

Land at Avondale Drive

Planning Statement

**S73 Application for Variation of Condition Attached to
Planning Permission ref. 76551/APP/2021/4502**

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. 76551/APP/2021/4502) for the regeneration of the Avondale Drive Estate, Hayes, London, UB3 3NR ("the Site").

1.2

The Avondale Drive Estate is situated in Hayes, between Avondale Drive and Hitherbroom Park, within an established residential neighbourhood. Its proximity to schools, parks, and extensive open fields with sports facilities renders it a suitable location for family housing. The approved redevelopment proposals include the demolition of three existing tower blocks and the delivery of approximately 240 new homes, alongside a new pocket park, associated landscaping, and podium parking.

1.3

Higgins are working with LB Hillingdon ('LBH') (as their development partner) to deliver the regeneration of the Estate. The extant permission is a hybrid planning permission, with a detailed element (Phase 1a) comprising a 30 home residential block (Block A) and an outline element (Phase 1b and Phase 2) with all matters reserved. Following the discharge of relevant planning conditions and the approval of a number of non-material amendment applications, Block A (phase 1a) is now complete on site, with handover anticipated in October 2025.

1.4

The proposed amendments to extant outline permission for Phases 1b and 2 comprise:

- An increase of up to 56 residential units overall, including an uplift of up to 33 affordable homes and an increase in family sized homes (as controlled by Conditions 5, 6 and 9 and Schedule 1 of the S106 Agreement)
- Removal of the existing parking courts and an increase in podium size, intended to enhance active frontages along Avondale Drive and improve site security (as controlled by parameter plans 1, 3 and 4 listed under condition 3).
- A revised height strategy to establish a lower-level frontage along Avondale Drive and mitigate overshadowing impacts on Hitherbroom Park (as controlled by parameter plan 2 listed under Condition 3).
- Removal of vehicle access around Phase 1B, aimed at improving the quality of the public realm (as controlled by parameter plan 3 listed under Condition 3).
- Increased separation distances between Phases 1B and 2 to create a new public square, facilitating the relocation of play space to a safer, off-road position (as controlled by parameter plans 1, 3 and 4 listed under Condition 3).

1.5

This Section 73 application therefore seeks to revise specific conditions of the original planning permission (reference 76551/APP/2021/4502), including conditions 3 (approved plans), 4 (approved documents), 5 (land use/quantum), 6 (housing mix), 7 (phasing plan), 8 (design code), 9 (density), 10 (building heights) and 15 (landscaping scheme). The proposed revised 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 conditions 3, 4, 5, 6, 7, 8, 9, 10 and 15 of planning consent reference 76551/APP/2021/4502 (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; new pedestrian and vehicular accesses; 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 Block A comprising 30 residential units (Class C3); new pedestrian access; associated amenity space and landscaping; cycle parking, refuse storage, and other associated infrastructure) to increase the number of homes, remove the existing parking court and increase podium size, revise the height strategy, removal of vehicle access and increase separation distances to create a new public square.”

Structure of S73 Application and Updated Supporting Documentation

1.7 The following documentation has been prepared to accompany the 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 Development Zones
 - c Revised Parameter Plan 2 Building Heights
 - d Revised Parameter Plan 3 Access and Movement
 - e Revised Parameter Plan 4 Hard and Soft Landscape
- 5 Phasing Plan prepared by PRP
- 6 Outline Construction Logistics Plan prepared by Markides Associates
- 7 Design and Access Statement Addendum prepared by PRP
- 8 Planning Statement prepared by Lichfields (this statement)
- 9 Development Specification Statement Addendum prepared by Lichfields
- 10 Aviation Safeguarding Assessment Addendum prepared by Kate Grant Consulting
- 11 Daylight and Sunlight Addendum Report prepared by eB7
- 12 Transport Assessment Addendum prepared by Markides Associates
- 13 Delivery and Servicing Plan Addendum prepared by Markides Associates

- 14 Updated Outline Energy Statement and Sustainability Strategy prepared by Watkins Payne
- 15 Outline Fire Strategy Addendum prepared by Introba
- 16 Wind Microclimate CFD Study prepared by Windtech
- 17 Outline Noise Assessment Addendum prepared by Spectrum
- 18 Townscape, Visual Impact Addendum prepared by Savills
- 19 Financial Viability Assessment prepared by Savills
- 20 Drainage Statement Addendum prepared by Iesis
- 21 Arboricultural Impact Assessment Addendum prepared by Middlemarch
- 22 Air Quality Assessment Addendum prepared by Ardent

2.0 **Background**

The Site

2.1 The Site is located at the existing Avondale Drive Estate (“the Estate”) and covers 1.04 hectares. The original estate consists of three 13-storey blocks of flats containing 144 homes in total, all of which are two bedroom homes. The Site now also accommodates a new apartment building of 30 homes following completion of the detailed first phase (Phase 1a) of the 2022 hybrid permission, constructed following demolition of garages on that part of the site.

2.2 Between each tower are large, covered car parking areas. To the west of the blocks was an area of garages and additional car parking, which (as noted above) has now been demolished to make way for Phase 1a of the development. In total, there was an estimated 88 existing car parking spaces (excluding the under-utilised garages) on the Estate (a parking ratio of 0.61 spaces per unit).

Surrounding Area

2.3 The surrounding area generally comprises two to three storey residential dwellings (including that to the southern side of Avondale Drive); Hitherbroom Park is located to the north of the site and Minet Infant School is located to the west.

2.4 The original Transport Assessment (submitted with the 2022 hybrid permission) identified that the local highway network surrounding the Site does not currently form part of a parking management scheme, allowing parking to occur on-street without the need for a permit and that there are no waiting/loading controls within the study area other than school keep clear markings along the school frontage, which are operational during school AM and PM drop-off/pick-up periods.

2.5 Since the grant of the original planning permission there have been no new developments in the immediate vicinity of the Site (based on a recent review of the LBH online case file).

Regeneration Context

2.6 The Avondale Drive 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 the Hayes Town Centre 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 closed on 21 May 2021 and the results were 94% in favour of redevelopment with a turnout of 85%.

The 2022 Hybrid Permission

2.7 A Hybrid Planning Application (ref: 76551/APP/2021/4502) (hereafter “the original application” or “the 2022 hybrid permission”) was submitted on behalf of the estates department at LBH to the planning department on 10 December 2021, seeking full planning permission for an initial first phase of development on the Site (Phase 1a) and two

subsequent outline phases (Phase 1b and Phase 2). This was granted permission on 28 September 2022, following the resolution of the S106 and GLA Stage 2 report. The description of development on the approved decision notice is as follows:

"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; new pedestrian and vehicular accesses; 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 Block A comprising 30 residential units (Class C3); new pedestrian access; associated amenity space and landscaping; cycle parking, refuse storage, and other associated infrastructure."

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 – Development Zones;
- Parameter Plan 2 - Building Heights;
- Parameter Plan 3 - Access and Movement; and
- Parameter Plan 4 - 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 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), 14 (Accessible Housing), 16 (Trees, Hedges and Shrubs). 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 15 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

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 1a. Again, 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 hybrid permission, Higgins have discharged relevant planning conditions, commenced development and completed the detailed first phase of development (Phase 1a) with handover anticipated in October 2025. To facilitate this, four non-material amendment applications have been submitted by Higgins and approved by LBH pursuant to the 2022 hybrid permission. These comprise the following:

- 1 Amendment to the design of Phase 1A secured by changes to the approved drawing numbers listed under Condition 3, approved 2 December 2022 (ref. 76551/APP/2022/3661)
- 2 Amendment to the design of an external substation in Phase 1A secured by changes to the approved drawing numbers listed under Condition 3, approved 4 October 2024 (ref. 76551/APP/2024/2652)
- 3 Changes to wording of Conditions 31 (Principles of Fire Statement), 35 (GLA's whole life carbon assessment) and 36 (Circular Economy Statement Report), approved 2 May 2025 (ref. 76551/APP/2025/1255)
- 4 Changes to the wording of Condition 41 (UGF Assessment), approved 18 September 2025 (ref. 76551/APP/2025/2311)

3.0 Consultation and Engagement

3.1 The 2022 hybrid proposals were subject to extensive pre-application engagement with LB Hillingdon and engagement with local residents and stakeholders as set out in detail within the approved Planning Statement prepared by Savills. As part of this process LB Hillingdon held a resident's ballot on the proposed redevelopment between April and May 2021. The residents voted 94% in favour of redevelopment with a turnout of 85%.

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 continued engagement with stakeholders including the LB Hillingdon, the GLA, and local residents. Details of this engagement is set out in the DAS and summarised below.

Local Residents/Stakeholders Engagement

3.3 Further consultation was held with local residents on potential changes to the 2022 hybrid permission in January 2023 and October 2025. Details of the scheme were presented to residents in January 2023 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 the 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. A summary of scheme evolution and feedback can be found within the DAS Addendum.

3.5 Of the six meetings, two have taken place this year concluding with officers confirming that they were supportive of both the proposed design and the improved affordable housing offer within the scheme. Key comments from these meetings related to requests for further information on how dual aspect unit numbers had been calculated; the daylight/ sunlight and overshadowing impact of the revised massing; the quantity and location of 'play on the way' spaces; the cycle store layouts to meet LCDS standards; requests for an increase in ground floor wheelchair and family homes on lower levels; and queries regarding the compatibility of the access/ servicing strategy and the landscaping strategy.

3.6 This Section 73 application proposals include the following changes to the parameter plans to address recent comments raised by officers:

- 1 The Hard and Soft Landscaping Parameter Plan has been updated to allow for an improved landscaping scheme, with play on the way space moved south along the connection to Hitherbroom Park.

- 2 The Access and Movement Parameter Plan has been updated to limit the vehicular access to Hitherbroom Park to emergency vehicles access only.

3.7 The design strategies in the DAS Addendum (and other supporting reports) have also been updated in response to comments raised, including:

- 1 Rearranging ground floor layouts to allow for all bin collections to take place from Avondale Drive.
- 2 Cycle store layouts updated to LCDS standards.
- 3 Updates to layouts in response to the latest fire regulations.
- 4 An increase in the number of larger, family homes and less 1 bedroom units.
- 5 An increase in the number of ground floor wheelchair accessible homes.

3.8 Feedback received relating to detailed design matters will be picked up through the subsequent 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 feedback can be found within the DAS Addendum prepared by PRP. Overall, the GLA officers were supportive of the proposed changes to the permitted scheme and land use principles, with key comments relating to design, landscape, viability and transport. These have been addressed where applicable, including reviewing the entrance spaces to ensure that the future RMA proposals create an interesting space with improved street presence.

Summary

3.10 In summary, the revised proposals have been through detailed pre-application design development with the Council's officers, local community and GLA. The consultation confirmed that LBH and GLA officers are supportive of the principle of optimising the extant permission, the revisions to housing size and tenure mix, the revised parameter plans and the revised illustrative masterplan. The parameter plans and illustrative masterplan have been updated to reflect the comments received, including improved landscaping, pedestrianisation of spaces and improved residential offer including more family homes and ground floor wheelchair homes.

4.0 Proposed Development/Amendments

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

4.2 The proposed amendments to extant outline permission for Phases 1b and 2 comprise:

- An increase of up to 56 residential units overall, including an uplift of up to 33 affordable homes and increase in family sized homes (as controlled by Conditions 5, 6 and 9 and Schedule 1 of the S106 Agreement)
- Removal of the existing parking courts and an increase in podium size, intended to enhance active frontages along Avondale Drive and improve site security (as controlled by parameter plans 1, 3 and 4 listed under condition 3).
- A revised height strategy to establish a lower-level frontage along Avondale Drive and mitigate overshadowing impacts on Hitherbroom Park (as controlled by parameter plan 2 listed under Condition 3).
- Removal of vehicle access around Phase 1B, aimed at improving the quality of the public realm (as controlled by parameter plan 3 listed under Condition 3).
- Increased separation distances between Phases 1B and 2 to create a new public square, facilitating the relocation of play space to a safer, off-road position (as controlled by parameter plans 1, 3 and 4 listed under Condition 3).

4.3 This Section 73 application therefore seeks to revise specific conditions of the original planning permission (reference 76551/APP/2021/4502), including conditions 3 (approved plans), 4 (approved documents), 5 (land use/quantum), 6 (housing mix), 7 (phasing plan), 8 (design code), 9 (density), 10 (building heights) and 15 (landscaping scheme). The proposed revised 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 changes possible under Section 73 powers was comprehensively reviewed in the *Test Valley BC v Fiske* judgement ([2024] EWCA Civ 1541) which noted that these must not (1) be inconsistent with the operative part of the original permission or (2) make 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 remains unchanged (as set out below). This was worded flexibly with no reference to approved unit numbers or residential floorspace within the outline area, which are instead controlled by planning conditions.

“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; new pedestrian and vehicular accesses; 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 Block A comprising 30 residential units (Class C3); new pedestrian access; associated amenity space and landscaping; cycle parking, refuse storage, and other associated infrastructure.”

Phasing

4.7 As per the 2022 hybrid permission, all 144 existing homes, ancillary plant rooms and garage blocks 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 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 planning condition 7 (rather than requiring a phasing plan to be submitted subsequently).

Table 4.1 Construction and Delivery Programme

Proposed Development Phase	Start Date	Finish Date
Construction of Phase 1a (DZ1)	Completed	
Outline Permission	Construction of Phase 1b (DZ2)	Q1 Spring 2027
	Construction of Phase 2 (DZ3)	Q2 Summer 2027
		Q4 Autumn 2029

4.9 For the avoidance of doubt, demolition within a specific phase 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 proposals for the Outline Component will come forward. The revised design principles are as follows:

- Existing pedestrian routes along the edges of the site will be enhanced, with an additional link through to Hitherbroom Park being created.
- Active frontages will be created to public spaces around the perimeter of the blocks, increasing safety and improving the streetscape along Avondale Drive, Abbotswood Way and the proposed link to Hitherbroom Park.
- The two perimeter blocks will be split north to south, improving daylight / sunlight and giving views through the site.
- To increase the safety of the site duplexes and residential lobbies will be located along Avondale Drive, Abbotswood Way and fronting onto the new public route to Hitherbroom Park and along the north edge facing the park. A new public space will be created along the new route in which play spaces will be located away from vehicles.
- Communal podium gardens will provide generous private outdoor space for residents recreation and play.

- A new public space between phases 1B and 2 as well as pocket spaces along Avondale Drive and planting along the roadside will provide the public with overlooked green spaces.

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 (as set out Appendix 1). 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.

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)
2	173 homes/12,070 sqm
3	93 homes/ 6,399 sqm
Overall Total	266 homes 18,469 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 generation are excluded. All figures are maximums.*

Proposed Revised Unit Size 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 current condition wording defines the unit mix as a 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 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 (%)	32%- 36% (15%-35%)	42%-46% (28%-48%)	20-24% (13%-17%)

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 87 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 52.5 % 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) (figures in bracket reflect the 2022 hybrid permission)

	1 Bed	2 Bed	3 Bed	4 Bed	Total
Social Rent	34 (22)	50 (39)	31 (23)	5 (3)	120 (87)
Private	60 (56)	64 (60)	22 (7)	0 (0)	146 (123)
Total	101 (78)	108 (99)	48 (30)	7 (3)	266 (210)

Height and Massing

4.17 The overall maximum heights remain similar to those approved in the 2022 hybrid permission – as shown on Parameter Plan 2 and defined in Condition 10. Minor increases are proposed to maximum building heights (m AOD) across both development zones, however the number of maximum storeys remains the same at 10. The distribution of building heights has been developed further to allow for a reduction in height along Avondale Drive with this being redistributed elsewhere, including to the block at the corner of Avondale Drive and Abbotswood Way. Table 4.5 sets out the revised maximum proposed heights based on each development zone within the outline area.

Table 4.5 Maximum and indicative proposed heights for the outline area

Development Zone/ Phase	Communal Podium Garden (indicative)	Maximum height in AOD*
2 (Phase 1B)	4.1m	66.65m (excluding lift overruns, roof access and roof plant)

Development Zone/ Phase	Communal Podium Garden (indicative)	Maximum height in AOD*
3 (Phase 2)	4.1m	54.35m (excluding lift overruns, roof access and roof plant)

**The height parameters do not take into account lift overruns, roof access and roof plant.*

Hard and Soft Landscaping

4.18 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 4 under condition 3 and by conditions 13 (Playspace), 15 (Landscape Scheme) and 41 (Urban Greening Factor). This s73 application proposes the following changes to Parameter Plan 4:

- The extent of areas designated for Open Space and Landscape/ Public Realm have been expanded to include areas around and between Development Zones 2 and 3;
- Additional areas for private/ communal external space have been identified (hatched green)
- Locations for public play and soft landscaping have been identified (with blue stars)
- Additional locations for door step play have been identified (with a red stars)

4.19 The DAS Addendum includes a revised illustrative landscaping scheme for the outline areas which indicates that, under the revised parameter plan 4, the following can be achieved within future reserved matters:

- Public Amenity: c. 2,775 sqm of public open space, public realm and landscaping. This comprises the Avondale Drive Strategic Public Open Space Area and greening within the streetscene to include to the perimeter of the blocks as well as new landscaped areas.
- Communal Amenity: c. 1,825 sqm of communal (private) amenity space. This comprises podium gardens and dedicated ground floor courtyards configured between blocks as part of the Development Zones.
- Onsite Play Strategy: c. 1,445 sqm of children's play space can be provided estate wide (including within Phase 1a). The proposed on-site play space will be targeted at 0-11 year olds and comprise doorstep play within the resident's communal gardens and 'play on the way' space located along the Avondale Drive Frontage and within the pedestrianised link to Hitherbroom Park.
- Offsite 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). As previously, the intention is to account for the shortfall in play space area through a financial contribution within the S106 agreement.
- Urban Greening: based on the illustrative landscaping scheme the outline area is expected to achieve a UGF score of 0.52.

Transport and Access

Access

4.20 Parameter Plan 3 has been revised to reflect the proposed access and servicing strategy. This includes the removal of the through road around phase 1b to create a more pedestrian focused route.

Cycle Parking

4.21 Condition 15 of the 2022 hybrid permission requires details of cycle storage to be submitted prior to commencement of development as part of a landscape scheme *'to show no less than 440 spaces and a further 7 short stay visitor 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.

4.22 It is proposed that Condition 15 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 503 long-stay spaces for residents and 8 short-stay spaces for visitors.

Car Parking

4.23 Condition 15 also requires details of car parking layouts to be submitted as part of the landscape scheme *'to show 68 spaces with at least 20% of all parking spaces having active electric vehicle charging points'* and that *'the 68 spaces shall include 8 disabled bays'*. Again, these figures were derived from the previous illustrative masterplan and need to be amended to reflect the provision set out in the revised illustrative masterplan.

4.24 The revised illustrative masterplan has capacity for the provision of up to 74 car parking spaces within the outline element of the estate (there is no parking within the detailed Phase 1) including 8 disabled bays for "Blue Badge" holders. This represents an increase of 6 spaces beyond that detailed under condition 15 in the 2022 hybrid permission, however the increase would be proportional to the uplift in unit numbers such that the ratio of homes to parking spaces remains similar (with a proposed ratio of 0.25 spaces, compared to the 2022 hybrid permission's ratio of 0.28 spaces). It is therefore proposed to amend condition 15 to permit a unit number to parking space ratio no greater than 0.25.

4.25 Table 4.6 below set out the indicative and maximum proposed car parking requirement for each development zone.

Table 4.6 Maximum and indicative proposed on-site car parking

Development Zone	Units	On-Site	On-Site Ratio	On-Site Blue Badge
1	30	0	0	0
2	173	44	0.25	3
3	93	30	0.32	5

Development Zone	Units	On-Site	On-Site Ratio	On-Site Blue Badge
Total	296	74	0.25	8

Energy and Sustainability

4.26 An Updated Outline Energy and Sustainability Strategy is submitted with this s73 application (to supersede that listed under Condition 4). It explains 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 energy efficient manner over the lifespan of the scheme.

4.27 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. It confirms that the development is expected to achieve at least 80% reductions in operational emissions on site, with any residual shortfall to be addressed through a carbon offset payment as secured in the s106 Agreement. This differs from the original Outline Report as the target for on-site reductions has been lowered from 100% reduction on-site to 80% reductions on-site. 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

4.28 A detailed energy assessment shall be submitted prior to the commencement of each phase of the outline area in accordance with Condition 34. Any carbon emissions identified shall be subject to an offsite contribution, using the mechanisms set out 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, 8, 9, 10 and 15 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 documents 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 the 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 housing mix range is proposed to be included within condition 6, rather than a fixed percentage. The range proposed is +/- 2% of the indicative % for each unit size, as shown in the DAS Addendum (page 54) and Development Specification Addendum (table 4.4).

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 8 (Design Code)

5.6 Amendments are proposed to the wording of condition 8 to remove an incorrect reference to Austin Road.

Conditions 9 (Residential Density) and 10 (Building Heights)

5.7 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.

Condition 15 (Landscaping Scheme)

5.8 Amendments are proposed to the list of what the landscaping scheme shall, including with regards 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 may come forward under future reserved matters applications. Accordingly, the proposed revised wording refers to showing car parking provision at a ratio of 0.25 spaces per unit and cycle parking provision in accordance with the standards set out in Policy T6 of the London Plan (2021).

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 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 hybrid permission was granted in September 2022. At this time, 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, 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 December 2024, 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.

Statutory Development Plan

6.8 The development plan remains unchanged since approval of the hybrid planning permission 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 following policies are still 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 D7: Accessible Housing
- Policy D8: Public Realm
- Policy D9: Tall Buildings
- Policy D12: Fire Safety
- Policy D14: Noise
- Policy H4: Delivering affordable housing
- 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 1: Air Quality
- 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

Hillingdon Local Plan

6.10 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. Key policies which are still relevant are set out below:

6.11 Strategic Policies relevant to the proposed amendments include:

- Policy BE1: Built Environment
- Policy EM6: Flood Risk Management
- Policy EM8: Land, Water, Air and Noise

6.12 Development Management policies relevant to the proposed amendments include:

- Policy DMH 2: Housing Mix
- 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 10: High Buildings and Structures
- Policy DMHB 16: Housing Standards
- Policy DMHB 17: Residential Density
- Policy DMEI 7: Biodiversity Protection and Enhancement
- Policy DMEI 14: Air Quality
- 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

6.13 LBH is 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 November 2025, with submission of the Plan for examination not expected until Summer/Autumn 2026.

Other Material Considerations

6.14 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)
- Air quality positive LPG (2023) and Air quality neutral 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 56 additional homes beyond the previous maximum of 240 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 higher 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. 285 dwellings per hectare. Whilst this is at the top end of the range identified for this part of Hayes (150-250 units per hectare) in Local Plan Policy DMHB 17, it should be noted that the introduction to this policy acknowledges (para 5.66) that these ranges represent '*a starting point only and should ultimately be determined by a design led approach*'. The design approach and evolution have been explained in detail 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 has 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. 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 application will meet/exceed the affordable homes target set out in London Plan Policy H4 and Local Plan Policy DMH7. This is true whether affordable housing provision is measured in terms of unit numbers (50%), floorspace (53%) or habitable rooms (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 Policy H8.

7.8 The illustrative masterplan for Phase 1b and 2, when combined with the recently completed Phase 1, illustrates how the proposals could deliver 10,959 sqm (as shown in Appendix 1 of the DAS Addendum) of affordable housing floorspace across the estate, compared with 7,755 sqm of affordable housing floorspace in the estate prior to the commencement of development (and 8,760 sqm in the 2022 hybrid permission). This equates to a significant uplift of 3,204 sqm from the original estate (and 2,199 sqm from the 2022 hybrid permission) exceeding the requirements of London Plan Policy H8.

7.9 This Section 73 application is also supported by a Financial Viability Assessment prepared by Savills. In accordance with Part E of Policy H8 of the London Plan, this demonstrates that the development has a significant viability gap and 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*'.

Design Approach

7.13 The design quality of the development is to be controlled by compliance with the Parameter Plans (set out 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.

7.14 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.

7.15 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'.

7.16 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 and a series of pre-application meetings with LBH design and planning officers and the GLA.

Layout

7.17 The proposed reorganisation of building layout allows for the inclusion of clearly defined public and private spaces for residents and greater visual permeability along the street frontage, facilitating views through the site toward the park and thereby integrating the amended scheme more cohesively into its surrounding context. To increase the safety of the site, duplexes and residential lobbies will be located along Avondale Drive, Abbotswood Way and fronting onto the new public route to Hitherbroom Park.

7.18 Greater use of communal podium gardens will provide generous private outdoor space for residents recreation and play. As per the consented masterplan, the revised proposals create a new link to Hitherbroom and Minet Country Park which will benefit both residents of the estate and of the surrounding area. This link has been improved significantly from the consented scheme by the removal of vehicles (except in emergencies) facilitating the introduction of more landscaping and play space. Pocket spaces along Avondale Drive and planting along the roadside will provide the public with overlooked green spaces.

7.19 In conclusion, the revised layout provides for cohesive, safe and inclusive streets – in accordance with Local Plan Policy DMHB 11, London Plan Policy D3 and NPPF Para 126.

Architecture and Materiality

7.20 The architectural language and detailed design principles will be established through a Design Code (to be submitted Condition 8) 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 RMA/s. 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.
- Duplexes and residential lobbies 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 1a.

7.21 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

7.22 The principle of tall buildings on the site has been established by the 13 storey buildings on the existing Estate and by the scale of buildings proposed on the 2022 hybrid permission, which comprised a range of heights between 5 and 10 storeys, with a maximum AOD height of 63m. The proposed revised maximum AOD height for the outline area is similar at 66.65m, with the buildings ranging between 2 and 10 storeys.

7.23 The proposed height of buildings to the western end of Avondale Drive have been rationalised to establish a consistent street datum that complements neighbouring residential streets and cul-de-sacs, such as Gade Close, Clivesdale Drive, and Abbey Close. The gradual variation in building heights from Blocks A through E aligns with the principles established by the existing planning consent; however, the positioning of the tallest 10 storey block has been adjusted to the south of the site to highlight the green corridor connection to the park and to facilitate future activation with the street through detailed design at reserved matters stage.

7.24 The visual impact of both the maximum height parameters and the illustrative masterplan have been assessed in the TVIA Addendum prepared by Savills, as summarised in the following section.

7.25 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.

7.26 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 updates/addendums to the wind microclimate assessment, daylight sunlight and overshadowing assessment and noise assessment.

7.27 In conclusion, the proposed revisions to the parameter plan 2 and the tall 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 heights approved in the 2022 hybrid planning permission and of existing buildings on the site.

Townscape and Visual Impact and Tall Building Assessment

7.28 A Townscape and Visual Impact Assessment Addendum has been prepared by Savills Heritage and Townscape team, based on accurate visual representations (AVRs) showing both the maximum parameters of the Amended Scheme, as blue wirelines, and a white chalk model representing the illustrative masterplan massing. The Assessment concludes (para 5.14-5.15) that:

“The Amended Scheme will appear as a great improvement to the existing situation in close range views, through the high quality details, creation of enclosure along Avondale Drive and improved edge conditions around the site.

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.”

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

Heritage and Archaeology

7.30 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. In addition, there are no heritage assets within close proximity of the site. To the south-west of the site, where the Hayes Town Centre is located, there are a number of Grade II listed buildings and locally listed buildings however due to their distance and lack of intervisibility with the site, these assets were scoped out of both the TVIA submitted with the original application and the TVIA Addendum submitted with this application.

7.31 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, LP Policy HC1 and LPP2 Policy DMHB7.

Aviation

7.32 Local Plan Policy DMAV 1 confirms the Council will support developments that allow for the continued safe operation of Heathrow Airport and RAF Northolt.

7.33 An Aviation Safeguarding Assessment Addendum has been prepared by Kate Grant Consulting Ltd based on the revised height parameters and the illustrative masterplan. The proposed changes to the development heights are not considered to result in any material change to the previous physical and operational safeguarding assessment conclusions. NATS have also confirmed that the technical safeguarding assessment conclusions will not be changed. The report concludes that the revised proposals remain acceptable from an aviation safeguarding perspective and would not affect the safety or efficiency of aviation operations.

Wind Microclimate

7.34 LBH Local Plan Policy DMHB 10 requires tall 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.

7.35 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 ground are suitable for the intended use in many areas. However, there are also areas where the wind conditions are unsuitable for the intended use, including seating and amenity areas between blocks.
- The wind conditions at elevated levels are suitable for the intended use in many areas. However, there are also areas where the window conditions are suitable for sitting including, the amenity area on the eastern block.

7.36 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. Recommended mitigation measures include the installation of 1.1m balustrades and the planting of trees, shrubs and hedges.

7.37 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 previous testing in 2021 showed no off-site and on-site wind safety issues based on the previous illustrative masterplan design. The tested new development massing also shows no safety issues. The ground-level conditions in both winter and summer throughout the site maintain similar wind conditions seen in the illustrative masterplan testing. However, due to the opening of the ends of the phase 1B terrace, it can be seen that there is an increase in funnelling effects on the open-ended terrace. Also, it can be seen that there is an increase in side-streaming effects at the ground level to the west over what was previously seen in the 2021 design. On the 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 some improvement and some worsening conditions over the previous illustrative masterplan in terms of wind comfort in and around the development site.”

Housing Space Standards

7.38 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.

7.39 In accordance with London Plan Policy D6 and Local Plan Policy DMHB 16, the illustrative scheme has been used 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 reserved matters stage in accordance with the standards set out with the Design Code to be submitted in accordance with Condition 8.

Dual Aspect Units, Outlook and Privacy

7.40 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.

7.41 Care has been taken in revising the illustrative masterplan and Parameter Plans to ensure that dual aspect opportunities can be 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. The proposed revisions Parameter Plan 1 include a minimum 18m separation distance between buildings (14 m projecting elements). There will be no north facing single aspect homes.

Daylight, Sunlight and Overshadowing

7.42 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).*”

7.43 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.*”

7.44 LBH Local Plan Policies BE1 and DMH B11 require all new developments to not adversely impact amenity or daylight on neighbouring properties.

7.45 A Daylight, Sunlight and Overshadowing Assessment has been prepared by eb7. The technical assessments undertaken compare two scheme scenarios, firstly, the outline

parameters 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.

7.46 The façade analysis undertaken indicates the majority of the proposed elevations will receive appropriate levels of daylight potential across both the Illustrative Masterplan scheme and the Maximum Parameter scheme. Many areas 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 or junctions/breaks between the blocks. Such constraints to the lower floors of buildings and the corners of courtyards are typical and can be addressed through further detailed design.

7.47 In terms of impact of on neighbours, the retained 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 enhancements. 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.

7.48 In terms of overshadowing, all the key communal amenity spaces considered are noted to receive more than two hours of sunlight on 21st March and thereby exceed the BRE targets. While the proposed development will introduce some additional overshadowing to Hitherbroom Park, the impact is considered acceptable. The park is already partially overshadowed by existing tall buildings, and the incremental change will not materially alter users' experience of sunlight across the space. Importantly, the park will continue to meet the BRE guideline of receiving at least two hours of sun on the ground on 21 March, demonstrating that the overall quality and usability of this public open space will be maintained.

7.49 Overall, the changes to the 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 amenity.

Inclusive Design

7.50 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.

7.51 In accordance with 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'. The DAS Addendum confirms that a high proportion of wheelchair user dwellings can be accommodated at ground/first floor, with only a few homes provided on upper levels. On all levels above ground, these will be located close to cores with easy access to lifts.

7.52 The DAS Addendum confirms that each block will have its own entrance with access from both the street and podium car park areas, 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 will be designed to be accessible, safe and convenient for everyone, particularly the disabled and older people.

Hard and Soft Landscaping

7.53 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, attractive, well connected, suitable in the local context and easy to understand, service and maintain.

7.54 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.

7.55 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.

7.56 The proposed changes to Parameter Plan 4 create opportunities for the provision of more and higher quality private, communal and public amenity space as demonstrated in the revised illustrative landscape scheme.

Playspace

7.57 Condition 13 of the 2022 hybrid permission requires details of the play area for children to be submitted to and approved prior to commencement of any relevant reserved matters application, 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).

7.58 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.

7.59 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.

7.60 The estimated child yield for the proposed revised quantum and mix of homes is 198.9 children (using the GLA population yield calculator v 3.2). This generates an estimated child play space requirement of 1,988sqm.

7.61 To demonstrate that the Site can support the revised quantum of development the DAS Addendum identifies how up to 1,445 sq m of children's play space can be provided estate wide (including that already provided within Phase 1a). The proposed on-site playspace strategy is targeted at 0-11 year olds and comprises door step play within the resident's communal gardens and 'play on the way' space located along the Avondale Drive Frontage and within the pedestrianised link to Hitherbroom Park. The structure, form and final size of each of these areas of playspace will be determined through the detailed design development of the Outline Area as part of future RMAs.

7.62 In addition to the on-site playspace, the site is also within walking distance of Hitherbroom Park, which includes formal and informal play opportunities. 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. The shortfall in play space provision for older children will be address through a financial contribution within the S106 agreement (as per the 2022 hybrid permission).

7.63 In conclusion, the play strategy set out in the DAS Addendum demonstrates that the requirements set out in Condition 13 can be met for the proposed revised parameter plans and development quantum.

Trees

7.64 London Plan Policy G7 requires development proposals to ensure that where possible, existing trees of value are retained. The planting of additional trees is also encouraged in new developments.

7.65 LBH Local Plan Policy DMHB 14 requires all developments to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

7.66 An Arboricultural Impact Assessment has been prepared by Middlemarch. Table 7.1 below sets out the existing arboricultural features for removal and retention. Compared to the 2022 consented plans, an additional category A (T26) and an additional category B tree (T23) are retained, forming additional mature arboricultural value for the site. The proposed works will require the removal of some trees, including 1 high value category A and 4 moderate value category B trees. The loss of trees will be offset by the planting of circa 48 new trees.

Table 7.1 Existing Arboricultural Features for Removal and Retention

Category	Existing Number	Number for Removal	Number for Retention
Category A	2	1	1
Category B	12	5	7

Category	Existing Number	Number for Removal	Number for Retention
Category C	3	1	2
Category U	1	0	1
Total	18	7	11

Source:

Urban Greening Factor and Biodiversity Net Gain

7.67 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 41 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.

7.68 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 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 15 of the 2022 hybrid permission requires the submission of a detailed landscape scheme to be submitted and approved prior to the commencement of each phase, including further detail of biodiversity net gain.

7.69 The revised illustrative landscaping scheme has been guided by the requirements in conditions 15 and 41 in relation to meeting a site-wide UGF score of 0.4 and achieving a biodiversity net gain. 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.

7.70 An Urban Greening Factor calculation has been undertaken at an outline level without the full specification of tree and general planting. The outline score is 0.52, exceeding the target set out in London Plan Policy G5 and providing an increase on the consented proposals which scored 0.45. 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

7.71 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.

7.72 NPPF Paragraph 175 requires all major development to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

7.73 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.

7.74 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.

7.75 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 an increase in the size of attenuation tanks, the redesign of levels and relocation of surface water pipes. Overall, there are four attenuation tanks proposed, with two private networks of sewers. Pervious paving is also proposed throughout.

7.76 The foul water drainage strategy proposes two private networks of foul sewers to run from collection points within the two buildings to a foul pipe network adjacent and to two connection points in the existing foul water network.

7.77 The Drainage Strategy Addendum demonstrates that the revised proposals will be compliant with the NPPF, London Plan Policies SI12 and SI13 and Local Plan Policy EM6.

Transport, Parking and Servicing

7.78 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.*'

7.79 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.

7.80 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.

7.81 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 the illustrative masterplan (given these are the basis of car parking and cycle parking maxima in planning condition 15). The TAA highlights (para 1.2.3) the following changes to the scheme are of relevance to transport:

- Increase in maximum number of residential units from 240 approved to 296 (including 30 delivered Phase 1A), an increase of 56 homes.
- Increase in maximum car parking provision from 68 to 74, resulting in a parking ratio of 0.25 spaces per unit (controlled by condition 15)
- Pro-rata increase in cycle parking (controlled by condition 15)
- Removal of service vehicle route around Phase 1B, but with managed fire tender access and all refuse collection to occur from on-street (controlled by parameter plan 3)

Car Parking

7.82 The revised illustrative masterplan includes a modest increase of 7 additional off-street parking spaces with a revised total of 74 car parking spaces. This results in a parking ratio of 0.25 spaces per unit, which is marginally less than the approved development parking ratio of 0.28 spaces per unit and below the maximum parking ratio of 1.5 space per dwelling defined by London Plan Policy T6 and Local Plan Policy DMT6. It is proposed for this ratio to be fixed within the revised wording of condition 15, in addition to the provision of blue badge parking equal to a minimum of 3% of the total unit numbers (to be included within the overall parking ratio) in accordance with London Plan Policy T6.1 G. 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.

7.83 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 1B and 2, this will allow for a further 7% to be provided if demand arises in line with condition 18.

7.84 The TAA identifies (para 4.7.15) that there is a risk of car parking overspill onto the adjacent local highway network, where there are currently no parking restrictions in place. This risk will be mitigated through the following measures design measures and s106 obligations:

- Secure and sheltered cycle parking where there is currently none provided.
- Provision of 3 car club spaces, with research indicating that each car club vehicle has the potential to result in a reduction in ownership of privately owned vehicles.
- Travel Plan measures such as car share database.
- Structural changes such as increased cost of car ownership/ insurance; road space charging; increase in uptake of electric bikes/ scooters, which are likely to dampen car ownership levels in the future.
- Contributions towards improved active mode infrastructure.

- Existing provisions in the S106 agreement, including a financial contribution towards an assessment of the impacts of the development on the local highway network and, if required, the introduction of a parking management scheme or other parking controls.

Cycle Parking

7.85 The revised illustrative masterplan demonstrates that sufficient cycle parking can be provided to meet or exceed London Plan Policy T5 and the design standards within the LCDS guidance. Accordingly, the wording of Condition 15 is proposed to be amended to require compliance with these standards, rather than referring to the cycle parking provision in the previous illustrative masterplan.

Trip Generation

7.86 The TAA has reassessed the trip generation rates for the development based on the revised 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. Non-vehicular multimodal trip generation has also been assessed. The results confirm that the impact is expected to be '*imperceptible on the operation of the highway and transport networks in the vicinity of the site*' (TAA para 5.2.3).

Energy and Sustainability

7.87 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.

7.88 An updated Energy Statement and Sustainability Strategy has been prepared by Watkins Payne. The proposed strategy includes the incorporation of air source heat pumps (ASHP) and rooftop PV panels as previously approved.

7.89 Whilst the Updated Outline Energy and Sustainability Strategy is now anticipating an 80% reduction in operational carbon emissions on site, this remains well above the minimum requirement of 35% in accordance with London Plan Policy SI 2.

7.90 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

7.91 A detailed energy assessment shall be submitted prior to the commencement of each phase of the outline area in accordance with Condition 34. Any carbon emissions identified shall be subject to an offsite contribution, using the mechanisms set out the s106 agreement.

Air Quality

7.92 London Plan Policy SI 1 seeks to tackle poor air quality and sets out that as a minimum, development proposals must be Air Quality Neutral and use design solutions to prevent or minimise increased exposure to existing air pollution. Similarly, LBH LP Policy EM8 and DMEI 14 requires developments to be air quality neutral and contribute towards improvements in air quality.

7.93 An Air Quality Assessment Addendum has been prepared by Ardent. A qualitative construction dust risk assessment has been undertaken and the report concludes that, following the implementation of the mitigation measures, the risk of construction phase impacts would reasonably be reduced to negligible. The assessment of operational impact has taken account of the increased number of vehicle trips due to increased number of residents and car parking. It concludes that the development will not result in pollution concentrations above Air Quality Assessment Levels (AQALs).

7.94 Overall, the air quality effect and exposure of the proposed development is considered to be acceptable and complies with London Plan Policy SI1 and Local Plan Policy EM8 and DMEI 14.

Noise

7.95 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. Similarly Local Plan Policy EM8 requires development proposals to adequately control and mitigate any noise impacts arising from the development.

7.96 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

7.97 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.

7.98 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.

8.0 Planning Benefits & 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 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 56 additional homes (private and affordable), comprising up to 33 additional social rent homes and 23 additional private homes.
- An increase in family homes, comprising up to 25 additional 3 bed and 4 bed homes.
- An increase in potential for urban greening and biodiversity, including an anticipated increase in the UGF score from 0.45 to 0.52.
- Improved public realm, including the creation of a vehicle free route through to Hitherbroom Park.

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.

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 Given the proposed changes in the Section 73 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.
- **Highway Works (s278):** Updating the description of highway works at clause 6, Schedule 7 of the agreement (p. 70-71)
- **HUDU Health Contribution:** Updating the HUDU Health contribution defined in the agreement with reference to the updated population yield of the revised development.

9.4 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 para 58.

Appendix 1 Condition Amendments

1.1 The following changes are proposed to the wording of planning conditions 3, 4, 5, 6, 7, 8, 9, 10 and 15:

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 AVD-PTE-ZZ-XXoDR-A-10004 (Rev. C4)

Parameter Plan 1 Development Zones ~~AVD-PTE VD XX DR A 10005 (Rev. C5)~~ AVD-PRP-ZZ-ZZ-DR-A-20053 (Rev. P1)

Parameter Plan 2 Building Heights ~~AVD-PTE VD XX DR A 10006 (Rev. C4)~~ AVD-PRP-ZZ-ZZ-DR-A-20054 (Rev. P1)

Parameter Plan 3 Access and Movement ~~AVD-PTE VD XX DR A 10007 (Rev. C5)~~ AVD-PRP-ZZ-ZZ-DR-A-20055 (Rev. P1)

Parameter Plan 4 Hard and Soft Landscape ~~AVD-PTE VD XX DR A 10008 (Rev. C5)~~ AVD-PRP-ZZ-ZZ-DR-A-20056 (Rev. P1)

In relation to the detailed Phase 1 proposals:

...

and shall thereafter be retained/maintained for as long as the development remains in existence.”

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. C4) (December 2021 - updated March 2022) ~~and~~ Design and Access Statement Addendum (October 2025)

~~Development Specification Statement (10 March 2022)~~

Air Quality Assessment (Ref: 2104170-02) (November 2021) ~~and~~ Air Quality Assessment Addendum (October 2025)

Arboricultural Impact Assessment (RT-MME-154569-02 - Rev. B) (December 2021) ~~and~~ Arboricultural Impact Assessment Addendum (October 2025)

Archaeological Desk-Based Assessment (November 2021)

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

Biodiversity Impact Assessment (March 2022)

Preliminary Ecological Appraisal (December 2021)

Geotechnical and Geo-environmental Desk Study Report (Ref: 1990-A2S-XX-XX-RP-Y-0002-00) (November 2021)

Circular Economy Statement and Whole Life Cycle Carbon Assessment (Rev. 2) (03-12-21)

Outline Construction Logistics Plan (Rev. B) (09-03-22) [and Outline Construction Logistics Plan Addendum \(October 2025\)](#)

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

Delivery and Servicing Plan (Rev. B) (09-03-22) [and Delivery and Servicing Plan Addendum \(October 2025\)](#)

Outline Phase 1b to 2 Energy Statement and Sustainability Strategy (Rev. 3) (03-12-21) [and Outline Phases - Energy Statement and Sustainability Strategy Addendum \(October 2025\)](#)

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

Overheating Risk Assessment (Rev. C) (29-11-21)

Phase 1a - 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 and Utilities Statement (Rev. 2) (07-12-21)

Transport Assessment (Rev. C) (14-03-22) [and Transport Assessment Addendum \(October 2025\)](#)

Framework Residential (Rev. B) Travel Plan (09-03-22)

Drainage Strategy (Ref: P450729-WW-AV-XX-RP-C-0002) (Rev. P2) [and Drainage Strategy Addendum \(October 2025\)](#)

Flood Risk Assessment (Ref: P450729-WW-AV-XX-RP-C-0001) (Rev. P3)

Townscape, Visual Impact and Tall Building Assessment (December 2021) [and 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 reserved matters (outline area) shall ~~not exceed be strictly in accordance with~~ the maximum floor area of 18,469 sqm (Use Class C3, ~~14,456 sqm~~ GNI) or the maximum unit numbers of ~~up to 210~~ 266 homes (Use Class C3).”

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%~~ 32% to 36%

Two bedroom units – ~~47%~~ 42% to 46%

Three and four bedroom units - ~~16%~~ 20% to 24%.”

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. 20060 Rev P1) or any amendments thereto that may be subsequently agreed in writing with the local planning authority.”~~

Condition 8 (Design Code)

“Prior to commencement of any works (except for demolition, ground and enabling works) for each relevant development phase, a detailed Design Code ~~(to include the realigned Austin Road)~~ shall be submitted and approved in writing and Reserved Matters applications shall conform with the approved Design Code. The development shall thereby be carried out in accordance with the approved design Code. The Design Code shall provide the following information...”

Condition 9 (Residential Density)

“The residential density shall not exceed ~~224~~ 285 homes per hectare.”

Condition 10 (Building Heights)

“No building or structure shall exceed ~~63~~ 67 metres (AOD) in height in the outline element.”

Condition 15 (Landscaping Scheme)

“Prior to the commencement of development (except for demolition, ground and enabling work) of each phase of this development, details of a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

...

2. Details of Hard Landscaping

2.a Refuse Storage including food waste and refuse strategy

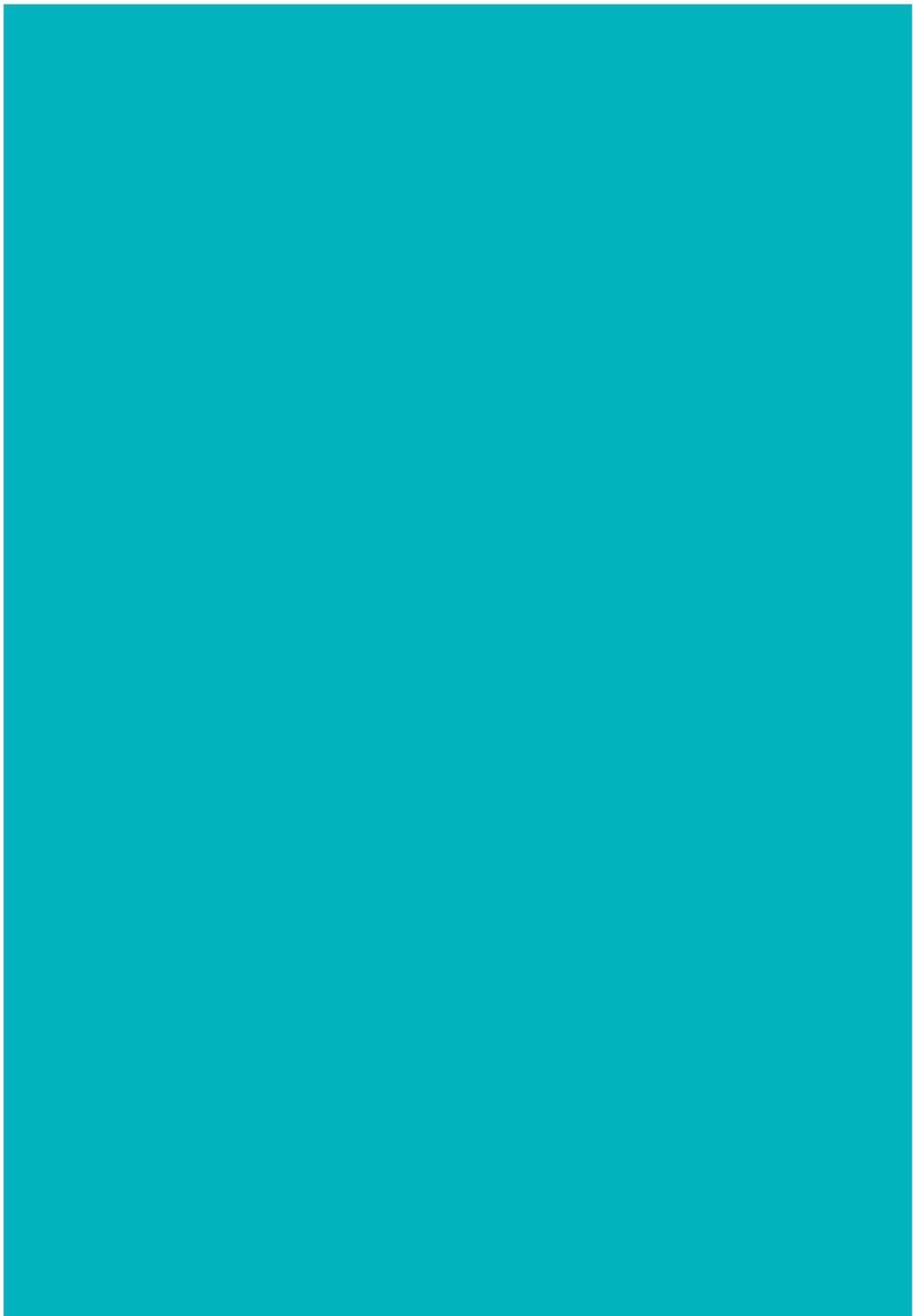
2.b Cycle Storage, to comply with the minimum standards set out in Policy T5 (Table 10.2) of the London Plan (2021). to show no less than 440 spaces and a further 7 short stay visitor spaces.

2.d Car Parking Layouts ~~to show 68 spaces~~ with a unit number to parking space ratio no greater than 0.25 with at least 20% of all parking spaces having active electric vehicle charging points 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). ~~The 68 spaces shall include 8 disabled bays.~~

...

Thereafter the development shall be carried out and maintained in full accordance with the approved details.”



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