain and enhance the significance and integrity of heritage assets, including the Grand Union Canal, the Conservation Area and the locally listed building on the former Nestle Factory site.
- 7.21 The scheme has been designed having regard to the key masterplan principles approved under the scheme to the immediate east which has established its own context in relation to the local heritage assets.
- 7.22 The planning application seeks to respond to the massing approved under the Barratts scheme and is therefore considered to complement the emerging heritage context. The site's location towards the south of the Masterplan means there is minimal impact on the Canal, whilst stepping down to the south-east corner also reduces any perceived impact on the Conservation Area.

Landscaping and Sustainable Corridor

- 7.23 Policy SA 5 identifies two important landscape infrastructure routes to be delivered through the Masterplan, namely a sustainable transport corridor along the southern boundary of the site on Nestles Avenue, and an east-west linear park through the centre of the Masterplan.
- 7.24 Both of these routes formed part of the approval to the east in Site A and are currently proposed to be delivered through the application currently awaiting determination to the west in Site C.
- 7.25 The Applicant supports these important infrastructure links and the scheme submitted with this planning application includes a dedicated strip of land at the front of the site which will be handed over the Local Authority to deliver the sustainable transport link and necessary landscaping.
- 7.26 Whilst the Applicant's ownership does not extend to the proposed linear park to the north and neighbouring landowners are not currently engaging in discussions about a wider Masterplan, the indicative masterplan included in the Design and Access Statement shows that the linear park can be accommodated within Site B without undermining the remaining land use principles.

Housing Mix

- 7.27 Emerging policy suggests a need for 96% of 3+bed units within the private tenure, however this is not considered to be an appropriate mix within the Opportunity Area and Housing Zone, in addition to the fact the scheme is Build to Rent.
- 7.28 With regard to unit mix, the Mayor's Housing SPG acknowledges that local housing requirements should not be the single determinant of housing mix sought on individual developments.
- 7.29 The Housing SPG highlights that higher density development close to public transport facilities is especially suitable for one and two person households, particularly singles, couples and sharers, students and older people. Conversely, a lower proportion of family sized homes may be appropriate in town centres, as opportunities for play and other amenity spaces tend to be more constrained in these locations. Boroughs should consider applying local policies on unit size mix flexibly for town centre and edge of centre sites where there is good accessibility, recognising the particular suitability of these locations for 1 and 2 bedrooms units.

- 7.30 Saved UDP Policy H4 states that where practicable, a mix of housing units of different sizes should be provided in schemes of residential development including particular units of one or two bedrooms. Within town centres, schemes comprising predominantly one and two bedrooms are preferred.
- 7.31 Regard is also had to the emerging planning policy context, with emerging Policy DMH2 requiring developments should provide a mix of housing units of different sizes in order to meet the Council's latest information on housing need.
- 7.32 The proposed housing mix is below:
- 44 x 1-beds (54%);
 - 28 x 2-beds (35%);
 - 9 x 3-beds (11%).
- 7.33 All units comply with the internal space standards of the Mayor's Housing Design Standards and the Nationally Described Space Standards.

Employment Uses

- 7.34 The application of draft Policy SA 5 requires 50% re-provision of employment floorspace across the entirety of Site B.
- 7.35 In terms of application of this emerging policy, regard should be given to the determination of the planning application at 3 Viveash Close, where Officers of the GLA and LBH both confirmed the intention of the policy was to ensure that 50% of the existing floorspace across Site B should be re-provided.
- 7.36 Given the proposed linear part which is to be created through the Masterplan, GLA Officers have suggested through their Stage 2 response to 3 Viveash Close, that applications elsewhere on Site B should over-provide to account for the deficit in the centre of the site.

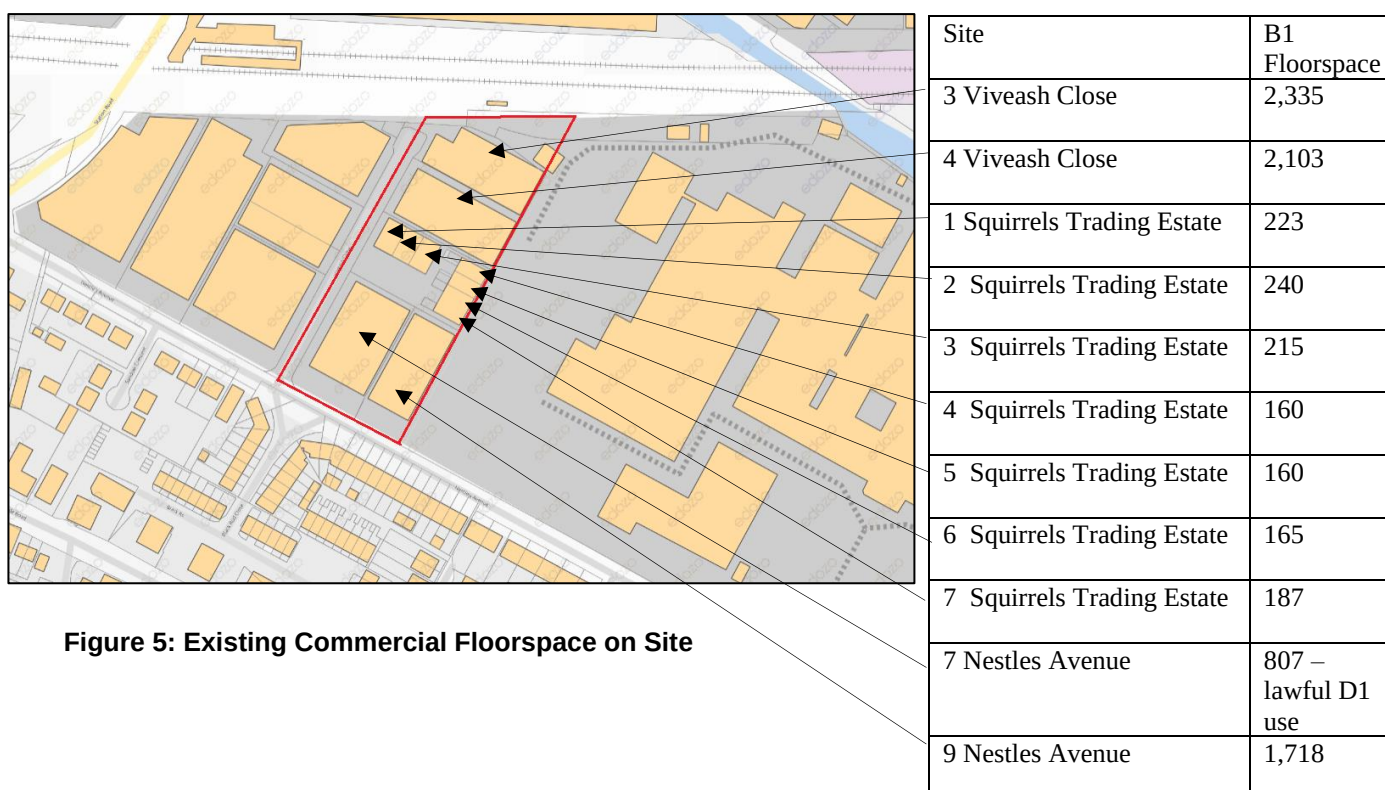
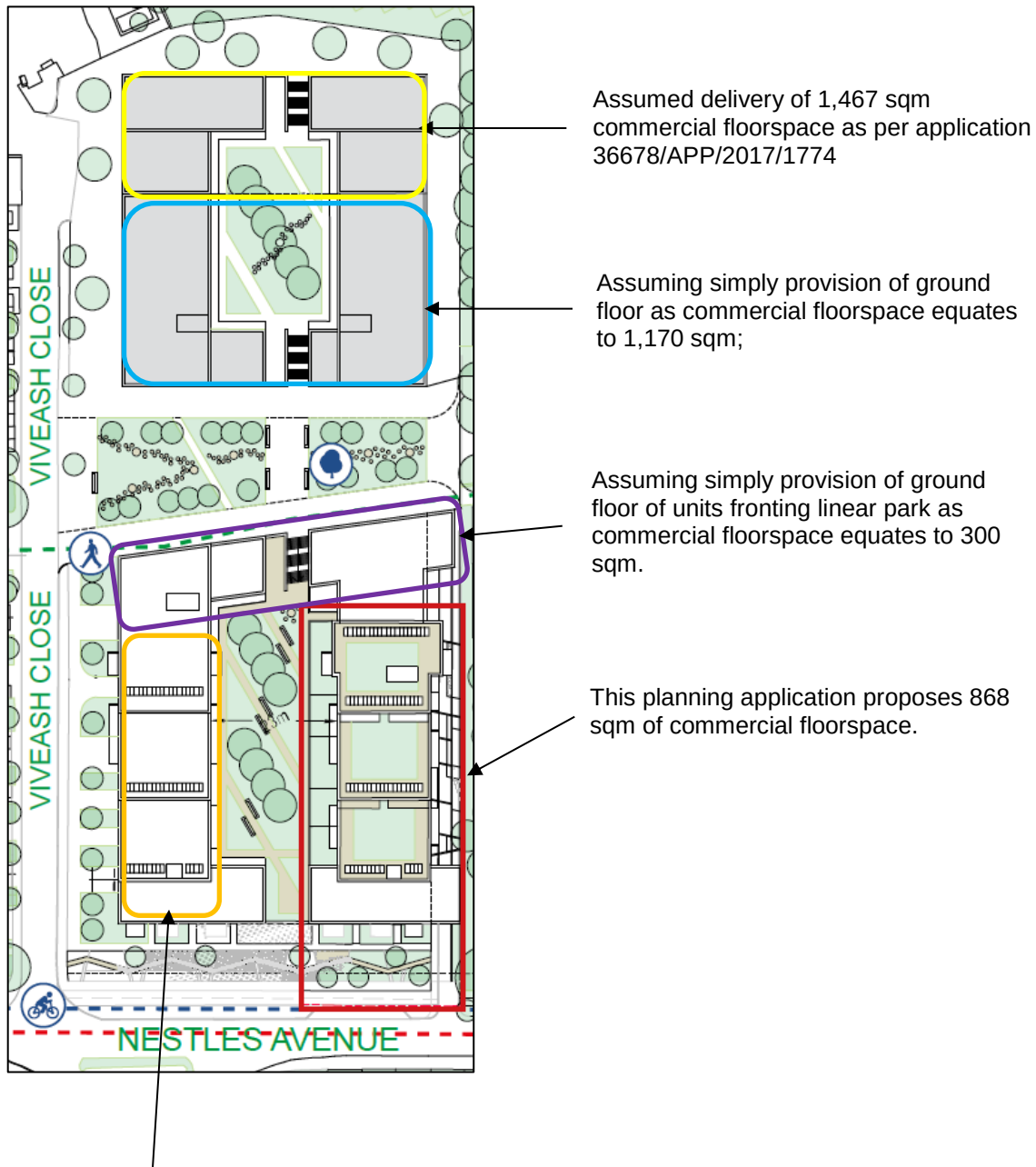


Figure 5: Existing Commercial Floorspace on Site

- 7.37 There is a total of 7,406 sqm Class B floorspace within Site B as currently identified in the above figure which, based on the application of the emerging policy, would necessitate an overall re-provision of 3,703 sqm Class B floorspace through all proposals.
- 7.38 This scheme proposes to deliver 868 sqm which would satisfy and slightly exceed the 50% re-provision on this site as a standalone parcel of land and deliver almost a quarter (23.4%) of the overall required replacement floorspace within Site B. Whilst there are no approved schemes within Site B as it stands which can be referred to, it is clear from architectural masterplanning that there is ample floorspace across the remainder of site to deliver the remaining requirements.
- 7.39 Whilst planning application 36678/APP/2017/1774 at 3 Viveash Close was refused, there was a clear intention to deliver employment floorspace through any scheme, with 1,467 sqm proposed, which would equate to 40% re-provision for the entirety of Site B.
- 7.40 As identified within the indicative Masterplan included within the Design and Access Statement and reproduced overleaf, there is an ability to deliver a substantial number of additional development blocks across Site B, whilst also retaining the key landscaping and sustainability routes through the site.
- 7.41 Whilst assumptions have to be made at this stage, simply taking the ground floor space alone of the remaining buildings within the Masterplan, outlined in blue and purple overleaf, would result in an additional 1,470 sqm commercial floorspace. When combined to the floorspace subject to this planning application and the proposed floorspace through the refused 3 Viveash Close application (as a guide), this equates to 3,805 sqm of commercial floorspace, a 51.3% re-provision when assessed against the existing quantum.
- 7.42 This calculation demonstrates at a high level that there is sufficient space within the overall masterplan to ensure that sufficient employment floorspace can be re-provided across the entirety of Site B. Even if certain buildings were to deliver less floorspace than expected, for example if 3 Viveash Close reduces the quantum of employment floorspace, this could be accommodation at first floor or higher in other development blocks within the Masterplan. By approving this application, the overall ability to deliver sufficient re-provision of commercial floorspace within the Masterplan is not compromised.

Figure 6: Indicative Commercial Floorspace in Site B



Massing

- 7.43 The allocation seeks to locate taller buildings to the railway in the north of the site, stepping down to the residential properties along Nestles Avenue to the south.
- 7.44 The proposal subject to this application adheres to this through replicating the massing approved under the scheme to the immediate east, with ground plus three storeys being located along Nestles Avenue to the south, increasing in height towards the centre of the Masterplan area. These heights have been established through recognition of the airport safeguarding heights, in addition to reflecting the approved building heights elsewhere within the Masterplan.

Car Parking

- 7.45 The allocation notes that the Council may consider an approach to car parking which departs from the standards set out in the emerging plan, if supported by public transport improvements and other mitigating measures.
- 7.46 The scheme is proposed to be car-free other than disabled parking for the residential and commercial elements. Whilst it is recognised that there is considered to be a need for car parking in the local area, the PTAL rating of the site is higher, which is to improve upon implementation of Crossrail and the associated new and improved bus services. As a result, the GLA and TfL will seek a car-free development.
- 7.47 In addition to the accessible nature of the site, the proposal is specifically for a build to rent scheme meaning apartments will be let in perpetuity rather than being sold. Research into Build to Rent has shown that renters generally have up to 0.4 fewer cars on average than owner-occupied households of a similar size and type. In addition, prospective renters will be informed that there is no parking available, and they will not be able to apply for parking permits in the surrounding streets, so will be less likely to rent the property if they require parking.
- 7.48 Further, the approved scheme to the immediate east includes spaces for Car Clubs, which residents of this proposed development will have access to.

Summary

- 7.49 There is an emerging allocation within the Local Plan Part 2 for a residential-led mixed-use development at land south of the railway. LBH has approved a planning application for part of the SA 5 Masterplan to the east.
- 7.50 The scheme subject to this application complies with the relevant land use principles for the Masterplan and proposes delivery, where possible, of important landscaping and sustainable transport infrastructure which is key to the delivery of the Masterplan. This application enables the remainder of the Masterplan to be delivered in line with the principles of Policy SA 5.
- 7.51 The Applicant has attempted to engage with neighbouring landowners to facilitate a more collaborative approach to the redevelopment of Site B, whilst businesses and landowners were also invited to the public exhibition event to discuss the proposals.
- 7.52 The proposals contribute to the wider regeneration objectives, including the delivery of housing, re-provision of commercial floorspace, the provision of public realm and an important sustainable transport link.
- 7.53 It is evident that the proposals closely align with the aspirations for the redevelopment of SA 5 and therefore will not prejudice the comprehensive development of the site allocation.

8. Additional Planning Policy Considerations

- 8.1 Whilst Section 7 deals with the important notion of the scheme being led by, and not undermining, the wider Masterplan, this Section addresses the additional planning policy considerations in assessing the suitability of this scheme.

Principle of Development

- 8.2 Policy 2.13 of the London Plan notes that Hayes forms part of the wider Heathrow Opportunity Area which is identified as having capacity to accommodate a minimum of 9,000 new homes and 12,000 additional jobs, whilst also recognising the Hayes – West Drayton corridor as offering a range of redevelopment opportunities including small business parks, logistics and mixed uses.
- 8.3 The site forms part of a wider allocation of land designated as a Strategic Industrial Location (SIL). London Plan Policy 2.17 seeks to promote, manage and, where appropriate, protect SILs.
- 8.4 Emerging Local Plan Part 2 however proposes the release of 16 hectares of SIL from this wider land parcel, predicated on a requirement within Policy SA 5 to re-provide a specified proportion of employment space as part of any mixed use redevelopment.
- 8.5 The key drivers for the proposed release of SIL land in this location are the proximity to Hayes & Harlington Crossrail Station and the potential for a comprehensive redevelopment of the wider parcel of land to support sustainable suburban intensification of homes and jobs and the regeneration of Hayes town centre.
- 8.6 As part of the co-ordinated approach to SIL consolidation on this site, SA 5 seeks to re-provide 50% employment floorspace on all sites. It has been established through Section 7 that this proposal aligns with the aspirations of the Masterplan and does not undermine its ability to be brought forward.

Residential and Build to Rent

- 8.7 The scheme is proposed to deliver residential accommodation solely in the form of Build to Rent accommodation. LB Hillingdon is currently silent on BtR schemes within adopted and emerging policy and they do not identify an established need for such accommodation in the Borough. However, the Mayor's Housing SPG outlines strong support for BtR developments.
- 8.8 London Plan Policy 3.8 (Housing Choice) sets out that "Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments".
- 8.9 The Mayor's Affordable Housing and Viability SPG recognises that BtR developments are beneficial in a number of ways, stating that they can:
- "Attract investment into London's housing market that otherwise would not be there;
 - Accelerate delivery on individual sites as they are less prone to 'absorption constraints' on build-out rates;
 - More easily deliver across the housing market cycle as they are less impacted by house price downturns;
 - Provide a more consistent and at scale demand for off-site manufacture;
 - Offer longer term tenancies / more certainty over long term availability;

- Ensure commitment to, and investment in, place making through single ownership; and,
- Provide better management standards and higher quality homes than much of the mainstream private rented sector.”

- 8.10 The SPG states that local policies requiring a range of unit sizes should be applied flexibly to BtR schemes in locations on the edge of town centres or near transport nodes, where there is much greater need for one and two beds than in owner occupied or social / affordable rented sector.
- 8.11 The Mayor’s Homes for Londoners SPG acknowledges that BtR is particularly suited to higher density development within or on the edge of town centres or transport nodes. The SPG suggests that local policies requiring a range of unit sizes could be applied flexibly to BtR schemes in these locations to reflect demand and the distinct viability challenges faced by BtR.
- 8.12 The SPG provides specific guidance on BtR developments, recognising that they differ to the traditional build for sale model. It defines BtR and explains how the distinct economics of BtR should be taken into account when assessing applications, as well as providing guidance on the requirement for covenant and clawback arrangement if units are sold out of the BtR sector. It sets out an alternative pathway which applicants can choose to follow, which promotes Discounted Market Rent as the affordable housing offer, and highlights the Plan’s existing flexibility when it comes to mix and design standards where schemes are of exemplary design and requires applicants to offer longer term tenancies.
- 8.13 The accessibility to Hayes Town Centre and the local services / shops this affords, as well as the close proximity to Hayes & Harlington Station and the ever improving public transport offer as a result of this through Crossrail and committed bus services, increases the demand and suitability for such a BtR development on this site.

Affordable Housing

- 8.14 London Plan Policy 3.11 (Affordable Housing Targets) seeks to maximise affordable housing provision in London over the plan period. Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) seeks the maximum reasonable amount of affordable housing on each scheme, having regard to:
- Current and future requirements for affordable housing at local and regional levels;
 - Affordable housing targets adopted by Boroughs;
 - The need to encourage rather than restrain residential development;
 - The need to promote mixed and balanced communities;
 - The size and type of affordable housing need in particular locations; and,
 - The specific circumstances of the site.
- 8.15 London Plan Policy 3.8 (Housing Choice) requires development to offer a range of housing choices in terms of mix, size and type. In terms of tenure split, Policy 3.11 targets 60% of provision to be affordable rent and 40% to be intermediate housing.
- 8.16 Local Plan Policy SO7 seeks to address housing need in Hillingdon using appropriate planning measures. Policy H2 states that housing provision is expected to include a range of housing to meet the need of all types of households and that LBH will seek to maximise the delivery of affordable housing from all sites and, for sites with a capacity of 10 or more units, the Council will seek to ensure that the affordable housing mix reflects housing needs in the Borough.
- 8.17 Supporting text for Policy H2 sets an indicative target of 35% of all new units to be delivered as affordable.

- 8.18 Emerging Policy DMH7 states that developments of 10 or more units should maximise the delivery of on-site affordable housing. Subject to viability, and if appropriate in all circumstances, a minimum of 35% of all new homes should be delivered as affordable. The policy states that affordable housing should be built to the same standards as private housing, and should share the same level of amenity.
- 8.19 LBH's Planning Obligations SPD states that where a scheme does not propose a minimum of 35% affordable housing by habitable room, a viability assessment is required to support the planning application.
- 8.20 Part 4.19 of the Homes for Londoners SPG sets out that "where a developer is proposing a Build to Rent development...the affordable housing offer can be entirely discounted market rent (DMR), managed by the Build to Rent provider and delivered through grant, i.e. entirely through planning gain."
- 8.21 The SPG goes on to state at Para 4.20 that "Discounted market rent is also better suited to Build to Rent than other affordable products because units can more easily be tenure blind and 'pepper potted' through the development."
- 8.22 Central Government consulted on a paper in February 2017 relating specifically to Build to Rent. The consultation paper states that "*The Government's proposed terms for the provision of Affordable Private Rent are a minimum of 20% of the homes, at a minimum of 20% discount, provided in perpetuity.*"
- 8.23 This consultation paper reiterates that the nature of BtR means that local affordable housing policy targets in respect of both quantum and tenure, need to be applied flexibly.
- 8.24 Affordable housing will be delivered through this development in the form of Discounted Market Rent which will be managed by the provider of the entire building. The level of affordable housing is subject to the review of a viability assessment submitted in support of the proposals.
- 8.25 The scheme has been designed as tenure blind with no way of identifying the affordable element in the future, to ensure that the scheme is of the highest quality for all future residents.

Design

- 8.26 Paragraph 124 of the Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities, before noting that effective engagement between applicants, communities, local planning authorities and other interests is essential to achieve good design.
- 8.27 Paragraph 131 of the Framework states that in determining applications, great weight should be given to outstanding or innovative designs which help promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 8.28 Policy 7.1 of the London Plan states that the design of new buildings and the spaces they create should help to reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood. Policy 7.2 goes on to say that all new development in London should achieve the highest standards of accessible and inclusive design.
- 8.29 Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

- 8.30 Policy 7.6 (*Architecture*) of the London Plan states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and that it should incorporate the highest quality materials and design appropriate to its context.
- 8.31 Notwithstanding urban design comments relating to how the scheme adheres to the design principles and aspirations of the SA 5 Masterplan, the scheme has been designed to deliver a high quality, durable building which will respond well to the local and emerging context and help contribute towards the new permeable and accessible public realm. The layout, height and massing of the scheme has been designed to respond well to the Masterplan, whilst locating the lower elements along Nestles Avenue where residential properties are typically two storeys.
- 8.32 The design seeks to take cues from the approved scheme to the east. As identified in the Design and Access Statement, the building footprint has been designed to ensure that there is sufficient separation distance between habitable windows of existing, approved and potential emerging schemes to ensure that there is no conflict of residential amenity.
- 8.33 The scheme has been designed using predominantly brick, with large metal-framed fenestration panels, angled brick features and industrially styled metal balconies with minimal steel plate railings to refer to the historic built development in the vicinity but with a contemporary appearance.

Daylight and Sunlight

- 8.34 This planning application is accompanied by a detailed Daylight & Sunlight assessment undertaken by EB7 in line with the various tests set out within the BRE guidelines 'Site Layout for Daylight and Sunlight: A Guide to Good Practice' and the British Standard document BS8206.
- 8.35 The assessment considers the cumulative effects of the proposals recently granted planning permission to the east at the former Nestle Factory in order to provide a comprehensive assessment of the wider future daylight / sunlight effects to the area.
- 8.36 The results of both the existing baseline assessments and future cumulative impacts show little effect to the nearest residential properties to the south on Nestles Avenue.
- 8.37 Block D of the approved Nestle Factory scheme also performs well and where units falls below the recommended levels, this is predominantly due to the presence of overhanging balconies on Block D which provide private amenity space.
- 8.38 Overall the results of the daylight and sunlight assessment are in line with the intentions of the BRE guidance and therefore considered acceptable.

Amenity Space

- 8.39 Each individual apartment will have access to a private balcony which will comply or exceed the requirements set out within the London Plan. Some apartments, at first floor level, will also benefit from larger private roof terraces.
- 8.40 In addition, all units will have access to attractively landscaped communal roof gardens which provide high quality external amenity space for residents of the future development. Overall there is a total of 1,218 sqm of amenity space throughout the site comprising private and semi-private amenity space for residents in addition to the planned high quality public realm in close vicinity the site.

Play Space

- 8.41 Policy 3.6 of the London Plan (Children and Young People's Play and Informal Recreation Facilities) recommends that residential developments must make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.
- 8.42 The Mayor's SPG for Play and Informal Recreation sets out guidance to assist in this process. The play space requirements based on the estimated child yield of the development have been calculated as 70 sqm of play space being required (40 sqm for 0-5 year olds, 20 sqm for 5 – 11 year olds and 10 sqm for 12+ year olds).
- 8.43 To accommodate this requirement, the proposal includes the provision of a range of informal play spaces to the upper floor terraces in order to meet the requirements of all age groups. These spaces are detailed further in the Design and Access Statement and Landscape Statement accompanying the planning application.

Transport and Access

- 8.44 The NPPF promotes the integration of planning and transport and its aims are to promote more sustainable travel choices, promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and to reduce the need to travel, particularly by car.
- 8.45 The London Plan encourages patterns and forms of development that reduce the need to travel by car. Policies 2.13 and 6.1 require measures that support more sustainable modes of travel.
- 8.46 A suite of Transport documents accompany this planning application prepared by i-Transport, including a Transport Assessment, a Delivery and Servicing Plan and a draft Travel Plan.
- 8.47 The site is demonstrated to offer a PTAL rating of 5 following the introduction of the Elizabeth Line and associated bus service improvements, whereby both the London Plan and the emerging London Plan seek to create car-free developments wherever possible other than Blue Badge spaces.
- 8.48 The scheme seeks to provide four disabled parking spaces in total, of which three will be for the residential elements and one for the commercial. Whilst the level of provision is below the recommended guidance of one space for each of the wheelchair adaptable units (normally 10% of all units as per Table 6.2 of the London Plan), the size and limitations of the site and requirement to re-provide commercial floorspace means that it is not possible for provide for substantial disabled car parking. The scheme adheres to the draft London Plan requirement of 3% disabled parking from the outset.
- 8.49 The Transport Assessment demonstrates that the proposed development will result in a reduction in the number of vehicular trips made to and from the site, which will have a beneficial impact in terms of road safety.
- 8.50 The TA notes that there will be an increase in walking and cycling trips to and from the site, and an increased demand for public transport services compared to the current position. However the existing infrastructure in place, along with the vast committed improvements, will enhance this further.

Air Quality

- 8.51 Policy 7.14 of the London Plan states that developments should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality, and that they

should also reduce emissions during demolition and construction phases.

- 8.52 An Air Quality Assessment has been undertaken by Mayer Brown to accompany this planning application. The site falls within an Air Quality Management Area (AQMA) which covers all parts of the Borough south of the Chiltern-Marylebone Railway line.
- 8.53 The Assessment proposes some mitigation measures for construction to reduce the residual effects of construction dust, whilst the development is not considered to raise any significant or other residual adverse impacts on the health and / or quality of life for existing residential and commercial neighbours of the site.

Sustainability and Energy

- 8.54 The NPPF states that Local Planning Authorities should support developments which promote renewable and low carbon energy.
- 8.55 London Plan Policy 5.1 seeks an overall reduction in carbon dioxide emissions whilst Policy 5.2 states that major development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following hierarchy:
- i. Be lean: use less energy;
 - ii. Be clean: supply energy efficiently; and
 - iii. Be green: use renewable energy.
- 8.56 This planning application is accompanied by an Energy and Sustainability Assessment, including an Overheating Assessment, clarifying the passive and active energy efficiency measures which have been considered in the proposed strategy for the scheme.

Flood Risk

- 8.57 The NPPF aims to ensure that flood risk is taken into consideration at all stages in the planning process steering development towards low risk areas.
- 8.58 This planning application is accompanied by a Flood Risk Assessment and Drainage Report, undertaken by Heyne Tillett Steel.
- 8.59 The site is identified as falling within Flood Zone 1, with the Flood Risk Assessment confirming that the risks of flooding from all possible sources is considered very low.
- 8.60 The proposals incorporated through the development are to discharge surface water to the existing sewer network via gravity. The current layout utilises a shallow below-ground geocellular attenuation tank, permeable paving and blue roofs to achieve a total discharge of 3.8 litres per second for all storm durations up to and including 1 in 100 years + 40% climate change event, which equates to a betterment of up to 96% over the existing scenario.
- 8.61 As required by Policy EM6 (Flood Risk Management) of the Local Plan, the development will provide a reduction in flood risk, reduce pollution and provide landscape and wildlife benefits.
- 8.62 In addition, in line with Policy EM7 (Biodiversity and Geological Conservation), the development will provide green roofs which contribute to biodiversity and help tackle climate change, through the use of SUDS promoting ecological connectivity and natural habitats.

Noise and Vibration

- 8.63 This planning application is accompanied by a Noise and Vibration Assessment undertaken by Mayer Brown which assesses the full implications of the proposed scheme within its wider development context.
- 8.64 The potential risks of the site for residential development has been assessed, with the survey concluding that the site has a 'low' to 'medium' noise risk and is therefore considered suitable for residential development, subject to adherence to a good acoustic design process.
- 8.65 Proposed mitigation measures including the orientation of the scheme with additional height to the northern part of the site, assist with minimising noise levels associated with train movements on the railway line to the north.
- 8.66 The assessment also concludes that the proposed development can be effectively integrated with existing businesses on the remainder of the Trading Estate as it stands, discharging the "agent of change" obligations which are imposed by Paragraph 182 of the NPPF.
- 8.67 There are not considered to be any site specific or technological constraints which would prevent the development of the site for residential use with commercial floorspace at ground floor level, having regard to the existing and future potential neighbouring land uses.

Planning Obligations

- 8.68 It is expected that discussions will be progressed during the course of the planning application as to any planning obligations that may be required to be delivered through this scheme. It is expected that any future legal agreement will include the following Heads of Terms:
- Provision of affordable housing in the form of Discounted Market Rent;
 - Delivery of Sustainable Transport Link along Nestles Avenue;
 - Implementation of a Travel Plan;
 - Contributions to Construction Training and Co-Ordination;
 - Implementation of Community Safety Measures in Public Realm;

9. Summary and Conclusions

- 9.1 This planning application is submitted on behalf of Healey Development Solutions (Hayes) Limited and seeks permission for the residential-led redevelopment of 9 Nestles Avenue alongside commercial floorspace.
- 9.2 The existing ground / two storey commercial building is currently vacant and falls within a Strategic Industrial Location (SIL) within adopted planning policy. However, this employment designation is proposed to be released through emerging Local Plan and London Plan policy to facilitate a residential-led masterplan of land south of the railway.
- 9.3 A draft Site Allocation – SA 5 – has been prepared by the Council which separates the wider Masterplan into three sites; A, B and C. Whilst there is an aspiration for the sites to be developed as a comprehensive masterplan, the Council have recently granted planning permission for the entirety of Site A and are considering an application for part of Site C currently. A site within Site B was refused planning permission in October 2018 for a number of reasons, one of which was piecemeal development undermining the ability of the wider Masterplan to be developed.
- 9.4 This application relates to a parcel of land within Site B. The design has had regard to the principles of the SA 5 allocation and wider Masterplan to ensure that it does not jeopardise the wider scheme or undermine the values of the emerging allocation. This application demonstrates that the proposal would satisfy the requirements of emerging Policy SA 5 through:
- The contribution of 81 residential apartments towards the allocation of 300 within Site B;
 - The ability for other development blocks within Site B to deliver sufficient levels of employment and community facilities required through the policy, without being undermined through this proposal as a standalone parcel;
 - Development which complements the approved scheme to the immediate east and therefore ties in with the impact on heritage assets nearby to the site, namely the Conservation Area, Canal and locally listed buildings;
 - The creation of the sustainable transport and landscaping link to the southern part of the site which are crucial to the success of the Masterplan, whilst demonstrating that the linear park can be facilitated within Site B albeit outside of the Applicant's ownership;
- 9.5 Attempts have been made to engage with neighbouring landowners to bring forward a collaborative scheme, however there has been no interest from neighbours in engaging. Therefore this scheme is submitted on the basis of a standalone parcel of land, albeit clearly establishing how the SA 5 Masterplan would not be undermined through the approval of this planning application.
- 9.6 This application therefore adheres to emerging policy (SA 5) and will provide substantial benefits through the delivery of residential and commercial accommodation alongside crucial sustainable transport infrastructure.