

# The Old Vinyl Factory, Hayes - Phase 3B 'The Assembly Buildings'

## Planning Statement

Prepared in support of application to discharge Condition 4  
(Podium Access) of Planning Permission Ref. No.  
59872/APP/2020/342.

Weston  
Homes

A large, stylized graphic element in the bottom right corner, composed of three overlapping blue shapes: a large circle, a smaller circle to its right, and a triangle pointing upwards and to the left, all set against a dark grey background.

# Planning Statement

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## Contents

Document History .....	ii
1. Introduction .....	1
2. Application .....	3
3. Assessment of relevant planning policy.....	6
4. Conclusion .....	8
Appendices	

## Figures

Figure 1 – Extract from Section 9.3 of the Design and Access Statement approved under Outline Consent.

## Document History

Date	Version	Author	Revisions/Notes
31.03.2023	1	J.Spencer	

# Planning Statement

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## 1. Introduction

- 1.1. This application has been made in relation to Phase 3B – ‘*The Assembly Buildings*’ of The Old Vinyl Factory (“TOVF”) Development, Hayes. The site falls within the London Borough of Hillingdon. The application seeks the discharge of Condition 4 (Podium Access) of Planning Permission Ref. No. 59872/APP/2020/342 (Decision Notice at Appendix A).
- 1.2. Condition 4 (Podium Access) requires the following (our emphasis):

*“The development shall not be occupied until a Podium Access Plan, which demonstrates the access proposals, hours of access and management procedures for access to the proposed podium by non-residents of the Assembly Buildings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the podium access shall be in accordance with the approved details for as long as the development remains in existence.”*

*REASON: To ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policy 3.16.”*

- 1.3. Two previous applications have been made to discharge Condition 4, namely Application Ref. No. 59872/APP/2021/4268 (Decision Notice at Appendix B) and 59872/APP/2022/638 (Decision Notice at Appendix C), both of which were refused with the former being dismissed at Appeal (APP/R5510/W/22/3295059) (Appeal Decision at Appendix D).

### **Application Ref. No. 59872/APP/2021/4268 (The Initial Application):**

- 1.4. The Initial Application was submitted in November 2021 which proposed access to the podium for residents and employees of the wider Old Vinyl Factory (OVF) site could be gained via an internal lockable staircase, accessed via a door on the southern elevation.

- 1.5. This application was refused for the following reason:

*“The submitted details, the proposed location for the public access to the rear of the building and the lack of accessibility, fail ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policies S1 and S4 (2021).”*

- 1.6. This Decision to refuse the application was subsequently Appealed, and was ultimately dismissed as the Inspector found that “*the proposals fail to provide access to appropriate social infrastructure for all users of the site it would fail to comply with the requirements of Policy 3.1. It would also conflict with guidance in the National Planning Policy Framework which seeks development which plans positively for the provision and use of shared spaces.*”

**Application Ref. No. 59872/APP/2022/638 (The Resubmission Application):**

- 1.7. Following the refusal and subsequent dismissal of the initial application, a further submission was made seeking to discharge Condition 4.
- 1.8. This application sought to address the issued raise by the Inspector and within the initial reasons for refusal.
- 1.9. This application also came following a Section 73 Application Ref. No. 59872/APP/2022/2847 to amend the original planning permission for the inclusion of the additional internal stairwell on the southern elevation, which is yet to be decided.
- 1.10. The Resubmission Application was subsequently refused for the following reason:

*“The submitted details, the proposed location for the public access to the rear of the building and the lack of accessibility, fail ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policy S1 (2021).”*

- 1.11. This application seeks to provide a strategy for providing access to the podium for residents and employees of the wider OVF site.

## 2. Application

- 2.1. This Planning Statement has been prepared in support of the application to discharge Condition 4 (Podium Access) of Planning Permission Ref. No. 58972/APP/2020/342.
- 2.2. The previous application (Ref. No. 59872/APP/2022/638) was refused for the reasons summarised below:
  1. **Inappropriate location of access to stair case;**
  2. **Lack of Accessibility;**
  3. **Fails to ensure the development provides access to the podium for non-residents of the Assembly Buildings;**
  4. **Integration with the wider development;**
  5. **Acceptable level of social infrastructure; and**
  6. **Quality of street design**
- 2.3. As well as setting out the general proposals of the podium access, this statement will also demonstrate how the proposals address the reasons for refusal summarised above within this section, and the assessment of relevant planning policies which is detailed in Section 3.
- 2.4. Condition 4 requires details of the; (i) access proposals; (ii) Hours of Access; and, (iii) Management procedures for access to the proposed podium by non-residents of *the Assembly Buildings*. These requirements are detailed below.

### (i) Access Proposals

- 2.5. The drawings submitted provide details of a lift core which can be accessed through the main core of Block B which is situated on the northern façade of the building facing onto 'The Groove'. This Core will provide direct access via lift and staircase onto the podium for residents (of *the Assembly buildings*) and residents & employees of the wider OVF development. This requirement is set out in Page 79 of the committee report (See Appendix E) relating to the Reserved Matters Approved (Ref. No. 59872/APP/2018/1107) as follows:

***"In addition to the above the podium landscape will be accessible to residents and employees of the wider TOVF estate during working hours (Monday-Friday 9am-5pm). The podium will be accessible to residents of the Assembly Buildings 24 hours a day."***

- 2.6. The proposed access via the lifts and stairs in the main lobby of Block B will be accessible to all users and will be provided in a prominent location, which is just off of 'The Groove', where all residents and employees of the wider OVF development will be able to gain direct access onto the podium as per the requirements of Condition 4.
- 2.7. The lift will be fob controlled and will be accessed via a fob-controlled door.
- 2.8. Residents and employees of the wider OVF development will be notified of the procedures for access, which involves contacting the developments management company to request a fob. An example letter of notification to be sent to residents and employees of the wider OVF development can be found at Appendix F.

- 2.9. Individuals requesting Access to the podium will be required to provide proof of their residence or employment on the wider Vinyl Factory site (for example letter of confirmation signed by their development management company or employer)
- 2.10. Signage will be installed to the front elevation of Block B adjacent main lobby confirming the route to the podium for public access. The signage will also note that fobs to gain access can be obtained from the developments management company, with contact details for requesting a fob provided on the signage.

**(ii) Hours of Access**

- 2.11. Other than for residents of the Assembly Buildings who have 24hr access, access for residents and employees of the wider OVF development are proposed to have access available Monday to Friday between the hours of 9am and 5pm. Details of such hours will also be provided on the signage.
- 2.12. Fobs issued to Residents and employees of the wider OVF development will be coded as to only permit access during the allocated hours above.
- 2.13. The Management Company will enforce these hours and will undertake regular checks to ensure that residents and employees of the wider OVF development are not using the Podium Outside of the permitted hours.

**(iii) Management procedures for access to the proposed podium by non-residents of the Assembly Buildings**

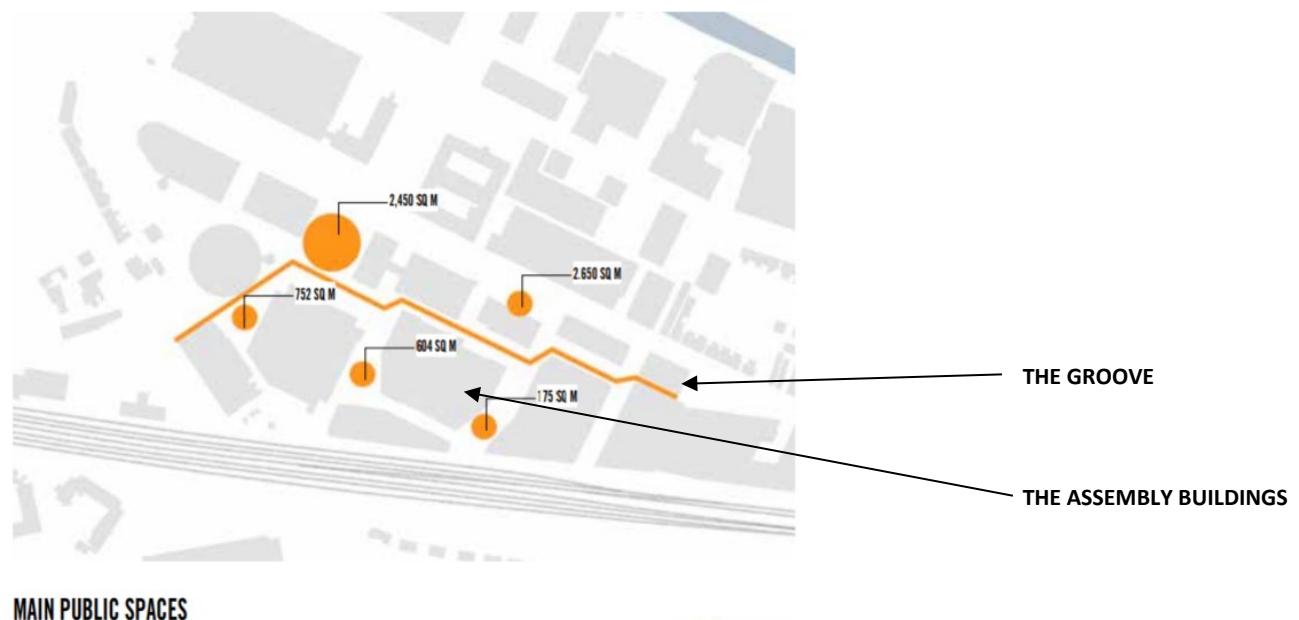
- 2.14. Residents and employees of the wider OVF development will be notified of the procedures to allow them to access the podium, via letter or signage.
- 2.15. Residents and employees of the wider OVF development wishing to gain access to the podium can contact the Development Management Company for The Assembly Buildings to obtain a fob which will provide access to the podium via the lifts in the main lobby of Block B.
- 2.16. Individuals requesting Access to the podium will be required to provide proof of their residence or employment on the wider Vinyl Factory site (for example letter of confirmation signed by their development management company or employer)
- 2.17. The following sections provide detail on the access proposals as set out in this application to Discharge Condition 4.

**(iv) Location to the proposed access**

- 2.18. One of the noted matters on the reason for refusal is that the location of the staircase which provided access onto the podium was inappropriate, making reference to the access being located to the rear of the building, stating that:

*“...the proposed location for the public access to the rear of the building and the lack of accessibility, fail ensure that the development provides access to the podium to non-residents of the Assembly Buildings”*

- 2.19. As set out above, the proposals provide access within the main lobby of Block B, which is in a prominent location on the northern façade fronting onto 'The Groove'.
- 2.20. Furthermore, as set out above, signage will also be provided which will indicate the direction towards the lifts for gaining access to the podium for residents and employees of the wider OVF development. Therefore, not only will the access be situated on 'The Groove', which is envisaged as the main thoroughfare through the development, but signage will also provide extra guidance as to where the podium access lifts are situated.
- 2.21. Moreover, the Design and Access Statement submitted and approved under the Outline Consent (Ref. No. 59872/APP/2012/1838) included the following diagram (Section 9.3) which indicates the location of 'The Groove', to the North of the proposed 'Assembly Buildings' Development as public amenity space and the main thoroughfare through the development. This area is designed as a space to be used by the public, and as such by locating the access to the podium here, would be the ideal location.



**Figure 1 - Extract from Section 9.3 of the DAS approved under the Outline Consent (labels added)**

- 2.22. Throughout TOVF development are signs indicating that priority should be given to pedestrians and 'The Groove' is a pedestrianised zone and as such the area is pedestrian-friendly which in turn encourages the public to use these areas, making the position to locate the access onto the podium entirely appropriate.

#### **(v) Accessibility**

- 2.23. The access provision via the lifts in the main lobby for Block B is deemed to be suitable for all individuals as it provides level access for those residents and employees of the wider OVF development should they request such access.

- 2.24. A further concern set out in the Officers Report relating to the refusal of the details initially submitted to Discharge Condition 4 is that “*...it is unclear how with only a staircase as proposed, wheelchair users and others requiring inclusive access could gain access to the podium during the permitted times of access by members of the public.*”
- 2.25. It is deemed that the provision of access via these lifts will sufficiently address these concerns.
- 2.26. By providing access via the lifts (upon request), this will ensure that the podium is fully accessible to all residents and employees of the wider OVF development, between the hours specified above which reflect the working hours as set out in the committee report from original application, subject to requests made to the Development Management Company for the Assembly Buildings.
- 2.27. Access via the internal lifts ensures that Residents and Employees of the wider OVF development with accessibility issues can still get onto the podium. The Equality Act 2010 replaced previous equalities legislation, including the Disability Discrimination Act 1995 which had made it unlawful to discriminate against people because of their disabilities and required "reasonable adjustments" to be made when providing access to goods, facilities, services and premises.
- 2.28. The Equality Act continues this requirement to make reasonable adjustments in relation to accessibility. In practice, this means that due regard must be given to any specific needs of likely building users that might be reasonably met. Legislative requirements therefore encourage wider accessibility to all users for spaces such as the podium but does not envisage that all spaces must be made accessible to all, particularly for non-public buildings.
- 2.29. The proposals seek to provide adequate access to the podium for all residents and employees of the wider OVF development, who request access. London Plan Policy D8 (Public Realm) requires development proposals to ensure that the public realm is “well design, safe, accessible, inclusive, attractive, well-connected, related to the historic context, and easy to understand.” The provision of level access to the podium via the lifts in the main lobby of Block B ensures that the public realm included in the podium is accessible and inclusive and therefore meets the requirements of London Plan Policy D8.

**(vi) Quality of street design**

- 2.30. The access provision will be made via the existing lifts within the main Lobby for Block B and therefore, the proposals would have no impact on the external appearance of the building which was approved under Planning Permission Ref. No. 59872/APP/2020/342, and therefore the access proposals are deemed acceptable in terms of quality of street design.

### **3. Assessment of relevant planning policy**

- 3.1. The reasoning for the condition makes reference to “creating an acceptable level of social infrastructure and quality of street design to comply with **Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policy 3.16**”.
- 3.2. Policy DMHB 11 of the Hillingdon Local Plan (extract at Appendix G) requires that all development is to be designed to the highest standards and, incorporate principles of good design.

- 3.3. As set out above, the access provision will be made via the existing lifts within the main Lobby for Block B and therefore, the proposals would have no impact on the external appearance of the building which was approved under Planning Permission Ref. No. 59872/APP/2020/342, and therefore the access proposals are deemed acceptable in terms of quality of street design and therefore would meet the requirements of Policy DMHB 11.
- 3.4. London Plan Policy 3.16 (Protection and Enhancement of Social Infrastructure) was adopted under the previous London Plan (2016), and has now been superseded by Policy S1 (Developing London's social infrastructure) under the London Plan 2021 (extract at Appendix H). As such the details submitted under this condition will be assessed in relation to Policy S1 of the London Plan 2021.
- 3.5. Policy S1 requires development proposals to provide high quality, inclusive social infrastructure. The access to the podium will provide high quality green social infrastructure which is accessible to all residents and employees of the wider TOVF scheme.
- 3.6. As set out above, the access will be provided via the existing lifts in the main lobby for Block B and would have no impact on the external appearance. The lifts would provide level access which would be acceptable for all residents and employees of the wider OVF development. The access proposals are located just off of 'The Groove' which is the main thoroughfare through the OVF development, and so is located in a prominently accessible provision. Signage will also be provided to indicate the access to the podium. Therefore, it is deemed that the proposals suitably comply with London Plan Policy S1.

## 4. Conclusion

- 4.1. This Planning Statement has been prepared in support of the application to discharge Condition 4 (Podium Access) of Planning Permission Ref. No. 58972/APP/2020/342.
- 4.2. Section 2 above sets out the proposals for allowing access to the podium area within *the Assembly Buildings* development for Residents and Employees of the Wider TOVF estate.
- 4.3. The table below summarises the reasons for refusal and the response which is set out in more detail in the following sections:

Reason for Refusal	Applicant Response
Inappropriate location for public access	The proposed access is to be provided via the lifts located within the main lobby of Block B. This is located just off of 'The Groove' which is the main thoroughfare through the development and therefore the access is in a prominent location. Furthermore, signage will be provided which will give directions to the access to the podium for any residents and employees of the wider OVF development.
Lack of accessibility	The access will be provided via the lifts within the main lobby of Block B. The lifts provide level access, and so would be fully accessible for any resident or employee of the wider OVF.
Fails to provide access to non-residents of the wider Old Vinyl Factory Development	As set out above, access will be provided via the lifts within the main lobby of Block B. Residents and employees of the wider OVF development can request a fob from the Development Management Company for The Assembly Buildings. This fob will provide access into the main lobby for Block B and on to the podium via the lifts. Details of who and how to contact the Development Management Team will be provided to all residents and employees of the wider OVF development.
Integration with the wider development	The access is to be provided via the lifts within the main lobby of Block B. This is located adjacent to 'The Groove' which is the main thoroughfare through the development. It is therefore considered that the access would be well integrated into the proposal as it is located adjacent to an area which is envisaged to have high footfall. Signage will also be provided which will give directions to the access to the podium for any residents and employees of the wider OVF development.
Acceptable level of social infrastructure	For all the reasons set out above, the proposals are deemed to provide an acceptable level of social infrastructure that ensures full accessibility to the podium for residents and employees of the wider OVF development, should they request a fob from the Development Management Company for The Assembly Buildings.
Quality of street design	The proposals maintain the same visual treatments which are currently approved as there is not external change, accordingly the quality of street design is deemed acceptable.

- 4.4. Accordingly, this application details a proposals to provide acceptable access to the podium with is located in a prominent location and is accessible to all residents and employees of the wider OVF development who request access from the Development Management Company for the Assembly Buildings.
- 4.5. As set out in Section 3, the proposals sufficiently address the requirements of the relevant planning policies, and with this is mind, the proposals of the submission to discharge Condition 4 of Planning Permission Ref . No. 58972/APP/2020/342 should be deemed acceptable.

## **Appendices**

Appendix A: Decision Notice - Application Ref. No. 59872/APP/2020/342 (Section 73 Application)

Appendix B: Decision Notice - Application Ref. No. 59872/APP/2021/4268 (Initial Condition 4 Application)

Appendix C: Decision Notice - Application Ref. No. 59872/APP/2022/638 (Further Condition 4 Application)

Appendix D: Appeal Decision Ref. No. APP/R5510/W/22/3295059 (Initial Condition 4 Application)

Appendix E: Reserved Matters Approval Ref. No. 59872/APP/2018/1107 – Committee Report

Appendix F: Example letter to residents & employees of the Old Vinyl Factory Re: Access Arrangements

Appendix G: Hillingdon Local Plan Policy DMHB 11 Extract

Appendix H: London Plan Policy S1 Extract

**Appendix A: Decision Notice - Application Ref. No. 59872/APP/2020/342 (Section 73 Application)**



Mr Martin Pearce  
Weston Group Business Centre  
Parsonage Road  
Takeley  
CM22 6PU

Application Ref: 59872/APP/2020/342

## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

### **GRANT OF PLANNING PERMISSION**

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

**Description of development:**

Section 73 application to vary the approved plans list condition of application reference 59872/APP/2018/1107 dated 06/12/2018 (Reserved Matters Application regarding the appearance and landscaping for Phase 3B 'The Assembly Buildings' of The Old Vinyl Factory site, as required by Conditions 2 and 3 of planning permission ref. 59872/APP/2013/3775 dated 31/07/2014).

**Location of development:** The Old Vinyl Factory Blyth Road Hayes

**Date of application:** 16 March 2020

**Plan Numbers:** See attached Schedule of plans

**Permission is subject to the condition(s) listed on the attached schedule:-**

A handwritten signature in black ink that reads 'James Rodger'.

**Head of Planning, Transportation and Regeneration**

**Date: 19 June 2020**

- NOTES:**
- (i) Please also see the informatics included in the Schedule of Conditions.
  - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
  - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

# **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

## **GRANT OF PLANNING PERMISSION**

Application Ref: 59872/APP/2020/342

### **SCHEDULE OF CONDITIONS**

- 1 · The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:  
440543\_A-3304 Rev A  
440543\_A-3305 Rev A  
0316-SEW-ZZ-01-DR-L-301105  
0316-SEW-ZZ-01-DR-L-301104 Rev 01  
0316-SEW-ZZ-01-DR-L-301103 Rev 01  
0316-SEW-ZZ-01-DR-L-301102 Rev 01  
0316-SEW-ZZ-01-DR-L-301101 Rev 01  
0316-SEW-ZZ-01-DR-L-301100 Rev 01  
0316-SEW-ZZ-00-DR-L-501102 Rev 01  
0316-SEW-ZZ-00-DR-L-501100 Rev 01  
0316-SEW-ZZ-00-DR-L-002105  
0316-SEW-ZZ-00-DR-L-002103  
0316-SEW-ZZ-00-DR-L-002102  
0316-SEW-ZZ-00-DR-L-002101  
0316-SEW-ZZ-00-DR-L-002104  
0316-SEW-ZZ-00-DR-L-002110  
440543\_A-1000 Rev B  
WH199/20/P/25.02a Rev A  
WH199/20/P/25.03a Rev A  
WH199/20/P/25.04a Rev A  
WH199/20/P/25.05a Rev A  
WH199/20/P/25.06a Rev A  
440543\_A-2206 Rev A  
440543\_A-3201 Rev A  
WH199/20/P/10.01a  
440543\_A-3200 Rev A  
440543\_A-3303 Rev B  
WH199/20/P/25.01a Rev A  
0316-SEW-ZZ-00-DR-L-501101 Rev 2  
0316-SEW-ZZ-00-DR-L-501103 Rev 3  
WH199/20/P/30.01d  
440543\_A-3301 Rev B  
440543\_A-3302 Rev B; and shall thereafter be retained/maintained for as long as the development remains in existence.

#### **REASON**

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

## SCHEDULE OF CONDITIONS

- 2 · The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:
- Design and Access Statement (subject to: DAS Updated page 59 'Vehicle Entrance' and DAS Updated page 87 'Bay Study 3: plinth' and in accordance with the approved floor plans).
- Planting Schedule 0209-SEW-ZZ-ZZ-SH-L-001000
- Specification of Planting and Soft Works 0316-SEW-ZZ-ZZ-SP-L-450000
- Landscape Maintenance and Management Plan 0316-SEW-ZZ-ZZ-SP-L-450001

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

### REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

- 3 · Notwithstanding the submitted details, the proposed cladding and its profile/relationship with other materials within the building elevations shall be as approved under application reference 59872/APP/2020/507.
- The development shall be constructed in accordance with the approved details and be retained as such.

### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

- 4 · The development shall not be occupied until a Podium Access Plan, which demonstrates the access proposals, hours of access and management procedures for access to the proposed podium by non-residents of the Assembly Buildings has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the podium access shall be in accordance with the approved details for as long as the development remains in existence.

### REASON

To ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policy 3.16.

## SCHEDULE OF CONDITIONS

- 5 . Prior to occupation of the development a traffic management scheme shall be submitted to and approved in writing by the Council in order to manage the flow of vehicle traffic during the period that collections are carried out.

Thereafter the traffic shall be managed in accordance with the approved details for as long as the development remains in existence.

### Reason

This is to ensure that the collection vehicle can stop within 10 metres of the bin storage area and complete collections safely in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (January 2020) and Policy 5.17 of the London Plan (2016).

### INFORMATIVES:

- 1 . The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
  
- 2 . The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

#### Part 1 Policies:

- |         |   |
|---------|---|
| PT1.BE1 | (2012) Built Environment                        |
| PT1.CI1 | (2012) Community Infrastructure Provision       |
| PT1.EM1 | (2012) Climate Change Adaptation and Mitigation |
| PT1.EM4 | (2012) Open Space and Informal Recreation       |
| PT1.EM6 | (2012) Flood Risk Management                    |
| PT1.EM7 | (2012) Biodiversity and Geological Conservation |
| PT1.EM8 | (2012) Land, Water, Air and Noise               |
| PT1.H1  | (2012) Housing Growth                           |
| PT1.HE1 | (2012) Heritage                                 |
| PT1.T1  | (2012) Accessible Local Destinations            |

#### Part 2 Policies

- |         |  |
|---------|--|
| DMCI 3  | Public Open Space Provision                            |
| DMCI 4  | Open Spaces in New Development                         |
| DMCI 5  | Childrens Play Area                                    |
| DMCI 7  | Planning Obligations and Community Infrastructure Levy |
| DMEI 1  | Living Walls and Roofs and Onsite Vegetation           |
| DMEI 10 | Water Management, Efficiency and Quality               |

## SCHEDULE OF CONDITIONS

DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 3	Decentralised Energy
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMH 7	
DMHB 1	Heritage Assets
DMHB 10	High Buildings and Structures
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 19	Play Space
DMHB 3	Locally Listed Buildings
DMHB 4	Conservation Areas
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMAV 1	Safe Operation of Airports
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.17	(2016) Strategic Industrial Locations
LPP 2.6	(2016) Outer London: vision and strategy
LPP 2.8	(2016) Outer London: Transport
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions

## SCHEDULE OF CONDITIONS

LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction
LPP 5.6	(2016) Decentralised Energy in Development Proposals
LPP 5.7	(2016) Renewable energy
LPP 5.8	(2016) Innovative energy technologies
LPP 6.1	(2016) Strategic Approach
LPP 6.10	(2016) Walking
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.7	(2016) Better Streets and Surface Transport
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.9	(2016) Heritage-led regeneration
LPP 8.1	(2016) Implementation
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy

3 . In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

## END OF SCHEDULE

## **SCHEDULE OF CONDITIONS**

### **Address:**

Residents Services  
London Borough of Hillingdon  
3 North Civic Centre, High Street, Uxbridge UB8 1UW  
Tel: 01895 250230  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

## **GRANT OF PLANNING PERMISSION**

Application Ref.No.: 59872/APP/2020/342

## **SCHEDULE OF PLANS**

WH199/20/P/25.02a Rev A - received 05 Jun 2020

WH199/20/P/30.01d - received 05 Jun 2020

440543/A-1000 Rev B - received 31 Jan 2020

WH199/20/P/25.03a Rev A - received 05 Jun 2020

Covering Letter dated 31st January 2020 - received 31 Jan 2020

WH190/20/P/25.04a Rev A - received 05 Jun 2020

WH190/20/P/25.05a Rev A - received 05 Jun 2020

WH190/20/P/25.06a Rev A - received 05 Jun 2020

WH199/20/P/25.01a Rev A - received 28 May 2020

DAS June Rev B - received 05 Jun 2020

## **RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY**

### **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate's website at [www.Planning-inspectorate.gov.uk](http://www.Planning-inspectorate.gov.uk)

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal.

Further details are available at [www.gov.uk/government/collections/casework-dealt-with-by-inquiries](http://www.gov.uk/government/collections/casework-dealt-with-by-inquiries)

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

#### **Purchase Notices.**

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Appendix B: Decision Notice - Application Ref. No. 59872/APP/2021/4268 (Initial Condition 4 Application)**



## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

### **REFUSAL OF DETAILS**

Mr Jarrod Spencer  
Weston Homes Plc  
Weston Group Business Centre  
Parsonage Road  
Takeley  
CM22 6PU

Ref: 59872/APP/2021/4268

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above-mentioned Act and Orders made thereunder hereby **REJECT** the following received on 19 November 2021:-

Details pursuant to the discharge of Condition 4 (Podium Access Plan) in relation to planning application reference 59872/APP/2020/342 approved 19-06-20 (Section 73 application to vary the approved plans list condition of application reference 59872/APP/2018/1107 dated 06/12/2018 (Reserved Matters Application regarding the appearance and landscaping for Phase 3B 'The Assembly Buildings' of The Old Vinyl Factory site, as required by Conditions 2 and 3 of planning permission ref. 59872/APP/2013/3775 dated 31/07/2014)).

**Drawing/Plan Nos:** See Attached Schedule of Plans

**At:** THE OLD VINYL FACTORY, BLYTH ROAD, HAYES,

A handwritten signature in black ink that reads 'James Rodger'.

**Head of Planning, Transportation and Regeneration**

**Date:** 17 January 2022

**NOTE:** This notice does NOT relate to any approvals, which may be required under any conditions of the notice of planning permission except the condition(s) referred to herein.

## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

Application Ref: 59872/APP/2021/4268

### **SCHEDULE OF REASONS**

- 1 . The submitted details, the proposed location for the public access to the rear of the building and the lack of accessibility, fail to ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policies S1 and S4 (2021).

### **INFORMATIVES**

- 1 . At ground floor level the proposed staircase would block the tracking route provided by the applicant in the Section 2.5 of the Design and Access Statement (Rev B June 2020) submitted with the amended proposals (application reference 59872/APP/2020/342). As such it has not been demonstrated that the proposed staircase would not have a detrimental impact on vehicle movements and therefore parking and servicing availability for the development.

The proposed stairs would also result in a loss of parking as they are located where a parking space is approved at first floor level (as shown on approved drawing number WH199/20/P/25.02a Rev A). In addition the proposals would result in the loss of external amenity spaces on the podium (as shown on approved drawing number WH199/20/P/25.03a Rev A). The loss of parking and the loss of external amenity space are not considered to be acceptable.

### **END OF SCHEDULE**

#### **Address:**

Residents Services  
London Borough of Hillingdon  
3 North Civic Centre, High Street, Uxbridge UB8 1UW  
Tel: 01895 250230  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

**SCHEDULE OF PLANS**

WH199/21/P/25.02d Proposed First Floor Plan - received 19 Nov 2021

WH199/21/P/25.01d Proposed Ground Floor Plan - received 19 Nov 2021

WH199/21/P/75.01 Proposed Podium Access Technical Details - received 19 Nov 2021

Covering Letter dated 19th November 2021 - received 19 Nov 2021

WH199/21/P/25.03d Proposed Second Floor Plan - received 19 Nov 2021

## **RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY TOWN & COUNTRY PLANNING ACT 1990**

### **Appeals to the Secretary of State.**

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Transport, Local Government and The Regions under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, 3/02 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 8428). Appeal forms can be downloaded from the Planning Inspectorate's website at <http://www.planning-inspectorate.gov.uk>.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstance which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

### **Purchase Notices.**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. T

**Address:**  
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London Borough of Hillingdon  
3 North Civic Centre, High Street, Uxbridge UB8 1UW  
Tel: 01895 250400 / 250401  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

**Appendix C: Decision Notice - Application Ref. No. 59872/APP/2022/638 (Further Condition 4 Application)**



## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

### **REFUSAL OF DETAILS**

Mr Jarrod Spencer

Weston Homes Plc

Weston Group Business Centre

Parsonage Road

Takeley

CM22 6PU

Ref: 59872/APP/2022/638

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above-mentioned Act and Orders made thereunder hereby **REJECT** the following received on 24 February 2022:-

Details pursuant to the discharge of Condition 4 (Podium Access Plan) in relation to planning consent reference 59872/APP/2020/342 dated 19.06.20 (Section 73 application to vary the approved plans list condition of application reference 59872/APP/2018/1107 dated 06/12/2018 (Reserved Matters Application regarding the appearance and landscaping for Phase 3B 'The Assembly Buildings' of The Old Vinyl Factory site, as required by Conditions 2 and 3 of planning permission ref. 59872/APP/2013/3775 dated 31/07/2014).

**Drawing/Plan Nos:** See Attached Schedule of Plans

**At:** THE OLD VINYL FACTORY, BLYTH ROAD, HAYES,

A handwritten signature in black ink, appearing to read 'J. Spencer'.

**Interim Director of Planning, Regeneration & Public Realm**

**Date:** 29 July 2022

**NOTE:** This notice does NOT relate to any approvals, which may be required under any conditions of the notice of planning permission except the condition(s) referred to herein.

## **TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

Application Ref: 59872/APP/2022/638

### **SCHEDULE OF REASONS**

- 1 · The submitted details, the proposed location for the public access to the rear of the building and the lack of accessibility, fail to ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policy S1 (2021).

### **INFORMATIVES**

#### **END OF SCHEDULE**

##### **Address:**

Development Management

Directorate of Place

Hillingdon Council

3 North Civic Centre, High Street, Uxbridge UB8 1UW

**www.hillingdon.gov.uk**

**SCHEDULE OF PLANS**

WH199/21/P/25.01d Rev A - received 04 Mar 2022

WH199/21/P/25.02d Rev B - received 04 Mar 2022

WH199/21/P/25.03d - received 04 Mar 2022

WH199/21/P/75.01 Rev A - received 04 Mar 2022

WH199/22/P/Condition\_4/Podium\_Access/PS/ - received 04 Mar 2022

**RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF  
LOCAL PLANNING AUTHORITY  
TOWN & COUNTRY PLANNING ACT 1990**

**Appeals to the Secretary of State.**

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Transport, Local Government and The Regions under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, 3/02 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 8428). Appeal forms can be downloaded from the Planning Inspectorate's website at <http://www.planning-inspectorate.gov.uk>.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstance which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

**Purchase Notices.**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. T

**Address:**  
Residents Services  
London Borough of Hillingdon  
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Tel: 01895 250400 / 250401  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

**Appendix D: Appeal Decision Ref. No. APP/R5510/W/22/3295059 (Initial Condition 4 Application)**



# Appeal Decision

Site visit made on 4 July 2022

**by Anne Jordan BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14<sup>th</sup> July 2022

**Appeal Ref: APP/R5510/W/22/3295059**

**The Old Vinyl Factory, Blyth Road, Hayes, UB3 1HA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Weston Homes Plc against the decision of London Borough of Hillingdon.
- The application Ref 59872/APP/2021/4268, dated 19 November 2021, was refused by notice dated 17 January 2022.
- The application sought planning permission for details of podium access plan without complying with a condition attached to planning permission Ref 59872/APP/2020/342 dated 19 June 2020.
- The condition in dispute is No4 which states that: The development shall not be occupied until a Podium Access Plan, which demonstrates the access proposals, hours of access and management procedures for access to the proposed podium by non-residents of the Assembly Buildings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the podium access shall be in accordance with the approved details for as long as the development remains in existence.
- The reason given for the condition is: To ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policy 3.16.

## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The Old Vinyl Factory at Hayes is a large complex of former industrial buildings which is being brought back into mixed use. As well as the renovation and reuse of various buildings the scheme includes the construction of a number of new units, one of which is The Assembly Building. This has been designed with a central base of parking and commercial use with 3 towers of residential units above. A garden providing open space for residents is located on the roof of the central base, known as The Podium.
3. The application was made to discharge condition 4 of planning application 59872/APP/2020/342. This permission related to a Section 73 application to vary the approved plans list condition of application reference 59872/APP/2018/1107 dated 06/12/2018 (Reserved Matters Application regarding the appearance and landscaping for Phase 3B 'The Assembly Buildings' of The Old Vinyl Factory site). The reserved matters application was

pursuant to Conditions 2 and 3 of planning permission ref. 59872/APP/2013/3775 dated 31/07/2014. This application was itself pursuant to 59872/APP/2012/1838 - dated 10/04/2013 – described as “Outline planning application for a mixed use development of the Old Vinyl Factory site including the demolition of up to 12,643 sqm of buildings and construction of up to 112,953 sqm (112,953 sqm includes the retention and re-use of 784 sqm of the Power House and 901 sqm Pressing Plant) of new floorspace. Uses to include up to 510 residential units (maximum area of 49,000 sqm GEA), up to 7,886 sqm of new B1 floorspace, up to 4,000 sqm of A class uses (A1, A2, A3, A4, A5), up to 4,700 sqm of D1 and D2 uses, an energy centre (up to 950 sqm), car parking, works to access and creation of new accesses and landscaping”.

4. The application was refused by the Council on the basis that the proposed location for the public access to the rear of the building and the perceived lack of accessibility would fail to ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020) and London Plan Policies S1 and S4 (2021).
5. Within the delegated report the Council also referred to a potential loss of parking spaces as a result of the proposal and an absence of information in relation to tracking for vehicles within the parking areas which takes account of the proposed stairwell. These matters were also included as informatics on the decision notice but did not form part of the reasons for refusal.
6. As part of the appeal submission the appellant has provided additional information to respond to the Council’s concerns. This information was also submitted as part of an application relating to a Non-Material Amendment<sup>1</sup> (NMA) which does not form part of this appeal. However, in this case, as I have found the proposal to be unacceptable for the reasons set out below, it has not been expedient to consider the matter of parking further.
7. The appellant’s appeal statement includes further details of how public access is to be secured at the site, which although not part of the original application, have now been reviewed and commented on by the Council. I have taken these comments into account in my decision.

### **Main Issues**

8. Accordingly, the main issue for the appeal is whether the proposal would provide acceptable arrangements to achieve public access to open space at the Assembly Buildings.

### **Reasons**

9. When the design of the Assembly Building was approved in 2018<sup>2</sup> the Council considered that public access to the garden was a necessary component of the design. Access to The Podium by those working at The Old Vinyl Works (TOVW) was an assumption contained within the Design and Access Statement for the building<sup>3</sup>. The document states:

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<sup>1</sup> 59872/APP/2022/270

<sup>2</sup> Application ref 59872/APP/2018/1107

<sup>3</sup> Assembly Buildings RMA Design & Access Statement 22.03.18 4.5 Landscape Podium Landscape p14

*"The podium landscape will be accessible to residents and employees of TOVF estate during working hours (Monday-Friday 9am-5pm). These users are required to sign up for this access and have to sign in at the entrance concierge of Block B. The podium will be accessible to residents of the Assembly Buildings 24 hours a day".*

10. This text is repeated within the committee report for the scheme, which goes on to say that as a result the space would have a wider degree of accessibility than would normally be associated with a private space and recommended that a condition was imposed to secure this. The Council indicate that there is a significant shortage of public open space within the local area, and although I have not been provided with specific information to support the Council's view, neither has the appellant disputed the fact. Indeed, I note the appellant's contention that public access to open space within individual buildings is not achieved on a number of other buildings within the site.
11. I am therefore satisfied that the condition as imposed is necessary to ensure that the development provides access to the podium to non-residents of the Assembly Buildings, in the interests of providing for better integration of the building within the site and providing appropriate social infrastructure for those living and working at TOGV.
12. The application contained details of a new stairwell, located on Gramophone Lane, which would provide access via stairs to non-residents of the Assembly Building. This is not a main frontage of the building and as a result the access has the appearance of a secondary fire-escape or service entrance, rather than a main access point to the building. Even though the road would also be used by those accessing nearby office buildings, it would not be inviting to users.
13. The appeal submission contains further information on the management regime for access. This would include provision of a key-fob to secure access to the stairwell for those who have pre-registered for access to the facility. This is likely to deter those intent on crime, but it would also be likely to deter many from seeking access seeking casual use of the space. Furthermore, access for those unable to use the stairs would be achieved by contacting the management company to secure level access via the lift in the building's main lobby. Again, this would deter casual access to the space.
14. In this regard the arrangements put forward by the appellant are unlikely to achieve a significant degree of public access. I accept that the space itself is intended by the designers to have a semi-private character. I can therefore appreciate that unrestricted access may not be appropriate or desirable. Nevertheless, it seems to me that a separate, fob-only stairwell as proposed, away from the main entry points to the building, would not achieve a satisfactory standard of access even for users who have pro-actively sought use of the space.
15. The appellant advises that to allow non-residents access to the Podium via a communal facility would result in residents being subject to cleaning and maintenance responsibilities for such access. As a result, it is the appellant's view that shared access would result in additional unreasonable living costs. There is no firm evidence to support this contention. I have been provided with no convincing evidence that such costs would arise, that if they did arise that they would be unreasonable or indeed should automatically be incurred by residents of the Assembly Building alone.

16. The appellant has also referred to "Secured by Design"<sup>4</sup>. This sets out that access to stairwells from the communal lobby should be restricted to residents to reduce the risk of anti-social behaviour or criminal activities. As such it is argued that it would be likely to adversely affect the safety of the residents if access through a communal route were to be unrestricted. However, Secured by Design provides extensive advice on how joint access can be secured by achieving compartmentalisation through a building. It also states that how access is provided for legitimate visitors is a matter for the overall access control strategy to be set out by the management company. It therefore seems to me that alternative options could be explored for access through a shared lobby that meet Secured by Design standards.
17. I note the appellant's view, that access to the space was required to justify separation distances below the standards normally sought in new development. However, as set out in the committee report<sup>5</sup> the semi-public nature of the space was a factor in accepting lower separation distances in this case rather than being a factor dictating the need for public open space.
18. Accordingly, I conclude that the proposal fails to provide satisfactory arrangements for securing necessary access to open space within the site. The Council have referred to Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020). This provides a set of general principles in relation to the design of new development but does not specially refer to access to open space and so is only relevant insofar as it refers to achieving high quality design.
19. The London Plan Policy 3.16, has now been superseded by Policies 3.1 and 3.4 of the new London Plan, which relate to the provision of social infrastructure and play provision. I have been provided with no evidence to suggest that the scheme as proposed would fail to provide appropriate access to play provision and so find no conflict with Policy 3.4. However, as the proposal would fail to provide access to appropriate social infrastructure for all users of the site it would fail to comply with the requirements of Policy 3.1. It would also conflict with guidance in the National Planning Policy Framework which seeks development which plans positively for the provision and use of shared spaces.

### **Conclusion**

20. Accordingly, for the reasons set out above, the appeal is dismissed.

*Anne Jordan*

INSPECTOR

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<sup>4</sup> Section 27.29 of the Secure by Design Homes 2019 Version (March 2019) Document (Appendix M to appellant's statement).

<sup>5</sup>

**Appendix E: Reserved Matters Approval Ref. No. 59872/APP/2018/1107 – Committee Report**

# Agenda Item 7

## Report of the Head of Planning, Transportation and Regeneration

**Address:** THE OLD VINYL FACTORY BLYTH ROAD HAYES

**Development:** Reserved Matters Application regarding the appearance and landscaping for Phase 3B 'The Assembly Buildings' of The Old Vinyl Factory site, as required by Conditions 2 and 3 of planning permission ref. 59872/APP/2013/3775 dated 31/07/2014.

**LBH Ref Nos:** 59872/APP/2018/1107

**Drawing Nos:**

- Agent email 15/05/18 lighting standards
- 440543\_A-1000 Rev B
- 440543\_A-2200 Rev C
- 440543\_A-2201 Rev B
- 440543\_A-3304 Rev A
- 440543\_A-3305 Rev A
- TheLocationPlan\_included\_in\_SiteandOtherPlans
- Cover Letter dated 23rd March 2018
- Design and Access Statement
- 0316-SEW-ZZ-ZZ-SP-L-450001
- 0316-SEW-ZZ-ZZ-SP-L-450000
- 0316-SEW-ZZ-01-DR-L-301105
- 0316-SEW-ZZ-00-DR-L-002105
- 0316-SEW-ZZ-00-DR-L-002103
- 0316-SEW-ZZ-00-DR-L-002102
- 0316-SEW-ZZ-00-DR-L-002101
- 0209-SEW-ZZ-ZZ-SH-L-00100C
- 0316-SEW-ZZ-00-DR-L-002104(1)
- 0316-SEW-ZZ-00-DR-L-002110
- 440543\_A-2202 (A)
- 440543\_A-2203 (A)
- 440543\_A-2204 (A)
- 440543\_A-2205 (A)
- 440543\_A-2206 (A)
- 440543\_A-3201 (A)
- 440543\_A-1050 Rev A
- 440543\_A-3200 Rev A
- 440543\_A-3301 Rev B
- 440543\_A-3300 Rev B
- 440543\_A-2200 Rev B
- 440543\_A-3303 Rev B
- 440543\_A-3302 Rev B
- 0316-SEW-ZZ-00-DR-L-501101 Rev 02
- 0316-SEW-ZZ-00-DR-L-501102 Rev 01
- 0316-SEW-ZZ-00-DR-L-501103 Rev 03
- 0316-SEW-ZZ-00-DR-L-301100 Rev 01
- 0316-SEW-ZZ-00-DR-L-301101 Rev 01
- 0316-SEW-ZZ-00-DR-L-301102 Rev 01
- 0316-SEW-ZZ-00-DR-L-501100 Rev 01
- 0316-SEW-ZZ-00-DR-L-301103 Rev 01
- 0316-SEW-ZZ-00-DR-L-301104 Rev 01

**Date Plans Received:** 23/03/2018

**Date(s) of Amendment(s):** 15/05/2018

**Date Application Valid:** 27/03/2018

23/03/2018

## 1. SUMMARY

The application seeks to discharge the reserved matters relating to appearance and landscaping in compliance with conditions 2 and 3 of planning permission ref. 59872/APP/2013/3775 for of Phase 2 of The Old Vinyl Factory Masterplan: The Assembly Buildings.

The application site forms part of The Old Vinyl Factory site for which outline consent was granted under application reference 59872/APP/2012/1838, and varied under application reference 59872/APP/2013/3775, for the mixed-use redevelopment of the site.

The Reserved Matters application site is located centrally within the wider site, directly to the south of the new University Technical College building and to the north of The Record Store which is a locally listed building.

The Assembly buildings are considered a high quality addition to the Old Vinyl Factory development, which in itself is considered an exemplar mixed-use development for Hayes. The proposed scheme is considered to reinforce the transformation for the area, which cannot be achieved without signature developments such as The Old Vinyl Factory.

The proposed Assembly buildings are considered a positive response to a constrained site and to be exceptionally high quality with regards to materials and finishes. The building is also truly mixed use through the ground floor retail uses that are activate and would animate the main public realm areas. The Assembly Buildings will be a strong and important feature that will add to the success of the Old Vinyl Factory site. For these reasons, individually and cumulatively, the development is strongly supported in design and regeneration terms.

This proposed building forms part of the masterplan for the regeneration of this particular site and to make a strong and positive architectural statement about the future of the area. The overall development is generally in accordance with the outline consent and therefore, the application is recommended for approval.

## 2. RECOMMENDATION

**APPROVAL** subject to the following:

**1 COM4      Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete

accordance with the details shown on the submitted plans, numbers:

440543\_A-3304 Rev A  
440543\_A-3305 Rev A  
0316-SEW-ZZ-01-DR-L-301105  
0316-SEW-ZZ-01-DR-L-301104 Rev 01  
0316-SEW-ZZ-01-DR-L-301103 Rev 01  
0316-SEW-ZZ-01-DR-L-301102 Rev 01  
0316-SEW-ZZ-01-DR-L-301101 Rev 01  
0316-SEW-ZZ-01-DR-L-301100 Rev 01  
0316-SEW-ZZ-00-DR-L-501102 Rev 01  
0316-SEW-ZZ-00-DR-L-501100 Rev 01  
0316-SEW-ZZ-00-DR-L-002105  
0316-SEW-ZZ-00-DR-L-002103  
0316-SEW-ZZ-00-DR-L-002102  
0316-SEW-ZZ-00-DR-L-002101  
0316-SEW-ZZ-00-DR-L-002104  
0316-SEW-ZZ-00-DR-L-002110  
440543\_A-1000 Rev B  
440543\_A-2201 Rev B  
440543\_A-2202 Rev A  
440543\_A-2203 Rev A  
440543\_A-2204 Rev A  
440543\_A-2205 Rev A  
440543\_A-2206 Rev A  
440543\_A-3201 Rev A  
440543\_A-1050 Rev A  
440543\_A-3200 Rev A  
440543\_A-3303 Rev B  
440543\_A-2200 Rev C  
0316-SEW-ZZ-00-DR-L-501101 Rev 2  
0316-SEW-ZZ-00-DR-L-501103 Rev 3  
440543\_A-3300 Rev B  
440543\_A-3301 Rev B  
440543\_A-3302 Rev B; and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

#### **2 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement (subject to: DAS Updated page 59 'Vehicle Entrance' and DAS Updated page 87 'Bay Study 3: plinth').

Planting Schedule 0209-SEW-ZZ-ZZ-SH-L-001000

Specification of Planting and Soft Works 0316-SEW-ZZ-ZZ-SP-L-450000

Landscape Maintenance and Management Plan 0316-SEW-ZZ-ZZ-SP-L-450001

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**3 COM7 Materials (Submission)**

Notwithstanding the submitted details, no development shall take place above ground level until details of the proposed cladding and its profile/relationship with other materials within the building elevations 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.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**4 NONSC Podium Access Plan**

The development shall not be occupied until a Podium Access Plan, which demonstrates the access proposals, hours of access and management procedures for access to the proposed podium by non-residents of the Assembly Buildings has been submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that the development provides access to the podium to non-residents of the Assembly Buildings, ensuring integration with the wider site and creating an acceptable level of social infrastructure and quality of street design to comply with Policies BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) and London Plan Policy 3.16.

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

**2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM13

AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces

	(iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.17	(2016) Strategic Industrial Locations
LPP 2.6	(2016) Outer London: vision and strategy
LPP 2.7	(2016) Outer London: Economy
LPP 2.8	(2016) Outer London: Transport
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.9	(2016) Mixed and Balanced Communities
LPP 4.1	(2016) Developing London's economy
LPP 4.2	(2016) Offices
LPP 4.3	(2016) Mixed use development and offices
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction
LPP 5.6	(2016) Decentralised Energy in Development Proposals
LPP 5.7	(2016) Renewable energy

LPP 5.8	(2016) Innovative energy technologies
LPP 6.1	(2016) Strategic Approach
LPP 6.10	(2016) Walking
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.7	(2016) Better Streets and Surface Transport
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.9	(2016) Heritage-led regeneration
LPP 8.1	(2016) Implementation
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
R7	Provision of facilities which support arts, cultural and entertainment activities

3 I59

### Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 I70

### LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in

order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The whole of The Old Vinyl Factory (TOVF) site consists of approximately 6.6 hectares of land set in an irregular quadrilateral shaped site. The multi-phase site was originally constructed between 1907 and 1935 by the Gramophone Company and was later the production centre of EMI Ltd, producing the majority of vinyl records for distribution worldwide. Associated record production works had ceased by the 1980s after which time the site was largely vacant with many buildings falling into disrepair.

The Reserved Matters application site is located centrally within the wider site, directly to the south of the new University Technical College building and to the north of The Record Store which is a locally listed building that has recently been refurbished and brought back into use. The wider site is bounded by Blyth Road to the north and by the Great Western Mainline railway to the South, with Hayes and Harlington rail station 420 metres to the east of the site. Opposite the site on Blyth Road lies the Grade II Listed Enterprise House, an eight storey office building, together with a variety of industrial and office buildings. The wider area is a mixture of residential, industrial and office uses with Hayes Town Centre located to the northeast of the site.

Much of the application site, as well as The Record Store, The Cabinet Building and The Shipping Building, which lie immediately outside of the application boundary, is situated within a Developed Area, The Botwell: Thorn EMI Conservation Area and partly within a Industrial and Business Area, as identified in the Policies of the Hillingdon Local Plan (November 2012) and a Strategic Industrial Location (SIL) as designated within the London Plan (March 2015).

#### **3.2 Proposed Scheme**

The application seeks to discharge the reserved matters relating to appearance and landscaping in compliance with conditions 2 and 3 for Phase 3 of The Old Vinyl Factory Masterplan - The Assembly Buildings.

Under the wider outline planning approval 510 residential units were granted consent. To date 324 residential units have been provided within The Boiler House (54 units), The Material Store (189 units) and The Machine Store (81 units). Should the Assembly Building be approved (181 residential units proposed) this would take the total number of units approved to 505, which is within the quantum approved at outline. It should be noted that the Veneer Building (Phase 7) is yet to come forward, however the outline consent for the wider site has now expired (after this reserved matters phase was submitted) and therefore a new application and planning consent would be required for this Phase.

The scheme proposes three residential blocks, over a double height podium. 1,252m<sup>2</sup> of commercial floorspace (A1/A2/A3/A4/A5 and B1) is proposed at ground floor and first floor level across 5 units. In total 181 residential units are proposed above the podium up to a height of 6 storeys. The unit mix comprises 18 x studio units, 84 x 1 bedroom units, 70 x 2 bedroom units and 9 x 3 bedroom units. 18 of the units (10%) are accessible units. 175 car parking spaces are proposed at ground and first floor level below the podium (at a ratio of

0.75 spaces per unit, which mirrors that of other phases). In addition 10 motorcycle spaces and 190 cycle parking spaces are also proposed.

The design of the scheme has evolved over time and the various scheme changes have been subject to extensive pre-application discussions with the Council to take officer comments into account. During design development it was identified that the approved parameters for the widths of the three buildings above the podium resulted in a compromised design for this reason it is proposed by the applicant to increase the building widths. They have stated that this will allow enhancements to be provided, such as:

- a) Allow for widened corridors and to allow each apartment to be sprinklered to enhance fire safety.
- b) Enhanced apartment layouts that will create higher quality internal spaces.
- c) The enhanced internal layouts will also provide improved opportunities for adaptation in the future.
- d) Provide London Plan compliance in all apartments.
- e) Wall to floor ratio efficient, so energy and carbon reductions are maximised. The approved parameters make carbon reduction requirements very difficult to achieve with the approved widths.

In addition the play area to the east of the Assembly Buildings at ground level is proposed to be increased in size to provide additional play space at the site.

#### Affordable Housing

The Viability Assessment approved as part of the outline planning permission required 5% of units (26 Units) within the Assembly Buildings to be delivered as affordable shared ownership units. On 16 February 2018 the Council triggered a viability review of the masterplan under paragraph 1, part 2 of Schedule 4 of the s106. The details of this review are covered within section 7.13 of this report. Following the triggering of a review mechanism the level of affordable housing provision has increased to 52 units, all of which would be delivered with Block A. The full details of the location and mix of these units is to be set out in an Affordable Housing Scheme to be agreed with officers prior to commencement of development as required by Schedule 4, Part 1, para 1 of the Legal Agreement.

#### Appearance

The details of the proposed design approach are set out in the Design and Access Statement submitted with this application, but a brief summary is provided below. The proposed scheme comprises the following:

#### Facade Design and Cladding

Full height terracotta tiles cover the majority of the facade. Composite timber and metal windows, powder coated metal trims and painted metal balustrades complement this palette. In terms of the proposed profile for the terracotta the applicant has been unable to clarify at this stage the exact details and has requested that this dealt with by way of a planning condition should the application be approved, However the material type and finish have been submitted for approval as part of this application.

#### Access and Parking

The Assembly Buildings contains parking for its own uses as well as those for staff in the UTC Building to the north. The car parking is located on the ground and first floor of the building, with a small number of spaces located to the exterior, in parking bays located in the public realm.

A total of 177 car parking spaces are proposed, including a residential provision of 135 spaces (ratio of 0.75 spaces per unit). As required in the outline planning permission 10% of the residential parking spaces will be dedicated to blue badge holders (13 spaces). Added to these are two spaces for visitors to residents, one of which is disabled and 40 staff parking spaces for the UTC (who currently temporarily park on land to the north of the Cabinet Building). A total of 34 electric charging points within the internal car park is proposed, with passive provision for a further 30.

Access to the internal car park is from Pressing Plant Lane to the south of the building via either Powerhouse Lane or Gramophone Lane. There are separate entrances to each level of car parking. The ground floor entrance is located to the east of Pressing Plant Lane, and has a separate entry and exit lane. The first floor entrance is located to the west, and vehicles will drive up a ramp in order to access.

#### Landscaping

The landscaping design can be divided into the following character areas, each also providing a different function:

1. The ground level public realm and streetscape: the Groove is the area of the public realm located to the north of the Assembly Buildings. This is the main pedestrian route that connects the entirety of the site and the proposed materials match the materials already approved as part of previous phases.
2. Podium landscape: the podium garden (at level one) is a semi-private podium, designed for use by the residents of the Assembly Buildings and employees within the wide TOVF site. It is located above the ground level car park and includes boundary planting, providing privacy, residential gardens, and play area.
3. Walled gardens: the walled gardens (level seven of Block A and C) provide a more secluded area for seating.
4. Roof Terrace: this (located on level eight of Block B) provides a small area for seating amongst a green roof, designed to improve ecology.

The design of the landscape aims to integrate the site with the wider masterplan. The detailed landscaping scheme is set out in submitted drawings and a detailed planting specification (including structure and framework plants, seasonal theme plants, ground cover plants, and filler plants) and maintenance and management plan have also been provided. The landscape and play areas have been designed to be fully accessible.

#### Amenity Space

1,178sqm of private amenity space is proposed, as well as 3,030sqm of shared amenity space (the spaces are located on level 02 (the podium), level 07, and level 08). Play space is proposed at ground level on Powerhouse Lane; this matches the style of the other play areas found throughout the masterplan. Play space, for the residents of the Assembly Buildings, is proposed on the buildings podium. The play area to the east of the Assembly Buildings at ground level is proposed to be increased in size as part of the proposed development.

### 3.3 Relevant Planning History

#### Comment on Relevant Planning History

The application site forms part of The Old Vinyl Factory site for which outline consent was granted under application reference 59872/APP/2012/1838.

Application reference 59872/APP/2013/3640 granted permission for a non-material amendment to the scheme, due to the proposed revised phasing of the site, and some revisions to documents. This resulted in changes to the wording of conditions 6, 18, 27,

and 32 of the original planning permission.

Application reference 59872/APP/2013/3775 granted a variation of the original outline permission to allow variations to phasing of the approved development.

Application reference 59872/APP/2015/1330 granted a Non-material Amendment to planning permission ref: 59872/APP/2013/3775 to amend the approved parameter plans and Development Specification (condition 31) and amend the wording of Condition 13 (acoustic buffering) in connection with the Material Store development.

This reserved matters application is therefore submitted as Phase 3 of the revised application, as allowed as per reference 59872/APP/2013/3775 and 59872/APP/2015/1330

#### 4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan (2016)

National Planning Policy Framework

Hillingdon Supplementary Planning Document - Accessible Hillingdon

Hillingdon Supplementary Planning Document - Noise

Hillingdon Supplementary Planning Document - Planning Obligations

Hillingdon Supplementary Planning Guidance - Air Quality

Hillingdon Supplementary Planning Guidance - Community Safety by Design

Hillingdon Supplementary Planning Guidance - Land Contamination

#### UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.CI1 (2012) Community Infrastructure Provision

PT1.CI2 (2012) Leisure and Recreation

PT1.E1 (2012) Managing the Supply of Employment Land

PT1.E6 (2012) Small and Medium-Sized Enterprises (SME)

PT1.E7 (2012) Raising Skills

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.EM4 (2012) Open Space and Informal Recreation

PT1.EM5 (2012) Sport and Leisure

PT1.EM6 (2012) Flood Risk Management

PT1.EM7 (2012) Biodiversity and Geological Conservation

PT1.EM8 (2012) Land, Water, Air and Noise

PT1.H1 (2012) Housing Growth

- PT1.HE1 (2012) Heritage
- PT1.T1 (2012) Accessible Local Destinations

Part 2 Policies:

- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
 (i) Dial-a-ride and mobility bus services  
 (ii) Shopmobility schemes  
 (iii) Convenient parking spaces  
 (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE25 Modernisation and improvement of industrial and business areas
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- BE4 New development within or on the fringes of conservation areas
- LPP 2.13 (2016) Opportunity Areas and Intensification Areas
- LPP 2.17 (2016) Strategic Industrial Locations
- LPP 2.6 (2016) Outer London: vision and strategy
- LPP 2.7 (2016) Outer London: Economy
- LPP 2.8 (2016) Outer London: Transport
- LPP 3.1 (2016) Ensuring equal life chances for all
- LPP 3.9 (2016) Mixed and Balanced Communities

- LPP 4.1 (2016) Developing London's economy
- LPP 4.2 (2016) Offices
- LPP 4.3 (2016) Mixed use development and offices
- LPP 4.4 (2016) Managing Industrial Land and Premises
- LPP 5.1 (2016) Climate Change Mitigation
- LPP 5.10 (2016) Urban Greening
- LPP 5.11 (2016) Green roofs and development site environs
- LPP 5.12 (2016) Flood risk management
- LPP 5.13 (2016) Sustainable drainage
- LPP 5.14 (2016) Water quality and wastewater infrastructure
- LPP 5.15 (2016) Water use and supplies
- LPP 5.2 (2016) Minimising Carbon Dioxide Emissions
- LPP 5.21 (2016) Contaminated land
- LPP 5.3 (2016) Sustainable design and construction
- LPP 5.6 (2016) Decentralised Energy in Development Proposals
- LPP 5.7 (2016) Renewable energy
- LPP 5.8 (2016) Innovative energy technologies
- LPP 6.1 (2016) Strategic Approach
- LPP 6.10 (2016) Walking
- LPP 6.13 (2016) Parking
- LPP 6.3 (2016) Assessing effects of development on transport capacity
- LPP 6.5 (2016) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.7 (2016) Better Streets and Surface Transport
- LPP 6.9 (2016) Cycling
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- LPP 7.2 (2016) An inclusive environment
- LPP 7.3 (2016) Designing out crime
- LPP 7.4 (2016) Local character
- LPP 7.5 (2016) Public realm
- LPP 7.6 (2016) Architecture
- LPP 7.7 (2016) Location and design of tall and large buildings
- LPP 7.8 (2016) Heritage assets and archaeology
- LPP 7.9 (2016) Heritage-led regeneration
- LPP 8.1 (2016) Implementation
- LPP 8.2 (2016) Planning obligations
- LPP 8.3 (2016) Community infrastructure levy
- OE1 Protection of the character and amenities of surrounding properties and the local

	area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
R7	Provision of facilities which support arts, cultural and entertainment activities

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **23rd May 2018**

**5.2** Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Consultation letters were sent to 244 local owner/occupiers, the Hayes Village Conservation Panel and the Hayes Town Centre Residents Association on 17/04/2018. The application was also advertised by way of site and press notices. No responses have been received.

#### GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)

Thank you for your consultation of 17/04/2018 regarding the above application for planning permission/listed building consent. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England's Greater London Archaeological Advisory Service under their consultation criteria.

#### HEATHROW AIRPORT LTD

No comments received

#### MET POLICE

No comments received

#### ENVIRONMENT AGENCY

No comments received

### Internal Consultees

#### ENVIRONMENTAL PROTECTION UNIT

I have no comments on the subject reserve matters of this development.

#### WASTE STRATEGY OFFICER

I have considered the documents provided in conjunction with the British Standard Code of Practice for Waste Management in Buildings (5906:2005) and have the following comments to make:

Retail units 1-4 have a provision for waste storage at the rear of each unit within the car park area. The design and access statement provided states that it is not intended for service vehicles to enter the car park; therefore a provision is required for personnel to move these containers to the lay-by to the south of the building for collection. Containers should not pass through any internal part of the building which the container services. Sheet number A-2200 Revision A shows no provision for storage of waste arising from Retail unit 05. If the intent is for this unit to share the space with unit 04 then additional capacity will be required.

The recommended numbers of waste and recycling containers per block are: A - 6 x 1100 litre refuse + 6 x 1100 litre recycling B - 3 x 1100 litre refuse + 3 x 1100 litre recycling C - 6 x 1100 litre refuse + 6 x 1100 litre recycling Total = 30 euro bins. The current plan only has capacity for 26 bins. The door from the main bin store to the service lay-by should be a minimum of 2 metres wide and the cross over free from any kerbs or steps. Block B does not have an allocated bin store within 30 metres of each dwelling. Consideration should be given to an additional bin store located in the car park area housing a minimum of 1 waste & 1 recycling bin. As each individual bin store is not large enough to house the required capacity, and direct access is not available to the collection vehicle, a provision should be made for personnel to swap full bins with empty bins on a regular basis, with all full bins stored in the storage area closest to the lay-by at the south of the building.

During construction of the development, consideration will need to be given to existing surrounding

properties that require access for waste and recycling collections.

Case Officer's comments:

Condition 7, part h) of the outline consent requires details of a servicing plan (including refuse) for each phase to be submitted and approved in writing by the Local Planning Authority. It is considered that the above issues can be resolved through the discharge of this condition.

**AIR QUALITY OFFICER**

I can confirm that there is no related air quality matter in regard to this particular issue, I therefore have no further comments to make on this application.

**ACCESS OFFICER**

The Assembly Buildings constitute phase 3B of the Old Vinyl Factory Masterplan, which comprises 181 one bed, two bed and three bedroom units to be contained within three blocks. 155 units would be private for sale, with the remaining 26 earmarked for shared ownership.

A retail element of the scheme would comprise two food and beverage units, plus other smaller retail units (use class A1/A3/A4/B1).

In assessing this application, reference has been made to the London Plan and policies 3.8 (Housing Choice) and Policy 7.2 (An Inclusive Environment).

In line with outline planning permission 598721/APP/2013/3775 and Conditions 3 and 24, it would be acceptable for the scheme to comply with the Lifetime Home Standards and the guidance set out in the Wheelchair Housing Design Guide. Blue and brown badge holder parking for residents is inside the carpark or, for visitors, at grade, both within the recommended distances to lift cores.

The internal layout and design of the following flat types are considered to be compliant with guidance referred to above:

- Flat Type Studio-a
- Flat Type 1a
- Flat Type 1f (wheelchair accessible)
- Flat Type 2a
- Flat Type 2h (wheelchair accessible)
- Flat Type 3a Flat Type 3c (wheelchair accessible)

All residential blocks would each benefit from a pair of lifts, which are believed to be smaller 8 person and a 13 person lift.

A firefighter lift shaft would be provided within each block to house a firefighting lift in accordance with BS 9999:2017, and Annex G. The provision would also serve as an evacuation lift to be used by trained operatives in the event of a fire evacuation. It is, however, understood that compartment walls separating one apartment from another would be provided with 60 minutes load-bearing capacity, thereby requiring only the occupants of an affected unit to be evacuated.

No concerns are raised in respect of the proposed residential accommodation. However, the following recommendation should be noted:

1. Any further planning consent should require that a suitable term contract is put in place to ensure accessibility to the wheelchair units above ground can be restored swiftly in the event of a lift breakdown.

In terms of the Groove area of public realm to the north of the Assembly buildings, the following observations, requests and recommendations should be noted:

2. A materials palette should be requested, together with confirmation that the pavers details as follows can be installed in accordance with prescribed tolerances set out in BS 8300-1:2018:

- a. Groove' concrete block paving type B type C
- b. 3. 'Groove' concrete block paving type C
- c. 2. 'Groove' concrete block paving type B
- d. Conventional concrete block paving type A1/ A2

3. It is unclear whether the semiprivate podium garden for residents at Level 02 would be accessible to wheelchair users, confirmation should be sought.

4. Confirmation is also needed that the amenity areas proposed for Blocks A and C on Level 7, and on Level 8 at Block B.

5. Details are required on the design of sensory play space, to include the type of any equipment to be installed.

6. Details should be submitted which demonstrate that all public realm lighting accords with Clause 11 set out in BS 8300-1:2018.

Conclusion: further details should be requested and a further appraisal carried out prior to any grant of planning permission.

#### Planning condition

The dwelling hereby approved shall be constructed to meet the pre-2010 Lifetime Home Standards, with 10% designed to be Wheelchair Accessible in accordance with the guidance set out in the Wheelchair Housing Design Guide, and all such provisions shall remain in place for the life of the building.

#### Reason:

To ensure an appropriate standard of housing stock in accordance with London Plan policy 3.8 c, is achieved and maintained.

#### Case Officer's comments:

The above comments were provided to applicant who responded by providing the majority of the additional information requested by the Council's Access Officer. In addition the outline consent includes a condition (24) which requires all residential units to accord with Lifetime Home Standards, with 10% of the units designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users. As such the imposition of a further condition is not required. The Council's Access Officer has reviewed the additional/amended details and provided the following comments:

#### ACCESS OFFICER 2ND COMMENTS

With the exception of details yet to be provided in respect of the sensory play space, and confirmation that all public realm lighting will accord with Clause 11 set out in BS 8300-1: 2018, there are no additional accessibility concerns.

#### Case Officer's comments:

The Applicant has confirmed via email dated 15th May 2018 that the lighting will meet BS8300-1:2018 standard. In addition there is a current application submitted by the applicant (application reference 59872/APP/2018/1104) to discharge details of the proposed play space proposals under Condition 20 (Play Area) of the outline planning consent, which will consider the details of the sensory play space.

#### URBAN DESIGN AND CONSERVATION (Final comments)

The Assembly building is considered a high quality addition to the Old Vinyl Factory development, which in itself is considered an exemplar mixed-use development for Hayes that has arguably been a salient catalyst for the wider regeneration of Hayes Town, before Crossrail was confirmed for the town centre. For this reason, it is important to keep raising the bar in terms of design quality for all development in Hayes, in order to set a positive precedent that all subsequent design proposals should follow. Therefore, cumulatively, the positive impact will be beneficially for the residents of Hayes. And to reinforce the transformation change for the area, which cannot be achieved without signature (identity) developments such as the Old Vinyl Factory.

The Assembly Building itself is a positive response to a constrained site, where it is considered appropriate to optimise a site that is already primed for development. It is understood that there are a few minor infringements with regards to separation distances, but this is a result of a extant permission for the site that has already dictated the parameters for development, in order to preserve the retained heritage assets in the conservation area. And salient public realm spaces and features that are of critical importance to the success of Old Vinyl Factory development. Therefore, a couple of minor breaches of the policy separation distance is considered acceptable in this instance only, because the benefits far out way the concerns.

The proposed building is considered exceptionally high quality with regards to materials and finishes, which will be very important to attract and retain retail operators on the main thoroughfare. The building is also truly mixed use through the ground floor retail uses that are activate and animate the main public realm areas. The Assembly Building will be a strong and important feature that will add to the success of the Old Vinyl Factory site and the applicant has very much met this objective.

For these reasons, individually and cumulatively, the development is strongly supported in design and regeneration terms.

#### LANDSCAPE ARCHITECT

This submission for the Assembly Buildings includes a D&AS, dated 23 March 2018. Section 04 describes and illustrates the landscape details and quality of spaces associated with the area including the ground level surrounds and the several rooftop / podium level gardens.

Section 4.0 analyses the play and amenity requirements, a sunlight study, images and details of the planting strategy, various landscape character areas, technical / material details the arts strategy, and lighting.

Submitted plans include: planting plans, hard landscape plans and tree pit details which, for ground level planting, will incorporate geocellular tree pit construction. This system ensures a greater soil volume to establish and support tree growth while also contributing to a SUDS efficient scheme.

Supporting documents include a Planting Schedule, Specification of Planting and Soft Works and Landscape Maintenance and Management Plan.

These proposals reflect the objectives previously discussed with the landscape design team.

#### FLOOD AND WATER MANAGEMENT

According to the drainage strategy permeable paving is proposed in the locations around this building, and the proposed materials do not reflect this.

Tree pits (not including the mounded ones) should also be designed at same level as footpaths etc so water can flow into them providing additional storage.

Case Officer's comments:

These comments were forwarded to the applicant who has confirmed that permeable paving is located to the south and west of the Assembly Building. Plan reference 0316-SEW-ZZ-00-DR-L-501103 (now Revision 02) illustrates the extent of permeable paving. The proposed permeable paving matches the design and specification that has already been approved and installed as part of the previously approved Record Store works.

Tree pits at ground level, in both hard and soft landscape, have been designed with a metal edge flush to the adjacent paving. Soil and mulching material is to be installed lower than this metal edge, allowing water run-off into the plant beds and tree pits.

#### FLOOD AND WATER MANAGEMENT 2nd comments:

Following the confirmation of an updated permeable paving drawing, there are no objections.

#### HIGHWAYS ENGINEER

Three Sheffield type parking stands should be provided on both the north east and north west corners of the Assembly Building where it fronts onto The Grove.

Where the access road intersects with Blyth Road, raised tables should be provided to calm the speed of traffic joining the access road and exiting onto Blyth Road. A further benefit of this raised table would be to give pedestrians and disabled people an at level crossing facility

All motorcycle parking should be provided with a simple bar 300mm at the front of each parking bays to which the front or rear wheel of the motorcycle can be secured.

Given that drivers should reverse into parking spaces, the hatched markings provided to give car occupants space to get out and into their car should be provided on the driver side of the parking space.

All of the above requirements can be secured as part of Condition 7 of the outline permission 59872/APP/2012/1838.

There are no objections to this development on highway, traffic or transportation grounds.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The proposed development was approved within this area of the site as part of the outline consent for the redevelopment of the wider site. Approved as part of the outline consent was a set of parameter plans, which included the parameters within which the buildings should be located. The proposed building is in accordance with the parameter plan as amended in terms of height and footprint and as such, the use and scale of the building would be in accordance with the approved parameter plan which established the principle of the development as acceptable.

The principle of the development has already therefore been approved at outline stage.

### 7.02 Density of the proposed development

Density was considered as part of the originally approved outline application, and was deemed acceptable. The site wide density of the development is not proposed to change significantly as part of this application.

The outline application proposed a maximum of 510 residential units across the site. The current application proposes the erection of 181 residential units within this phase, which is an increase of 31 flats in this phase compared to the original masterplan that proposed 150 units in the Assembly Buildings. To date 324 residential units have been provided within

The Boiler House (54 units), The Material Store (189 units) and The Machine Store (81 units). Should the Assembly Building be approved (181 residential units proposed) this would take the total number of units approved to 505, which is within the quantum approved at outline.

The site has a PTAL score of 2/3 and Policy 3.4 of the London Plan seeks for new developments to achieve the appropriate density which is compatible with the local context. Table 3.2 of the London Plan recommends that for a PTAL of 2/3, with smaller sized units of 2.7 to 3 habitable rooms that a density of 70-170 could be achieved for urban areas. The proposed scheme has a density of 241 units per hectare which sits outside the density range recommended by the London Plan (March 2016). However the consented 150 units would have a density of 200 units which is also outside the density of the London Plan and the density figures are not considered to represent a true reflection of the development given there are sections of the wider site, such as the pedestrian 'groove' that are not included within these calculations.

The uplift of 31 units within this Phase has been subject to various lengthy pre-application discussions with officers at the Council. The outline planning consent for the wider site has now expired and should the current application be approved then the total number of residential units approved across the site would be 505 which is below the total approved at outline stage. Only one phase of the wider site is yet to be brought forward (Phase 7, The Veneer Building). As the outline consent has now expired any future development for this site would require full planning consent and as such would be subject to CIL payments and current policies relating to affordable housing provision.

As the such the change in density for the Assembly Building phase above that already approved at outline stage is considered to be acceptable, as site wide the number of units approved will be lower than that approved at outline stage.

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

#### **Conservation Area and Listed Buildings**

The site lies in the Hayes Botwell: Thorn EMI Conservation Area, and forms part of the old EMI factory site, which played an important part in the history of Hayes. It retains a number of large historic industrial buildings from the 19th and 20th centuries, a number of which are Locally Listed. Directly to the north is Enterprise House, an early concrete clad metal framed structure, which dates from the early 20th century and is grade II listed. This building has a very distinct appearance and is considered as a local landmark, it was also part of the original EMI site when first constructed.

The proposed new building has been subject to pre-application discussion with the Council's Conservation and Design Team. The general height of the building at 26.36m is in accordance with the outline planning permission and the amendments approved under application reference 59872/APP/2015/1330. The adjacent Materials Store Building is taller at 38.51m and the new building is comparable with The Cabinet Building at 26.46m. The tallest sections of the building are the lift overruns which at 29.96m would be the same height as The Record Store Building to the south.

The proposed building will incorporate hand-set brickwork at ground floor level which ties in with the listed and retained industrial buildings in the locality. Above ground floor level other materials are also incorporated such as terracotta cladding and powder coated metal. The Council's Urban Design Officer has reviewed the design of the building and raised no concerns regarding its appearance, stating 'the materiality of the building will be very

striking and a positive juxtaposition against the retained conservation buildings and structures. The footprint of the building is large and will add pressure to the surrounding open space and public realm, but the design has sought to break down the height and massing to mitigate the scale of the proposed building, which is supported. It is appreciated that this application is constrained by the approved layout of the outline application and the retention of the heritage buildings and assets that is a very positive aspect of the emerging development.'

This proposed building forms part of the masterplan for the regeneration of this particular site and to make a strong and positive architectural statement about the future of the area. The overall development is considered to be a well designed building which will have a positive impact on the visual amenities of the Conservation Area and the adjacent Listed Buildings, in accordance with Policies BE4 & BE10 of the Hillingdon Local Plan (November 2012).

#### Archaeology

The impact on archaeology was considered as part of the originally approved outline application, and was considered acceptable, subject to conditions. The proposed building is not considered to impact on this previous assessment and the Greater London Archaeological Advisory Service (GLAAS) have confirmed that they have no objections to the current application. The proposal is therefore deemed in accordance with Policy BE3 of the Hillingdon Local Plan (November 2012).

#### 7.04 Airport safeguarding

The proposed development is within the height parameters approved at outline stage. Heathrow Airport Ltd were consulted on the application and no objection has been received. The proposed development is of a similar height and scale to the surrounding buildings and as such, it is considered that the proposal would not impact on the safe operation of any airport.

#### 7.05 Impact on the green belt

The site is not located within or close to the Green Belt, so there are no Green Belt issues relating to this application.

#### 7.07 Impact on the character & appearance of the area

The objectives for the wider site master plan included, amongst other things, the promotion of a high quality scheme reflective of the area's general character as well as reinforcing local distinctiveness. The height of the building is in accordance with the outline planning permission and the amendments approved under application reference 59872/APP/2015/1330. As detailed above the general height of the building at 26.36m is in accordance with the outline planning permission as amended. The adjacent Materials Store Building is taller at 38.51m and the new building is comparable with The Cabinet Building at 26.46m. The tallest sections of the building are the lift overruns which at 29.96m would be the same height as The Record Store Building to the south.

The Council's Urban Design Officer has been involved throughout the pre-application discussions and has reviewed the design of the proposals, complimenting the quality of the proposed building and in particular the proposed materials. The Assembly building is considered a high quality addition to the Old Vinyl Factory development, which in itself is considered an exemplar mixed-use development for Hayes that has arguably been a salient catalyst for the wider regeneration of Hayes Town, before Crossrail was confirmed for the town centre. For this reason, it is important to keep raising the bar in terms of design quality for all development in Hayes, in order to set a positive precedent that all subsequent design proposals should follow. Therefore, cumulatively, the positive impact

will be beneficial for the residents of Hayes. The proposed scheme is considered to reinforce the transformation for the area, which cannot be achieved without signature developments such as the Old Vinyl Factory.

The ground level of the building will provide commercial uses along the northern elevation that will face onto and compliment 'The Groove', which is the main pedestrian route through the wider site. On the other side of 'The Groove' are the new University Technical College and The Powerhouse building which includes a cafe adjacent to 'The Groove'. These uses are considered appropriate in this location and compatible with the Assembly Building proposals. To the east of the Assembly Building is The Material Store, which is a residential building providing 189 residential units. This building is comparable in scale and density to the proposed Assembly Building and the design of the two buildings are deemed complimentary. To the south of the site is The Record Store building which is locally listed and has just been refurbished to a high standard, as required by the site wide s106. To the west is The Cabinet Building, which is a vacant office building that is proposed to be refurbished.

The proposed Assembly building will incorporate hand-set brickwork at ground floor level which ties in with the listed and retained industrial buildings in the locality. Above ground floor level other materials are also incorporated such as terracotta cladding and powder coated metal. These are considered appropriate given the industrial history of the area and the scale of the building proposed. The proposed building materials are considered to be of an appropriate quality as to add additional architectural interest and make a positive contribution to the character and appearance of the locality.

The Assembly Building itself is a positive response to a constrained site, where it is considered appropriate to optimise a site that is already primed for development. The proposed building is considered exceptionally high quality with regards to materials and finishes, which will be very important to attract and retain retail operators on the main thoroughfare. The building is also truly mixed use through the ground floor retail uses that are activate and animate the main public realm areas. The Assembly Building will be a strong and important feature that will add to the success of the Old Vinyl Factory site and the applicant has very much met this objective. For these reasons, individually and cumulatively, the development is strongly supported in design and regeneration terms.

This proposed building forms part of the masterplan for the regeneration of this particular site and to make a strong and positive architectural statement about the future of the area. The overall development is considered to be a well designed building which will have a positive impact on the visual amenities of the surrounding area, in accordance with Policies BE13 & BE19 of the Hillingdon Local Plan.

#### **7.08 Impact on neighbours**

The building proposed is located adjacent to the existing refurbished Record Store and Cabinet Buildings and the new Material Store and UTC buildings within the wider TOVF site.

It should be noted that the consideration of potential impacts upon neighbours formed part of the assessment of the outline application. Matters considered include the construction impacts; traffic and car parking; noise and general disturbance; overlooking, outlook and overshadowing. The reserved matters are consistent with the details and principles considered at the outline stage which were considered acceptable on balance.

To the north of the site the opposite side of 'The Groove' are the new University Technical

College and the refurbished The Powerhouse building. The proposed Assembly building would be 14.5m from these buildings, in line with the approved parameter plans. There are no residential occupiers in these buildings and therefore the 15m/21m separation distances are not applied. Given the character of 'The Groove' as a pedestrian street, the separation distances remain acceptable as previously approved.

To the east of the proposed Assembly Building is The Material Store, which is a residential building providing 189 residential units. There would be a separation distance of 21.35m between these buildings in line with Council requirements.

To the south of the site is The Record Store building which has just been refurbished to a high standard. The building is now in use as office space and there would be a separation distance of 9.5m (at the closest point) between these buildings as per the approved parameter plan. It is worth noting that the southern part of the proposed building is only two storey's in height within the central section where the podium extends to the southern building edge. The two outer blocks are up to 7 stories in height, with double storey retail and servicing then 5 stories of residential above. The separation distance in terms of the adjacent office use is considered to be acceptable and the proposal remains within the footprint of the approved parameter plans. To the west is The Cabinet Building, which is a vacant office building that is proposed to be refurbished. A separation distance of 17.2m is proposed at the closest point.

It is considered that the separation distances would be sufficient to avoid overdominance to adjoining properties and would not detract from the amenities of neighbouring occupiers, especially as the The Cabinet Building, The Record Store and the Material Store are comparable in height.

As such, the scheme is considered to be acceptable in terms of it's impact on adjacent properties and their occupiers. The scheme accords with the footprint as approved at outline stage and relevant policies and design guidance which seek to protect the amenity of neighbours.

## **7.09 Living conditions for future occupiers**

### **Internal Space Standards**

All of the rooms proposed will comply with the internal space standards of the London Plan 2016 and the Technical housing standards - nationally described space standard (2015).

### **Amenity Space**

1,178sqm of private amenity space is proposed in the form of balconies, as well as 3,030sqm of shared amenity space. The shared/communal spaces are located on level 02 (the podium), level 07, and level 08. The total provision therefore proposed is 4208m<sup>2</sup>.

#### **The development includes:**

- 18 x studio units and 84 x 1 bedroom units (requiring 20m<sup>2</sup> each = 2040=m<sup>2</sup>)
- 70 x 2 bedroom units (requiring 25m<sup>2</sup> each = 1750m<sup>2</sup>)
- 9 x 3 bedroom units (requiring 30m<sup>2</sup> each = 270m<sup>2</sup>)

In total therefore 4060m<sup>2</sup> of amenity space is required. The amount of amenity space proposed accords with and exceeds the requirements outlined in Hillingdon's Design and Accessibility Statement Supplementary Planning Document - Residential Layouts SPD (2006) and GLA guidance.

The areas that are required for play have been calculated based on the GLA guidance

'Shaping Neighbourhoods: Play and Informal Recreation Supplementary Guidance, 2012'. A total area of 185m2 of play is required and this is mainly for children under 5 who require play close to their home. Play space for older children is proposed at ground level on Powerhouse Lane, whilst children's play space for the residents of the Assembly Buildings, is proposed on the buildings podium and measures approximately 250m2. The details of the play equipment will be considered under condition 20 of the outline consent. The play area to the east of the Assembly Buildings at ground level is proposed to be increased in size as part of the proposed development. The details of the expanded play area are shown on the application drawings and the parameter plans have been updated accordingly to facilitate the change. The updated parameter plans have been submitted separately as part of a non-material amendment application. The expanded play area will measure approximately 240m2 and would include a variety of play equipment that will be considered under condition 20 of the outline consent.

#### Internal Privacy Distances

The outline consent included approved parameter plans which showed the block widths to be 15m wide for the outer blocks and 13.7m wide for the central block. Through analysis the applicant's design team has determined that these block widths created numerous difficulties. Within the submission the applicant states that they found the flat layouts suffered with poor arrangement and in many cases having to be well oversized to meet London Housing Design Guide compliance. It also meant the central corridor couldn't be wide enough to accommodate a sprinkler system within the crowded ceiling void. The scheme now proposes that the block widths are increased to 16.5m for the outer blocks and 16m for the inner block. As the footprint of the building was already set, this has resulted in the facing distances between the blocks being reduced to below 21m. The architects have tried to minimise the impact of these reduced separation distances by staggering the windows within the facades and avoiding habitable rooms facing bedroom windows. As a result there is one set of windows which are 18.8m apart and three sets of windows that are 18.9m apart. All other windows located between the outer and inner blocks are 19m apart or more.

Whilst this approach is contrary to Council guidance on privacy distances there are considered to be overriding factors in place that constrain the development proposals:

- 1) the extant permission has constrained the footprint of the building, this would have to be enlarged to mitigate the separation distance concerns, and this would have a knock on effect to the surrounding buildings that are already built out.
- 2) there are historic/conservation assets within the masterplan area that again prevent the expansion of the footprint of the building that will compromise their character and setting.

In addition to the above the podium landscape will be accessible to residents and employees of the wider TOVF estate during working hours (Monday-Friday 9am-5pm). The podium will be accessible to residents of the Assembly Buildings 24 hours a day. By creating a wider degree of accessibility to this space it's character will be similar in some ways to an area of public realm/street rather than a private garden. It is common for such areas to have privacy distances below 21m. Appropriate arrangements to secure access to the podium by non-residents of the Assembly Building is recommended to be secured by an appropriately worded condition, should the application be approved.

Taking the above into consideration and noting that the distances would not impact on any existing residents or properties, the facing distances proposed are deemed on balance to be acceptable in this particular instance.

#### External Privacy Distances

The proposed privacy distances between the Assembly Building and the Material Store would be in excess of 21m as per the Council's requirements. The Material Store is the only residential building directly adjacent to the application site. In terms of The Cabinet Building, the University Technical College and The Power House the separation distances would all be in excess of 15m as per Council requirements for outlook from residential windows. To the south of the Assembly Building those units at the southern tip of the Block A and Block B on floors 2-7 would be located less than 15m from The Record Store. However these units are all dual aspect and the proposed scheme sits within the parameter plans already approved. Half of these units would not have rooms affected as they are dual aspect kitchen/living rooms. There would therefore only be one bedroom per unit on each floor within each block (10 rooms in total) that would have an external outlook of below 15m. On balance, given that only 10 bedrooms out of 269 bedrooms (10 rooms out of 694 rooms in total) would be impacted, and each room is either a secondary or tertiary bedroom, the detrimental impact on resident's amenity is not considered sufficient to warrant a recommendation for refusal.

#### Daylight/Sunlight

The application is supported by a sunlight study within the submitted Design and Access Statement. The development footprint and general design (a podium level with 3 blocks above) is as per the approved parameter plans. This layout allows sunlight to penetrate through the proposals and across the podium. This is particularly important given the location of The Record Store building directly to the south. The general arrangement of the buildings also limits the number of units that would be located on the northern edge of the site, with no single aspect north facing units being proposed.

The sunlight study helped inform the planting specification for the podium landscape. Roof gardens are exposed to full sun. Play is located in the sunniest area within the podium ensuring sunlight standards are met. Seating of different sizes has been located in a variety of locations from full shade, partial and dappled shade, to full sun. This allows gathering and socialising to take place at different times of the year. The planting palette has been selected to be able to withstand a wide range of conditions from complete shade to full sun. The level of sun exposure changes dramatically in many areas throughout the day and the planting has been designed so as to succeed in these changeable conditions.

#### 7.10 Traffic impact, Car/cycle parking, pedestrian safety

A total of 177 car parking spaces are proposed, including a residential provision of 135 spaces. This is in accordance with the maximum 188 car parking spaces proposed at outline stage for this phase. The residential provision of 135 spaces results in a ratio of 0.75 spaces per unit, which is consistent with the adjacent approved Material Store development.

As required in the outline planning permission 10% of the residential parking spaces will be dedicated to blue badge holders (14 spaces). Added to these are two spaces for visitors to residents, one of which is disabled, and 40 staff parking spaces for the UTC (who currently temporarily park on land to the north of the Cabinet Building). It is noted that on recent applications a one to one provision of blue badge spaces has been sought per accessible unit, however in this instance the proposed scheme is for reserved matters (appearance and landscaping) and the proposed 10% of total car parking spaces as blue badge spaces is in line with the approved outline consent.

For the residential component there is a requirement to provide active electric vehicle charging points for 20% of parking and passive provision for 20% of parking spaces. The

residential component totals 135 spaces for the Assembly Buildings. The active provision is therefore 26 spaces, with passive provision for a further 26 spaces. For the commercial element there is a requirement to provide active charging points for 20% of the parking and 10% passive provision. For the 40 spaces provided for the UTC staff this equates to 8 active spaces and 4 passive spaces. This totals 34 electric charging points within the internal car park as proposed, with passive provision for a further 30 spaces. The application is therefore in accordance with the required level of electric vehicle charging points. In addition 10 motorcycle spaces and 190 cycle parking spaces are also proposed.

Part of the consideration of the outline application included means of access for the entire site. The Council's Highways Engineer and Transport for London (TfL) considered the traffic and parking impacts of the scheme on the surrounding area. The outline application was specifically supported by a transport assessment and travel plan along with drawings detailing access, turning (refuse vehicle swept paths) and parking (cars, bicycles, car club, motorcycle allowance, 10% accessible parking provision allowance). In addition, appropriately worded conditions of approval in respect of traffic management, parking numbers and allocation were imposed on the outline consent.

The reserved matters application for landscaping and appearance for this phase accords with the outline permission. The hard and soft landscaping, including car parking locations, road layout and widths, landscaping, as well as access, are consistent with the outline proposal and details approved under application reference 59872/APP/2015/1330.

The Council's Highways Engineer has reviewed the submitted details and raised no objections to the proposed scheme.

#### **7.11 Urban design, access and security**

It is considered that there are no urban design or security issues arising from the proposal. The Council's Urban Design Officer has reviewed the scheme and raised no objections to the appearance of the building or materials proposed. Concerns raised regarding internal layout are covered within section 7.09 of this report. The Metropolitan Police were consulted on the proposals at outline stage and raised no objections to the details submitted. The Metropolitan Police were also consulted at Reserved Matters Stage however no response was received. The wider site is covered by a Secured by Design condition that all phases must adhere to.

#### **7.12 Disabled access**

The Council's Access Officer has reviewed the proposed development and requested additional information which the developer has now provided. These details have been reviewed by the Council's Access Officer who has confirmed the details are acceptable. In addition there are conditions attached to the outline consent which require the proposals to meet the appropriate standards.

#### **7.13 Provision of affordable & special needs housing**

During the outline planning application process, following the submission of a Viability Testing Report it was demonstrated to the Council that the overall scheme could only provide 5% of the overall residential units as affordable housing as Shared Ownership tenure.

There are 510 residential units in total approved in the outline consent. This equates to 26 units of Shared Ownership, which it was agreed would all be delivered in The Assembly Buildings.

The original outline approval was supported by a s106 legal agreement with the Council.

Schedule 4 'Affordable Housing' of the agreement required that prior to the commencement of Phase 3 (The Assembly Buildings) that the developer will submit to the Council for written approval an 'Affordable Housing Scheme'. Schedule 4 'Affordable Housing' Part 2 of the s106 legal agreement also allowed that should the Council consider that the conditions of the housing market are such that if the Viability Assessment Mechanism were applied as at that date that the quantum of Affordable Housing could exceed the Agreed Quantum with the development remaining financially viable then the Council could request a further viability assessment of the proposals. On 16 February 2018 the Council triggered a viability review of the masterplan under paragraph 1, part 2 of Schedule 4 of the s106 legal agreement. The revised viability assessment has been independently reviewed for the Council.

Following the viability review the application now proposes 52 units (10%) for Shared Ownership, to be delivered in The Assembly Buildings. The proposed units would be located within Block A of the Assembly buildings across the first, second, third and fourth floors. They would be accessed in the same way as all other units.

#### **7.14 Trees, landscaping and Ecology**

Trees and landscaping have been implicit in the scheme from pre-application discussion through to the consideration of the outline scheme, and were considered as part of the outline application.

The landscaping proposals include the provision of areas of hard and soft landscaping around the building and the creation of a large central podium and roof terraces. The landscape design can be divided into the following four character areas:

1. The ground level public realm and streetscape: the Groove is the area of public realm located to the north of the Assembly Buildings. This is the main pedestrian route that connects the entirety of the site. The proposed surface materials are consistent with those used throughout the wider The Old Vinyl Factory site. Play space is also provided along Powerhouse Lane.
2. Podium Landscape: the podium garden is a semi private podium designed for use by the residents of the Assembly Buildings and employees of the wider site. It is located above internal car parking and includes boundary planting that would provide privacy to units on this level, as well as residential gardens and a generous play area as described within section 7.09.
3. Walled Gardens: the walled gardens are located on the 7th floor of block A and C. They provide a more secluded area for seating amongst a mix of ornamental plants.
4. Roof Terrace: the Roof Terrace is located on level 8 of block B. Small areas for seating are proposed amongst an undulating green roof focused on improving ecology.

Within the supporting information the applicant states:

'The concept for the Assembly Buildings landscape focuses on creating a sequences of spaces that change as someone moves through them. From the industrial surrounding context, through the urban public realm, and into lush residential podiums. Each landscaped level within the Assembly Buildings also aims to provide a different function and have a different character.'

The Council's Landscape Architect has been involved throughout the pre-application process and raises no objections to the application.

As such, the overall landscaping proposal is considered to be in accordance with the character of the surrounding area in accordance with Policy BE38 of the Hillingdon Local Plan.

## **7.15 Sustainable waste management**

The sustainable waste features of the proposed development were considered as part of the outline application. The application was supported by a Waste Strategy, Waste Management Plan as well as drawings describing waste vehicular access into the site. In the course of considering the outline scheme, the Highways and Waste teams confirmed that waste arrangements could be suitably accommodated on the site.

The Council's Waste Strategy Officer has reviewed the current proposals and raised some minor queries with regard to the management of the bin stores. It is considered that these can be resolved through the discharge of Condition 7, part h) of the outline consent which requires relevant refuse servicing details to be submitted and approved by the Council.

## **7.16 Renewable energy / Sustainability**

The Assembly Buildings will be built to connect to the site wide energy network following the construction of the Power House. This is in line with the Energy Strategy approved at outline stage.

Conditions 19 and 20 imposed on the outline consent included the requirement for details to be submitted and approved by the Council regarding renewable energy and sustainability. These details have been considered by the Council's Sustainability Officer for the current phase of development and are deemed acceptable.

It is considered that the scheme will have satisfactorily addressed the issues relating to the mitigation and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with Policies 5.2, 5.13 and 5.15 of the London Plan, Policy PT1.EM1 of Hillingdon Local Plan Part 1 and the NPPF.

## **7.17 Flooding or Drainage Issues**

Flood risk and the drainage of the site, including sustainable drainage was considered as part of the originally approved outline application, and was considered acceptable, subject to conditions. The proposed development does not impact on this previous assessment.

In addition there is a site wide condition requiring details of sustainable urban drainage methods to be submitted and approved by the Council for each Phase of the development. Subject to compliance with this condition, it is considered that the scheme will have satisfactorily addressed drainage and flood related issues, in compliance with the Hillingdon Local Plan:Part 2 Policies OE7 and OE8, Policies 5.13 and 5.15 of the London Plan 2016 and the aspirations of the NPPF.

## **7.18 Noise or Air Quality Issues**

Noise and air quality aspects were considered as part of the outline application. The Environmental Statement submitted as part of the outline application considered the potential noise and air quality impacts associated with the development and appropriately worded conditions of approval were imposed on the outline planning permission. The Council's Environmental Protection Unit confirmed they would continue to control these detailed design aspects through the discharge of conditions and as such, there are no issues to consider in the subject application for reserved matters.

## **7.19 Comments on Public Consultations**

No public responses were received as a result of the consultation on this application.

## **7.20 Planning obligations**

The planning obligations for the development of the site were secured as part of the Outline Planning Permission and the subsequent application to vary the phasing.

## **7.21 Expediency of enforcement action**

No enforcement action is required in relation to this application.

## 7.22 Other Issues

None

## 8. Observations of the Borough Solicitor

### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probit in Planning, 2009.

### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the

circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

None

#### **10. CONCLUSION**

The Assembly buildings are considered a high quality addition to the Old Vinyl Factory development, which in itself is considered an exemplar mixed-use development for Hayes. The proposed scheme is considered to reinforce the transformation for the area, which cannot be achieved without signature developments such as The Old Vinyl Factory.

The proposed Assembly buildings are considered a positive response to a constrained site and to be exceptionally high quality with regards to materials and finishes. The building is also truly mixed use through the ground floor retail uses that are activate and would animate the main public realm areas. The Assembly Buildings will be a strong and important feature that will add to the success of the Old Vinyl Factory site. For these reasons, individually and cumulatively, the development is strongly supported in design and regeneration terms.

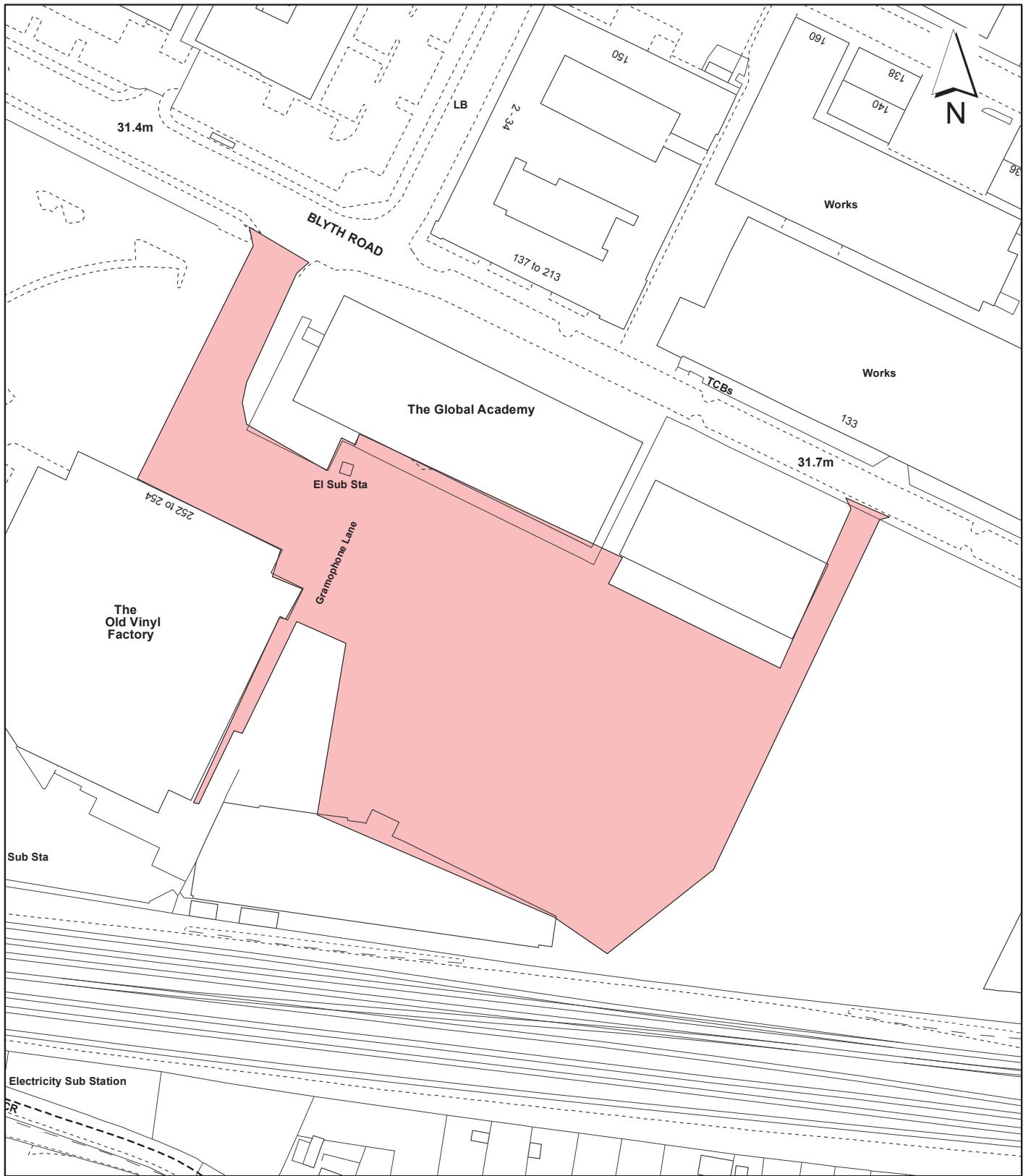
This proposed building forms part of the masterplan for the regeneration of this particular site and to make a strong and positive architectural statement about the future of the area. The overall development is generally in accordance with the outline consent and therefore, the application is recommended for approval.

#### **11. Reference Documents**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (March 2016)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination  
Shaping Neighbourhoods: Play and Informal Recreation Supplementary Guidance, 2012

**Contact Officer:** Ed Laughton

**Telephone No:** 01895 250230



**Notes:**



Site boundary

For identification purposes only.

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Site Address:

**The Old Vinyl Factory  
Blyth Road  
Hayes**

**LONDON BOROUGH  
OF HILLINGDON**  
Residents Services  
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111

Planning Application Ref:

**59872/APP/2018/1107**

Scale:

**1:1,250**

Planning Committee:

**Major Page 86**

Date:

**December 2018**



**HILLINGDON**  
LONDON

**Appendix F: Example letter to residents & employees of the Old Vinyl Factory Re: Access Arrangements**

FAO The Facilities Manager at  
The Record Store,  
Gramophone Lane,  
Hayes,  
London,  
UB3 1HA

07<sup>th</sup> March 2023

To whom it may concern,

**Re: Access arrangements to the podium of the Assembly Building for employees and residents of the wider The Old Vinyl Factory Development.**

I am writing to you to inform you of the access arrangement to the podium of the Assembly Building, The Old Vinyl Factory.

Residents and/or employees of your facility are able to access the podium of the Assembly Building via a fob-accessed lift which is located within the main lobby of Block B, which is located along 'The Groove.'

The podium can be accessed by residents and/or employees of the wider The Old Vinyl Factory Development Monday to Friday, between the hours of 9.00am and 17.00pm.

Residents and/or employees who would like to access the Podium can contact the management company of the Assembly Building via the following details:

**(Details of Management Company TBC).**

If any resident and/or employee has access issues, they can contact the management company and request level access to the podium via the internal lifts.

If you have any further questions in relation to accessing the podium of the Assembly Building, please do not hesitate to get in contact with the management company.

Yours sincerely,

**Jarrod Spencer**  
Planner

**Directors**

R.P.Weston (Chairman)  
S.P.Bickel BSc. (Hons)  
S.R.Thomas FCA  
J.E.Stock MCIPD  
S.M.Aplin BA. (Hons)  
P.Gore BSc, MCIOB  
L.S.Trott  
D.N.Wylie BSc. (Hons)  
S.A.Hatton BA. (Hons) PG Dip  
G.J.Newsome  
G.Mitchell ARB,RIBA,RIAS  
S.M.Weston BSc. (Hons)  
C.H.Smithson  
K.Matthews

R.J.Downing LL.B (Non Executive)  
M.A.Chapman (Non Executive)  
S.Miles-Brown FRICS (Non Executive)

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**Appendix G: Hillingdon Local Plan Policy DMHB 11 Extract**

**LONDON BOROUGH OF HILLINGDON**

**LOCAL PLAN PART 2**

**DEVELOPMENT MANAGEMENT  
POLICIES**

**Adopted Version  
16 January 2020**

## Design of New Development

5.36 Local Plan Part 1 Strategic Objective SO2 sets out the basis for ensuring the creation of neighbourhoods which are of a high quality sustainable design and serve the long term needs of all residents. Policy DMHB 11: Design of New Development provides further design considerations which the Council will take into account when determining all planning applications, from large scale new development to more modest extensions and alterations.

5.37 The Council is seeking to ensure that all new development complements and where possible, improves the character and appearance of the area in which it is proposed. Buildings should be of a high quality design, materials and finish. The Council will encourage developments that include well proportioned and attractive external spaces which are put to a positive public or private use. An integrated multi-functional landscape approach is required to create sustainable and healthy communities.

5.38 The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary.

5.39 Design and Access Statements submitted with planning applications should address the criteria in Policy BE1: Built Environment of the Local Plan Part 1 and DMHB 11: Design of New Development. They should demonstrate how relevant elements of these policies and the content of Hillingdon's Townscape Character Study and the Hillingdon Landscape Character Assessment have been taken into account.

5.40 For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook. Single aspect dwellings should be avoided.

5.41 The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of

daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

### Design of waste storage facilities in new development

5.42 The sustainable management of waste is integral to any development and needs to be factored into its design at the outset. Local authorities have increasing targets to separate out materials for re-use and recycling and to reduce the amount of waste sent to landfill. Waste has the potential to be a nuisance and may cause serious problems if it is not managed properly, therefore all proposals for new development are expected to provide satisfactory arrangements for the internal and external storage and collection of general waste, recycling and organic waste. External bins should be located and screened to avoid adverse visual impacts and nuisance to both occupiers and neighbours.

#### Policy DMHB 11: Design of New Development

**A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:**

- i) harmonising with the local context by taking into account the surrounding:
  - scale of development, considering the height, mass and bulk of adjacent structures;
  - building plot sizes and widths, plot coverage and established street patterns;
  - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
  - architectural composition and quality of detailing;
  - local topography, views both from and to the site; and
  - impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated

- and un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development<sup>5</sup> sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.
- D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

### Streets and Public Realm

5.43 Strategic Objectives SO2 and SO4 seek to create neighbourhoods that are distinctive, safe, functional and accessible, whilst ensuring that due regard is given to achieving high quality design. It is important that new development contributes to the delivery of a safe and secure environment, which includes buildings, spaces and inclusive communities.

5.44 Policy DMHB 12: Streets and Public Realm sets out how we can deliver a well-designed, high quality, durable public realm. Development will be required to be well integrated with the surrounding areas to produce a coordinated and legible public realm. Connectivity and legibility around transport interchanges can be key to the delivery of a successful local environment and neighbourhood centre. It is particularly important to ensure that developments in and around these locations support and improve connections between different transport modes. Improvements to the public realm may also be sought through Planning Obligations, in accordance with the adopted Planning Obligations SPD.

5.45 Development should create streets and spaces with an appropriate degree of enclosure, which can define the boundaries of public areas whilst promoting natural surveillance and self policing to ensure they are well used and safe.

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<sup>5</sup> Major Development: Residential development of 10 dwellings or more; any building with a floor space of 1000 square metres or more; development on a site of 1 hectare or more.

**Appendix H: London Plan Policy S1 Extract**

MAYOR OF LONDON

# THE LONDON PLAN



THE SPATIAL DEVELOPMENT  
STRATEGY FOR GREATER LONDON

**MARCH 2021**

## Policy S1 Developing London's social infrastructure

- A When preparing Development Plans, boroughs should ensure the social infrastructure needs of London's diverse communities are met, informed by a needs assessment of social infrastructure. Assessments should consider the need for cross-borough collaboration where appropriate and involve relevant stakeholders, including the local community.
- B In areas of major new development and regeneration, social infrastructure needs should be addressed via area-based planning such as Opportunity Area Planning Frameworks, Area Action Plans, Development Infrastructure Funding Studies, Neighbourhood Plans or master plans.
- C Development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.
- D Development proposals that seek to make best use of land, including the public-sector estate, should be encouraged and supported. This includes the co-location of different forms of social infrastructure and the rationalisation or sharing of facilities.
- E New facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.
- F Development proposals that would result in a loss of social infrastructure in an area of defined need as identified in the borough's social infrastructure needs assessment required under Part A should only be permitted where:
  - 1) there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or;
  - 2) the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.
- G Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan (see Part F2).



- 5.1.1 Social infrastructure covers a range of services and facilities that meet local and strategic needs and contribute towards a good quality of life. It includes **health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice and emergency facilities**. There are a wide variety of providers delivering these services, from large state-funded organisations, public and private institutions and specialist providers, to charitable trusts, the voluntary sector, community and faith groups, and individuals. Alongside more formal provision of services, there are informal networks and community support that play an important role in the lives of Londoners. This chapter primarily addresses the delivery of social infrastructure facilities. Many service providers may operate from or require other types of space, for example cultural facilities (addressed in [Chapter 7](#)) or offices (addressed in [Policy E1 Offices](#)). Green infrastructure in all its forms is also a key component of social infrastructure, and is addressed separately in Chapter 8, [Policy G3 Metropolitan Open Land](#) and [Policy G4 Open space](#).
- 5.1.2 Social infrastructure plays an important role in developing **strong and inclusive communities**. It can provide opportunities to bring different groups of people together, contributing to social integration and the desirability of a place.
- 5.1.3 **Planning for social infrastructure** in London is complex. There are a wide range of providers and stakeholders and the degree of clarity around future provision and funding varies. It is therefore important that boroughs work collaboratively with service providers and other stakeholders, including the local community, to fully understand existing and future social infrastructure needs and plan appropriately for these, including through their infrastructure delivery plan and the Community Infrastructure Levy. This will also help facilitate an integrated approach to service delivery.
- 5.1.4 **Needs assessments** should be informed by both an understanding of the demographic make-up and socio-economic data required by [Policy D1 London's form, character and capacity for growth](#) as well as an audit of existing facilities and services. Supplementary Planning Guidance will be developed to inform this.
- 5.1.5 The **loss of social infrastructure** can have a detrimental effect on a community. Where possible, boroughs should protect such facilities and uses, and where a development proposal leads to the loss of a facility, require a replacement that continues to meet the needs of the neighbourhood it serves. A realistic proposal for replacement social infrastructure should be able to demonstrate funding, appropriate site availability and timely delivery of adequate facilities. To further protect against the loss of social infrastructure that is valued by a local community or group, boroughs should consider approving the designation



of a facility as an Asset of Community Value (ACV) if put forward by the local community.

- 5.1.6 In cases where social infrastructure premises may be deemed redundant and a replacement facility is no longer necessary or appropriate, **other forms of social infrastructure should be considered** for the site or part of the site to help meet other community needs, before alternative uses are pursued.
- 5.1.7 It is recognised that there will be cases where social infrastructure providers are undertaking an agreed programme of social infrastructure re-provision or **service reconfiguration**, such as has been seen within healthcare. Where social infrastructure premises are deemed redundant as part of this process, such losses may be acceptable in line with Parts D and F of Policy S1 Developing London's social infrastructure and Policy Policy S2 Health and social care facilities and any related information or guidance to achieve the overall aims of the programme and to continue to meet the needs of Londoners.
- 5.1.8 In all cases, where housing is considered an appropriate alternative use, opportunities for **affordable housing provision** should be maximised.
- 5.1.9 Social infrastructure should be **easily accessible** by walking, cycling and public transport in accordance with the Healthy Streets Approach.
- 5.1.10 It is important to consider the way that social infrastructure integrates with other facilities and the way people who live or work in the area want to access it. **Shared use and co-location of facilities** should be encouraged, to align service provision, use land more efficiently and facilitate opportunities for different groups of people to come together, encouraging further inclusion and community participation. Shared use and co-location will help facilities and service providers work in a more coherent and joined-up way, and share maintenance and management costs. It could reduce the need to travel thereby improving accessibility. Examples of this include schools opening their facilities out of hours for use by the community, the co-location of health and sports facilities, or the co-location of facilities with housing to ensure effective usage.
- 5.1.11 Voluntary and community groups often find it difficult to find premises suitable for their needs. **Unused or underused facilities should be brought into use**, where possible, to help address these needs. The additional use or reuse of places of worship should be considered for providing accommodation for other traditions or faiths and/or wider community functions.

