

# **Land at Austin Road Planning Statement**

**S73 Application for Variation of Condition Attached to  
Planning Permission ref. 76550/APP/2023/2931**

London Borough of Hillingdon

10 November 2025

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## 1.0 Introduction

- 1.1 This Planning Statement, prepared by Lichfields on behalf of the Applicant, London Borough of Hillingdon, accompanies a Section 73 application to vary the extant Hybrid Planning Permission ('HPP') (ref. 76550/APP/2023/2931) for the regeneration of the Austin Road Estate, Hayes, London, UB3 3DN ("the Site"), a variation to the original hybrid application (ref. 76550/APP/2021/4499).
- 1.2 The Hayes Town Centre Estate is situated in Hayes between Austin Road and Silverdale Road, within an established neighbourhood next to Hayes Town Centre. Its proximity to shops, public transport, schools and green space renders it a suitable location for residential and community uses. The approved redevelopment proposals include the demolition of existing blocks and the delivery of approximately 500 new homes, a new community centre, associated landscaping and parking.
- 1.3 Higgins Partnership 1961 plc ('Higgins') are working with LB Hillingdon ('LBH') (as their development partner) to deliver the regeneration of the Estate. The extant consent is a hybrid planning permission, with a detailed element (phase 1) comprising 80 homes and outline element (previous phases 2,3 and 5) with all matters reserved. Following the discharge of relevant planning conditions and the approval of a number on non-material amendment applications, Phase 1 is now complete on site, with handover anticipated in January 2026.
- 1.4 The proposed Section 73 amendments comprise the following key changes to the outline area:
- An increase in the maximum number of homes by 62 units, including 31 more affordable homes and more houses/duplexes and family sized homes (as controlled by Conditions 5, 6 and 9 and Schedule 1 of the S106 Agreement).
  - Blocks in Phases 2 and 3 to be joined to create a safer and more coherent street pattern, larger podium amenity space and more efficient podium parking/ servicing areas (as controlled by parameter plans 1, 2, 4 and 5 listed under condition 3).
  - A reduction of on-street and off-street parking to create more and improved green spaces (as controlled by parameter plans 4 and 5 listed under condition 3).
  - An improvement to scale of street, with 2-3 storey houses proposed on both sides of Austin Road to create a mews style streetscape (as controlled by parameter plan 3 listed under condition 3 and condition 10).
  - Relocation of the community facility (and increase in size) to allow the use to be brought forward at an early phase and therefore avoiding the need for a temporary facility (as controlled by parameter plan 1 listed under condition 3 and condition 5).
- 1.5 This Section 73 application seeks to revise specific conditions of the approved hybrid planning permission (ref. 76550/APP/2023/2931), including Condition 3 (Approved Plans), Condition 4 (Approved Supporting Plans/ Documents), Condition 5 (Maximum Floor Area and Unit Numbers), Condition 6 (Housing Mix), Condition 7 (Phasing Plan), Condition 9 (Residential Density), Condition 10 (Maximum Building Height), Condition 19 (Landscape Scheme), Condition 22 (Parking Management and Allocation Plan) and
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Condition 50 (Wind Testing). The proposed wording of these conditions is set out within Appendix 1 of this Statement. The rationale for the revised wording of the conditions is explained in Section 5.

## Description of Development

- 1.6 The proposed description of development for which planning permission is being sought is as follows, with the operative part (underlined) remaining unchanged:

*“Section 73 application to amend the wording of conditions 3,4,5,6,7,9,10,19, 22 and 50 of planning application reference (76550/APP/2023/2931) dated 1 May 2024 for (Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works) to increase the number of homes, to join blocks in phases 3 (formerly phase 2 and 3), a reduction of parking to create green spaces, amendment to scale of street and relocation of community facility.”*

## Structure of S73 Application and Updated Supporting Documents

- 1.7 The following documentation has been prepared in support of this application, in accordance with the scope agreed at pre-application stage:

- 1 Cover Letter prepared by Lichfields
  - 2 Completed Application Form and Ownership Certificate
  - 3 CIL Additional Questions Form
  - 4 Drawings prepared by PRP:
    - a Site Location Plan
    - b Revised Parameter Plan 1 Land Uses
    - c Revised Parameter Plan 2 Development Zones
    - d Revised Parameter Plan 3 Building Heights
    - e Revised Parameter Plan 4 Access and Movement
    - f Revised Parameter Plan 5 Hard and Soft Landscape
  - 5 Phasing Plan prepared by PRP
  - 6 Outline Demolition Plan prepared by PRP
  - 7 Outline Construction Logistics Plan prepared by Markides Associates
  - 8 Design and Access Statement Addendum prepared by PRP
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- 9 Planning Statement prepared by Lichfields (this statement)
- 10 Development Specification Statement Addendum prepared by Lichfields
- 11 Aviation Safeguarding Assessment Addendum prepared by Kate Grant Consulting
- 12 Daylight and Sunlight Addendum Report prepared by EB7
- 13 Transport Assessment Addendum prepared by Markides Associates
- 14 Delivery and Servicing Plan Addendum prepared by Markides Associates
- 15 Amendment to Outline Energy Statement and Sustainability Strategy prepared by Watkins Payne
- 16 Outline Fire Strategy Addendum prepared by Introba
- 17 Wind Microclimate CFD Study prepared by Windtech
- 18 Outline Noise Assessment Addendum prepared by Spectrum
- 19 Heritage, Townscape and Visual Impact Addendum prepared by Savills
- 20 Financial Viability Assessment prepared by Savills
- 21 Drainage Statement Addendum prepared by Iesis
- 22 Arboricultural Impact Assessment Addendum by Middlemarch

## **2.0 Background**

### **The Site**

- 2.1 The Site is located at the existing Hayes Town Centre Estate, UB3 3DN, on land at Austin Road and the site is approximately 2.5 hectares. The original estate consists of three and five storey buildings (flats and maisonettes), with a high rise tower of 15 storeys. In total, there were 260 homes within the estate at the time of the consent, comprising 1,2 and 3 bedroom homes. In addition, there is 115 sqm of community space within Skeffington Court.
- 2.2 Existing car parking is mainly provided within closed car parking areas at the ground floor of the existing residential buildings, with an estimated 223 car parking spaces onsite (a parking ratio of 0.86 spaces per unit). The site benefits from 45 on street car parking spaces close to the site (a parking ratio of 1.03 spaces per unit when considered alongside onsite provision). The spaces are provided on a permit basis.
- 2.3 Further details are provided within the approved Planning Statement prepared by Savills, to which this is an addendum.

### **Surrounding Area**

- 2.4 The surrounding area comprises a mix of uses including retail, residential, storage and distribution and industrial warehouses.
- 2.5 Since the grant of the original planning permission, there have been no new developments in the immediate context on the Hillingdon Planning Portal. However, since the consented scheme, the Silverdale estate planning permission (ref. 71374/APP/2021/3843) has lapsed. This site is located to the east of the Estate.

### **Regeneration Context**

- 2.6 The Hayes Town Centre Estate forms part of the Hayes Housing Zone Designation in the Local Plan Part 2 (2020) and the Hayes Opportunity Area in the London Plan (2021). It was identified by the Council (along with Avondale Drive Estate) as a vital first part of the longer term estate regeneration programme for the borough. Extensive engagement was undertaken with residents of the estate in Summer 2020 and Spring 2021 regarding the proposed development of the estate ahead of a Resident Ballot in May 2021. Voting results were 79% in favour of redevelopment with a turnout of 90%.

### **The 2022 Hybrid Permission**

- 2.7 A Hybrid Planning Application (ref: 76550/APP/2021/4499) (hereafter “the original application” or “the 2022 hybrid permission”) was submitted on behalf of LBH to its own planning department on 10 December 2021, seeking full planning permission for an initial first phase of development on the site (Phase 1) and four subsequent outline phases (Phases, 2,3,5 and 4). This was granted on 28 September 2022, following resolution of the S106 and GLA Stage 2 report. The description of the development is as follows:
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*“Hybrid planning application seeking OUTLINE permission (with all matters reserved) for residential floorspace (Class C3) including demolition of all existing buildings and structures; erection of new buildings; provision of a community centre (up to 140sq.m of Use Class F2(b) floorspace); new pedestrian and vehicular access; associated amenity space, open space, landscaping; car and cycle parking spaces; plant, refuse storage, servicing area and other works incidental to the proposed development; and FULL planning permission for Blocks A and B comprising 80 residential units (Class C3); new pedestrian and vehicular access; associated amenity space and landscaping; car and cycle parking; refuse storage, servicing area, and other associated infrastructure to include temporary highways and landscaping works.”*

- 2.8 Condition 3 of the permission states that development within the outline element shall be carried out in complete accordance with the following parameters:
- Parameter Plan 1 – Land Uses
  - Parameter Plan 2- Development Zones
  - Parameter Plan 3 – Building Heights
  - Parameter Plan 4 – Access and Movement
  - Parameter Plan 5- Hard and Soft Landscape
- 2.9 Condition 7 and 8 require the submission of a Phasing Plan and Design Code prior to the submission of any Reserved Matters Applications, and for the development to then accord with the approved phasing plan and design code.
- 2.10 There are 7 other compliance conditions which control the development that can come forward under the future reserved matters, comprising conditions 4 (Approved Documents); 5 (Maximum Quantum of Development), 6 (Housing Mix), 9 (Residential Density), 10 (Building Heights), 17 (Trees, Hedges and Shrubs) and 21 (Accessible Housing). In addition, condition 37 requires the submission of a Circular Economy Statement and Operational Waste Management Strategy with all reserved matters applications. There are a further 20 conditions that require details to be submitted/ approved prior to commencement of each phase and 10 conditions that require submission of details prior to occupation of each phase.
- 2.11 The s106 agreement associated with the hybrid planning permission includes obligations in relation to the housing strategy (for tenants and leaseholders), affordable housing provision, viability reviews, air quality assessment/ mitigation, transport matters, construction training, play space and public open space.
- 2.12 A Development Specification Statement (‘DSS’) (prepared by Savills) was submitted with the application. Whilst listed as an approved document under Condition 4, it explicitly states that it is not a controlling document noting that it *‘identifies the minimum and maximum parameters in relation to the Development Zones, Building Heights, Access and Movement and Hard and Soft Landscape’* and *‘explains their role and function and also sets out the fixes, thresholds and tolerances that apply to these in determining the proposed uses and the quantum of development’*.
- 2.13 The DSS also notes that the Design and Access Statement is not a Controlling Document but is an important design reference for the future RMAs. This is on the basis that it
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provides an explanation of the background, context, rationale and approach for the proposed development. It contains a set of design principles for each Character Area of the Illustrative Masterplan to guide the placemaking aspirations for the Estate. A scope for a future Design Code was appended to the submitted Design and Access Statement and this informed the wording of planning condition 8 which secures the submission of a Design Code against which future RMA applications must comply.

- 2.14 An Illustrative Masterplan was also submitted with the original planning application to show comprehensively how the regeneration of the estate could occur based on the outline parameters and alongside the detailed Phase 1. This is not a controlling document. The masterplan was purely indicative representing the “design intent” and a demonstration of how the regeneration of the Estate can come forward holistically in accordance with the Parameter Plans. However, there is a link between the illustrative masterplan and the quantum referred to in a number of planning condition controls and s106 obligations, including the maximum quantum of development, the proposed housing unit mix, cycle parking numbers, car parking numbers and affordable housing obligations.

## **Planning History Post 2022 Permission**

- 2.15 Since the grant of the 2022 permission, Higgins have discharged relevant planning conditions, commenced development and completed the detailed first phase of development (Phase 1) with handover anticipated in early 2026. To facilitate this, a Section 73 application and three non-material amendment applications have been submitted by Higgins and approved by LBH pursuant to the 2022 hybrid permission. These comprise the following:

### Non-material amendments

- 1 Amendment to Condition 3 (drawings) in relation to the detailed element of the hybrid application which included a number of minor adjustments to layout, fenestration, design, balconies and roof build up, approved 16 March 2023 (ref. 76550/APP/2022/3662).
- 2 Amendments to wording of Conditions 45 (GLA’s Whole Life Carbon Assessment) and 46 (Circular Economy Statement Report), approved 21 May 2025 (ref. 76550/APP/2025/1256).
- 3 Amendments to tenure of detailed element of the hybrid application – 10 residential units to change from returning leaseholder to social rent, approved 17 September 2025 (ref. 76550/APP/2025/2006).
- 4 Amendment to the wording of conditions 11 (Playspace for children), 12 (permanent access arrangements) and 19 (permanent landscaping), approved on 17 October 2025. (ref. 76550/APP/2025/2431)

- 2.16 There is also a pending non-material amendment application (Planning Portal ref: PP-14418511) to amend the description of development of the hybrid application to remove the reference to the floorspace cap for the community centre.

### Section 73 amendment

- 1 Section 73 application to vary Condition 3 (drawings) in relation to the detailed element of the hybrid application to increase the parapet height by 50cm, approved 26
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March 2023 (ref. 76550/APP/2023/2931). It is this permission that this application seeks to vary.

### **3.0 Consultation and Engagement**

- 3.1 The 2022 hybrid proposals had been subject to extensive consultation with local residents and stakeholders as set out in detail within the approved Planning Statement prepared by Savills. As part of this process, LBH held a resident's ballot between April and May 2021. The resident turnout was 90% and 79% of those voted yes to full redevelopment of the existing estate.
- 3.2 Following the selection of Higgins as development partner and PRP as architects, a detailed review of the brief, site constraints and design opportunities was undertaken seeking to optimise and improve the extant permission. The revised illustrative masterplan and proposed revised parameters submitted with this Section 73 application are the result of the team's detailed analysis of the Site and extensive engagement with stakeholders including the LBH, GLA and local residents. Details of this engagement is set out in the DAS Addendum and summarised below.

#### **Local Residents / Stakeholder Engagement**

- 3.3 Further consultation was held with local residents on potential changes to the 2022 hybrid permission in January 2023. Details of the scheme were presented to residents and the feedback received is set out in the Design and Access Statement Addendum ('DAS Addendum') prepared by PRP. Further engagement, which focused on the details of proposals took place in October 2025 and these will inform the development of the detailed proposals when submitted at the Reserved Matters Application ('RMA') stage.

#### **Pre-application Engagement with LBH Planning Team**

- 3.4 Overall, there have been six pre-application meetings with LBH Planning Team since the 2022 hybrid planning permission was granted, with progressive changes to the scheme and affordable housing offer made during this time made in response to matters identified by officers. A summary of scheme evolution and feedback can be found within the DAS Addendum prepared by PRP.
- 3.5 Of the six pre- application meetings, two have taken place this year concluding with officers indicating that they were supportive of both the proposed design and the improved affordable housing offer within the scheme. Key comments during the pre-application consultation process related to requests for further information on the mews houses in phase 2, consideration of wider canal side works, improvements to the canal side ramp access arrangements, vehicular access close to the Silverdale Estate, extent of public open space and play provision, and details of affordable housing provision by habitable room.
- 3.6 The Section 73 application proposals include the following changes to address the comments raised by officers:
- 1 The Access and Movement Parameter Plan has been updated to reflect the access changes through the site,
- 3.7 The illustrative masterplan and other design strategies in the DAS Addendum (and other supporting reports) have also been updated in response to comments raised including:
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- 1 An improved accessible connection between the canal bank and Silverdale Road with ramp access.
- 2 Vehicle access reduced along Silverdale Road.
- 3 An increase in the number of larger family homes and less 1 bedroom homes.
- 4 A reduction in car parking provision.

3.8 Feedback received relating to detailed design matters will be picked up through the Design Code and RMA submissions.

## **Pre-application Engagement with GLA**

3.9 The applicant team also attended a meeting with the GLA on 13 August 2025. A summary of the design feedback received can be found within the DAS Addendum. Overall, the GLA officers were supportive of the proposed changes to the permitted scheme, with key comments relating to design, landscape, viability and transport. These have been addressed where applicable, including amending the floor layout to ensure there are no single aspect north facing family units, and improving the frontage along Pump Lane for increased activation.

## **Summary**

3.10 Overall, the revised proposals have been through detailed pre-application design development with the Council's officers, GLA and local community. The consultation indicated that LBH and GLA officers are supportive of the principle of optimising the extant permission, the revisions to housing size and tenure mix, revised parameter plans and the revised illustrative masterplan. The parameter plans and illustrative masterplan have been updated to reflect the comments received including improvements to pedestrianisation of the site and improving the design quality of the homes.

## 4.0 **Proposed Development/Amendments**

4.1 This section of the Planning Statement Addendum sets out the proposed changes to the 2022 hybrid permission.

4.2 The proposed changes to the development are confined to the outline area and comprise:

- An increase in the maximum number of homes by 62 units, including 31 more affordable homes and more houses/duplexes and family sized homes (as controlled by Conditions 5, 6 and 9 and Schedule 1 of the S106 Agreement).
- Blocks in Phases 2 and 3 to be joined to create a safer and more coherent street pattern, larger podium amenity space and more efficient podium parking/ servicing areas (as controlled by parameter plans 1, 2, 4 and 5 listed under condition 3).
- A reduction of on-street and off-street parking to create more and improved green spaces (as controlled by parameter plans 4 and 5 listed under condition 3).
- An improvement to scale of street, with 2-3 storey houses proposed on both sides of Austin Road to create a mews style streetscape (as controlled by parameter plan 3 listed under condition 3 and condition 10).
- Relocation of the community facility (and increase in size) to allow the use to be brought forward at an early phase and therefore avoiding the need for a temporary facility (as controlled by parameter plan 1 listed under condition 3 and condition 5).

4.3 This Section 73 application seeks to revise specific conditions of the approved hybrid planning permission (ref. 76550/APP/2023/2931), including Condition 3 (Approved Plans), Condition 4 (Approved Supporting Plans/ Documents), Condition 5 (Maximum Floor Area and Unit Numbers), Condition 6 (Housing Mix), Condition 7 (Phasing Plan), Condition 9 (Residential Density), Condition 10 (Maximum Building Height), Condition 19 (Landscape Scheme), Condition 22 (Parking Management and Allocation Plan) and Condition 50 (Wind Testing). The proposed wording of these conditions is set out within Appendix 1 of this Statement. The rationale for the revised wording of the conditions is explained in Section 5.

4.4 Under Section 73 of the Town and Country Planning Act 1990, an application can be made to the local planning authority to make a change to any planning permission via varying or amending a planning condition. Importantly, it only confers power to amend or remove conditions and not to amend any other part of the permission e.g the operative part of the description of development.

4.5 The scope of the power under Section 73 was comprehensively reviewed in the Test Valley BC v Fiske ([2024] EWCA Civ 1541) who noted that the constraints being if the proposed changes to planning conditions were (1) inconsistent with the operative part of the original permission or (2) made a fundamental alteration to the development permitted by the original permission (reading that permission as a whole).

4.6 The operative part of the description of development will be unchanged (subject to the approval of the pending s96a application, which seeks to remove the current unnecessary reference to the maximum floor area of the community centre).

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## Demolition and Construction

- 4.7 As per the 2022 hybrid permission, all 260 existing homes, ancillary plant rooms and parking courts across the estate are consented to be demolished. This is necessary in order to deliver high quality new homes across a mix of unit types, to include replacement and additional affordable housing, within a newly revitalised neighbourhood.
- 4.8 The current programme for demolition and construction works is set out in the table below. This reflects the phasing sequence/ programme shown on the Phasing Plan submitted with this application, which is proposed to be secured by a revision to the current wording of condition 7 (rather than requiring a phasing plan to be submitted subsequently).

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Table 4.1 Construction and Delivery Programme

|                         | Start Date     | Finish Date    |
|-------------------------|----------------|----------------|
| Construction of Phase 1 | Completed      |                |
| Phase 2                 | Q1 Spring 2027 | Q4 Autumn 2028 |
| Phase 3                 | Q2 Spring 2027 | Q4 Autumn 2029 |
| Phase 4                 | Q1 Winter 2028 | Q4 Winter 2030 |

- 4.9 For the avoidance of doubt, demolition within a specific boundary will not constitute commencement of development of that phase including for the purposes of CIL.

## Design Principles and Layout

- 4.10 The submitted DAS Addendum, sets out a series of design principles within which the detailed design of the Outline Component will come forward. The revised design principles are as follows:
- The existing connection between Silverdale Road and the High Street, and from the northern part of the site to the canal will be enhanced to create a safer public route for residents with increased permeability.
  - The buildings will be set back to ensure the retention of existing trees and to respectfully engage with the adjacent listed building to further celebrate the historic value of the area.
  - The community centre will be relocated next to the public square to create an inclusive and interactive space.
  - Green links and play spaces will allow for healthy, safe and inclusive spaces and central courtyards and podiums provide private community amenity for future residents.
- 4.11 The above principles culminate in the revised parameter plans submitted with this application and the proposed amendments to scheme fixes contained within several planning conditions. Details of the revised Illustrative Masterplan and the technical assessments based on these, are referred to in this statement to illustrate how the Outline Area could be delivered in conformity with the Parameter Plans and other compliance conditions.
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## Quantum

- 4.12 Condition 5 defines the maximum quantum of development within the Outline Area (as shown on the Site Location Plan). It is proposed to amend this condition to align with the quantum of floorspace and unit numbers shown in Table 4.2 below (which are derived from the revised illustrative masterplan).

Table 4.2 Outline Area- Maximum Floor Area by Development Zone and Block

| Development Zones    | Residential Unit No and Floor Area (GIA)* | Non-Residential (GIA)* |
|----------------------|---|------------------------|
| <b>2</b>             | 12 homes/ 1,195sqm                        | N/A                    |
| <b>3</b>             | 227 homes/ 16,678sqm                      | 350 sqm                |
| <b>4</b>             | 243 homes/ 15,307 sqm                     | N/A                    |
| <b>Overall Total</b> | 482 homes<br>33,179sqm*                   | 350 sqm                |

*\*As per the 2022 hybrid permission, all figures are in GIA format and represent those areas which are usually occupied by people i.e. habitable spaces. Plant rooms, car/cycle parking areas, ancillary stores, cores, stairwells, corridors and circulation routes and spaces for on-site energy regeneration are excluded. All figures are maximums.*

## Proposed Revised Unit Mix

- 4.13 Condition 6 of the 2022 hybrid permission defines the permitted unit size mix for the outline area. Whilst this is described as a parameter the unit mix is set out as single percentage and therefore provides limited flexibility for how future reserved matters might come forward. It is proposed to amend the mix in accordance with the mix shown in table 4.3 below (derived from the revised illustrative masterplan) and to introduce a degree of flexibility by allowing the mix of housing within reserved matters application to comply with a range of +/- 2% of the percentages shown.
- 4.14 Table 4.3 below provides an indicative unit range (%) across the site, with the indicative 2022 hybrid permission mix provided in brackets. The revised ranges show greater certainty about the mix that will come forward and a greater emphasis on the provision of family sized homes. These ranges are proposed to be captured in revisions to condition 6.

Table 4.3 Indicative Unit Range Mix across the Illustrative Masterplan (%)

|                           | 1 Bed                  | 2 Bed                  | 3 and 4 Bed            |
|---------------------------|------------------------|------------------------|------------------------|
| Indicative Unit Range (%) | 30% - 34%<br>(16%-36%) | 46% - 50%<br>(25%-45%) | 19% - 23%<br>(15%-19%) |

## Proposed Revised Tenure Mix

- 4.15 Housing tenure is controlled by the S106 agreement pursuant to the 2022 hybrid permission, including the requirement for a minimum of 159 social rented dwellings to be provided within the outline area (as per the definition of the “Affordable Housing Target

Tenure Split” on p. 6 of the S106 agreement) and the requirement for a minimum of 51.7 % affordable housing provision by floorspace to be provided across the detailed and outline areas (as per the definition of “Affordable Housing Units” on p. 6 and 7 of the S106 Agreement).

- 4.16 The indicative unit size and tenure mix proposed across the Outline Area has been updated as set out in Table 4.4 below, with the equivalent indicative figures for the 2022 hybrid permission shown in brackets.

Table 4.4 Illustrative Housing Size and Tenure Mix across Outline Area (Indicative)

|                        | 1 Bed     | 2 Bed     | 3 Bed/ 4 Bed | Total     |
|------------------------|-----------|-----------|--------------|-----------|
| Social Rent            | 58(46)    | 78(61)    | 74(52)       | 210(159)  |
| London Affordable Rent | 0 (9)     | 0 (24)    | 0 (7)        | 0 (40)    |
| Private                | 96 (100)  | 155 (105) | 21 (16)      | 272 (221) |
| Total                  | 177 (155) | 270 (105) | 115 (75)     | 482 (420) |

## Non-Residential Floorspace

- 4.17 Table 4.5 below provides a breakdown of the existing non-residential use floorspace, the proposed floorspace based on the illustrative masterplan and net gain of the floorspace, with the 2022 hybrid permission provided in brackets. This will be delivered in the form of a community centre (Use Class F2(b)). The proposed illustrative masterplan allows for an increase in the floorspace for the community centre, which requires an amendment to the wording of Condition 5. Parameter Plan 1 has also been updated to show the new location of the proposed community centre.

Table 4.5 Non Residential Uses Proposed

| Existing Use (GIA) | Proposed Use (GIA)     | Net Gain (GIA)               |
|--------------------|------------------------|------------------------------|
| 115 sqm            | 350 sqm (up to 140sqm) | Up to 235 sqm (up to 25 sqm) |

- 4.18 A non-material amendment application (pending determination) has been submitted to amend the description of development of the extant permission to remove its reference to a cap on the community centre floor space. Once approved this will ensure that the changes proposed in this application are consistent with the operative description of development.

## Height and Massing

- 4.19 The overall maximum heights remain similar to those approved in the 2022 hybrid permission, as shown on Parameter Plan 3 and defined in condition 10. Additional height is proposed within Development Zone 2 (Phase 3), with the tallest parameter rising to 68.5m. This height steps down from towards Development Zone 2 (Phase 2) i.e. the proposed Mews Houses to create a greater symmetry of lower building heights either side of Austin Road. Minor increases are also proposed to the maximum building heights in Development Zone 4 (Phase 4), however the number of maximum storeys remains the same at 12. Table

4.6 below sets out the revised maximum proposed heights based on each development zone within the outline area.

Table 4.6 Maximum and Indicative Proposed Heights for the Outline Area

| Development Zone | Communal Podium Garden (Indicative) | Maximum height in AOD  |
|------------------|-------------------------------------|--|
| 2                | N/A                                 | 41.3m (excluding lift overruns, roof access and roof plant)  |
| 3                | 4.1m                                | 68.5m (excluding lift overruns, roof access and roof plant)  |
| 4                | N/A                                 | 74.48m (excluding lift overruns, roof access and roof plant) |

## Hard and Soft Landscaping

4.20 The details of hard and soft landscaping, including public and communal amenity areas and play space, within the Outline Area are controlled by Parameter Plan 5 under condition 3 and by conditions 19 (Landscape Scheme), 20 (Playspace) and 40 (Urban Greening Factor). This s73 application proposes the following changes to Parameter Plan 5:

- Combining of phases 2 and 3 has allowed for a greater area of communal space at first floor
- Removal of phase 4 podium and bringing the amenity space down to ground level
- Introduction of a shared surface area along Silverdale Road, providing a landscaped route leading up to the canalside path.

4.21 The DAS Addendum includes a revised illustrative landscaping scheme for the outline areas which indicates, that under the revised parameter plan 5, the following can be achieved within future reserved matters:

- Public Amenity : c.7,943 sqm of public open space, public realm and landscaping. This comprises a community square, linear park, pocket park, shared surface along Silverdale Road and landscaping across the site.
- Communal Amenity: c. 2,230 sqm of communal (private) amenity. This comprises podium gardens and at ground level of Phase 4.
- Onsite Play Strategy: c. 3,7622 sqm of children's play space can be provided estate wide (including within phase 1). The proposed on-site play space is targeted at 0-11 year olds and comprises doorstep play within resident's communal gardens and playable space within the pedestrianised street, playspace within the community square, playable space within Silverdale Road and a pocket park.
- Off-site Play Strategy. As per the consented play strategy, play space for 12+ year olds is to be met offsite within existing facilities, as these are only 400-800m from the site (as per the Play and Informal Recreation SPG).

- Urban Greening: based on the illustrative landscaping scheme, the outline area is expected to achieve a UGF score of 0.42.

## Transport and Access

### Access

- 4.22 Parameter Plan 4 has been revised to reflect the proposed access and movement strategy. This includes the limiting vehicular access along Silverdale Road to emergency and servicing access only. In addition, improvements have been made to the access to the canal side.

### Cycle Parking

- 4.23 Condition 19 of the 2022 hybrid permission requires details of cycle storage to be submitted prior to the commencement of development as part of a landscape scheme “*to accommodate a total of up to 763 long stay and 12 short stay spaces and 4 motorcycle spaces*”. This quantum was derived from the previous illustrative masterplan and would need to be increased to account for the cycle parking provision set out in the revised illustrative masterplan.
- 4.24 It is proposed that condition 19 is amended to refer to meeting the requirements of London Plan Policy T5 and London Cycling Design Standards (‘LCDS’) rather than setting out specific quantum. The revised illustrative masterplan set out in the DAS Addendum, demonstrates that this can be accommodated and that there is capacity for a total of 803 long stay spaces will be provided for future and returning residents as well as 13 short stay spaces for visitors.

### Car Parking

- 4.25 Condition 19 also requires details of car parking to be submitted as part of the landscape scheme “*to show 90 spaces (including 10 blue badge spaces) with active electric vehicle charging points at 20% of all parking spaces with all the remainder having passive provision.*” These quantum were derived from the previous illustrative masterplan and would need to be amended to reflect the provision set out in the revised illustrative masterplan.
- 4.26 The revised illustrative masterplan has capacity for the provision of up to 60 car parking spaces on -site and 12 on street including 15 disabled bays for ‘blue badge holders’ across within the outline element of the estate. This represents a reduction of 30 spaces compared to that detailed in condition 19 in the hybrid permission. Table 4.5 below set out the indicative and maximum proposed car parking requirement on a block by block basis.
- 4.27 It is proposed that condition 19 is amended to reference ratios rather than specific parking numbers. Please see section 5 for more information.
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Table 4.3 Maximum and indicative proposed on-site car parking

| Development Zone | Units | On-Site | On-Site Ratio | On-Site Blue Badge | On – Street (of which are car club) |
|------------------|-------|---------|---------------|--------------------|-------------------------------------|
| 1                | 80    | 17      | 0.21          | 2                  | 3 (1)                               |
| 2                | 12    | 0       | 0             | 0                  | 8 (0)                               |
| 3                | 227   | 33      | 0.15          | 8                  | 4 (4)                               |
| 4                | 243   | 0       | 0             | 7                  | 0 (0)                               |
| Cumulative       | 562   | 50      | 0.08          | 17                 | 15(5)                               |

## Energy and Sustainability

- 4.28 An updated Outline Energy and Sustainability Strategy is submitted with this s73 application (to supersede that listed under condition 4). It provides an overview of how the development will target net-zero carbon and gives an overview of the design proposals that will ensure that the development operates in an efficient manner over the lifespan of the scheme.
- 4.29 The revised strategy is based on ASHP's, extensive rooftop PV Panel's and high levels of insulation, airtightness plus high efficiency / low SFP heat recovery mechanical ventilation. The revised development targets achieving a reduction in operational carbon emission in excess of 80% with any residual shortfall below 100% to be addressed through a carbon offset payment- as is already secured in the s106 agreement. This differs from the original Outline Report as the target for on-site reductions has been lowered from 100% to 80%. This is due to the following factors:
- the use of 'SAP10' rather than 'SAP2013 with conversion' which makes achieving net zero carbon on site more difficult
  - the proposed floor area has increased, without proportional increases to roofscape for PV panels
- 4.30 A detailed energy assessment shall be submitted prior to the commencement of each relevant phase in accordance with condition 36. Any carbon emissions identified shall be subject to an offsite contribution, using the mechanisms set out in the s106 agreement.

## **5.0 Proposed Changes to Planning Conditions**

- 5.1 In order to capture the proposed changes to the outline component of the hybrid permission, changes are proposed to the wording of planning conditions, 3, 4, 5, 6, 7, 9, 10, 19 and 22 as set out (in a tracked changes format) within Appendix 1. The rationale for those changes is set out below.

### **Conditions 3 (Drawings) and 4 (Documents)**

- 5.2 Amendments are proposed to the wording of conditions 3 and 4 in the form of new drawing numbers and document names to reflect the proposed changes to the parameter plans and the report addendums and updates submitted with this application. In addition, an amendment is proposed to clarify the wording of condition 4 and remove some documents on the basis that these were submitted for information only.

### **Conditions 5 (Unit number and Maximum Floor Area) and 6 (Housing Mix)**

- 5.3 Amendments are proposed to the wording of conditions 5 and 6 to ensure that the updated unit numbers, maximum floor area and housing mix figures are captured on the new decision notice. Please note that all floorspace figures exclude plant rooms, car/cycle parking areas, ancillary stores, cores, stairwells, corridors, circulation routes and spaces for on-site energy generation.
- 5.4 In addition, to allow for some flexibility within the future RMAs, a range is proposed to be included within condition 6, rather than a fixed percentage. The range proposed is +/-2% of the indicative % for each shown unit size, as shown in the DAS Addendum and Development Specification Addendum.

### **Condition 7 (Phasing Plan)**

- 5.5 Amendments are proposed to the wording of condition 7 to convert this to a compliance condition, whereby the development must comply with the Phasing Plan submitted with this application (or any amendments to that Phasing Plan that may subsequently be agreed in writing with the Council).

### **Condition 9 (Residential Density) and 10 (Building Heights)**

- 5.6 Amendments are proposed to the wording of condition 9 and 10 to amend the figures included within the conditions to reflect the updated residential density and building heights of the proposed development.

### **Conditions 19 (Landscaping Scheme) and 22 (Parking Management and Allocation)**

- 5.7 Amendments are proposed to the list of what the landscaping scheme shall include with regard to car parking and cycle storage numbers, so that these are not fixed numbers but are able to flex in response to the quantum of housing that comes forward under future
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RMA's. Accordingly, the proposed revised wording refers to showing car parking provision at a ratio of 0.15 per unit and cycle parking provision in accordance with standards set out in Policy T6 of the London Plan (2021). The amendments to condition 22 are required due to design constraints within phase 4, this can only accommodate an additional 3% and this has been reflected in the proposed wording.

### **Condition 50 (wind testing)**

- 5.8 It is proposed to amend the wording of Condition 50 so that this requires future reserved matters to be tested using 'Computational Fluid Dynamics' modelling rather than the placing a physical model in a wind tunnel. This is in accordance with the technical recommendations of Windtech, as set out on p. 3 of the Technical Addendum attached to the Wind Microclimate CFD Study submitted with this application.



## **6.0 Planning Policy Context**

- 6.1 Government Planning Practice Guidance (PPG) on Flexible Options for Planning Permissions issued in March 2014 provides clarity on those issues relevant to the consideration of S73 applications that seek to secure minor material amendments to approved schemes. While Annex A to the PPG requires that any such applications should be assessed against the development plan and material considerations, and conditions attached to the existing permission, Local Planning Authorities (LPAs) are advised to focus attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.
- 6.2 The original planning permission was granted in September 2022 and subsequently amended by S73 application in March 2024. The Hybrid Application was assessed against the Statutory Development Plan (Local Plan Part 1- Strategic Policies, adopted November 2012, Local Plan Part 2 – Development Management Policies adopted in January 2020, Local Plan Part 2 – Site Allocations and Designations adopted in January 2020 and the London Plan adopted in March 2021. Since the approval of the applications, while there has been no change to the Local Plan or the London Plan, the NPPF has been updated several times, and a number of new London Plan Guidance have been produced.
- 6.3 This section therefore identifies the planning policy and guidance changes at national and strategic level relevant to this proposal.

### **National Planning Policy Framework**

- 6.4 The National Planning Policy Framework (NPPF), originally published on 27 March 2012 and last updated February 2025, sets out the Government's overarching strategic planning policies for England. The NPPF is a material planning consideration in decision making. The NPPF requires Local Planning Authorities to adopt a positive approach to decision taking and to apply a presumption in favour of sustainable development.
- 6.5 It makes clear that the planning system should positively embrace sustainable development to deliver the economic growth necessary and the housing needed to create inclusive and mixed communities. In particular Section 5 (Delivering a sufficient supply of homes) supports the objective of boosting the supply of homes and notes the importance of a sufficient amount and variety of land to come forward where it is needed.
- 6.6 The aim of the NPPF is to proactively deliver sustainable development to support the Government's housing and economic growth objectives and meet the needs of the country. Paragraph 8 sets out the three dimensions of sustainable development: 'economic' to help build a strong and competitive economy; 'social' to support strong communities and ensuring that a sufficient number and range of homes to meet the needs of present and future generations; and 'environmental' in protecting and enhancing the environment.
- 6.7 It is supplemented by the Planning Practice Guidance (PPG) which gives further guidance on how national policy should be interpreted.
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## **Statutory Development Plan**

6.8 The development plan remains unchanged since the approval in September 2022 and comprises the following:

- 1 London Plan (March 2021)
- 2 Local Plan Part 1 – Strategic Policies (November 2012)
- 3 Local Plan Part 2 – Development Management Policies (January 2020)
- 4 Local Plan Part 2 – Site Allocations and Designations (January 2020)

### **The London Plan (2021)**

6.9 The London Plan provides the Spatial Development Strategy for Greater London, setting out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

6.10 The following policies are relevant to the site:

- Policy D3: Optimising Site Capacity Through the Design Led Approach
  - Policy D5: Inclusive Design:
  - Policy D6: Housing Quality and Standards
  - Policy D8: Public Realm
  - Policy D9: Tall Buildings
  - Policy D12: Fire Safety
  - Policy D14: Noise
  - Policy H8: Estate Redevelopment
  - Policy H10: Housing size mix
  - Policy S4: Play and informal recreation
  - Policy G5: Urban Greening
  - Policy G6: Biodiversity and access to nature
  - Policy G7: Trees and Woodlands
  - Policy SI 2: Minimising greenhouse gas emissions
  - Policy SI 12: Flood risk management
  - Policy SI 13: Sustainable drainage
  - Policy T1: Strategic approach to transport
  - Policy T5: Cycling
  - Policy T6 and T6.2: Car Parking
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## **Hillingdon Local Plan**

- 6.11 The Hillingdon Local Plan was adopted in two stages. Part 1: Strategic Policies was adopted in 2012, while Part 2: Development Management Policies, and Site Allocations and Designations were adopted in 2020.
- 6.12 Strategic Policies relevant to the proposed amendments include:
- Policy BE1: Built Environment
  - Policy EM6: Flood Risk Management
- 6.13 Development Management policies relevant to the proposed amendments include:
- Policy DMH 2: Housing Mix
  - Policy DMH 7: Provision of Affordable Housing
  - Policy DMHB 11: Design of New Development
  - Policy DMHB 12: Streets and Public Realm
  - Policy DMHB 14: Trees and Landscaping
  - Policy DMHB 19: Play Space
  - Policy DMHB 1: Heritage Assets
  - Policy DMHB 7: Archaeological Priority Areas and Archaeological Priority Zones
  - Policy DMHB 10: High Buildings and Structures
  - Policy DMHB 16: Housing Standards
  - Policy DMHB 17: Residential Density
  - Policy DMHB 18: Private Outdoor Amenity Space
  - Policy DMEI 7: Biodiversity Protection and Enhancement
  - Policy DMCI 1: Community Infrastructure
  - Policy DMCI 5: Children's Play Areas
  - Policy DMCI 7: Planning Obligations and Community Infrastructure Levy
  - Policy DMT 1: Managing Transport Impacts
  - DMT 2: Highways Impacts
  - DMT 6: Vehicle Parking
  - DMAV 1: Safe Operation of Airports

## **Emerging Development Plan**

- 6.14 LBH is also currently in the process of updating its local plan. The Council is currently gathering preliminary evidence to support the review. A Call for Sites Exercise ran from May to September 2023. A Regulation 18 'Call for Views' Consultation ran from April to June 2024. A further Regulation 18 'Draft Plan' consultation is anticipated to take place in
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November 2025, with submission of the Plan for examination not expected until Summer/Autumn 2026.

## **Other Material Considerations**

6.15

As set out above, in assessing S73 applications, LPAs are advised to focus attention on national and development plan policies ‘and other material considerations which may have changed significantly since the original grant of permission’ (PPG, 2014: Flexible options for planning permissions, Annex A). In addition to the NPPF (2024) and Development Plan, the following GLA Supplementary Guidance (which provides additional information in relation to the implementation of the London Plan) have come forward since the hybrid permission and are considered relevant in determining this application:

- Characterisation and Growth Strategy LPG (2023)
- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Housing Design Standards LPG (2023)
- Affordable Housing LPG (draft 2023)
- Urban Greening Factor LPG (2023)
- Sustainable Transport, Walking and Cycling LPG (2022)

## 7.0 Planning Assessment

### Site Optimisation

- 7.1 Site optimisation means ensuring development is of the most appropriate form and land use for the site. London Plan Policies GG2 and D3 require development to make the best use of land by following a design-led approach that optimises the capacity of sites, including on site allocations.
- 7.2 The proposal, when compared with the consented scheme, delivers a larger net increase in floorspace, unit numbers and habitable rooms across all tenures as shown in Tables 4.2 and 4.3; and in doing so responds positively to the emphasis in London Plan Policies GG2 and D3 in making the best use of land.
- 7.3 The proposed increase of 62 additional homes beyond the maximum of 420 homes granted in the 2022 hybrid permission has been achieved through sensitively revisiting the approved parameter plans and testing the revised illustrative masterplan. Whilst delivering an uplift in the approved quantum of homes, the design process and pre-application engagement has also focused on delivering a high quality residential environment that will make a positive contribution to the character of the area and the lives of those living in and around the estate.
- 7.4 The density of the proposed development equates to c.225 dwellings per hectare. This is within the range identified for Hayes Town Centre (150-250 units per hectare) in Local Plan Policy DMHB 17. The design approach and evolution have been explained in the DAS Addendum.

### Affordable Housing Statement

- 7.5 London Plan Policy H4 sets out the strategic target of all new homes to be delivered as 50% affordable housing. LBH Local Plan Policy DMH7 requires all developments with capacity to provide 10 or more units to maximise the delivery of onsite affordable housing. It states that, subject to viability, a minimum of 35% homes should be affordable and should be built to the same standards and should share the same level of amenity as private housing.
- 7.6 In addition to the above, London Plan Policy H8 requires all estate redevelopment to replace existing affordable housing at existing or higher densities and to provide an uplift in affordable housing floorspace. The policy also requires that all development proposals that include the demolition and replacement of affordable housing follow the Viability Tested Route to demonstrate that the proposal have maximised the delivery of additional affordable housing. Part D of Policy H8 states that:

*“Demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Affordable housing that is replacing social rent housing must be provided as social rent housing where it is facilitating a right of return for existing tenants.*

*Where affordable housing that is replacing social rent housing is not facilitating a right of return, it may be provided as either social rent or London Affordable Rent housing.*

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*Replacement affordable housing should be integrated into the development to ensure mixed and inclusive communities.”*

- 7.7 The revised illustrative masterplan has informed the proposed revisions to condition 5 (maximum floor area) and 6 (housing mix) alongside the proposed revisions to the Affordable Housing provisions in the S106 agreement. These ensure that future reserved matters applications will meet/exceed the affordable homes target set out in London Plan Policy H4 and Local Plan Policy DMH7. This differs across the way in which housing provision is measured in terms of unit numbers (48%), floorspace (52%) or habitable room (54%). The proposed changes will secure an improvement in all these metrics over the 2022 hybrid permission. All of the proposed affordable housing will be provided as social rent housing, thereby meeting the requirements of part d of London Plan Policy H8.
- 7.8 The illustrative masterplan for Phase 2, 3 and 4 when combined with the recently completed Phase 1, illustrates how the proposals would deliver 20,473 sqm (as shown in Appendix 1 of the DAS Addendum) of affordable housing floorspace across the estate, compared with 12,177 sqm of affordable housing floorspace in the estate prior to the commencement of development (and 17,863 sqm in the 2022 hybrid permission). This equates to an uplift of 8,296 sqm from the original estate (and 2,610 sqm from the 2022 hybrid permission) exceeding the requirements of London Plan Policy H8.
- 7.9 This Section 73 application is supported by a Financial Viability Assessment prepared Savills. In accordance with part E of London Plan Policy H8, this demonstrates that the development is providing the maximum possible amount of affordable housing.
- 7.10 The proposed development will make a substantial contribution towards the delivery of social rent homes in Hillingdon. At a time when the housing market is limiting the opportunities for many developments to support affordable housing delivery, the delivery of a significant quantum of additional social rent homes is a significant benefit that should be afforded substantial weight.

## **Housing Mix**

- 7.11 London Plan Policy H10 requires schemes to consist of a range of unit sizes, whilst LBH Local Plan Policy DMH 2 requires the provision of a mix of housing units of different sizes to reflect the Council’s latest information on housing need.
- 7.12 The proposed revision to Condition 6 ensures that the scheme will continue to provide a balanced mix of housing types and sizes to meet the needs of different households, whilst securing reductions in the percentage of 1 bedroom and 2 bedrooms units and an increased percentage of 3 and 4 bedroom units. These changes (when combined with the proposed tenure changes) are supported by local housing need evidence in the borough, with the Hillingdon Housing Strategy 2021/22 to 2025/26 noting (p.4) *‘Our aims include providing more affordable homes, for more of that housing to be at low-cost rent levels and for more to be family homes of three bedrooms or more’*.
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## **Community Centre**

- 7.13 London Plan Policy S1 and Local Plan Policy DMCI 1 resist the loss of existing community floorspace and encourage the provision of new community floorspace in appropriate locations.
- 7.14 The consented parameter plan 1 allows for a maximum of 140 sqm of non-residential community floorspace within development zone 4. The revised parameter plan 1 seeks to relocate the proposed community floorspace within development zone 3 to allow for an earlier delivery and consequently, remove the need for a temporary community centre. The new location will result in the main orientation changing from north facing to south facing, providing more light and direct sunshine into the community centre. In addition, it is proposed to increase the size of the community centre with an increased floorspace cap of up to 350 sqm to be defined in Condition 5.
- 7.15 In line with London Plan Policy S1 and Local Plan Policy DMCI 1, there will be no loss of existing community provision. The proposed changes allow for earlier delivery of the community centre in an improved location and of a bigger size – thereby providing an enhanced public benefit.

## **Design Approach**

- 7.16 The design quality of the development is to be controlled by the Parameter Plans (set out at condition 3) and a Design Code to be submitted and approved prior to the approval of any reserved matters application (pursuant to condition 8). The revised illustrative scheme demonstrates how these can be brought to life, to deliver a high quality, contextually appropriate development.
- 7.17 Paragraph 126 of the NPPF notes that good design is a key aspect of sustainable development. London Plan Policy D3 sets out how development should make the best use of land by following a design-led approach that optimises the capacity of sites, ensuring that development is of the most appropriate form and land use for the site. Development proposals should enhance local context by delivering buildings that positively respond to local distinctiveness. London Plan Policy D9 requires development proposals to assess the visual, functional and environmental impacts of tall buildings. It identifies buildings that are over six storeys or 18m tall as tall buildings.
- 7.18 Local Plan Policy DMHB 11 sets out the Council's expectations for development to be of the highest design standard through harmonising with local context, use of high quality materials, safeguarding heritage assets and incorporating landscaping to enhance amenity and biodiversity. Local Plan Policy DMHB 10 requires any proposal for a high building or structure to respond to the local context and satisfy criteria set out including being of a height, form, massing and footprint proportionate to its location and sensitive to adjacent buildings and wider context. Policy DHMB10 of the Hillingdon Local Plan refers to high buildings and structures as those 'substantially taller than their surroundings'.
- 7.19 The revised parameter plans and illustrative masterplan are the result of an iterative design process which has taken into account the sensitivity of the neighbouring streets close to the site, as well as the varied scales and architectural styles of the buildings immediately surrounding the site. They have evolved through a process of consultation with the public
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and a series of pre-application meetings with LBH design and planning officers and the GLA.

### *Layout*

- 7.20 The key change to the layout is the provision of a single block within Development Zone 3 (rather than the two blocks shown previously). This will provide for a safer and more coherent street pattern. It also allows for a more efficient podium design, with a more useable amenity space and the reduction of on-street parking.
- 7.21 The relocation of the community centre to the northern side of the public square creates an inclusive and interactive space for residents to use. This is an improved location compared to the 2022 hybrid permission, given its improved visibility.
- 7.22 Green-links and play spaces allow for healthy, safe and inclusive spaces to engage with the masterplan and wider context. Improving on the 2022 hybrid permission, a green buffer along Crown Close provides improved amenity for residents.
- 7.23 In conclusion, the revised layout provides for cohesive, safe and inclusive streets in accordance with Local Plan Policy DMHB11, London Plan Policy D3 and NPPF Para 126.

### *Architecture and Materiality*

- 7.24 The architectural language and detailed design principles will be established through a Design Code to be submitted prior to the submission of any reserved matters application/s (RMA/s), with the detailed design of blocks and landscaping set out in the subsequent RMAs (pursuant to condition 8). The DAS Addendum prepared by PRP sets out an overview of the approach and notes that:
- Variations in the architectural and landscape character across street types will add richness to the masterplan and assist with placemaking – with each street type having its own character.
  - For the mews houses, a clean and calm brick materiality with refined but simple detailing is proposed with gaps and steps to articulate the massing and engage with the street.
  - Duplexes, residential lobbies and the community centre will be a focus of architectural expression to signal to the building's users where the entrances are. These areas are to have a richer level of detailing as the parts that people will interact with most.
  - A range of bricks will be used in complimentary colours throughout the masterplan.
  - Volume expression: to provide contrast and variation a colour gradient by block will articulate the massing and legibly differentiate volumes.
  - Vertical expression: materiality and detailing on the corners will be used to further define the volumes adding a richness of detailing in a manner similar to that used on phase 1.
- 7.25 In conclusion, the above principles (to be set further in the Design Code) will deliver a high quality, contextually appropriate development of well- designed buildings and spaces – in accordance with Local Plan Policy DMHB 11, London Plan Policy D3 and NPPF Para 126.

### *Height and Massing*

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- 7.26 The principle of tall buildings on the site has been established by the existing 15 storey tower on the estate and by the scale of buildings consented in the 2022 hybrid permission, which comprised a range of heights between 2 and 12 storeys, with a maximum AOD height of 70.37m. The overall maximum AOD height for the outline area is 74.48m, with the buildings ranging between 2 and 12 storeys.
- 7.27 The height and massing of the 2022 hybrid permission and illustrative masterplan have been reviewed and the following improvements have been made:
- 1 The buildings facing the canal have been rotated to better respond to the canal path to provide an increased view of sky and daylight penetration to the canal side
  - 2 Key corner buildings have been raised as a wayfinding measure into the site and to frame the new community centre. The southern block along the canal has been identified as a landmark and the slight increase in height reflects this.
  - 3 Inset balconies have been introduced within phase 4 to break up the façade and to reduce the impact on nearby heritage assets. A series of setbacks have also been introduced to reduce the massing and to connect it to a pedestrian scale.
  - 4 Three storey homes have been introduced to the mews houses as bookends to characterise the street.
- 7.28 The visual impact of the maximum height parameters and the illustrative masterplan have been assessed in the TVIA addendum prepared by Savills, as summarised in the following section.
- 7.29 The functional impact of the proposed tall building is addressed in a number of accompanying assessments to satisfy London Plan Policy D9C2, including the DAS Addendum and Transport Assessment Addendum.
- 7.30 The environmental impact of the Proposed Development (to satisfy Policy D9C3), including the tall building elements, is considered in the accompanying application documents, including the addendums to the wind microclimate assessment, daylight sunlight and overshadowing assessment and noise assessment.
- 7.31 In conclusion, the proposed revisions to parameter plan 3 and the taller buildings envisaged in the illustrative masterplan are wholly acceptable in accordance with Local Plan Policy DMHB 10 and London Plan Policy D9 and bearing in mind the height of buildings in the 2022 hybrid planning permission and on the existing site.

## **Townscape and Visual Impact and Tall Building Assessment**

- 7.32 A Townscape and Visual Impact Assessment Addendum has been prepared by Savills Heritage and Townscape team. The Assessment concludes (paras 6.15-6.16) that:
- “The Amended Scheme is anticipated to improve the townscape and architectural quality of close range views by incorporating high-quality details, establishing active frontages along Austin Road, Crown Close, Silverdale Road, and new east-west pedestrian routes, as well as enhancing edge conditions around the site, particularly in relation to the canal. In medium and long-distance views, the scheme will appear less prominent, presenting an*
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*improved architectural outlook that generally aligns with the heights and massing of the evolving surrounding context making a positive contribution to Hayes town centre.*

*The Amended Scheme will bring significant improvements to the townscape that forms the immediate context of the site, through the replacement of the existing poor quality buildings with a considered, high quality development and an improved relationship through activation, legibility and permeability at ground level with associated landscape enhancements.”*

- 7.33 Given the above assessment, the amended scheme complies with London Plan policies (including policy D9) and LBH Local Plan Policy DMHB10.

## **Heritage and Archaeology**

- 7.34 There are no local or statutorily listed buildings within the Site’s red line boundary and the Site itself is not located in a designated conservation area. However, there are a number of locally and statutorily listed buildings within close proximity to the site, including the Silverdale Road warehouse (locally listed), Old Crown Public House (locally listed), Whitehall (Grade II listed), Botwell House (Grade II listed) and Benlow Works (Grade II listed). The council previously assessed within the 2022 hybrid permission that the introduction of 10-12 storey buildings would result in less than substantial harm to the setting of the Old Crown Public. As set out within the HTVIA Addendum, “*subsequent development to the rear of the pub has diminished its setting; the Amended Scheme is therefore considered to provide a clear improvement to the architectural quality of the assets setting and the canal’s context, and will therefore result in no harm to the setting, instead providing a heritage benefit through the scheme’s considered and contextual design.*”

- 7.35 The Archaeological Desk- Based assessment submitted with the original application concluded that the below ground potential of the Site is well understood and was unlikely to yield any remains of significance. Therefore, it is not considered that any further archaeological fieldwork is required on the Site and as such there is nothing to preclude the Proposed Development in accordance with NPPF para 194 & 195, London Plan Policy HC1 and LPP2 Policies DMHB 1 and DMHB 7.

## **Aviation**

- 7.36 Local Plan Policy DMAV 1 confirms the Council will support developments that allow for the continued safe operation of Heathrow Airport and RAF Northolt.
- 7.37 An Aviation Safeguarding Assessment Addendum has been prepared by Kate Grant Consulting Ltd. The proposed changes to the development heights would not result in any material change to the previous physical and operational safeguarding assessment conclusions. NATS have been consulted and have confirmed that their conclusions will be unchanged. Therefore, the proposed maximum height would not affect the safety or efficiency of aviation operations.
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## Wind Microclimate

- 7.38 LBH Local Plan Policy DMHB 10 requires high buildings to not adversely impact on the microclimate including wind conditions, of the site and that of the surrounding areas, with particular focus on maintaining useable and suitable comfort levels in public spaces.
- 7.39 Windtech have undertaken a 'Wind Microclimate CFD Study' which is submitted with this application. The key findings from the study are as follows:
- The wind conditions at ground and elevated levels are safe.
  - The wind conditions at the ground are suitable for the intended use in many areas. The results of the assessment also show that the wind conditions at the elevated levels are suitable for the intended use in all areas. However, there are also areas where the wind conditions are currently unsuitable for the intended use including:
    - Entrances on the southern facade of phase 1
    - Seating areas in the centre and on the north-eastern corner of the phase 4 block
- 7.40 In the areas where the wind conditions are unsuitable for the intended use, it is recommended that mitigation measures are incorporated within the detailed design to be submitted at RMA stage and subject to further CFD testing in accordance with condition 50. As noted earlier, it is proposed to reword Condition 50 so that the additional testing required is CFD testing (i.e. computational fluid dynamics testing) rather than testing of a physical model in a wind tunnel.
- 7.41 The Technical Addendum attached to Windtech's report includes (on p.2) a comparison with the result of the previous testing of illustrative masterplan submitted with the 2022 hybrid permission. This confirms that:
- "The new development massing testing shows no safety issues are present; this defines a positive design improvement in terms of wind safety. The ground-level conditions in both winter and summer throughout the site maintain similar, if not improved, wind conditions due to the merging of the central blocks into one mass, thus reducing the funnelling effects previously seen in the 2021 design. On the elevated terrace and balconies, similar wind conditions are seen to those presented in the previous testing. However, the design has evolved to articulate the balconies into areas of calm wind, thus improving the end wind conditions for these areas of the development. Overall, the updated design shows a positive improvement over the previous illustrative masterplan in terms of wind comfort and safety in and around the development site."*

## Housing Space Standards

- 7.42 London Plan Policy D6 sets out minimum internal space standards for new dwellings in accordance with the Nationally Described Space Standards (NDDS). Local Plan Policy DMHB 16 echoes these requirements.
- 7.43 In accordance with London Plan Policy D6 and Local Plan Policy DMHB 16, the illustrative scheme has been tested to ensure that proposed quantum and mix of homes can be provided in line with the required space standards. Residential layouts will be submitted at
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reserved matters stage in accordance with the standards set out within the Design Code to be submitted in accordance with Condition 8.

## **Dual Aspect Units, Outlook and Privacy**

- 7.44 London Plan Policy D6 also requires housing developments to meet the qualitative aspects of development set out Table 3.2. Part C of the policy requires developments to maximise the provision of dual aspect dwellings with single aspect dwellings only provided where it is considered a more appropriate design solution and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy and avoid overheating. LBH Local Plan Policy DMHB11 requires all new development to incorporate good principles of design and to be of high quality.
- 7.45 Care has been taken in revising the illustrative masterplan and parameter plans to ensure that dual aspect opportunities are maximised (and improve on the consented scheme), through a greater emphasis on the east-west orientation of the blocks and by locating living rooms on corner positions wherever possible. There will be no north facing single aspect homes and all north facing homes will be dual aspect.
- 7.46 The proposed revisions to parameter plan 2 ensure that the separation distances have been maintained across the outline area and increased at phase 4, and the two central blocks have been joined to create more useable amenity space.

## **Daylight and Sunlight**

- 7.47 Paragraph 129 (part c) of the NPPF states that *“when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”*
- 7.48 London Plan Policy D6 requires the design of development to provide *“sufficient daylight and sunlight to new and surrounding housing that is appropriate to its context, while avoiding overheating, minimising overshadowing and maximising the usability of outside space.”*
- 7.49 LBH Local Plan Policies BE1 and DMH B11 require all new developments to not adversely impact amenity or daylight on neighbouring properties.
- 7.50 A Daylight, Sunlight and Overshadowing Assessment has been prepared by eb7. The technical assessments undertaken compare two scheme scenarios, firstly, the outline scheme which provides a maximum design envelope and, secondly, the illustrative scheme which represents a potential refined /articulated scheme. The methodology and criteria used for these assessments is provided by Building Research Establishment’s (BRE) guidance ‘Site layout planning for daylight and sunlight: A guide to good practice’ (BRE 209 2nd edition, 2022). In both scenarios, eb7’s assessments have compared the impacts of the proposals on the neighbouring residential properties against the consented scheme(s) in accordance with Appendix F of the BRE guidelines. The Assessment also includes façade analysis to demonstrate the daylight potential for the future proposed accommodation at the outline areas of the scheme.
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- 7.51 The façade analysis undertaken indicates that the vast majority of the proposed elevations will received appropriate levels of daylight potential across the illustrative masterplan and maximum parameter scheme. Many achieve very high VSC levels upward of 27% and there would be minimal constraints in respect of detailed design. Where daylight levels are lower, these are isolated to pinch points in the corners of courtyards and the lowest levels of the canal side block. The constructions to the lower floors of buildings and corners of courtyards are typical and can be addressed through further detailed design.
- 7.52 In terms of impact on neighbours, the Vertical Sky Component (VSC), No-Sky Line (NSL), and Annual Probable Sunlight Hours (APSH) results indicate a strong overall performance, demonstrating that the revised proposals maintain broadly similar daylight and sunlight conditions to those of the consented scheme, and in some cases provide marginal improvements. Where minor reductions are identified, these are well within the levels typically considered acceptable for an urban context and represent a reasonable and proportionate outcome that supports a balanced and efficient redevelopment of the site.
- 7.53 In terms of overshadowing, the majority of the key communal amenity spaces will receive more than two hours of sunlight on 21<sup>st</sup> March and therefore exceed the BRE targets. Whilst there are some deviations for courtyard 1, this has been designed to provide a more varied amenity experience providing the opportunity for both shaded and well sunlight spaces.
- 7.54 Overall, the revised proposals are considered to respond well to the constraints of the site and is considered to demonstrate appropriate levels of daylight / sunlight amenity for its context whilst delivering a high-quality living accommodation for the future residents. The proposals are therefore considered to continue to be in line with the aspirations of the BRE guidelines and relevant planning policy in respect of daylight and sunlight.

## **Inclusive Design**

- 7.55 London Plan Policy D5 seeks to ensure that proposals achieve the highest standards of accessibility and inclusion. Inclusive design principles if embedded into the development and design process from the outset help to ensure that people, including older people, disabled and deaf people, children and young people can use the places and spaces proposed comfortably, safely and with dignity.
- 7.56 In accordance with London Plan Policy D5 (and the requirements of Condition 14), 90% of the units will meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and 10% meet Building Regulation requirement M4 (3) 'wheelchair user'.
- 7.57 The DAS Addendum confirms that each block will have dedicated entrances with access from the street and podium car park areas (where relevant), as well as dedicated refuse stores and cycle parking stores. Additionally, shared surfaces, routes to waste disposal and recycling, links to adjacent public transport and local services and facilities are designed to be accessible, safe and convenient for everyone, particularly the disabled and older people.

## **Hard and Soft Landscaping**

- 7.58 London Plan Policy D8 requires new development to ensure that new public realm is created where appropriate and to ensure that it is well designed, safe, accessible, inclusive,
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attractive, well connected, suitable in the local context and easy to understand, service and maintain.

7.59 LBH Local Plan Policy DMHB 12 requires developments to improve routes between the development and local amenities, ensure the local context is taken into account, landscaping treatment is introduced to serve a purpose and improve the appearance of an area, and incorporate the principles of inclusive design.

7.60 LBH Local Plan Policy DMHB 14 requires development proposals to provide a landscape scheme that includes hard and soft landscaping appropriate to the local area.

7.61 The proposed amendments to parameter plan 5 creates the opportunity for the provision of more and higher quality private, communal and public amenity space. The illustrative masterplan identifies landscaping enhancements on Austin Road, Crown Close, the community square, the linear park, Silverdale Road public realm and the canal side pedestrian route.

## **Playspace**

7.62 Condition 20 of the 2022 hybrid permission requires details of the play area for children to be submitted to and approved prior to the commencement of development of each Outline phase, and in accordance with Policies DMHB 19 and DMCI 5 of the Hillingdon Local Plan: Part 2 (2020) and Policies S4 and D5 of the London Plan (2021).

7.63 London Plan Policy S4 requires that residential developments incorporate good-quality, accessible play provision for all ages. The GLA Play and Informal Recreation SPG (2012) provides further guidance on the approach to playspace provision. At least 10 sq.m of playspace should be provided per child that:

- 1 Provides a stimulating environment;
- 2 Can be accessed safely from the street by children and young people independently;
- 3 Forms an integral part of the surrounding neighbourhood;
- 4 Incorporates trees and/or other forms of greenery;
- 5 Is overlooked to enable passive surveillance; and
- 6 Is not segregated by tenure.

7.64 The playspace requirements set out in LBH Local Plan Policy B19 and DMCI 5 aligns with the 10sqm per child requirement set out in the London Plan.

7.65 The estimated child yield for the illustrative scheme is 362.3 children (using the GLA population yield calculator v 3.2). This generates an estimated child play space requirement of 3,622.8sqm.

7.66 To demonstrate that the site can support the revised quantum of development, the DAS Addendum identifies how up to 3,656sqm of children's playspace can be provided estate wide (including that already provided within phase 1). The proposed on-site playspace is targeted at 0-11 year olds and comprises play within the resident's communal gardens and 'play on the way' space. The structure, form and final size of each of these areas of playspace

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will be determined through the detailed design development of the Outline Area as part of future RMAs.

- 7.67 As per the consented play strategy, play space for 12+ year olds is to be met offsite within existing facilities, as these are only 400-800m from the site including (Botwell Green Sports and Leisure Centre and Lake Farm Country Park).
- 7.68 Overall, the play strategy set out in the DAS Addendum demonstrates that the requirements set out in condition 20 can be met within the proposed revised parameter plans and development quantum.

## Trees

- 7.69 London Plan Policy G7 require development proposals to ensure that where possible, existing trees of value are retained. The planting of additional trees is also encouraged in new developments.
- 7.70 LBH Local Plan Policy DMHB 14 requires all developments to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- 7.71 An Arboricultural Impact Assessment has been prepared by Middlemarch. Table 7.1 below sets out the existing number of trees on site, the number for removal and number for retention. When compared with the extant outline permission, the revised proposals include the retention of 3 additional trees (T11, T12 and T13) in the corner of Crown Close, providing mature tree value for the proposed development. Additionally, most removed trees are of low retention value, and two significant tree groups will be retained. The loss of trees will also be offset by the planting of 176 new trees.

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Table 7.1 Tree Retention and Removal

| Category   | Existing Number | Number for Removal | Number for Retention |
|------------|-----------------|--------------------|----------------------|
| Category A | 6               | 0                  | 6                    |
| Category B | 12              | 6                  | 6                    |
| Category C | 19              | 17                 | 2                    |
| Category U | 3               | 2                  | 1                    |

## Urban Greening Factor and Biodiversity Net Gain

- 7.72 London Plan Policy G5 requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Condition 40 of 2022 hybrid permission requires the submission of a UGF Assessment prior to commencement of each phase in the outline to demonstrate that all efforts have been made to meet a site wide UGF score of 0.4.
- 7.73 This application is not subject to a statutory BNG Requirement, given it is a Section 73 application proposing amendments to a planning permission granted prior to the introduction of the statutory BNG requirement. Notwithstanding this, it is acknowledged
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that LBH Local Plan Policy EM7 and DMEI 7 seek to retain and enhance existing features of biodiversity or geological value within the site. It is also noted that Condition 19 of the 2022 hybrid permission requires the submission of a detailed landscape scheme to submitted and approved prior to the commencement of each phase, including further detail of Biodiversity Net Gain.

- 7.74 The revised illustrative landscaping scheme has been guided by the requirements in conditions 19 and 40 in relation to UGF and BNG assessment. Measures to support delivery of urban greening and ecological enhancement include the following as per the original consent:
- A comprehensive tree planting scheme using a mix of native and non-native species.
  - Use of plant palettes and mixes that have a high proportion of species of known wildlife value, including 'Plants for Pollinators'.
  - Biodiverse extensive green roofs.
  - Habitat features including bird and bat boxes, and insect hotels.
- 7.75 The Urban Greening Factor calculation has been undertaken at an outline level without the full specification of tree and general planting. The outline score is 0.42 exceeding the target set out in London Plan Policy G5 and providing an increase on the consented proposals which scored 0.34. This improved UGF score provides a strong basis for the scheme to deliver a net gain in biodiversity in accordance with the requirements of London Plan Policy G6 and LBH Local Plan Policy EM7 and DMEI 7.

## **Drainage**

- 7.76 Chapter 14 of the NPPF discourages inappropriate development in areas at risk of flooding and requires any planning application to ensure that flood risk is not increased elsewhere.
- 7.77 NPPF Paragraph 175 requires all major development to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 7.78 London Plan Policy SI12 requires development to ensure that flood risk is minimised and mitigated and that any residual risk is addressed. London Plan Policy SI 13 encourages development to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to its source as possible. It also highlights a preference for green over grey features following a set hierarchy.
- 7.79 Local Plan Policy EM6 requires all development proposals to use and incorporate sustainable urban drainage systems unless it can be demonstrated that it is not viable.
- 7.80 A Drainage Strategy Addendum has been prepared by Iesis based on the revised parameter plans and illustrative masterplan. Given the amended layouts and landscaping, the surface water strategy has been amended. This includes five attenuation tanks, two private networks of surface water pipes and connections to channel drains and yard gullies within landscaped areas.
- 7.81 The foul water drainage strategy proposes a private network of foul sewers which are gravity networks to be agreed with Thames Water.
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- 7.82 The Drainage Strategy Addendum demonstrates that the revised proposals will be compliant with the NPPF, London Plan Policies SI12 and SI13, and London Plan Policy EM6.

## **Transport, Parking and Servicing**

- 7.83 NPPF paragraph 116 states that development *‘should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.’*
- 7.84 Local Plan Policy DMT 1 states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. Local Plan Policy DMT 2 states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Policy DMT 6 requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.
- 7.85 London Plan Policy T1 requires that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policy T4 requires that transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network at the local, network-wide and strategic level are fully assessed. Policies T5 requires proposals to remove barriers to cycling and provide cycle parking in accordance with the minimum standards set out in Table 10.2 and to be laid out in accordance with the guidance contained in the London Cycling Design Standards. Policy T6 sets out maximum car parking standards for residential development.
- 7.86 The revised proposals are supported by a Transport Assessment Addendum (TAA) prepared by Markides Associates. The TAA focuses on the transport related changes associated with the Section 73 proposals, as shown in the revised parameter plans and illustrative masterplan (given these are the basis of car parking and cycle parking maxim in planning condition 19). The TAA highlights (para 1.2.6) the following changes to the scheme are of relevance to transport:
- Proposed scale of development totalling up to a maximum of 562 homes, an uplift of 62 units (including 80 currently being delivered in Phase 1).
  - Joining of former development zones 2 and 3 and removal of the previously proposed side road between Crown Close and Ausin Road that separated the blocks (as controlled by parameter plan 4 listed under condition 3).
  - Removal of the undercroft car parking associated with phase 4 and the introduction of surface level parking to meet blue badge requirements, accessed from Crown Close (as controlled by parameter plan 4 listed under condition 3).
  - A reduction in on-street parking provision to allow for additional green spaces (as controlled by condition 19).
  - Pro-rata increase in cycle parking (as controlled by condition 19).
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- Introduction of ground floor maisonette units along Austin Road introducing defensible space, in turn results in an offsetting of the proposed Austin Road carriageway.
- Change in the way Silverdale Road connects with Western View given the planning approval at the Silverdale Industrial Estate has lapsed (as controlled by parameter plan 4 and 5 listed under condition 3).

#### *Car Parking*

- 7.87 The revised illustrative masterplan ensures that the required number of car parking spaces, 67 residents car parking spaces including 17 blue badge spaces, plus 15 on-street spaces, 5 of which are car club spaces, can be achieved. This amounts to a ratio of 0.15. This results in a decrease compared to the 2022 hybrid permission approved ratio of 0.23. The TAA demonstrates that the proposed quantum of parking reflects the accessibility of the site, whilst also meeting the existing commitment made to existing residents as part of the ballot that parking would be reprovided should they return.
- 7.88 It is proposed that condition 19 is reworded to ensure that future RMA proposals meet the minimum requirements in London Plan Policy T6.1 G by providing blue badge parking for 3% of units from the outset. To accommodate additional blue badge demand in the future, it will be possible to reallocate standard spaces to blue badge parking, facilitated by the fact that parking spaces will be leased and not sold. For phases 2 and 3, this will allow for a further 7% to be provided if demand arises. Due to design constraints within phase 4, this can only accommodate an additional 3% and this has been reflected in the proposed revised wording of condition 22. In accordance with London Plan Policy T6.1.C, 20% of parking spaces will have EV charging points with the remaining bays featuring passive provision for future connection.

#### *Cycle Parking*

- 7.89 The revised illustrative masterplan has been tested to ensure that it can meet or exceed the requirement 887 secure cycle parking spaces in accordance with London Plan Policy T5, in terms of quantum and type, within each block.

#### *Delivery and Servicing*

- 7.90 The illustrative masterplan includes a series of bin stores, located along the site frontage within 10m of the existing kerb line. Access will be either a dedicated loading bay or via the adjacent kerb line subject to double line waiting restrictions. General deliveries will also be accommodated by the loading bay.
- 7.91 An updated Delivery and Servicing Plan is submitted with this application to reflect the revised illustrative masterplan and development quantum.

#### *Trip Generation*

- 7.92 The TAA has reassessed the trip generation rates for the development based on the amended unit numbers and mix. The analysis confirms that the Section 73 proposals are not anticipated to have a material effect on the operation of local highway network during peak hours.
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## **Energy and Sustainability**

- 7.93 London Plan Policy SI 2 requires major development to be net zero carbon. A minimum of on-site reduction of at least 35% beyond Building Regulations is required for major development. For any shortfall, this should be provided through a cash in lieu contribution or off site provided an alternative proposal is identified and delivery is certain.
- 7.94 An updated Energy Statement and Sustainability Strategy has been prepared by Watkins Payne. The proposed strategy includes the incorporation of air source heat pump (ASHP) and rooftop PV panels as previously approved.
- 7.95 The report confirms that the revised proposals will achieve a carbon reduction of 80%, with any shortfall to be mitigated through a carbon offset payment. The previous Energy Statement and Sustainability Strategy, targeted 100% carbon reduction on site, however this is no longer possible for the following reasons:
- Use of SAP10 rather than SAP2013, which makes achieving net zero carbon on site more difficult.
  - The massing of the schemes and number of units has increased and therefore affects the ability to achieve the original net zero carbon target on-site as floor area to roof ratio has decreased.
- 7.96 Notwithstanding the above, the proposed 80% on-site reductions represent a high standard of sustainable design and the approach continues to meet the requirements of London Plan Policy SI 2.

## **Noise**

- 7.97 London Plan Policy D14 requires residential proposals to manage noise by avoiding significant adverse noise impacts on health and quality of life, mitigating and minimising the existing and potential adverse impacts on, from and within the vicinity of new development.
- 7.98 A Noise Impact Assessment of the revised illustrative masterplan has been prepared by Spectrum to support this s73 application. The report confirms that, subject to the design mitigations set out in the report, acceptable noise levels can be achieved at the site both internally and in external amenity spaces.

## **Fire**

- 7.99 London Plan Policy D12 requires all major development proposals to submit a Fire Statement setting out how the development will function in terms of construction, means of escape, features to reduce the risk to life, access for fire service personnel and equipment, how provision will be made within the curtilage of the site for fire appliances to gain access and ensuring future modifications do not compromise base build fire safety.
- 7.100 An Outline Fire Statement has been prepared by Introba in line with London Plan Policy D12. The report includes details on the building's construction method and materials used, means of escape, passive and active fire safety measures, access and facilities for the fire and rescue service and future development and the 'golden thread' of information.
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## 8.0 Planning Benefits and Conclusions

8.1 The 2022 Planning Statement (prepared by Savills) for the original hybrid application set out (at para 8.9) a detailed list of planning benefits. These were acknowledged in the conclusion of the officer's report to committee (Section 10) which noted:

*“Overall, the scheme delivers significant benefits, particularly the delivery of high-quality, affordable homes, new public spaces and a layout that will create a safe and welcoming environment. The many positive benefits of the proposals weigh heavily in favour of an approval recommendation.”*

8.2 The revised scheme proposed in this Section 73 application would provide the same benefits as the extant scheme and the following additional public benefits (whilst resulting in no additional harm):

- An increase of up to 62 additional homes (private and affordable), comprising up to 32 additional affordable homes and 30 additional private homes.
- An increase in family homes.
- A larger and more useable community space for local residents and wider community use.
- An increase in urban greening and biodiversity, including an increase in the UGF score from 0.34 to 0.42.
- A reduction in car parking.
- Improved public realm, including the creation of a shared surface along Silverdale Road and green corridor along Crown Close.

8.3 In relation to the first two bullet points, it should be noted that greater emphasis in the NPPF (2024) and recent ministerial statements on the delivery of housing and affordable housing suggests that very substantial weight should be given to these enhanced benefits. On this basis, the benefits associated with the revised proposed scheme weigh heavily in favour of the approval of this s73 application.

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## 9.0 Deed of Variation

9.1 Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

*“A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).*

*B) Planning obligations will be sought on a scheme-by-scheme basis:*

- i to secure the provision of affordable housing in relation to residential development schemes;*
- ii where a development has infrastructure needs that are not addressed through CIL; and*
- iii to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.*

*C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.”*

9.2 The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- “i. necessary to make the development acceptable in planning terms*
- ii. directly related to the development, and*
- iii. fairly and reasonable related in scale and kind to the development”*

9.3 The effect of the Regulations is that the Council must only ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

9.4 Given the proposed changes in the s73 application, it is acknowledged that that it will be necessary to update the s106 agreement by way of a deed of variation. The following variations are anticipated, subject to further discussions with the Council:

- **Affordable Housing Minimum:** updating the minimum quantum of Dwellings to be provided as Affordable Housing from 51.7% (by floorspace) to 53% (by floorspace) of the total number of dwellings.
  - **Affordable Housing Target Tenure Split:** Updating the affordable housing target tenure split to accord with the revised mix proposed in this application i.e.
  - **Highway Works (s278):** Updating the description of highway works at clause 6, Schedule 7 of the agreement (p. 70-71)
  - **Active Travel Zone and Healthy Streets Contribution:** Updating the Active Travel Zone Contribution amount and the Healthy Street Contribution defined in the
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agreement with reference to the updated population yield and modal split for the revised development.

**HUDU Health Contribution:** Updating the HUDU Health contribution defined in the agreement with reference to the updated population yield of the revised development.

- 9.5 The above form the draft Heads of Terms for a deed of variation to the existing s106 agreement. They do not assign revised financial contributions associated with the obligations as these will be subject to detailed discussions with the Council having regard to the scale and relative impact of the revised Proposed Development and Regulation 122 of the CIL Regulations 2010 (as amended). This is in the interest of ensuring that the revised obligations remain necessary and reasonable in accordance with NPPF 58.





## Appendix 1 Condition Amendments

A1.1 The following change are proposed to the wording of planning conditions 3, 4, 5, 6, 9, 10, 19 and 22:

### Condition 3 (Approved Plans)

“The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

In relation to the outline element:

Site Location Plan HTC-PTE-ZZ-XX-DR-A-10000 (Rev. C2)

Parameter Plan 1 Land Uses ~~HTC-PTE-ZZ-XX-DR-A-10010 (Rev. C6)~~ HTC-PRP-ZZ-ZZ-DR-A-20053 Rev P1

Parameter Plan 2 Development Zones ~~HTC-PTE-ZZ-XX-DR-A-10011 (Rev. C6)~~ HTC-PRP-ZZ-ZZ-DR-A-20054 Rev P1

Parameter Plan 3 Building Heights ~~HTC-PTE-ZZ-XX-DR-A-10012 (Rev. C3)~~ HTC-PRP-ZZ-ZZ-DR-A-20055 Rev P1

Parameter Plan 4 Access and Movement ~~HTC-PTE-ZZ-XX-DR-A-10013 (Rev. C8)~~ HTC-PRP-ZZ-ZZ-DR-A-20056 Rev P1

Parameter Plan 5 Hard and Soft Landscape ~~HTC-PTE-ZZ-XX-DR-A-10014 (Rev. C6)~~ HTC-PRP-ZZ-ZZ-DR-A-20057 Rev P1

In relation to the detailed Phase 1 proposals:

...”

### Condition 4 (Approved Documents)

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

~~Planning Statement (March 2022)~~

Design and Access Statement (Rev. C5) (December 2021) (Updated 10 March 2022) and Design and Access Statement Addendum (October 2025)

~~Development Specification Statement – 10 March 2022~~

Air Quality Assessment (Ref: 2104170-01) (November 2021)

Arboricultural Impact Assessment (Ref: RT-MME-154568-02 (Rev. B)) (December 2021) and Arboricultural Impact Assessment Addendum (October 2025)

Archaeological Desk Based Assessment (Rev. 002) (November 2021)

Aviation Safeguarding Assessment (Ref: EAS/P1239/R1/Issue 1) (November 2021) and Aviation Safeguarding Assessment Addendum (September 2025)

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Biodiversity Impact Assessment (March 2022)

Preliminary Ecological Appraisal (December 2021)

Geotechnical and Geo-environmental Desk Study Report (Ref: 1990-A2S-XX-XX- RP-Y-0001-00) (November 2021)

Circular Economy and WLC (Rev. 2) (03-12-21)

Outline Construction Logistics Plan (11-03-22) and [Outline Construction Logistics Plan Addendum \(October 2025\)](#)

Daylight and Sunlight Report (26 November 2021) and [Daylight and Sunlight Report Addendum \(October 2025\)](#)

Delivery and Servicing Plan (11-03-22) and [Delivery and Servicing Plan Addendum \(October 2025\)](#)

Economic Benefits Statement

Outline Phase 2 to 5 - Energy Statement and Sustainability Strategy (Rev. 2) (30-11-21) [Outline Phases - Energy Statement and Sustainability Strategy Addendum \(October 2025\)](#)

Phase 1 - Energy Statement and Sustainability Strategy (Rev. 3) (26-11-21)

Phase 1 - Overheating Risk Assessment (Rev. B) (29-11-21)

Detailed Fire Strategy (November 2021)

Outline Fire Strategy (November 2021) and [Outline Fire Strategy Addendum \(October 2025\)](#)

Wind Microclimate Impact Assessment (November 2021) and [Wind Microclimate Impact Assessment Addendum \(October 2025\)](#)

Noise Assessment (March 2022) and [Noise Assessment Addendum \(October 2025\)](#)

Foul Sewage & Utilities Assessment (Rev. 2) (07-12-21)

Transport Assessment (11-03-22) and [Transport Assessment Addendum \(October 2025\)](#)

Framework Residential Travel Plan (11-03-22)

Flood Risk Assessment (Ref: P450729-WW-HT-XX-RP-C-0001) (Rev. P5)

Heritage, Townscape and Visual Impact and Tall Building Assessment (December 2021) and [Heritage, Townscape and Visual Impact and Tall Building Assessment Addendum \(October 2025\)](#)

### **Condition 5 (Maximum Floor Area and Unit Numbers)**

“The proposed land uses within the outline area shall be strictly in accordance with the development hereby approved and shall not exceed the [following maximum floor areas and unit numbers](#):

- [33,529 sqm of residential floor area](#) (Use Class C3 ~~NIA-28,585 sqm~~)

- ~~up to 420~~ 482 residential units (Use Class C3)
- ~~and up to 140~~ up to 350 sqm of community facility space (Class F2 (b)).”

#### **Condition 6 (Housing Mix)**

“The proposed housing mix within the reserved matters application/s shall be strictly in accordance with the following parameters:

One bedroom units – ~~37%~~ 30% to 34%

Two bedroom units – ~~45%~~ 46% to 50%

Three and four bedroom units – ~~18%~~ 19% to 23%

#### **Condition 7 (Phasing Plan)**

~~Save in respect of development within the Detailed First Phase, no applications for Reserved Matters approval shall be submitted and no development within the Outline Area shall be commenced (except for demolition, ground and enabling work) until a Phasing Plan setting out the delivery of the phases across the Outline Area of the site has been submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall confirm the order and timing of delivery of each of the Phases.~~ The development shall ~~thereby~~ be carried out in accordance with the approved Phasing Plan (dwg. ref. HTC-PRP-ZZ-ZZ-DR-A-20058 Rev P1) or any amendments thereto that may be subsequently agreed in writing with the local planning authority.

#### **Condition 9 (Residential Density)**

The residential density shall not exceed ~~200~~ 225 homes per hectare.

#### **Condition 10 (Building Heights)**

No building or structure in the outline element shall exceed ~~70.37~~ 75m AOD metres in height and no building or structure in the detailed element shall exceed 58.55 AOD in height.

#### **Condition 19 (Landscape Scheme)**

“ ...

##### **OUTLINE AREA/PHASES**

No development (except for demolition, ground and enabling work) within each relevant development phase hereby approved within the Outline Area shall take place until a landscape scheme for that development phase has been submitted to and approved in writing by the Local Planning Authority in consultation with Heathrow Airports Ltd, the MoD, and the Canal and River Trust. The scheme shall include: -

...

2.b Cycle Storage to comply with the minimum standards set out in Policy T5 (Table 10.2) of the London Plan (2021) ~~to accommodate a total of 763 long stay and 12 shorty stay spaces~~ and Motorcycle spaces

2.d Car Parking ~~to show 90 spaces (including 10 blue badge spaces)~~ with a unit number to parking space ratio no greater than 0.15 -with active electric vehicle charging points at 20% of all parking spaces with all the remainder having passive provision. ~~The layout will also show provision for blue badge spaces equal to 3% of the total unit numbers (to be included within the overall parking ratio)....~~”

#### **Condition 22 (Parking Management and Allocation Plan)**

Prior to occupation of each phase of the development, a Parking Management and Allocation Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. It shall detail the following:

- (i) The arrangements for all parking onsite and include provisions for managing, monitoring, enforcement and review. All on-site parking spaces shall be solely for the use by future residents of the development hereby approved and shall not be used for any other purpose of leased/sub-let.
- (ii) A Parking Design and Management Plan to ensure that an additional 7% of dwellings ~~(3% on Phase 4)~~ could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient.

The approved plan shall be implemented as soon as the development within that phase is brought in to use and shall remain in place thereafter. Any changes to the plan shall be agreed in writing by the Local Planning Authority.

#### **Condition 50 (Wind Testing)**

“50 ~~Each~~ Any Reserved Matters application shall include a detailed assessment of the wind effects and related mitigation for that phase of development. The assessment shall include ~~wind tunnel~~ computational fluid dynamics (CFD) testing to assess the comfort and safety levels at relevant locations around and within the site. The assessment will demonstrate that all locations assessed meet appropriate safety and comfort criteria in accordance with the Lawson distress criteria (LDDC method).”



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