SUSTAINABLE DEVELOPMENT COMMITTEE

A meeting of the Sustainable Development Committee will be held in Committee Rooms 1 & 2, Civic Centre, Lampton Road, Hounslow on Monday, 26 February 2007 at 7:30 pm

MEMBERSHIP

Councillor O'Reilly - Chair
Councillors Barwood, Rajinder Bath, Cooper, Dakers, Bradley Fisher, Darshan Grewal, Pritam Grewal, Hardy, Harmer, Harris, Hibbs, Hills, Oulds, Reid and Sangha.

AGENDA

1. Apologies for absence

2. Declarations of interest under the Town Planning Code of Practice or any other communications from Members

3. Minutes of the meeting held on 15 January 2007  
   \[(Pages 1 - 9)\]

Protocol for Speakers

Members of the public or applicants must contact the Committee Administrator, Mike Smith on 020 8583 2069 with details of the proposed submission no later than 5pm, on Monday 19 February 2006. Notification will be given of the Chair’s decision with regard to the request to speak.

For planning applications, the applicants will only be allowed to speak if there is an objector who wishes to address the Committee. In exceptional circumstances the Chair may agree that an applicant who would significantly add to the information already available will be allowed to speak at the Committee in the absence of an objector.

Where both parties address the Committee, the order of speaking will be the applicant followed by the objector.

Each party will be given no more than 5 minutes to speak.

Planning Applications for Decision

4. Addendum Report

   \[An Addendum report will be published shortly before the meeting with any additional information relating to agenda items not available at the time of publication of the main agenda.\]

5. 820-844 Bath Rd, Cranford  
   \[(Pages 10 - 23)\]

6. Victoria Works, Victoria Road, Feltham  
   \[(Pages 24 - 37)\]

7. 305-307, Chiswick High Road  
   \[(Pages 38 - 51)\]
Other Planning Matters

8. Heathrow Airport central terminal areas - consultation on planning application submitted to L B Hillingdon  (Pages 52 - 70)

9. Results of Planning Appeals  (Pages 71 - 78)

10. Any other items which the Chair accepts for consideration on the grounds of urgency

Reference information

11. Guidance on national planning policies  (Pages 79 - 81)

DECLARING INTERESTS

Committee members are reminded that if they have a personal interest in any matter being discussed at the meeting they must declare the interest and if the interest is also a prejudicial interest then they may not take part in any discussion or vote on the matter.

T.WELSH, Director of Legal Services
London Borough of Hounslow, Civic Centre, Lampton Road, Hounslow  TW3 4DN

22 February 2007
At a meeting of the Sustainable Development Committee held on Monday, 15 January 2007 at 7:30 pm at the Civic Centre, Lampton Road, Hounslow.

Present:
Councillor O'Reilly (Chair)
Councillors Barwood, Rajinder Bath, Cooper, Dakers, Bradley Fisher, Pritam Grewal, Hardy, Harmer, Harris, Hibbs, Hills, Oulds and Reid

Apologies for Absence
Councillors Sangha.

49. Car Club Schemes
See Report of the Director of Street Management and Public Protection (Agenda Item 2)

Chris Calvi-Freeman, Head of Transport, explained the activity, which was underway to promote a car club network within the Borough. The existing schemes were proving quite successful and two new sites were being added.

In response to questions from Members of the Committee Chris Calvi-Freeman provided the following additional information. The figure of 48% usage indicated that cars were away from site on hire for 48% of the time. The car parking bays used were purely for providing a storage point and pick-up point within the Borough. The Council was currently being compensated for lost parking revenue and any highway works associated with modifying the parking bays. In future years the car club scheme itself would need to pick up these costs. Users of the hire car did not receive any special parking privileges. He confirmed that the pricing structure favoured short term car use. He was not sure what arrangements were made by the car club scheme to cover long term absences. He would check whether there was any age limit for car hire. He felt that it would not be appropriate if an age limit was arbitrarily imposed. He confirmed that the intention was that, in the future, car club schemes would be self-funding and they were established by commercial operators who believed that they would be viable in the longer term. The same tariffs were offered London-wide.

50. Declarations of interest under the Town Planning Code of Practice or any other communications from Members

The following declarations of interest were made in relation to the items indicated:

Item 6 -- Chiswick War Memorial Homes
Councillor Barwood had received correspondence concerning this application

Item 7 -- BSkyB
Councillor Reid declared a personal interest that a close relative worked at the site. She had visited the site in connection with Council business but not related to this particular application.

Item 8 -- Chiswick Lodge
All councillors had received correspondence concerning this application.

Item 9 -- Victoria Works
Councillors Hills, Harris, Hibbs and Reid had received correspondence concerning this application.

Item 11 -- Gillette Corner
Councillor Dakers declared that he was a member of Brentford Community Council, which had been engaged in consultation regarding this application.
51. **Minutes of the meeting held on 11 December 2006**

The minutes of the meeting held on 11 December 2006 were confirmed subject to noting that Councillor Pritam Grewal had been present.

52. **Addendum Report**

Addendum report 1 circulated prior to the meeting provided additional information concerning:

- Agenda item 6 -- Chiswick War Memorial Homes
- Agenda Item 8 -- Chiswick Lodge
- Agenda item 9 -- Victoria Works

Further separate addendum reports were circulated at the meeting concerning:

- Agenda item 7 -- BSkyB
- Agenda item 11 -- Gillette Corner

53. **Chiswick War Memorial Homes, Burlington Lane**

See Report of the Director of Planning (Agenda Item 6) and Addendum.

With the permission of the Chair, Rishad Talyarkhan spoke as an objector to the application. Mr Talyarkhan felt that the case officer’s report did not truly reflect the considerable level of concern among local residents regarding the proposed development. He referred to pictures he had circulated to Members of the Committee. In particular he pointed out that existing properties on Burlington Lane were set back from the road by approximately 20 feet. He pointed out that the development proposal would not have the same set-back and would closely abut the pavement, as illustrated in his photographs. He was also concerned that the new development would increase the risk of flooding in the area. It would also be detrimental to the street scene. He was very concerned about the loss of 2 plane trees, which would damage the street scene in Burlington Lane. In response to a question he stated that 23 trees would be removed overall as part of the development.

Councillor Dakers questioned whether the development would include a sustainable urban drainage system. Michael Jordan, Director of Planning stated that that was an issue which would be considered at the detailed stage of implementation of the proposal. Councillor Reid questioned the applicant as to whether, when considering the design of the proposal they had contemplated any proposal that would have avoided the loss of trees on the site. The applicant stated that not all trees on the site were to be removed and, with the proposed planting of additional trees, there would be a net increase. The applicant felt that it would not be possible to design a viable proposal without the loss of some trees.

Shane Baker, Planning Officer, described the main issues relating to the application. He confirmed that there would be some loss of trees but that new trees would be planted as part of the landscaping scheme. 12 trees were regarded to be either dead, diseased or of poor quality. Only one of the trees had an A1 rating. The proposed permission did include conditions to protect the trees. The tree of particular concern on Burlington Lane was semi mature of B1 rating. There was a line of trees planted in Burlington Lane in 1835; however, it did not include the tree at this site, which was not shown on old maps. The trees were not all of the same age. The tree, which was proposed to be removed, would enable suitable cross-over to be installed for the development. Councillor Grewal questioned whether the species of trees used to replace the existing trees would be the same. Shane Baker confirmed that as far as possible matching trees would be planted. However, this might not always be the case if better alternatives were appropriate.
Councillor Barwood stated that the development proposal was in her Ward. The residents of Chiswick War Memorial homes were ex-servicemen. She had visited the site. She was concerned that the existing plaques on the buildings should be preserved. She questioned whether there would be storage available for disabled scooters used by residents. Shane Baker confirmed that there were outdoor areas and some internal space, which might be suitable for storage particularly in those flats designed for wheelchair use. Shane Baker stated that an assessment had been submitted to the Environment Agency regarding flood risk. They had made no objection subject to certain conditions. Councillor Barwood was concerned that the developer should give a commitment to re-housing existing tenants as part of the development of the new scheme. Shane Baker confirmed that officers could seek to secure such a commitment from the applicants.

Councillor Dakers questioned whether the proposal made provision for rainwater recycling and included a green transport plan. He requested that these matters to be part of the conditions relating to the application. It was confirmed by officers that both matters could be dealt with as part of the conditions if the application were approved. Councillor Hibbs questioned whether the degree of setback from the road was appropriate bearing in mind the concerns raised by the objector. Shane Baker stated that there was not an established building line on that site of the road and that it was not felt by officers to be out of keeping or overbearing to site buildings at the proposed location.

Resolved -

(a) That Officers be authorised to negotiate a legal agreement under Section 106 of the Town and Country Planning Act 1990 or other appropriate legislation to secure the following:

(i) All dwellings in the development are only to be occupied by persons eligible for housing in accordance with the Sir Oswald Stoll Foundation’s criteria for housing of vulnerable and disabled ex-service personnel and their dependents, and the dwellings are to be managed by the Foundation in their role as registered social landlord.

(ii) All costs associated with the design, provision and making good and any other necessary works to the road and footpath for relocation of the existing bus stop on Burlington Lane in front of the site shall be borne by the owners of the site. The new bus stop shall include a bus shelter designed in accordance with the Council's requirements.

(iii) The owners of the site shall plant and maintain a semi-advanced street tree of the same species as the existing tree to be removed. This obligation will include a requirement to plant another tree should the new tree die in a certain time period.

(b) That subject to satisfactory completion of the above legal agreement the Director of Planning be authorised to grant planning permission for the demolition of two small blocks and garages at Chiswick War Memorial Homes, Burlington Lane, Chiswick and erection of three blocks with refurbishment of the retained blocks to create 22 one and two bedroomed flats, 6 houses, 6 ‘wheelchair’ flats and 2 ‘wheelchair’ houses with new residents garden room subject to the conditions set out in the report and addendum and additional conditions to:-

(i) Preserve any existing historical plaques.
(ii) Make provision for rainwater recycling.
(iii) Implement a green travel plan.

(c) That subject to completion of the above legal agreement and the granting of planning permission, conservation area consent to be granted for the demolition of buildings as shown on drawing number SOS69/OD05, revision A received on 21 December 2006 subject to the conditions set out in the report.
Michael Jordan, Director of Planning, stated that the application for the B Sky B site needed to be considered in the context of the proposal for the nearby Gillette building which was also on the agenda. The site employed in the region of 6,000 people. It also adjoined another key commercial site, which housed the Harrods Repository at the end of Grant Way. Both sites were in a regeneration area. There were fairly poor public transport links.

Michael Jordan described the main features relating to the B Sky B development. There were a low number of objections to the development. He referred to the addendum, which contained the views of the Mayor for London. The proposal would meet the needs of the existing business on the site. It was not a speculative development. The scale of the proposal was such that it couldn’t realistically move to a town centre location. The development would be phased. It would lead to public transport improvements and was designed in a sustainable manner. The assessment was that the local road network could cope with the traffic generated subject to the completion of the proposed new link road and restrictions on car parking. The applicant would be required to implement a green travel plan. The application was in outline form and it would be necessary to ensure appropriate design at the detailed application stage. He referred to the various Section 106 proposals put forward in the Addendum. A number of aspects of the agreement were still subject to negotiation.

Councillor Reid questioned whether there had been consultation with houses south of the Great West Road. Michael Jordan stated that there has not been individual letter drops to that area, however, a lot of general publicity had been produced and there had been consultation meetings at the pre-application and application stages. Both Councillors O'Reilly and Harmer wished to see the frequency of service and capacity of the H91 bus service significantly improved as part of the Section 106 Agreement. Chris Calvi-Freeman stated that the aim ultimately was to achieve a service every 8 minutes at peak times and every 10 minutes at off peak times. He agreed that there was also a need to address the capacity issues on the route and that the possibility of using double-decker buses could be taken forward to discuss with the Transport Operators.

In response to the question from Councillor Barwood, Michael Jordan confirmed that there were very likely to be aerials and satellite dishes installed on the new buildings. These would be controlled through the detailed planning application stage.

Chris Calvi-Freeman, Head of Transport, stated that the Mayor for London was focused on developing the West London Tram. There would need to be evidence of a much higher capacity demand for him to reconsider the proposal for a tram along the Great West Road. He suggested that the best option for developing transport links with Heathrow was the cross-rail proposal.

Councillor Dakers questioned whether there was sufficient support for training/education initiatives as part of the Section 106 Agreement. The Chair invited a representative of the applicant to respond to this point.

Chris Stratford from Arup stated that there were four items in the Section 106 proposals on employment and training. It was proposed to appoint a co-ordinator and provide training in the construction industry. There would also be provision to encourage employment opportunities for local people and also to encourage local media companies. B Sky B also provided its own in-house employment and training provision.
Councillor Barwood questioned whether there would be demands on local health services from the significant number of employees on the site. Michael Jordan stated that B Sky B might provide its own occupational health provision on site. There was an existing private sector health clinic on the Great West Road.

Councillor Harmer felt that there were many positive benefits to the development. Councillor Reid stated that it was a welcome development, which would be a great benefit to the Borough. She felt that the Section 106 contributions were very significant. She supported the need for improvements to the Harlequin Road A4 junction. She felt that the sustainability proposals were well set out. She agreed that there was a need for link road. Councillor Reid moved approval to the recommendation and she wished to thank officers for their very hard work on the detail of the application. Councillor Harmer seconded her proposal. Councillor Hibbs wished to express her support for the development proposal, which she felt, was very reasonable.

Resolved -

(a) That Officers be authorised to negotiate an Agreement under Section 106 of the Town and Country Planning Act 1990 or other appropriate legislation to secure those matters set out in the report and the addendum and to seek the view of the Committee should it not be possible to resolve any outstanding matters on the basis proposed in the documents.

(b) That subject to satisfactory completion of the above legal agreement and to consultation with the Mayor for London, Planning Application No 00558/A/P25 for outline permission to develop 69,581 square metres of floor-space at Centaurs Business Park for a broadcasting facility, offices and warehouse/storage use, landscaping, parking, access and highway improvements, together with ancillary works, plant and equipment be approved subject to the conditions set out in the report.

55. Chiswick Lodge, Chiswick Mall, Chiswick

See Report of the Director of Planning (Agenda Item 8) and Addendum.

Shane Baker, Planning Officer introduced the main issues relating to the application. He stated that the Section 106 Agreement would contribute towards amenity and environmental improvements and education. He reported that a request had been received from the old Chiswick Protection Society that residents of the new development not be entitled to parking permits for the surrounding controlled parking zone. He stated that officers did not support this request as the development did incorporate sufficient off-street parking and was therefore not likely to create significant additional demands on the controlled parking zone. In response to a question from Councillor Barwood he stated that officers could specify in the conditions the specific route for pedestrian access from the Mall to Netheravon Road. He confirmed that the development did not give rise to concerns about loss of employment.

Councillor Barwood questioned whether a contribution towards affordable housing was appropriate. Michael Jordan stated that the number of units on site was below the threshold to trigger a contribution. Councillor Hibbs felt that although the development fell below the 20-unit threshold the houses were large and very expensive. The site could have potentially accommodated a development with more than 20 units. She felt that there should be a contribution towards affordable housing. Councillor Barwood questioned the use of lead roofing. Shane Baker stated that the Conservation Officer had approved the design. Councillor Dakers felt that the sustainability questionnaire filled in by the applicant was incomplete. He suggested that conditions be included relating to the use of renewable materials, implementation of a green travel plan and re-use of water.
He also felt that the homes should meet the eco homes standard. Michael Jordan stated that it would not be reasonable to impose a green travel plan on such a small development. However, it would be possible to include conditions relating to the re-use of water and eco homes standards. In response to a question from Councillor Barwood he stated that the education contribution would be allocated by the Council’s Executive in accordance with the policies of the Council.

Resolved -

(a) That Officers be authorised to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990 or other appropriate legislation to secure the following:

(i) A financial contribution of £9,000 towards improvements to local open space in the vicinity of the site.

(ii) A financial contribution of £50,000 for environmental improvements in the conservation area including lighting, planting and pedestrian improvements and measures to improve pedestrian safety within the vicinity of the site, including improved access to the under-pass to the M4.

(iii) A financial contribution of £78,000 towards education provision in the Borough.

(b) That subject to satisfactory completion of the above legal agreement, the Director of Planning be authorised to issue planning permission for Planning Application No. 01286/H/P2 to demolish the existing buildings at Chiswick Lodge, Chiswick Mall and erect a four storey terrace of three 5-bed houses fronting Chiswick Mall with integral garages, a four storey terrace of six 4-bed houses with integral garages adjacent to the garden of Norfolk House and a pair of three storey, 3-bed semi-detached houses fronting Netheravon Road, with direct access from it. The main access to the central courtyard and integral garages will be from Netheravon Road. Subject to the conditions set out in the report and the addendum and additional conditions to secure:

(i) the specific route of pedestrian access from the Mall to Netheravon Road
(ii) recycling of rainwater
(iii) eco homes standards.

56. Victoria Works, Victoria Road, Feltham

See Report of the Director of Planning (Agenda Item 9) and Addendum.

Michael Jordan, Director of Planning, introduced the main issues relating to the application. He reported that the West Area Committee had expressed concerns about the density of the development and parking. However, he felt that in the light of the Inspector’s decision on the previous application these issues were not sustainable reasons for refusing the application.

Councillor Harris stated that she felt that the proposal was an over development in this location. It would cause traffic problems and there was a lack of infrastructure to meet the increased demands, which the development would create. Councillor Cooper stated that the new application remained of concern to Councillors on the West Area Committee. He noted that some of the appeal reasons proposed by the Committee had been withdrawn by Planning Officers. He could not support the application and felt that it was an inappropriate development in this area. Councillor Dakers noted that the applicant had completed a sustainability checklist. If the application were to be approved he felt that a standard condition should be added regarding sustainability.
Councillor Hills reiterated the concerns raised by the West Area Committee and he felt that he personally could not support the application. He did not feel that the Council’s planning policies adequately addressed the issues, which this development raised.

Michael Jordan stated that the current development was a slightly better scheme than the previous one. He stated that the Inspector’s ruling was highly material and that although the previous scheme had been refused on appeal, those matters, which had given, rise to the refusal had been addressed in the current application. Councillor Cooper stated his view that he felt the Inspector’s decision in this case had been poor and did not take account of the valid concerns about the application. He felt the Committee was being forced into a situation where it might have to approve the application against its better judgement. Councillor Hills noted that the Council had won its appeal concerning the previous application despite officers’ advice that it was unlikely to do so. Michael Jordan pointed out that the appeal had been won on a technicality. Councillor Hibbs questioned the public transport accessibility rating for the site. Nick Woods stated that the site was reasonably accessible to the town centre and the railway station. Michael Jordan pointed out that the density of the proposal had not changed from the previous application but he did not have the density figure available. It would have been stated in the previous report. The Committee felt that they should have the opportunity to be able to consider the previous report put to the Committee and also to have more information about public transport provision in the area and would wish to defer the application so that this information could be provided. Councillor Dakers also requested that any report brought back to the meeting should address the sustainability checklist in the detailed conditions.

Councillor Harmer questioned why some of the reasons for appeal on a previous application had been withdrawn at the appeal stage by Officers. It was stated that some reasons for appeal were not so strong and had been withdrawn on that basis particularly in the light of further evidence provided on appeal by the applicant.

Resolved -
That Planning Application No 01253/P/P2 to demolish the existing buildings at Victoria Works, Victoria Road, Feltham and erect a part four, part five storey building comprising 73 affordable housing units with 35 associated parking spaces be deferred to the next meeting to allow the following additional matters to be reported:

(a) A copy of the Committee report on the previous application.
(b) Full information regarding density.
(c) More information regarding public transport accessibility.
(d) More information regarding sustainability proposals.

57. 305 - 307 Chiswick High Road

See Report of the Director of Planning (Agenda Item 10) and Addendum.

Shane Baker, Planning Officer, summarised the main issues relating to the application.

Councillor Barwood stated that she had visited the site. She was concerned that 8 existing car parking spaces would be lost. She felt that there was a need for car parking spaces and that the density was too high. She felt that there should be larger units. Councillor Dakers stated that there was inadequate response in the checklist to sustainability issues and he felt that if the application was approved then there should be conditions applied regarding sustainability.
Councillor Reid stated that she was concerned about the number of studio flats and the very high density of the scheme. She felt that the site was more appropriate for a slightly smaller scheme with larger units. Councillor Harmer felt that car parking was not necessarily an issue as potential purchasers of units in the development would be aware of the lack of car parking. However, he was concerned at the high density and the small size of the units.

Michael Jordan, Director of Planning, stated that the density was not particularly high for this sort of town centre location and type of development. He accepted that the size of the units was relatively small. Councillor Barwood also questioned whether there was sufficient retail demand for the proposed retail element of the development. She was also concerned that there was a lack of amenity space. Councillor Bradley Fisher raised concerns regarding fire safety and access to the top floor flats. Councillor Reid proposed deferral of the scheme to allow officers to seek modified proposals, which were more acceptable to the Committee. Councillor Bradley Fisher seconded the proposal. Michael Jordan stated that any issues of fire safety would be addressed through fire regulations and proper inspection and approval by the appropriate authorities.

Resolved -

That consideration of Planning Application No 00248/305-307/P7 to extend and convert 305-307 Chiswick High Road for ground floor retail and first and second floor residential flats be deferred to allow officers to enter into further negotiations with the applicants to seek amendments to the proposal which:

(a) Offered a different mix of units on the site, which reduced the number of studio flats.
(b) Reconsidered the possibility of on-site parking.
(c) Set out options for sustainability.

58. Gillette Corner, Great West Road

See Report of the Director of Planning (Agenda Item 11) and Addendum.

Michael Jordan, Director of Planning summarised the main issues relating to the application. He referred in particular to the views of the Mayor, set out in the Addendum Report, who had expressed concern about a hotel proposal. Michael Jordan stated that Officers felt that the proposal for a hotel development was a suitable use for this listed building. He confirmed the view that the road network locally would be able to cope with any traffic generated. He stated that the car parking had been reduced from 470 to 350 places since the report was produced.

Councillor Hibbs questioned whether the central block would be visible above the facade of the outer building. Michael Jordan stated that the views of the central block would be very limited and only visible from a long distance. He pointed out that the application was an outline one and the final form of the development might change. Councillor Dakers felt that it would be helpful to look at both sites together for the energy study. He suggested that the sustainability of food supply should be encouraged. Councillor Reid moved approval of the application. She felt it was an exciting scheme that offered a fitting future use for a landmark building, which generated much local interest. She was disappointed at the Mayor’s negative response at this stage. Councillor Harmer seconded the motion to approve the application. Councillor Hibbs stated that this was a landmark building and that a five star hotel was a fitting future use.
Resolved -

(a) That Officers be authorised to negotiate a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 or other appropriate legislation to secure those matters outlined in the report and the addendum and to seek the views of the Committee should it not be possible to resolve any outstanding matters on the basis set out in the documents.

(b) That subject to satisfactory completion of the above legal agreement and in the event that the Mayor for London does not issue a direction to refuse the application, the Director of Planning be authorised to issue planning permission for Planning Application No 00505/AP/P74 for comprehensive redevelopment of the Gillette Corner site to provide buildings of between four and six storeys for Class B1(a), B1(b) and B1(c) use, with cafe, associated landscaping and car parking (in outline) and conservation and extensions to the Gillette building for use as a hotel with ancillary conferencing/meeting, bar/restaurant and gym facilities, basement car parking (in detail), provision of new landscaped areas and highway works, subject to the conditions set out in the report.

(c) That Listing Building Consent 00505/AP/L22 be granted for works of alteration, extension and demolition to facilitate the retention and conversion of the Gillette building for hotel use as part of the proposed comprehensive development of the Gillette site subject to the conditions set out in the report.

59. 196 Great West Road, Heston

See Report of the Director of Planning (Agenda Item 12).

Resolved -

That planning application No. 00505/196/P5 to erect a rear roof extension and insert a roof light into the front roof slope at 196 Great West Road be approved subject to the conditions set out in the report.

60. Results of planning appeals

See Report of the Director of Legal Services (Agenda Item 13).

The report was noted.

The meeting finished at 10:20 pm.
1.0 SUMMARY
1.1 This report recommends refusal for a proposal to redevelop a site that is currently occupied by a storage building and parking area, with ancillary office and a separate car repair business and carwash. The site combines the former ‘Jet’ petrol filling station, which is currently occupied by a car repair business, and the adjacent off-airport parking facility with ancillary valeting and servicing. The proposal is to erect a seven-storey building, stepping down to two storeys with basement areas, to provide a budget hotel with car parking and servicing provision.

2.0 SITE DESCRIPTION
2.1 This application relates to a site of 0.38 ha located on the south side of Bath Road some 200m to the west of Waye Avenue. The ‘Jet’ site is currently occupied by a part single, part two-storey building, used for vehicle display and repairs, and a car wash. There is a disused petrol filling station forecourt and canopy at the front and a yard at the rear, which are used for parking vehicles. The off-airport car-parking site contains two ancillary buildings, which are used for valeting and servicing the stored cars; it is within an area defined as Metropolitan Green Belt in the UDP. The premises acquired established use rights over a period of time, due to lack of enforcement action, and it was with regret that the council was obliged to issue a Certificate of Lawfulness (see para. 3.12).

2.2 Approximately half of the potential development site is zoned Metropolitan Green Belt. The western and southern boundaries of the development site abut with Green Belt land alongside the River Crane, which is included within Comprehensive Project Area 4 in the UDP. The northern side of Bath Road facing the site is within Cranford Village Conservation Area.
3.0 HISTORY

**Europa House:**

3.1 00083/AB/P15  5-storey office building with associated parking and landscaping. 
   **Approved in 2001**, subject to a Section 106 agreement, which required financial contributions towards traffic control measures in Waye Avenue, improvements to public transport in the area, environmental improvements in the vicinity of the land (including public car parks) and CCTV in the subway under Bath Road.

3.2 00083/AB/P16  Demolition of existing building and erection of a 387-room hotel with associated landscaping and parking. 
   **Refused 10 January 2005**

3.3 00083/AB/P17  Demolition of existing buildings & erection of a 376-room hotel with associated landscaping & parking (Outline application for siting, appearance & access).
   **Refused 1 September 2005** - This decision is currently the subject of an appeal. The Inquiry opened for one day on 10 October 2006 and has been adjourned until 20 March 2007.

3.4 00083/AB/P18  Application for variation of condition 1 (timescale implementation) of planning permission Ref: 00083/AB/P15 for a 5-storey office building with associated parking and landscaping to allow a further three years for implementation, up to 1st August 2009. 
   **Approved 4 August 2006**

3.5 00083/AB/P19  Demolition of existing buildings & erection of a 376-room hotel with associated landscaping & parking (Outline application for siting & access). 
   **Refused 12 October 2006**

**Jet petrol filling station 820-834 Bath Road:**

Various applications relating to petrol station and ancillary activities. The most recent applications are:

3.6 00083/C/P24  Single-storey extension to workshop and raise height of boundary walls 
   **Approved 1993**

3.7 00083/C/P25  Canopy to cover pumps on forecourt 
   **Approved 2001**

**Combined site 804-834 Bath Road:**

3.8 00083/804-834/P1  Demolition of existing buildings & erection of a 471 room hotel including a meeting hall with parking & landscaping 
   **Withdrawn 10/05/05**

3.9 00083/804-834/P2  Demolition of existing buildings & erection of a 425 room hotel with parking & landscaping 
   **Resolved to approve 01/09/05 subject to S106, which has not yet been signed.**
844 Bath Road:

3.10 00083/844/P1

Continued use of land as transport yard with ancillary maintenance facilities and erection of warehouse building to replace existing burnt out building.

**Granted temporary permission on 23/04/68. It was considered that the permanent retention of the development would prejudice the use of the land as public open space within the Green Belt.**

This permission was subsequently renewed on several occasions.

3.11 00083/844/P20

Renewal of application 00083/844/P1.

**Granted temporary permission on 07/03/85. This permission expired on 31/03/86 and there were no further applications for uses on this site.**

Unauthorised use for parking with ancillary servicing and cleaning then continued without enforcement. The premises acquired established use rights and evidence was submitted to support this. Therefore the Local Planning Authority was obliged to issue a Lawful Development Certificate in October 2005 in the terms set out below:

3.12 00083/844/LAW1

Off airport car park for up to 100 cars, ancillary cleaning and servicing of stored cars and retention of 2 existing buildings used in connection with the business

**LDC granted 05/10/05**

4.0 DETAILS

4.1 Outline permission, with layout, scale and access to be considered, is sought for the erection of a 160-bedroom budget hotel with associated parking and landscaping.

4.2 The submitted layout shows a building which rises from two to seven storeys, set back 7m from the Bath Road frontage, 43m wide by 28m deep. The development takes the form of a rectangular block with part recessed frontage above first floor level and a ‘stepped’ side elevation providing a series of flat roofs at first, second, fourth, fifth and sixth floor levels. The main entrance to the building is from Bath Road at the centre of the site frontage.

4.3 Vehicular access and egress are provided directly from Bath Road at the eastern and western ends of the site frontage respectively utilising existing access points. A circular traffic system is proposed around the building for access, servicing and turning, with ramped vehicular access to the basement car-park.

4.4 The ground floor layout shows an entrance lobby and reception area with bar and coffee shop, kitchen and staff room together with 19 bedrooms (including 5 disabled bedrooms). The basement area provides office and storage areas as well as 30 parking spaces and cycle/motor cycle parking. Lifts would be provided to all floors.
The first floor would provide 32 rooms and staff facilities. Second and third floors would be inset from the western side and each would provide 28 rooms. Further insets are proposed providing 21 rooms on the fourth floor, 17 on the fifth and 15 at sixth floor level bringing the total number of rooms proposed to 160. The typical upper floor layout shows double rooms with en-suite facilities, linen/pantry and lobby areas. No disabled bedrooms are identified on the upper floors, so the total provision would be 5 ground floor rooms.

Throughout the building, various areas of flat roof would be created as the building steps in from the side and, to a lesser extent, at front and rear. These roof areas appear not to be intended to be used as terraces by guests. Even if they were, this would not harm any neighbours’ living conditions through loss of privacy or overlooking as there are no residential neighbours nearby.

To the western side of the building a car park for 26 cars and a ramped access to basement parking for 30 cars would be provided. The parking area would occupy some 60% of the site that is currently used for off-airport parking. Loading/unloading and refuse/recycling areas are shown to the rear of the building and two coach parking bays are indicated to the west, all accessed from Bath Road. There would be a pedestrian access to the reception area at the front of the building and an existing vehicular access would be closed. Five wheelchair accessible parking bays have been identified at basement level.

Narrow planting strips are proposed alongside the building and along the southern and western boundaries.

CONSULTATIONS

More than 300 neighbouring occupiers were notified on 18/10/2006. Eight more were hand delivered on 19/10/06. Press and site notices were also posted. No replies have been received. External bodies have also been consulted and responses received are set out below.

Heston and Cranford Area Committee
The encroachment on Green Belt and the Green Corridor is extremely significant in proportion to the narrow green corridor link at this point and is not demonstrated to be justified.

The development is likely to generate additional traffic and cause congestion.

If the development were to be approved then a Section 106 contribution should be sought towards environmental improvements in the area.

Any officer recommendation for refusal should be considered by the Sustainable Development Committee rather than be decided under officer delegated powers.

London Borough of Hillingdon
No response at time of writing

Transport for London
No objection raised to the proposal to use the existing access from Bath Road to the site. However, Transport for London (TFL) object to the unsatisfactory circulation within the site, particularly the potential conflict between domestic vehicles and larger commercial traffic and coaches.
5.5 **Metropolitan Police Crime Prevention Office**
The development would not achieve Secured by Design in the following respects:
- Reduced natural surveillance in basement car park
- No vision of parking or lobby areas from basement office

5.6 **English Heritage**
The site is within an area where archaeological remains can be anticipated. Therefore a condition should be applied to any consent requiring an agreed programme of archaeological work to be undertaken before any development takes place.

5.7 **Environment agency**
A Flood Risk Assessment is required.

5.8 **BAA**
The proposed development could conflict with safeguarding criteria unless conditions relating to landscaping, lighting, height limitation, building design, construction methodology and cranes are imposed.

6.0 **POLICY**
S38 (6) of the Planning and Compulsory Purchase Act 2004 states "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Unitary Development Plan (UDP) and London Plan are both development plans for the Borough. The UDP was adopted in December 2003, and the London Plan in February 2004. Alterations to the London Plan on housing provision targets, waste and minerals were published in December 2006 and now form part of the adopted London Plan.

Where there is a policy in the UDP that conflicts with policy in the London Plan, the London Plan takes precedence as it is the more recent of the two Development plans.

6.1 **Unitary Development Plan**
- **IMP 1.1** Integrating Patterns of Land use and the Provision of Transport
- **IMP 1.2** The Re-use and Recycling of Urban Land.
- **IMP 5.3** Comprehensive Project Areas
- **IMP 6.1** Planning Obligations
- **ENV-B.1.1** All New Development.
- **ENV-B.1.2** High Buildings
- **ENV-B.1.5** Environmental Improvements
- **ENV-B.1.8** Access and Facilities for People with Disabilities
- **ENV-B.1.9** Safety and Security
- **ENV-N.1.1** Purposes of including land in and objectives for the use of land in the Green Belt
- **ENV-N.1.2** Acceptable Development in the Green Belt
- **ENV-N.1.3** Green Belt Improvements
- **ENV-N.1.4** Development near the Green Belt boundary
- **ENV-P.1.1** Environmental sustainability: environmental impact statements and sustainability checklist
ENV-P.1.3 Surface water run off
ENV-P.1.5 Noise Pollution
ENV-P.2.1 Waste management
ENV-P.2.4 Recycling facilities in all new developments
ENV-P.2.5 Energy and resource efficiency
ENV-P.2.6 Renewable energy
ENV-W.2.4 Floodwater
E.1.5 Development involving the loss of or changes in employment uses
E.5.1 Visitor Accommodation
S.4.5 Servicing arrangements
T.1.1 The Location of Development
T.1.2 The Movement Implications of Development
T.1.4 & Appendix 3 Car and Cycle Parking and Servicing for Developments

6.2 Supplementary Planning Guidance
SPG1 Design and layout
SPG3 Safety and Security Guidelines

6.3 London Plan
2A.1 Sustainability Criteria
3B.10 Tourism Industry
3D.6 Tourism Strategy
5D.1 The strategic priorities for West London
3D.8 Green Belt
4A.7 Energy Efficiency and Renewable Energy
4A.8 Energy Assessment
4A.9 Providing for Renewable Energy

6.4 London Plan Supplementary Guidance
Accessible London
Sustainable Design and Construction

6.5 Central Government Guidance
PPS1 General Policies and Principles
PPS6 Planning for Town Centres
PPG13 Transport
PPG21 Tourism
PPG2 Green Belts
PPS22 Renewable Energy
7.0 PLANNING ISSUES

7.1 The main planning issues to consider are:

- Whether this development is acceptable in the Green Belt;
- whether this is an appropriate location for hotel accommodation and in accordance with UDP Policy;
- whether the proposed building is acceptable in terms of its size, scale and design;
- whether the proposed development would result in loss of privacy and noise and disturbance to adjoining occupiers;
- whether the proposed parking, service and access provision is adequate for the number of guest rooms proposed; and
- Whether the proposal respects sustainable building principles.

7.2 Green Belt

a) Planning Policy Guidance Note 2 (PPG2) - Green Belts sets out Central Government policy on Green Belt and promotes its permanence and open character. The most important attribute of Green Belt is its openness. PPG2 specifies that the construction of new buildings inside a Green Belt is inappropriate unless it is for purposes such as agriculture, outdoor sport and recreation or for other uses of land which preserve the openness of the Green Belt.

b) Policy ENV-N.1.1 seeks to safeguard the permanence and integrity of the Green Belt. Policy ENV-N.1.2 states that there is a general presumption against inappropriate development in the Green Belt and the Council will not permit, except in very special circumstances, any development which is not compatible with the principal purposes of the Green Belt. Policy ENV-N.1.3 states that the council will pursue improvements of the Green Belt on land in its ownership and on land in private ownership when opportunities occur.

c) In this area of Cranford the Green Belt forms a buffer against any westward sprawl. Specifically, this site marks the edge of Cranford Village and is contained within a narrow strip of green belt land between Avenue Park, to the north of Bath Road and the open space alongside the River Crane, which includes a Nature Conservation Area to the south. It provides an important visual break in development at the edge of the borough adjacent to the Bath Road.

d) This area of Green Belt also forms an important part of Comprehensive Project Area 4 (CPA 4) comprising approximately 385 ha of land along the Crane Valley. Comprehensive treatment of this area is needed to preserve and enhance the ecological and nature conservation value of this important green chain and Improve public accessibility, landscaping and recreational use of the Crane Valley. Any development near the Green Belt boundary must not detract from the open aspect of the Green Belt. The Council has prepared a Green Belt Management Plan to support the protection and improvement of public and private land within the Green Belt.

e) A sequential test has been provided, which seeks to demonstrate that this is an appropriate location for hotel development and planning permission has been sanctioned for a larger hotel incorporating part of this application site. However, no case has been presented to demonstrate an over-riding need for this particular proposal which conflicts with Green Belt policy, wherein the building mass on the jet site is increased, nor to justify such development within the Green Belt.
7.3 Hotel Location

a) Objective E.5 of the adopted UDP states that the Council should encourage employment opportunities and other benefits to the local economy regarding the development of Hounslow’s tourism attractions, and to improve the quality and quantity of tourist accommodation whilst having regard to the wider environment.

b) Hotels are considered to be an employment generating use in the UDP. They are also a high trip-generating use. The proposal should therefore comply with the sequential test approach as defined in revised UDP Policy E.1.1 whereby development should be maximised in town centres followed by edge of centre locations. There is some evidence to demonstrate lack of opportunities in town centres or edge of town centre sites that could accommodate the proposed development and to show why this site is considered an appropriate location for an airport hotel.

c) In addition, for visitor accommodation such as this, criterion (ii) of UDP Policy E.5.1 requires high public transport accessibility in respect of Heathrow, Central London and local visitor attractions. The site is relatively well served by public transport in respect of buses to and from Heathrow but is remote from main line and underground rail services and a robust Green Travel Plan is required in order to promote means other than car based journeys.

d) On the basis of the reports published by BAA and Hotel specialist TRI Consulting, this proposal would only constitute a minor contribution to the high demand already present at Heathrow Airport. Providing more hotel bedrooms is in line with Government policies to provide more tourist accommodation and fits in the context of the opening of Terminal 5. However, the application fails to demonstrate any over-riding need for a hotel on this particular site, which would have a significant negative impact on Green Belt land.

7.4 Size, Scale and Design

a) With regard to the size, design and massing, the building would be significantly taller and more bulky than the existing buildings on the site. The development would increase the building height on site from two to seven storeys. There is an extant planning permission for the erection of a five-storey office building on the Europa House site fronting Bath Road to the east; the vacant office building on the opposite side of Bath Road (Heathrow House) is six storeys in height. This would make this proposal the tallest building in the area right on the fringe of the Green Belt.

b) The remaining frontage in this part of Bath Road is characterised by two and three storey commercial buildings. The site faces the boundary of the Cranford Village Conservation Area where existing development is two and a half storeys in height.

c) The 425-room hotel scheme, which combined the Europa House site and the Jet garage site, showed a three-storey annexe building on the Jet site. This was in order to minimise the visual impact of the development on the Green Belt land to the south and west.

d) The off-airport parking site is entirely within Green Belt land where there is a general presumption against built development. This proposal would provide a building rising to seven storeys on a footprint, which covers approx. 16% of the existing parking site. Existing single-storey buildings, which occupy a similar ground floor area, close to the western boundary would be removed and replaced with car-parking.
e) The building would be located within 7-8m of the southern boundary of the site and would dominate the skyline when viewed from open Green Belt land to the south. Similarly, when viewed from the west, the building would present a bulky and intrusive appearance. It would represent a significant visual intrusion within the Green Belt along the principal approach into west London at Cranford Bridge. The development would destroy the essentially open character of this narrow Green Belt strip and would also detract from the views from open land within Cranford Village Conservation Area to the north of Bath Road.

f) The proposed development represents a significant intrusion into and adjoining green belt land. The proposed narrow planting areas at the edges of the site would not provide sufficient soft landscaping to enhance the setting of such a prominent building.

7.5 Privacy/ Disturbance

a) The proposed hotel has 160 rooms and would intensify the use of the site compared to the present use. This would have potential for increased noise and disturbance to adjoining residents, particularly if people are arriving and departing at unsocial hours. However the nearest residential accommodation is located to the north of the busy Bath Road and in Dudset Lane, some 100m to the south-east of the site. The hotel entrance is located on the northern side of the building, away from neighbouring residential properties.

b) The development would be affected by noise, and part of the site was previously used as a petrol filling station. Underground fuel storage tanks must be effectively dealt with.

c) Due consideration must be given to ambient noise levels and acoustic glazing is likely to be required to proposed bedroom windows.

7.6 Parking provision, servicing and access

a) The site is relatively well served by public transport in respect of buses to and from Heathrow but is remote from main line and underground rail services.

b) The UDP standard would require a minimum of 32 parking spaces at a ratio of one space per five rooms or a maximum of 80 parking spaces at a ratio of one space per two rooms for a site that is only relatively well served by public transport. The scheme proposes parking provision of 56 spaces (approx. one space per three rooms), a similar ratio to the Europa House scheme. These would be provided at ground level at the side (26 spaces) and at basement level (30 spaces) accessed by a ramp at the side of the building. On-site parking provision is set below the maximum in recognition of the lower requirement in relation to an airport hotel.

c) For any approval of an hotel in this area, the applicant would need to submit a Travel Plan.

d) The applicant has submitted a Travel Plan that incorporates measures such as: integration with Heathrow shuttle bus, travel information, a staff car-sharing club, provision of cycle storage and the appointment of a Travel Plan Co-ordinator. The intention is that implementation of this plan would reduce the amount of traffic which might be generated by hotel clients and employees.

e) Access to the proposed hotel would be achieved via two existing crossovers off Bath Road; a third existing crossover would be removed. TfL will not support the introduction of any additional access points on Bath Road. Access to the proposed hotel can be achieved via existing crossovers off Bath Road. However, comments from TfL indicate that the current plans should be amended to improve circulation within the site. The route for service vehicles around the site is inadequate and conflict with domestic traffic would occur at the ramp to basement level.
7.7 **Sustainable building principles**

a) Sustainability underpins many of the UDP policies and the London Plan. These require developments not only to be sustainable in transport terms; but also to include appropriate recycling facilities and to minimise waste; to include energy efficiency measures and promote the use of renewable energy; and not to increase significantly the requirement for water supply or surface water drainage.

b) Policy ENV-P.1.1 considers whether an environmental impact statement is needed and encourages the use of a Sustainability Checklist. This development is not large enough to merit a full impact statement, but it is substantial and significant enough to justify use of the Checklist. The developers have completed a Checklist.

c) Policies ENV-B.1.1, ENV-P.1.3, ENV-P.2.1, ENV-P.2.4 and ENV-P.2.6 require that all developments should include recycling facilities and minimise waste, include energy efficiency measures, be sustainable in transport terms, promote the use of renewable energy and not significantly increase the requirement for water supply or surface water drainage.

d) As a large new building, the proposal can make a substantial contribution to sustainable development in the Borough and it is important that it recognises and adopts sustainable development principles.

8.0 **EQUAL OPPORTUNITIES IMPLICATIONS**

8.1 Disabled toilet facilities and bedrooms, a lift to all floors and suitable parking would be provided and access would be level.

9.0 **PLANNING OBLIGATIONS**

9.1 UDP Policy IMP.6.1 seeks planning obligations to secure planning benefits related to the proposed development.

9.2 If planning permission were to be granted then the main areas for inclusion into a S106 agreement would be:
- The creation of employment and/or training provisions for local people
- A Green Travel Plan
- Highway improvements, including the provision of a s278 Highway Works Agreement
- Green Belt enhancements within Comprehensive Project Area 4
- Environmental improvements in the area

10.0 **CONCLUSION**

10.1 The site is in a general location that has been considered to be appropriate for an airport hotel. However the application fails to demonstrate an over-riding need for a hotel on this site. The proposed development is unacceptable because of its position, form and layout. It would intrude into Green Belt land and would not protect the character of the area. Further, the proposed car and coach parking provision and turning facilities for service vehicles within the site are inadequate and would be likely to cause conditions harmful to pedestrian and vehicle safety. It is therefore an inappropriate form of development within and adjoining designated Green Belt land, which would detract from the appearance, open character and function of the Green Belt in this location.
11.0 RECOMMENDATION:

12.0 Refusal

The proposal represents an unacceptable form of development, which would intrude into Green Belt land and would detract from the character of the area. Access arrangements within the site are unsatisfactory. The development is not in accordance with Unitary Development Plan policies ENV-B.1.1 (All New Development), ENV-B.1.2 (High Buildings), ENV-N.1.1 (Purposes of including land in and objectives for the use of land in the Green Belt), ENV-N.1.2 (Acceptable Development in the Green Belt), ENV-N.1.3 (Green Belt Improvements), ENV-N.1.4 (Development near the Green Belt boundary), ENV-W.2.4 (Floodwater), ENV-P.1.3 (Surface Water Run Off), ENV-P.2.5 (Energy and resource efficiency), ENV-P.2.6 (Renewable energy), E.1.5 (Development involving loss or changes to employment uses), E.5.1 (Visitor Accommodation), T.2.1 (Pedestrian Access), T2.2 (Pedestrian Safety and Security) and T.1.4 (Car and Cycle Parking and Servicing Facilities for Developments).

Reasons:

1. The proposal represents an inappropriate form of development within and adjoining designated Green Belt land, which would detract from the appearance, open character and function of the Green Belt in this location and would be harmful to Green Belt objectives for this area. The application has failed to demonstrate that there are any exceptional circumstances to consider departing from Green Belt policies. The proposal is therefore contrary to UDP policies ENV-N.1.1 (Purposes of including land in and objectives for the use of land in the Green Belt), ENV-N.1.2 (Acceptable Development in the Green Belt), ENV-N.1.3 (Green Belt Improvements) and ENV-N.1.4 (Development near the Green Belt boundary).

2. The proposed development by reason of its size, layout and massing would appear over-dominant in relation to neighbouring development and open space contrary to UDP policies ENV-B.1.1 (All New Development), ENV-B.1.2 (High Buildings) and E.5.1 (Visitor Accommodation).

3. The proposed car and coach parking provision and turning facilities for service vehicles within the site are inadequate and would cause conditions harmful to pedestrian and vehicle safety within the site contrary to UDP policies E.5.1 (Visitor Accommodation), T.1.4 (Car and Cycle Parking and Servicing Facilities for Developments), T.2.1 (Pedestrian Access) and T2.2 (Pedestrian Safety and Security).

4. The application is not accompanied by a flood risk assessment and fails to demonstrate that the proposed development would be protected from flooding contrary to UDP policies ENV-W.2.4 (Floodwater) and ENV-P.1.3 (Surface Water Run Off).

5. Inadequate details have been submitted to demonstrate that energy efficiency and renewable energy measures would be satisfactory assessed against UDP Policies ENV-B.1.1 (New development), ENV-P.2.5 (Energy and resource efficiency) and ENV-P.2.6 (Renewable energy) and London Plan Policies 4A.7 (Energy efficiency and renewable energy), 4A.8 (Energy assessment) and 4A.9 (Providing for renewable energy) and Sustainable Design and Construction (May 2006) (London Plan Supplementary Planning Guidance).
References: 00083/820-844/P26  P/2006/3239
Address: 820-844, Bath Road, Cranford
Ward: Cranford
Proposal: Demolition of existing buildings on site and erection of a 160 room hotel with associated parking and landscaping
Drawing numbers: 06.184/2 and 645/RDP/PO1, PO2, PO3, PO4 &PO5 together with supporting statement and Transport Assessment Report received 6th October 2006 and revised drawing 645/RDP/TFL2A received 14th February 2007
Date received: 06/10/06

ADDENDUM

1.0 ADDENDUM

1.1 The applicant has submitted a revised ground floor plan, site layout and access details (Drawing No: 645/RDP/TFL2A). The proposed egress to Bath Road has been altered and circulation within the site has been amended. TfL have confirmed that they would not object to the revised layout.

1.2 Planting has been increased along the western boundary and in the south-west corner of the site. However, this would not be sufficient to overcome the fundamental concerns about the intrusive nature of the proposed development.

2.0 DETAILS

2.1 Transport for London

No objection raised to the proposal to use the existing access from Bath Road to the site. However, Transport for London (TfL) objected to the egress detail and unsatisfactory circulation within the site, particularly the potential conflict between domestic vehicles and larger commercial traffic and coaches.

TfL has confirmed that the revised layout is acceptable.
2.2 Servicing and access

A swept path analysis would be required to demonstrate that the route for service vehicles within the site is adequate. This could be the subject of further consideration at the detailed stage if planning permission were to be granted.

3.0 CONCLUSION

3.1 The revised access arrangements are adequate. It is therefore appropriate to remove refusal reason number 3. The other reasons set out in the original report still stand.
**1.0 SUMMARY**

1.1 This application is a resubmission following the dismissal at appeal, after a Public Inquiry, of an almost identical proposal. The single reason given by the Inspector for dismissing the appeal came down to the way in which the applicant had intended to implement the proposed Unilateral Agreement to provide affordable housing. It would have precluded the provision of any rented accommodation, contrary to policy H.2.1 of the adopted Unitary Development Plan.

1.2 The applicant has now revised this position and re-submitted the application. A number of changes are included, such as, the replacement of 7 two-bed flats with 7 three-bed flats, the clearly defined defensible space around ground floor units and the provision of suitable disabled parking spaces. The internal layout of the proposed development has been rearranged to provide the required room sizes within the 7 three bed flats.

1.3 A Section 106 Agreement to secure 100% affordable housing is thought necessary.

1.4 The last SDC Committee meeting considered this application but deferred a decision so that the following additional information could be provided:

- More information in respect of the previous application (section 4.0)
- Full information in respect of density (paragraphs 7.5 - 7.6 below).
- Greater detail in respect of the accessibility of the site (also paragraph 7.5 - 7.6 below).
- Information in respect of sustainability (paragraph 7.17 – 7.19 below).

**2.0 SITE DESCRIPTION**

2.1 The site contains an existing engineering workshop with ancillary parking. It is bound to the north by the Longford River, to the east by Feltham Leisure Parks (FLP), to the south by Victoria Road and to the west by The Victoria Junior School. Victoria Road itself is largely residential in character with a relatively new block of affordable flats on the other side of the road from the application site. South of Victoria Road the characteristic use is industrial, while to the east, and adjoining the application site, the character is dominated by the FLP with its extensive areas of car parking.
2.2 The application site is within the town centre boundary, close to Feltham High Street, the new Feltham town centre development and Feltham Station. Because of this Victoria Road acts as a link between the town centre and the FLP. It is also within the UDP mixed development site M1 where it is expected that a significant housing contribution, including affordable housing, will be made.

3.0 HISTORY

Victoria Works, Victoria Road, Feltham.

3.1 01253/D/P1 Erection of extension to offices.
    Granted 06/10/1970.

3.2 01253/P/P1 Demolition of existing buildings and erection of part four/part five storey building comprising of 73 affordable housing units and 36 associated parking spaces, landscaping and access
    Refused 1 March 2006.

1. Reasons: The proposed development would involve the loss of an existing employment use that is located within a site that has been identified within the local development plan for mixed development with employment uses in this particular part of the site. The Council is not satisfied that this loss is justified. The proposed development is therefore contrary to policies E.1.5 (Loss of employment uses) and H.3.5 (Release of employment uses to residential) of the London Borough of Hounslow Unitary Development Plan (Adopted 2003).

2. The proposed development exceeds the Council’s density standards and, thereby, fails to include adequate outside amenity space, adequate facilities for people with disabilities, and adequate parking and servicing facilities. Its design would also result in a poor level of safety and security for occupants. The proposed development is therefore contrary to policies H.4.2 (Residential density), H.4.1 (Housing standards and guidelines), H.5.1 (Housing for people with disabilities), T.4.1 (Car and cycle parking), ENV-B.1.9 (Safety and security) of the London Borough of Hounslow Unitary Development Plan (Adopted 2003) and Supplementary Planning Guidance 1997.

3. The proposed development, due to the substandard room sizes, entirely north facing flats, lack of wheelchair accessible housing and lack of information with respect to Lifetime Homes Standards and would not provide a suitable quality of housing and would be contrary to policies H.4.1 (Housing standards and guidelines) and H.5.1 (Housing for people with disabilities) of the London Borough of Hounslow Unitary Development Plan (Adopted 2003) and Supplementary Planning Guidance 1997.

4. The proposed development would give rise to the potential for the inappropriate overlooking of the adjoining Victoria School contrary to policy ENV-B.1.1 (New development) of the London Borough of Hounslow Unitary Development Plan (Adopted 2003).

5. It is considered that the proposed building bulk would have an overbearing and oppressive effect on land and premises to the north including the Longford River. The proposal would therefore be contrary to policy ENV-B.1.1 (New development) of the London Borough of Hounslow Unitary Development Plan (Adopted 2003).
This decision was appealed against but was dismissed by the Planning Inspectorate at a Public Inquiry on 19 October 2006.

Reasons for dismissal: The Unilateral Undertaking was deemed to be deficient, as the affordable housing units would have precluded the provision of any rented units.

4.0 DETAILS

4.1 The development proposed involves the demolition of an industrial building and the redevelopment of the site to provide a part four, part five storey building containing 73 affordable housing units with 35 associated car parking spaces, landscaping and access. The building’s footprint would be an “L” shape along the bank of the Longford River and the boundary with the adjoining Feltham Leisure Park. Surface car parking, servicing and outdoor amenity space would be provided in front of the building and fronting Victoria Road / Mono Lane. Private gardens for individual ground floor flats would be provided to the rear of the building.

4.2 This scheme is essentially a resubmission of that considered on appeal last summer, with a few amendments. The scheme needs to be considered with the appeal decision in mind as a very significant material consideration.

4.3 The previous appeal

4.4 The Council originally refused the application on five grounds: loss of employment land; density; standard of accommodation; overlooking of Victoria School; and bulk. On appeal, following Counsel’s advice in preparation for the public inquiry and the submission of further material by the appellant, the first four reasons for refusal were not pursued. This ‘further material’ included convincing evidence that the reuse, or economic redevelopment of the site for employment purposes would be unlikely. The Council submitted the following position statement following receipt of comments from the West Area Committee and consultation with the chair of the Sustainable Development Committee:

(i) Further to the Council’s letter dated 24 July 2006 withdrawing reason for refusal one following further evidence provided by the appellant, on the basis of further material now provided by the appellant, the Council is satisfied that reasons for refusal two, three and four can be dealt with by condition. The Council will therefore no longer be pursuing these reasons for refusal.

(ii) Although the Council still considers the proposed development to be too bulky, in consideration of the Council’s withdrawal of the first four reasons for refusal and the benefits of the affordable housing to be provided by the proposed development which outweigh the harm caused, the Council recommends that planning permission be granted subject to conditions and a deed of planning obligation to secure affordable housing.

4.5 The Inspector agreed with the Council that the Unilateral Undertaking submitted by the appellant in support of their appeal was deficient with specific respect to securing affordable housing. The fundamental concern of both the Council and the Inspector was the fact that the Unilateral Undertaking could preclude the provision of any rented units, which would therefore mean that the development would fail to meet the greatest need, contrary to UDP policy which says the Council will seek a mix of housing types for affordable housing having regard to the needs of local households in greatest need.
The Inspector noted that the Council were led to believe that what would be provided would be 33 apartments for rent and 40 in shared ownership although this was not reflected in the proposed Unilateral Undertaking at the Inquiry. The Inspector therefore concluded that the Council’s request to amend the covenant to deliver this tenure mix was not unreasonable.

4.6 The Inspector concluded that, in the absence of rented units, the proposed development should not be permitted, as it would be in direct conflict with the relevant UDP the London Plan and the Council’s Affordable Housing SPG.

4.7 The appellant’s failure to provide a Unilateral Undertaking securing the required rented units was the only reason the appeal was dismissed.

4.8 With regard to the suggested conditions, the Inspector found that the development would not impact adversely on highway safety, therefore there is no policy conflict and no condition is suggested.

4.9 The Inspector also considered the ecology implications of the proposed development and concluded that subject to a planning condition restricting quantum and lux level of external lighting, he was satisfied that the development would not cause any undue harm.

4.10 Despite the Inspector’s favourable decision on the highways and ecology issues, his finding on the failing of the Unilateral Undertaking led to an overall decision that the appeal should be dismissed.

4.11 **The differences between the previous and current applications**

4.12 Previously 10 one-bed flats, 52 two-bed flats and 11 three-bed flats were proposed. The main change from the previous refusal concerns the breakdown of two and three bed units. There would be a decrease of 7 two-bed flats and an increase of 7 three-bed flats. In total there would be 10 one-bed flats, 45 two-bed flats and 18 three-bed flats. All of the changes would occur internally. The footprint of the building would not increase.

4.13 There are also relatively minor changes to the design of the development. Because of the improved housing mix the position of one of the entrances has been changed to a better location on the south facing elevation; there is also more defensible space outside windows and a design change at the top floor level. These changes are small but they all improve the scheme overall.

4.14 There would be 35 parking spaces, as opposed to 36 previously and there would be a density of 559HRHA compared to 542HRHA in the previous proposal. This is solely due to the internal changes to the proposed number of bedrooms.

4.15 **Affordable housing**

4.16 The developer has now proposed rented accommodation as part of the housing mix. This application provides 100% affordable housing on the site, with Places for People, a developing Registered Social Landlord (RSL) in the borough, leading on the scheme. The Local Authority’s Housing section are supportive of this site providing 100% Affordable Housing. The initial view is that the scheme proposes a good mix of units, for this site, with 25% of the units as 3 bed units.
4.17 The proportion of social-rented accommodation agreed by the Council during the Public Inquiry was 50%. Following negotiations with the Council’s Housing section, the applicant and its RSL partner have subsequently agreed with the Housing section to provide up to 70% social rented accommodation. This 70:30 split now meets the Mayor’s strategic affordable housing objective, as set out in the London Plan. This mix can be secured in the S106. An appropriate level of wheelchair accessible units will also be provided.

5.0 CONSULTATIONS

5.1 The West Area (Planning) Committee considered this application on 11 January 2007 and made the following comments:

(i) The proposed density is too high and the site is overdeveloped.

(ii) Acknowledge the UDP parking standards but feel that this is outdated – not enough car parking is provided.

(iii) Would prefer three bedroom houses to flats.

(iv) There would be a difficult traffic situation and there would be likely to be conflict with local school traffic.

5.2 213 neighbouring properties were consulted on 28 November 2006. Two site notices were posted on Friday 1 December 2006 and two press notices were posted on 14 December 2006. Two objections have been received as of 25 January 2007.

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is a problem with parking in the area and 36 spaces are not sufficient for 73 flats.</td>
<td>The Inspector reasoned in his report covering the appeal for the previous application that ‘In this case it is likely that the remedy to the existing problem lies in enforcement of the parking restrictions and there is no case for increasing levels of parking on the appeal site, which would increase dependence upon the private car in what is a highly sustainable location’.</td>
</tr>
<tr>
<td>The application is in direct conflict with the Hounslow Plan 2006-10 where it states that the Council will work towards achieving a shift in the balance of ‘affordable/social housing’ towards family sized dwellings rather than more one or two bedroom flats.</td>
<td>The proposal would provide 100% affordable housing, a quarter of which would be three-bed family units. Whilst the Hounslow Plan is of relevance it is the London Plan and adopted Unitary Development Plan that must be afforded greater weighting for planning decisions.</td>
</tr>
</tbody>
</table>

Other bodies consulted

5.2 The Environment Agency has commented in their letter dated 28 December 2006, received 3 January 2007. They raise an objection based on the fact that a 6m buffer zone is not provided between the Longford River and bank top, which, in their words, would prejudice their environmental obligations. It is stated in their letter that this 6m buffer zone was incorporated in the previous proposal. That is not the case.
The distance between the proposed development and the Longford River has not changed from the previous proposal. A condition requiring a 6m buffer zone has been included as part of the recommendation though. This will reduce the size of the gardens on the northern elevation but would not require the building to be moved. The existing industrial building is closer to the river than the proposed development so the situation would improve. The Planning Inspector did not identify the proximity of the river as a problem.

5.3 The Royal Parks objected on the same grounds as before. The objections covered over-shading of the Longford River by day and an increase in nocturnal lighting. The Inspector dismissed these comments in his report.

5.4 The Primary Care Trust was consulted but no response has been received.

5.5 Feltham Police have no objection to the proposal. BAA has no objection subject to the recommended condition 25.

6.0 POLICY

6.1 S38 (6) of the Planning and Compulsory Purchase Act 2004 states "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Unitary Development Plan (UDP) and London Plan are both development plans for the Borough. The UDP was adopted in December 2003, and the London Plan in February 2004. Alterations to the London Plan on housing provision targets, waste and minerals were published in December 2006 and now form part of the adopted London Plan.

Where there is a policy in the UDP that conflicts with policy in the London Plan, the London Plan takes precedence as it is the more recent of the two Development plans.

6.2 Unitary Development Plan

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>IMP.2.1a</td>
<td>Regeneration and enhancement of town centres</td>
</tr>
<tr>
<td>IMP.2.3</td>
<td>Regeneration of Feltham town centre</td>
</tr>
<tr>
<td>ENV-N.1.11</td>
<td>Protection and improvement of local open space</td>
</tr>
<tr>
<td>ENV-N.2.2</td>
<td>Sites of regional/local nature conservation</td>
</tr>
<tr>
<td>Table ENV-N.2</td>
<td>Nature conservation sites in the London Borough of Hounslow</td>
</tr>
<tr>
<td>ENV-B.1.1</td>
<td>New development</td>
</tr>
<tr>
<td>ENV-B.2.2</td>
<td>Conservation areas</td>
</tr>
<tr>
<td>ENV-B.1.9</td>
<td>Safety and security</td>
</tr>
<tr>
<td>ENV-P.2.5</td>
<td>Energy and resource efficiency</td>
</tr>
<tr>
<td>E.1.2</td>
<td>Employment location</td>
</tr>
<tr>
<td>E.1.5</td>
<td>Loss of employment uses</td>
</tr>
<tr>
<td>H.1.1</td>
<td>Location of new housing</td>
</tr>
<tr>
<td>H.2.1</td>
<td>Affordable housing</td>
</tr>
<tr>
<td>H.3.5</td>
<td>Release of employment land to housing</td>
</tr>
<tr>
<td>H.4.1</td>
<td>Housing standards and guidelines</td>
</tr>
<tr>
<td>H.4.2</td>
<td>Residential density</td>
</tr>
<tr>
<td>H.5.1</td>
<td>Housing for people with disabilities</td>
</tr>
<tr>
<td>T.1.4</td>
<td>Car and cycle parking</td>
</tr>
<tr>
<td>T.4.4</td>
<td>Road Safety</td>
</tr>
</tbody>
</table>

Proposals Schedule  M1
6.1  London Plan
   3A.4  Housing standards
   3B.4  Mixed use development
   4B.3  Maximising the potential of sites

7.0  PLANNING ISSUES
7.1  The main planning issues to consider are:
   • The principle of the development.
   • Accommodation standards.
   • The impact on neighbouring amenity.
   • Sustainability.

7.2  The principle of the development
7.3  The Council’s position at the public inquiry was taken for the following reasons bearing in mind the reasons for refusal set out above at paragraph 3.2:

7.4  Reason for refusal 1 could not be sustained because of the planning policies contained in the UDP, in particular the mixed-use proposals site M1. The view was that it would not be logical to attempt to argue that the loss of one of the specified uses – industrial, to another – residential, was not acceptable. The M1 mixed use area is currently mainly industry with little or no residential and there was convincing evidence that the reuse, or economic redevelopment, of the site for employment purposes was unlikely.

7.5  Reason 2 concerned densities. The UDP maximum density is 250 HRA however it must be remembered that this is intended to be a flexible tool that is not meant to be a rigid upper limit or an entitlement. The London Plan is also part of the Council’s development plan and, being more recent, takes precedence. It also includes flexible density guidelines, but at 400 – 750 HRA. The appeal scheme density was 542 HRA and the revised scheme, now under consideration, is a little higher at 559 HRA. It was concluded that such a density could not be unacceptable in principle, in this town centre location, with an above average PTAL rating of 4.

7.6  If density is high this may be an indication that too much development may have been proposed. However, for this to be a sustainable reason for refusal the local planning authority must identify the harm that this would cause. The main problem that officers had identified was that the amount of private amenity space proposed was below standard. However the developer had offered to respond to this with a significant reduction in the amount of space made available for car parking so as to free up space for outdoor amenity. Although this would have been acceptable in UDP parking standards terms it would not have been acceptable to local Members. Officers therefore maintained the position that the maximum level of car parking should be provided bearing in mind UDP standards.

7.7  Reason 5 was about the physical bulk of the proposed building and the effect this has on the area to the north. The character of the area around the appeal site has little architectural coherence so the fifth reason was not designed to refer to neighbouring premises in Victoria Road. Officers did feel that the Longford River and the residential area to the north, part of which is a conservation area, would be rather dominated by the proposed block of flats. However, the area opposite the appeal site is not conservation area and the closest buildings are not actually residential either. There is also no direct access to this part of the Longford River. It was therefore concluded that this reason could not stand on its own as a sustainable reason for refusal.
7.8 The other reasons for refusal concerned matters that could be covered by condition.

7.9 The principle of the development was established at the Public Inquiry in relation to the previous submission, subject to the provision of rented accommodation within the affordable housing mix. The Public Inquiry Inspector was “not convinced that the development would detract from the character or appearance of the environs of the site”, and was satisfied that the “scale and density of the scheme is acceptable in this highly sustainable urban location.”

7.10 Following the dismissal at appeal the applicants have now amended their approach to the Section 106 Agreement, in consultation with Housing and Legal officers, to include certainty with respect to rented accommodation and therefore overcome the single reason for refusal, as concluded by the Inspector.

7.11 **Accommodation standards**

7.12 The proposal is mainly for two-bedroom flats (45) with some one-bedroom (10) and some three-bedroom (18). The room sizes accord with Council standards set out in SPG 1997 and there would be no internal overlooking.

7.13 The developer has altered the position of a number of garden boundary fences to overcome concerns about overlooking.

7.14 **The impact on neighbouring amenity**

7.15 The lack of a turning circle for service vehicles within the site could bring refuse vehicles into conflict with traffic using Victoria Road, particularly school traffic making morning drop-offs. This would be contrary to policy T.4.4 for safety reasons. A condition has been suggested to ensure the developer overcomes this issue before development occurs.

7.16 The proposal would require ten 1100 litre euro bins for refuse. For recycling at least three sets of estate frames are required. The amenities of neighbouring properties could be reduced due to littering if the correct refuse and recycling facilities are not included. The developer has been informed of the requirements and asked to confirm compliance. This matter can also be covered by condition.

7.17 **Sustainability**

7.18 Sustainability underpins many of the UDP policies and those of the London Plan. These require developments not only to be sustainable in transport terms but also to include appropriate recycling facilities and to minimise waste; to include energy efficiency measures and promote the use of renewable energy; and not to significantly increase the requirement for water supply or surface water drainage. This is an affordable housing development that will not obtain Housing Corporation funding unless it achieves the highest sustainability standards. The developer has provided a list of sustainable elements intended for incorporation in the design of Victoria Works. These are set out below.

- 100% of the proposed development is contained within previously developed land.
- Town centre location for easy access to local transport and shopping facilities.
- High-density proposals reflecting the urban context of the site.
- Cycle parks providing secure storage for 73 bicycles, on a 1 for 1 basis.
- On site provision for recycling facilities.
• Building design achieving a minimum Eco Homes rating of 'very good'.
• Dwellings designed to meet 'Lifetime Homes' space standards throughout, with provision of 10% fully wheelchair accessible units.
• Development designed to be compliant with 'Secured by Design' criteria.
• Designed to employ a Modern Method of Construction (MMC). Using sustainable sourced timber framework and building components.
• All elements of the external envelope shall be designed to achieve an average Heat Loss Perimeter (HLP) as calculated under SAP 2005 of 1.1 across site
• Re-use of demolished existing on site material for aggregate etc. where possible.
• Recycled construction materials used where possible and locally sourced.
• Boundary treatments designed to allow migration of local wildlife species.
• The provision of eco labelled white goods.
• Low emission gas boilers.
• Drying facilities provided in each bathroom.
• 75% of fixed internal light fittings in the units are dedicated energy efficient fittings.
• All space lighting specifically designed to accommodate only compact fluorescent lamps (CFL) luminaires or strip lights.
• Minimal skyward pollution for external lighting.

7.19 This is considered to be a comprehensive approach. However, information regarding the feasibility of on-site renewable energy has not been provided. This can be required by condition following any decision for approval.

8.0 EQUAL OPPORTUNITIES IMPLICATIONS

8.1 The proposed housing meets Lifetime Homes standards and is therefore acceptable in this respect.

9.0 CONCLUSION

9.1 The only significant change between this scheme and that considered on appeal is that this proposal secures a much better position with respect to affordable housing. This is the issue that the appeal Inspector saw as the only reason to dismiss the appeal. This revised scheme is therefore recommended for approval.

10.0 PLANNING OBLIGATIONS

10.1 UDP policy IMP.6.1 states that the Council will seek to ensure that a developer enters into a planning obligation to secure planning related benefits related to the development. Planning decisions impact on the local area and it is important when assessing a planning application to examine the consequences of a proposal on the locality and what the impact of a development will be. Where these consequences can be mitigated by off-site measures, planning obligations may be appropriate. Therefore, if approval were to be considered, it would be appropriate to secure the following measure by a S106 legal agreement:

• The provision of 100% affordable housing with 70% being social rented.
11.0 **RECOMMENDATION**

Subject to the completion of a planning obligation as indicated above:-

**GRANT**

Reasons:
Subject to the appropriate safeguarding conditions, the demolition of the existing buildings and the erection of a part four/part five-storey building comprising of 73 affordable housing units with 35 associated parking spaces, landscaping and access to the site, because of its position, design and appearance, would be acceptable and complementary to the visual amenity of the locality, and would not be detrimental to the amenities of the adjoining and neighbouring properties. The development is in accordance with policies ENV-B.1.1 (New Development), ENV-B.1.8 (Access and facilities for people with disabilities), ENV-B.1.9 (Safety and security), ENV-W.2.3 (Other waterways), ENV-P.1.3 (Surface water run-off), ENV-P.1.4 (Waste water management), E.1.5 (Development involving loss of or changes in employment uses), H.1.1 (Location of new housing development), H.2.1 (Affordable housing), H.3.5 (Release of employment uses to residential), H.4.1 (Housing standards and guidelines), H.4.2 (Residential density), T.1.2 (The movement implications of development), T.1.4 (Car and cycle parking and servicing facilities for developments) and T.4.6 (Off-street parking) of the adopted Unitary Development Plan.

**Conditions:**

1. A1a (Time limit)     A1R
2. B5 (Detailed applications)     B5R
3. B4 (Materials to match samples)     B4R
4. Before commencement of operations, a method scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the routes and types of construction traffic. The scheme shall be followed for the duration of the construction process.

To ensure that the construction does not detrimentally impact on the amenities of the neighbouring properties or road users.

5. J2 (Access for disabled people) Insert 'development'.     J2R
6. Before the development hereby permitted commences:
   The site shall be investigated by a competent person to identify the extent and nature of contamination. A detailed site investigation report shall be prepared and submitted to the LPA. The report should include a tiered risk assessment of the contamination based on the proposed end use of the site. Additional investigation may be required where it is deemed necessary.

   If required, a scheme for decontamination of the site shall be submitted to the LPA, for written approval. The scheme must account for any comments made by the LPA.

Contamination is suspected on the site due to the former land use. The LPA therefore wishes to ensure that the development can be implemented and occupied with adequate regard for public and environmental safety.
Before the development hereby permitted is first occupied:

The LPA shall be notified immediately if additional contamination is discovered during the course of the development. A competent person shall assess the additional contamination, and shall submit appropriate amendments to the scheme for decontamination in writing to the LPA for approval.

The agreed scheme for decontamination, including amendments, must be fully implemented and a written validation (closure) report submitted to the LPA for approval.

7 C23 (No external plant)  
8 C29 (Hours of construction)  
Insert ‘8am to 5pm’ and ‘9am to 1pm’  
9 C34 (Illumination, mud and dust on construction sites)  
10 The use hereby permitted shall not be begun until details of the arrangements for storing of waste and recycled materials have been submitted to and approved by the Local Planning Authority. The arrangements for storing waste and recycled materials shall not be carried out otherwise than in accordance with any approval given and shall be completed before any part of the accommodation hereby permitted is occupied.

11 E1 (Landscape design proposals)  
12 E2 (Landscape works implementation)  
13 E5 (Boundary Treatment)  
14 E6 (Landscape management plan)  
15 G7 (Parking – Maintained, Buildings) Insert “VW22/PL500LP”

16 Details of external lighting, to include lux levels, direction and screening, shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

17 The construction of the site drainage system shall be carried out in accordance with details submitted to and approved in writing by the Local Authority before the development commences.  
18 No soakaways shall be constructed in contaminated ground.

19 The construction of the site foundations shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority before the development commences.

To prevent pollution of the water environment.

To prevent pollution of groundwater.

To prevent pollution of groundwater.
20 The windows for all bathrooms and toilets shall be obscure glazed, hinged to open inwards and shall not be repaired or replaced otherwise than with obscured glazing.

To prevent overlooking of the nearby residents.

21 Before commencement of operations, a detailed plan shall be submitted to and approved in writing by the Local Planning Authority confirming that ground floor windows facing garden areas do not create overlooking.

To prevent overlooking of the nearby residents.

22 Before commencement of operations, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating how a refuse vehicle can service the site without endangering cyclists, drivers, pedestrians and other road users using Mono Lane and Victoria Road.

To ensure the safety of drivers, passengers, cyclists, pedestrians and other road users as well as residents of the flats and to accord with policy T.4.3 (Traffic implications of new development).

23 Before commencement of operations, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating a gap of at least 1.3m between parking spaces 6&7.

To enable the 1100 euro bins to be manoeuvred safely from the bin storage areas to the refuse truck.

24 Before commencement of operations, a method scheme shall be submitted to and approved in writing by the Local Planning Authority detailing how the control of breeding, roosting or loafing of birds on the building shall be undertaken. The approved scheme shall be implemented as approved and shall not be altered without the prior written approval of the Local Planning Authority.

To avoid endangering the safe operation of aircraft through the attraction of birds.

25 A six-metre buffer zone shall be provided alongside the Longford River along the full length of the site. The buffer zone shall be measured from bank top (bank top is defined as the point at which the bank meets normal land levels). The buffer zone shall be free of new structures including overhanging structures such as balconies, hardstanding or hard surfacing. The buffer zone shall be left as a natural area for wildlife.

To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

26 There shall be no storage of construction material within six metres of the Longford River along the entire length of the site during construction. This area must be suitably marked and protected and there shall be no access within the area during development unless otherwise approved in writing by the Local Planning Authority. There shall be no fires, dumping or tracking of machinery within this area during development.

To reduce the impact of the proposed development on the riverbank and the movement of wildlife along the river corridor and to prevent solid materials from entering the Longford River and causing pollution.
27 All planting within ten metres of the Longford River shall be of locally native plant species only, of UK genetic origin. Use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region’s natural balance of flora and fauna.

28 Details shall be submitted to and approved by The Local Planning Authority, before the development is commenced, for a scheme of on-site renewable energy generating at least 10% of the sites energy needs (power and heat). The details shall be carried out as approved. To minimise the impact of the development and to contribute to meeting the Mayor’s Energy Strategy in accordance with policy 4A.7 of the London Plan and ENV-P.2.5 (Energy and resource efficiency) of the Unitary Development Plan adopted 2003.

29 No development shall take place until details of measures for the harvesting of rainwater, the minimisation of water run-off from the building and the conservation and reuse as appropriate of other water supplies in the building have been submitted to and approved in writing by the Local Planning Authority. These details shall be carried out as approved. In the interests of sustainability.

30 No development shall take place until a statement on the sourcing of materials to be used in the building, involving reuse, recycling and other sustainable sourcing of materials to be used in the construction and fitting out of the building wherever possible has been submitted to and approved in writing by the Local Planning Authority. These details shall be carried out as approved. In the interests of sustainability.

Informatives:

1 Please note that under Section 23 of the Land Drainage Act (1991) the prior written consent of the Agency is required for certain proposed works which may affect the flow of the Longford River (Ordinary Watercourse). Contact Lydia Bruce-Burgess on 01707 632402 for further details.

2 Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent from buildings or fixed plant into or onto waters which are not controlled waters. Such consent may be withheld. Contact Consents Department on 01707 632475

3 Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or development to a surface watercourse. Contact Consents Department on 01707 632475

4 Due to the proximity of the school play-area to the western boundary it is advised that a scheme of noise insulation is incorporated for the residential units next to it. Acoustic glazing to habitable rooms is recommended.
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF A PART FOUR / PART FIVE STOREY BUILDING COMPRISING OF 73 AFFORDABLE HOUSING UNITS WITH 36 ASSOCIATED PARKING SPACES, LANDSCAPING AND ADDERS TO THE SITE.

VICTORIA WORKS, VICTORIA ROAD, FELTHAM.
1.0 SUMMARY

1.1 This report recommends approval for a proposal for extensions to an existing three-storey office building that is currently vacant. The site is located on the south side of Chiswick High Road in Chiswick Town Centre.

1.2 Following the committee decision to defer consideration of the application the proposal has been amended. The studio units have been removed and the residential element of the scheme is reduced from eight to six units.

1.3 The proposal is to extend the ground floor and convert it to an A2 (office) or A1 (retail) use. It is proposed to extend the first and second floors to the rear and convert to 4 x 1-bed flats and 2 x 2-bed flats.

2.0 SITE DESCRIPTION

2.1 This application relates to a site of 0.058ha located within a predominantly commercial area of Chiswick Town Centre. No 305-307 is a 3-storey office building on the southern side of Chiswick High Road. The rear boundary of the site adjoins Turnham Green Conservation Area. The premises are outside the primary and secondary shopping areas of Chiswick Town Centre.

2.2 On the ground floor, there is currently a vehicular access leading to the rear yard, which is hard surfaced and used for car parking.

2.3 The building adjoins the 3 storey terrace of 281-303 Chiswick High Road to the east, which has a mixture of shops, restaurants and A2 uses on the ground floor, and residential above. To the west it adjoins a similar 3 storey concrete building, which has retail uses on the ground floor and office above. The eastern boundary of the rear parking area abuts the garden area of Arlington mansions, a 5-storey residential mansion block. To the rear lie the three dwellings that make up Arlington Cottages.
3.0 HISTORY

3.1 00248/305-307/P5 Erection of 3 storey office building with car park at rear
    Approved 08.09.71

3.2 00248/305-307/P6 Erection of single-storey rear extension and change of use of ground
    floor from office to A4 (pubs and bars), installation of new extract duct to side elevation,
    rear extension to first and second floors to create 6 x one bed flats and 2 x studio flats
    Refused 15.11.05
    Reasons:
    1. Loss of employment use.
    2. Scale, bulk and location of ground floor extension detrimental to outlook and amenity.
    5. Loss of rear servicing likely to prejudice free-flow of traffic.
    6. Unacceptable form of residential development through poor layout, lack of amenity space, inadequate refuse and recycling and noise.

4.0 DETAILS

4.1 This application differs from that which was previously refused in the following key respects:
    • The proposed ground floor extension has been reduced in size. The height is reduced from 4.1m to 3.5m and the depth is reduced by 3m so as to be set some 6m from the rear boundary.
    • The floorspace at ground floor level has been reduced from 501 sq m to 460 sq m.
    • The proposed use of the ground floor accommodation is for A1 (retail) or A2 (professional office).
    • The side windows to the flats are to be high level and obscurely glazed.

4.2 The committee deferred a decision to enable officers to negotiate on the following issues:
    • Seek a different mix of residential units which would reduce the number of studio flats. The application has been amended so that no studio flats are proposed and the number of dwellings is reduced from eight to six (2 two bedroom and 4 one-bedroom flats).
    • Reconsider the possibility of on-site parking. The applicant has responded stating that retaining car parking would necessitate retaining the vehicular access through the building, which would reduce the retail frontage and operator interest would diminish. This would increase the attraction to A3-A5 users, which was previously resisted in this location. Furthermore, the former car park was a daytime use by office workers; use by future residents would extend the hours to the disbenefit of adjacent residents. The site is in a sustainable location where policy at all levels would support a car-free scheme and the applicant has agreed to enter into a legal agreement to ensure that occupiers cannot apply for CPZ permits (an approach that has been accepted elsewhere in the borough).
    • Set out options for sustainability. The applicant has provided a revised sustainability checklist.
4.3 It is proposed to convert the extended upper floors to provide the following residential accommodation:

- First floor front: a two-bedroom flat (77m²).
- First floor rear: 2 one-bedroom flats (45m² and 43m²)
- Second floor front: a two-bedroom flat (77m²).
- Second floor rear: 2 one-bedroom flats (45m² and 43m²)

4.4 The proposed net residential density would be 533 hr/ha based on the area of the site to be occupied by the residential element of the development. The overall density of development would be more intense because retail activity would be provided at ground floor level.

4.5 No car parking or loading areas are proposed within the site. Refuse and recycling facilities are to be provided within the building together with secure cycle parking provision.

4.6 Supporting information provided with the application indicates that there is little prospect of the offices being let and provides evidence of demand for retail units of the size proposed. Furthermore, it is suggested that alterations to the front elevation and the introduction of ground floor retail use would enhance the street frontage and that the proposed uses would contribute to the vitality of the area and could support the night-time economy if the retail use continued into the evening.

4.7 It is proposed to infill the ground floor at the front, and to extend over much of the rear parking area and use the extended ground floor as a retail shop or professional office within Class A1 or A2. The ground floor addition would abut the side boundaries and would extend to within 6m of the rear boundary, retaining an open yard at the rear. Access to the flats above would be from Chiswick High Road.

4.8 An extension 2.7m deep would be added to the rear elevation at first and second floor level. It would be set in 2.3m from the adjoining building at No 309, and set in 6.5m from the boundary with No 303. Windows are proposed in the side and rear elevations. One 1-bed flat and a studio flat would overlook Chiswick High Road. The other 2 x 1-bed flats overlook the rear. The second floor layout would replicate the first floor.

5.0 CONSULTATIONS

5.1 The application was notified to over 50 nearby properties on 4 October 2006. Press and Site Notices were displayed and the application was placed in Chiswick Library.

Two replies have been received raising the following objections:

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detrimental to adjacent properties, including Listed Buildings in Turnham Green Conservation Area</td>
<td>See paragraphs 7.13 &amp; 7.14</td>
</tr>
<tr>
<td>Extension oppressive, close to rear windows of Arlington Mansions</td>
<td>See paragraph 7.13</td>
</tr>
<tr>
<td>Loss of parking spaces and no parking provision for proposed development</td>
<td>See paragraph 7.18 &amp; 8.2</td>
</tr>
<tr>
<td>Increased traffic adding to congestion and pollution</td>
<td>See paragraph 7.17</td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Potential noise pollution from external plant</td>
<td>This would be a matter for Environmental health. See also condition 4</td>
</tr>
<tr>
<td>Loss of light and privacy for neighbouring residents</td>
<td>See paragraph 7.13</td>
</tr>
<tr>
<td>Noise and disturbance during construction</td>
<td>This would be a matter for Environmental Health. Hours would be controlled by condition 5</td>
</tr>
<tr>
<td>Does this mean that all commercial premises on this side of Chiswick</td>
<td>Each application must be dealt with on its merits</td>
</tr>
<tr>
<td>High Rd. will be able to get planning permission to develop the rear</td>
<td></td>
</tr>
<tr>
<td>area?</td>
<td></td>
</tr>
<tr>
<td>Has there been a change in policy or is the proposal for A1/A2 use</td>
<td>The proposal is for A1/A2 use, not A4 as in the previous application</td>
</tr>
<tr>
<td>rather than A4?</td>
<td></td>
</tr>
<tr>
<td>If the proposal is accepted then there should be no use of the roof,</td>
<td>Condition 8 would prevent use of the roof as a terrace and condition 4 would control the installation of mechanical plant</td>
</tr>
<tr>
<td>which would cause overlooking and any mechanical plant should be either</td>
<td></td>
</tr>
<tr>
<td>silent in operation or housed within the building</td>
<td></td>
</tr>
<tr>
<td>How does the development enhance or promote the Conservation Area?</td>
<td>Development is required to preserve or enhance the character of a Conservation Area. This development is outside the Conservation Area boundary and would preserve its character as it would present a satisfactory appearance and would be inset 6m from the rear boundary</td>
</tr>
<tr>
<td>Where will residents park and how can no–car housing be enforced?</td>
<td>The terms of the S106 agreement would ensure that residents would not be eligible for parking permits within the adjoining CPZs</td>
</tr>
<tr>
<td>Why is there no disabled access above ground floor?</td>
<td>There is no lift within the building at present and none is proposed in this scheme. However, the accommodation complies with Part M of the Building Regulations with regard to disabled access</td>
</tr>
</tbody>
</table>

41
5.2 The West Chiswick & Gunnersbury Society objects to the planning application for the following reasons:

1. The extension would detract from the character of the adjacent Conservation Area, particularly in relation to Arlington Cottages and Arlington Park Mansions.

2. No amenity space provision for the residents of proposed 8 flats.

3. No parking provision. Existing on-street parking bays are in heavy demand and cannot be exclusively reserved for residents or visitors to this site.

4. No access, above ground level, for disabled persons.

5. No disabled parking to be provided.

6. The loss of 17 parking spaces in an area of heavy demand is unacceptable.

7. Do not object to proposed residential accommodation but concerned about the proliferation of eating establishments in the vicinity.

5.3 **Cleansing Services**

No objection.

5.4 **Metropolitan Police Crime Prevention**

No objection.

5.5 **Environmental Strategy**

Recommend conditions requiring the submission of details to ensure adequate sound insulation and ventilation for the proposed dwellings in order to protect future residents from external noise and poor air quality.

5.6 **Environment Agency**

A flood risk assessment is required.

A flood assessment has been provided, which provides the following conclusions:

- It is considered that there is a low risk of flooding at the site. The flood levels provided by the Environment Agency show that the existing level of the site is 1.6m above the 1 in 1000 year flood level;

- There will be no increase in the impermeable area of the site, therefore it is not considered that runoff rates will be increased;

- It is not considered that finished floor levels will need to include a freeboard as the site level is over 1m above the provided flood level for the 1 in 1000 year event;

- As it is not considered that the site would flood during the 1 in 1000 year event it is considered that dry pedestrian access and egress to and from the proposed extension would be present during a flood event.

The Environment Agency has responded to confirm that the flood risk assessment is acceptable and suggests a condition to be attached to any planning permission (see condition 18).
5.7 **Chiswick Area Committee**

The application was considered by the Chiswick Area Committee on 6th December 2006. Members made the following comments to be reported to Sustainable Development Committee:

- Members supported more retail units along the High Road but had some concern that the building of a large retail unit should not be seen as a way of getting change of use for a restaurant as there would be concerns about a restaurant of that size.
- There is no shortage of studio flats in this area and a proliferation of studio flats should not be encouraged.
- Members would prefer to see quality, larger units as more appropriate for the area.

6.0 **POLICY**

6.1 S38 (6) of the Planning and Compulsory Purchase Act 2004 states "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 The Unitary Development Plan (UDP) and London Plan are both development plans for the Borough. The UDP was adopted in December 2003, and the London Plan in February 2004. Alterations to the London Plan on housing provision targets, waste and minerals were published in December 2006 and now form part of the adopted London Plan.

6.3 Where there is a policy in the UDP that conflicts with policy in the London Plan, the London Plan takes precedence as it is the more recent of the two Development plans.

6.4 **Unitary Development Plan (UDP)**

| IMP.1.2 | The re-use and recycling of urban land. |
| IMP.6.1 | Planning obligations |
| IMP.2.4 | Enhancement of Chiswick Town Centre |
| ENV-B.1.1 | All New development. |
| ENV-B.1.8 | Access and facilities for people with disabilities |
| ENV-B1.9 | Safety and security |
| ENV-B2.2 | Conservation Areas |
| ENV-B2.5 | Development affecting the setting of a Listed Building |
| E.1.5 | Development involving loss of or changes in employment uses |
| E.2.1 | Environmental criteria |
| E.2.2 | Mixed uses |
| H.1.1 | Location of New Housing Development |
| H.2.1 | Affordable Housing |
| H.3.3 | The use of upper floors above shops and in town centres |
| H.3.5 | Release of Employment Land to Residential |
| H.4.1 | Housing Standards and Guidelines |
| H.4.2 | Residential Density |
| T.1.1 | The Location of Development |
| T.1.2 | The Movement Implications of Development |
| T.1.4 & Appendix 3 | Car and Cycle Parking and Servicing for Developments |
| T.2.1 | Pedestrian Access |
| T.2.2 | Pedestrian Safety and Security |
| T.3.3 | Special Parking facilities for People with Disabilities |
| T.4.3 | Traffic implications of new development |
6.5 **Supplementary Planning Guidance**
- General Standards and Controls
- Residential Standards and Controls
- Think Access
- Turnham Green Conservation Area

6.6 **London Plan**
- 2A.1 Sustainability Criteria
- 2A.5 Town Centres
- 3A.1 Increasing London’s Supply of Housing
- 3A.2 Borough Housing Targets
- 3C.1 Integrating transport and development
- 4B.1 Design principles for a compact city
- Table 4B.1 Density location and parking matrix
- 4B.3 Maximising the potential of sites
- 4B.7 Respect local context and communities
- 4B.10 London’s Built Heritage
- 4B.11 Heritage Conservation

6.7 **London Plan Supplementary Guidance**
- Accessible London

6.8 **Central Government Guidance**
- PPS 1 Delivering Sustainable Development
- PPS 6 Planning for Town Centres
- PPS 3 Housing
- PPG13 Transport
- PPG 15 Planning and the Historic Environment

7.0 **PLANNING ISSUES**

7.1 The main planning issues to consider are:
- Whether the application addresses the previous reasons for refusal
- The principle of the development
- Environmental conditions and impact on adjoining properties
- Traffic, parking and access
- Residential density and housing standards
Previous reasons for refusal

7.2 The application provides the following detail to address the previous reasons for refusal:

**Loss of employment use**
This application is accompanied by details of unsuccessful marketing and an assessment, which indicates that there is little prospect of the offices being let but suggests that there is demand for the size of retail unit that is proposed, which would provide retail employment potential.

**Scale, bulk and location of ground floor extension**
The height of the extension has been reduced so as not to be apparent above the side boundary wall. The depth has been reduced to a distance of 6m from the rear boundary.

**Unacceptable impact on Listed Building and Conservation Area**
The reduced height and depth of the extension would minimise its impact on the Conservation Area and nearby Listed Buildings.

**Noise and disturbance caused by A4 use**
The proposed use is for retail purposes (A1) or office (A2) and would not create additional noise or disturbance.

**Loss of rear servicing**
This application is accompanied by an assessment of servicing requirements, which demonstrates that the proposed development can be adequately serviced from the highway. The existing service bay at the front of the site would be improved at the applicant's expense.

**Unacceptable form of residential development**
The proposed dwellings provide a satisfactory layout and would not suffer noise from the proposed ground floor use. The applicant has agreed to provide contributions to fund improvements to Turnham Green and environmental improvements to Chiswick High Road to offset the lack of amenity space on site. Refuse and recycling facilities are to be provided and details would be required by condition 9. Soundproofing against external noise would be required by condition 11.

**Principle of the development**

7.3 The site is not identified as an employment site in the Unitary Development Plan. It is a stand alone office built in 1971. Policy E.1.5 of the Unitary Development Plan states that redevelopment or changes of use that would result in the loss of high trip-generating employment uses in town centres, edge of centre sites, or key employment locations will not be permitted. The proposed change of use would result in a loss of 562m² of office floor space within Chiswick Town Centre. Policy E.1.5 (paragraph 4) states that housing will be considered as an alternative use to employment uses where the re-use of employment land is unlikely.
7.4 The applicants have provided a marketing report, which states that the property has been vacant since August 2004 and parts have been unoccupied and available to let for at least five years. The second floor has been vacant since May 2001. The property has continued to be marketed, as a whole or on a floor by floor basis with limited interest due to there being very little demand and the availability of a better standard of accommodation. Therefore, it appears unlikely that these offices will be let.

7.5 The GLA published the Sub Regional Development Framework for West London (SRDF) in May 2006. Table 2A.1 of the SRDF states that in office locations, including Chiswick, ‘speculative office development could be promoted on the most efficient and accessible sites in the context of wider schemes to enhance the environment and offer of the centre as a commercial location. This might entail some long-term loss of overall office stock through change of use of provision on less attractive sites.’

7.6 The extended ground floor would provide 460m$^2$ of retail floorspace, providing employment opportunities appropriate to this town centre location.

7.7 Notwithstanding this change in employment floor space, the introduction of additional housing on this town centre site meets government policy in PPG 3, and is reflected in Council Policy H 1.1 of the UDP, which states that: ‘A systematic sustainable approach is applied to the selection of land for development giving preference to those sites which focus new development in town centres and regeneration areas, recycle brownfield sites, re-use buildings, are located near to and/or are accessible by public transport, and sites which utilise the capacity of existing infrastructure.’

7.8 Furthermore, the introduction of residential use on this town centre site would provide a mix of dwellings, which would contribute to the housing stock as well as the life and vitality of the Town Centre in accordance with policy H.3.3.

7.9 Where a proposal to change the use of a building from employment to residential use is acceptable with regard to policy E.1.5 the criteria in policy H.3.5 should be considered. The proposed development should be well located in relation to other employment opportunities, community, health, education and retail uses. The site should also be considered appropriate in terms of amenity for residential accommodation.

7.10 Policy IMP.2.4 (i) seeks to preserve and enhance Chiswick as a shopping centre and (viii) promotes the retention and re-introduction of residential use of upper floors. These premises are considered suitable for the proposed change of use, which would result in the replacement of office space by small residential units and retail use.

**Environmental conditions and impact on adjoining properties**

7.11 UDP policy ENV-B.1.9 seeks to ensure that developments are designed to create a safe and secure environment.

7.12 It is considered that the building lends itself to conversion and extension due to its position and site layout. The scale and appearance of the building and its curtilage are commercial and the proposal would not significantly alter the front elevation of the building. The building is located within a commercial frontage with residential buildings to the side and rear.
7.13 The proposed conversion would alter the site’s layout and increase the footprint of the building. It is not considered that the proposed development would result in an unacceptable loss of amenity to the commercial premises either side of the site, which are located on ground and upper floors. It is not considered that the proposal would result in harm to the adjoining premises by reason of unacceptable noise or other activity within the context of a busy town centre in accordance with UDP policies ENV-B.1.1 and C.3.2.

7.14 The proposed extension to first and second floor at the rear is considered to be acceptable in principle. The three-storey element of the extension would be positioned 6.5m from the eastern boundary and 2.3m from the western boundary. It would be some 38m from the southern boundary and would maintain satisfactory daylight angles to neighbouring properties. Windows that are proposed in the side elevations will be high level and obscurely glazed to avoid potential overlooking and loss of privacy.

7.15 The proposed ground floor extension would occupy most of the rear yard. However, it would be no taller than the existing boundary wall to the east and would have minimal impact on Arlington Park Mansions in terms of daylight and outlook. The rear face of the extension would be 6m from the rear boundary so as to maintain a separation from Arlington Cottages, which are Grade II Listed Buildings.

7.16 There would be no loss of daylight to adjoining residential properties because of the lowered height and reduced depth of the single-storey extension. There would be no loss of sunlight because the extension is to the north of Arlington Cottages and would not create any more shadowing than an existing structure adjacent to the boundary within Arlington Park Mansions. The extension would present an acceptable appearance and the development is considered to accord with policies ENV-B 1.1 and ENV-B 2.5 which seeks to protect the setting of Listed Buildings.

7.17 All the buildings surrounding the site to the south and east are within Turnham Green Conservation Area. It is considered that the proposed extensions would preserve the character of the Conservation Area in accordance with policy ENV-B 2.2. There is a Sycamore Tree at the rear of 309-317 Chiswick High Road, which is just outside the Conservation Area but contributes to the character of the Conservation Area. A tree report has been provided and measures have been identified to protect the tree. The extension has been reduced so as to maintain sufficient distance for the tree to remain and a TPO has been put in place.

**Traffic and parking**

7.18 Policy T.1.4 (Car and Cycle Parking and Servicing Facilities for Developments) of the UDP states that all developments must provide parking and servicing facilities to an appropriate level up to the Council’s maximum standards as found in Appendix 3. The proposal is for residential and retail use, which would require no more than 10 spaces.

7.19 The site is in the town centre, which is well served by buses, and is within walking distance of Chiswick Park tube and Gunnersbury mainline and tube station.

7.20 There is an existing vehicular access and parking spaces at the rear of the site, which are to be removed. The application is accompanied by a servicing and parking appraisal, which concludes that traffic associated with the development can be accommodated. The report also demonstrates that the service bay at the site frontage can be altered to increase its capacity. The traffic implications of the proposed development compared to the existing office use would not be significant in this town centre location.
7.21 The applicant has provided information to demonstrate that servicing and parking for the commercial use can be accommodated within the highway. There would be no parking provision for the residential units. The applicant has indicated that these dwellings would be car-free housing and part of a proposed S106 agreement would ensure that residents would not be eligible for parking permits within the adjacent CPZ.

7.22 This part of Chiswick High Road in front of the site is within the Inner Core area of parking controls, with pay and display bays for short-term shoppers parking and loading bays for shops. Therefore, if parking permits were available to future residents they would be in the West Chiswick CPZ, which covers roads around the site, such as Chiswick Road to the north of Chiswick High Road, and Arlington Gardens to the south, where the West Chiswick CPZ is in operation and already approaching saturation. In this case, therefore, it would be appropriate to ensure that future residents of these premises in Chiswick High Road are not eligible for parking permits.

Residential Density and housing standards

7.23 Planning Policy Guidance Note. 3 (PPG 3) and the London Plan both encourage more efficient use of land in order to provide sustainable communities and to meet housing needs in the local area and within the broader London context.

7.24 Unitary Development Plan Policy H.4.2 (Residential Density) recommends that density should not exceed 250 Habitable rooms to the hectare (hr/ha) but states that, provided a high quality environment can be achieved, higher densities will be considered for predominantly non-family accommodation in town centres. The submitted scheme would provide a density of 533 hr/ha based on net residential area. Density is only to be used as a guideline and policy H.4.2 states that density will be of secondary importance after taking account of the individual requirements of each site and the merits of each scheme.

7.25 The London Plan Density matrix (table 4B.1) suggests residential densities within the range 450-700 hr/ha for town centre sites such as this, comprising flats. Within urban town centres densities above 450 hr/ha may be considered. The proposed density based on net residential site area is 533 hr/ha and the accommodation would be non-family studio and one-bedroom units. According to the matrix, this is a site where high density development may be considered.

7.26 UDP guidance (Appendix 1) recommends a distance of 21 metres for privacy between habitable room windows that face each other. Windows in the proposed development would not face any other properties within 21 metres. Proposed balconies are flush with the building and would not provide opportunities for overlooking. However there are side-facing windows at upper levels, which could give rise to overlooking. These windows are to be high level and obscurely glazed so as to maintain privacy.

7.27 Four of the proposed unit sizes meet the requirements of Policy H 4.1 and SPG 12 and are considered acceptable. The two-bedroom units exceed the standard by 7m² (see paragraph 4.3). Two of the one-bedroom units fall slightly short of the overall floorspace standard but provide adequate room sizes and satisfactory internal layout. The proposal provides adequate room sizes and satisfactory internal layout. Supplementary Guidance lists appropriate minimum room sizes, which provide a useful guide to determining the quality of internal space to be provided.
<table>
<thead>
<tr>
<th>Room</th>
<th>Required Size</th>
<th>Proposed 2 Bedroom 77m²</th>
<th>Proposed 1 Bedroom 45/43m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Bedroom</td>
<td>12m²</td>
<td>16 m²</td>
<td>14 m²</td>
</tr>
<tr>
<td>Second Bedroom</td>
<td>10m² (double) or 6m² (single)</td>
<td>11.4m²</td>
<td>N/a</td>
</tr>
<tr>
<td>Bathroom</td>
<td>3.7m²</td>
<td>3.7m²</td>
<td>3.7/5.4 m²</td>
</tr>
<tr>
<td>Working Kitchen &amp; Lounge/diner (Non-Family)</td>
<td>5.5m² + 14m² = 19.5m²</td>
<td>N/a</td>
<td>20.1 m²</td>
</tr>
<tr>
<td>Working Kitchen &amp; Lounge/diner (Family)</td>
<td>7.5m² + 16m² = 23.5m²</td>
<td>32.5m²</td>
<td>N/a</td>
</tr>
</tbody>
</table>

7.28 The overall layout of units is acceptable and provides satisfactory daylight and outlook. SPG 10 (Private Amenity Space) sets a standard of 25sq m/unit, equating to 200sq m for this development. There is no amenity space proposed within the scheme. However, none of the proposed dwellings are family units and the applicant has offered S106 funding for the open space at Turnham Green, which is a short walk (100m) to the east of the site.

8.0 PLANNING OBLIGATIONS
8.1 UDP Policy IMP.6.1 seeks planning obligations to secure planning benefits related to the proposed development.

8.2 The main areas for inclusion into a S106 agreement are:
- In this case, in order to ensure a satisfactory living environment for future residents, it is desirable in accordance with ENV-B.1.1 and H.4.1 that the developer provides a contribution of £8,000 to open space provision in Turnham Green.
- A contribution of £6,000 to environmental improvements along this section of Chiswick High Road, including the provision of cycle-racks and/or other street furniture to benefit the proposed retail and residential uses.
- The scheme makes no parking provision for the residential units so it is appropriate that future occupants should not be eligible to obtain car-parking permits within the Inner Core or West Chiswick Controlled Parking Zones.
- S 278 agreement to secure alteration of the service bay in front of the premises at the applicant’s expense.

9.0 CONCLUSION
The proposal is within an area where retail expansion and residential development are considered to be acceptable in principle. The design of development would be in keeping with the character of the High Street frontage and would respect the character of the Conservation Area. Housing space and layout standards are acceptable but there is no amenity space provision. S 106 contributions to Turnham Green would benefit future residents. There would be no material impact on neighbouring properties. Access and parking arrangements are considered to be acceptable.
10.0 **RECOMMENDATION**

That subject to the satisfactory completion of the above legal agreement, the Director of Planning be authorised to issue planning permission for the development, subject to the following conditions and reasons.

**GRANT**

Subject to appropriate safeguarding conditions this application for extension to provide retail premises and residential development to provide 8 flats represents an acceptable form of development. It would not detract from the character of the area and would not be harmful to neighbours’ living conditions or highway safety. On balance, the development is in accordance with Policies ENV-B.1.1 (New Development), ENV-B.2.2 (Conservation Areas), ENV-B.2.5 (Development affecting the setting of a Listed Building), ENV-B.1.8 (Access & Facilities for People with Disabilities), IMP.2.4 (Enhancement of Chiswick Town Centre), H.4.1 (Housing Standards & Guidelines), H4.2 (Residential Density) and T1.4 (Car & Cycle parking) of the adopted Unitary Development Plan.

**Conditions:**

1. A1A  *Time limits* - 3 years
2. B4  *Materials*
3. B5  *Strictly in accordance with plans*
4. C23  *No external plant*
5. C29  *Hours of construction* (Mon-Fri 08.00-18.00, Saturday 09.00-13.00, not at all on Sundays, Bank & Public Holidays)
6. C34  *Illumination, mud & dust on construction sites*
7. D1  *Obscure Glazing (east and west)*
8. D3  *Balconies*
9. D4  *Waste and recycled materials Storage*
10. D5  *Waste and recycled materials (implementation)*
11. D9  *Soundproofing-External Noise*
12. E1  *Landscaping design proposals*
13. E2  *Landscaping (implementation)*
14. E5  *Boundary Treatment*
15. E12  *Location of trees on or adjacent to development sites*
16. F9  *Close Access*
17.  *Air quality*

*Before the development is commenced a scheme for protecting the proposed residential accommodation from external air pollution shall be submitted to and approved by the Local Planning Authority and any works which form part of such a scheme shall be completed before any part of the development is first occupied or used.*

**REASON:** D9

18.  *Flooding*

No development shall commence before an evacuation plan for safe exit and access from the ground floor level to an upper level and a detailed flood warning system on the site has been supplied to and approved in writing by the Local Planning Authority.

**REASON:** To reduce the risk of flooding to the occupants of the ground floor level.
### References:

<table>
<thead>
<tr>
<th>References</th>
<th>Address</th>
<th>Ward</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>C/2006/3381</td>
<td>Land at Terminal 2, Queens Building and part of Terminal 1, Central Terminal Area and Car Park P5, Heathrow Airport, Sealand Road, London Borough of Hillingdon (Out of Borough)</td>
<td>Out of Borough</td>
<td>Development of a replacement passenger terminal building in the Central Terminal Area of Heathrow Airport to include passenger processing, baggage, retail, office and associated facilities, an integral pier comprising gate rooms; air bridges and nodes; provision of airside road; forecourt layout including vertical circulation structures, associated ancillary apparatus and structures; connections to public transport facilities; minor road configurations, energy centre and ancillary buildings and infrastructure; provision of boreholes; ancillary supporting infrastructure and plant; demolition of existing structures (including Terminal 2, Queens Building and part of Terminal 1); provision of enabling works including service diversions and associated infrastructure (Consultation from London Borough of Hillingdon).</td>
</tr>
</tbody>
</table>

### Drawing numbers:


### Consultation received:

30th October 2006

### SUMMARY

1.1 The London Borough of Hounslow has been formally consulted by the London Borough of Hillingdon about a planning application and associated Environmental Statement (ES) submitted by BAA.
1.2 The consultation relates to the development a replacement passenger terminal building in the Central Terminal Area of Heathrow. Heathrow Airport Ltd. is proposing to demolish Terminal 2, Queen’s Building and the southern end of Terminal 1 and erect the new terminal which will be called Heathrow East Terminal. The new facility will replace the existing passenger handling facilities in Terminal 2, followed by Terminal 1, with Terminal 1 closing its passenger handling facilities once the new terminal is fully operational. Terminal 1 will then be mothballed.

1.3 The proposed new terminal facility will be constructed along the lines of the emerging Terminal 5 and will include a number of measures to reduce its environmental impact e.g. energy saving measures, water saving measures, biomass boilers etc.

1.4 The Council has an adopted, but non statutory, Aviation Policy which brings together all the policies that are related to aviation matters in Hounslow. It acts as a basis for the Council’s campaign against expansion and for mitigation of the existing situation. The document outlines policy areas where the Council is looking to ensure that the current situation is safeguarded.

1.5 With regard to this policy, the Council’s position on the scheme is largely neutral if no additional passenger capacity is being developed i.e. there are no extra aircraft movements or passengers going through the airport and it does not challenge the 480,000 air transport movement cap nor does it change the way the airport’s runways operate. There is an issue with provision of surface access facilities in that it is felt more could have been done within the proposal towards achieving BAA’s target of 40% of journeys to and from the airport by alternatives to the car.

1.6 However, in order to secure this position it is recommended that LB Hillingdon enter into legal agreements with BAA limiting the number of passengers through the new facility to 30 million passengers per annum and not to reopen Terminal 1.

1.7 With regard to traffic issues, the overall increase in traffic arising from the development in operation is not considered significant because the redevelopment is stated not to increase airport capacity. However, the construction works will have an effect in the short/medium term on Hounslow’s roads and traffic, and it is considered reasonable to request a contribution of £50k from the applicants to reduce speeds and improve safety at the Stanwell Road/Beacon Road roundabout and a contribution of £120k for the possible introduction of a residents’ parking scheme, pending resident agreement, in the Stanwell Road area.

1.8 It is also considered that the submitted Environmental Statement which accompanies the planning application has fundamental omissions. Until these are rectified it is considered that it is not possible to determine the application in compliance with the Environmental Impact Regulations. However, it is recognised that the London Borough of Hillingdon may take a different view. These deficiencies are:

- Inadequacy of the Environmental Statement in terms of the baseline and impact on Air Quality: The use of an inappropriate tool to indicate air quality.
- Inadequate information to complete the traffic data, day / night speed profile.
- Integrated Atmospheric Dispersion modelling of all sources at the airport and surrounding roads to provide an accurate prediction.
- Inadequacy of the Environmental Statement in terms of the baseline and impact on Air Quality: The use of an inappropriate tool to indicate air quality.
1.9 All the parameters used and projections should be reported and made transparent

2 SITE DESCRIPTION

2.1 The application site is the Central Terminal Area of Heathrow Airport, presently comprising Terminals 1, 2, and 3 and associated infrastructure including offices and car parks. Terminal 2 and the Queens Building were built about 50 years ago and have a ‘well worn’ appearance.

2.2 It is also important to indicate that a “southside pre-assembly area” is to be provided in the vicinity of the Beacon Road roundabout (at the Borough boundary, to the south west of Terminal 4) during construction.

3 HISTORY

3.1 Extensive out of borough history

4 DETAILS

4.1 The proposal is for a new passenger terminal building and forecourt. The proposal also includes an energy centre and ancillary facilities to serve the new Heathrow East Terminal together with various enabling works and associated infrastructure to facilitate the demolition of the existing buildings (Terminal 2 and the southern end of Terminal 1) and the construction of the new terminal. BAA also proposes to mothball parts of Terminal 1 whilst continuing to use the baggage handling facilities. The Planning Statement attached to the submission states that the new terminal “will provide facilities for approximately 30 million passengers per annum. These are replacement facilities and the proposed development will not seek to overturn any of the current existing restrictions that are impose on Heathrow operations including;

• The 480,000 air transport movement restriction imposed by the Terminal 5 permission.
• The 42,000 car park cap imposed by the Terminal 5 permission.
• The 57Leq (145km²) noise contour imposed by the Terminal 5 permission.”

4.2 The statement also advises “Nor will Heathrow East Terminal require any change to runway operation at Heathrow, under the current operating procedures of: -

• Runway segregation and alternation;
• The westerly preference of the runway operation;
• The Cranford Agreement.” (The Cranford Agreement is a 1952 noise mitigation measure to protect Cranford from excessive blight of departures during westerly operations).”

4.3 The development is to be phased. It is expected that the first transfer of passengers from Terminal 1 to Heathrow East Terminal (HET) will take place in 2012 and the last in 2016.

4.4 In addition to the Planning Statement the planning application is accompanied by substantial
documentation, technical and non technical statements and drawings. The Environmental Statement sets out the likely effects of the new development on the environment.

5 CONSULTATIONS

5.1 The application was extensively advertised in the press by the London Borough of Hillingdon including in the Hounslow Chronicle on 5th October 2006. The proposal was also advertised in The Hounslow Magazine on 16th November 2006.

5.2 As a result of the notification 10 responses have been received. These responses can be summarised as follows: -

5.3 Whilst there is no objection to improving and modernising existing facilities, there is objection to any increase in capacity as a result of the new build as this will lead to more flights with more noise and air pollution (and further global warming), and more traffic congestion, with also further air and noise pollution, and subsequent impact on climate change. All the objectors raised concern about the likelihood of additional flights. There was also doubt that there would be any long term advantage to local people, including in terms of employment. With regard to the objections, it is not proposed to increase capacity through the development, only ‘up-date’ facilities. It is recognised that there has been resident concern over mixed mode runway operations (if introduced) and the use of larger aircraft, which can influence capacity, but a cap limit exists, which can only be lifted through a planning proposal to lift it, and this is not what is proposed at this time. The argument is, however, understood that renewed facilities may help accommodate and offer the potential for increased capacity, at some time in the future.

6 POLICY

6.1 S38 (6) of the Planning and Compulsory Purchase Act 2004 states If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The Unitary Development Plan (UDP) and London Plan are both development plans for the Borough. The UDP was adopted in December 2003, and the London Plan in February 2004. Alterations to the London Plan on housing provision targets, waste and minerals were published in December 2006 and now form part of the adopted London Plan.

Where there is a policy in the UDP that conflicts with policy in the London Plan, the London Plan takes precedence as it is the more recent of the two Development plans

6.2 Unitary Development Plan

6.3 Policies of particular importance include: -

ENV-B.1.1 New Development

ENV-P.1.5 Noise Pollution

ENV-P.1.6 Air Pollution
T.4.3 Traffic Implications of New Development
T.5.1 Air Quality Implications of Traffic
T.6.1 Airport Terminal Capacity.

6.4 London Plan

Policies of particular importance include: -
Policy 3C.5 (London’s international, national and regional transport links)
4A.6 (Improving air quality)
4A.14 (Reducing noise and the Mayor’s Ambient Noise Strategy)
4A.7 (Energy efficiency and renewable energy).

6.5 Planning Policy Guidance Notes and Planning Policy Statements

PPS23 Planning and Pollution Control)
PPS 13 (Transport)

6.6 Hounslow’s Aviation Policy

6.7 This document brings together all the policies that are related to aviation matters in Hounslow. It was adopted as policy by the Borough Council on 7th March 2006 but is not a statutory plan. It acts as a basis for the Council’s campaign against expansion and for mitigation of the existing situation. The key objectives within the strategy are as follows.

• A Quieter Borough
• Quieter Nights
• Quieter Schools
• Cleaner Air
• Improved Surface Transport
• A Healthier Environment
• Employment and Quality of Employment
• A Safe Borough

7 PLANNING ISSUES

7.1 The primary planning issue is what effect the development would be likely to have on the residents and occupiers of the London Borough of Hounslow. Although the new building itself is away from the borough boundary with Hounslow, and will not have a visual impact, it has to be assessed whether the new terminal will result in an increase in airport capacity and usage and consequently more pollution in terms of noise and air pollution. The applicants claim “no”.

56
7.2 Other factors such as the Government’s possible introduction of mixed mode runway operations (as opposed to segregated mode) and larger aircraft may have the effect of substantially increasing capacity beyond the cap limit set by the Inspector in the Terminal 5 decision (480,000). Before this is possible BAA would have to apply to Hillingdon to vary the cap. This is likely to lead to a planning inquiry. This is a completely separate issue to this application.

7.3 Any increase in capacity will affect residents and occupiers of Hounslow Borough in terms of increased noise and air pollution, including the 90% of Hounslow’s school children who are already affected by aircraft noise. However, this said, the proposed development is, in itself, not proposing to increase capacity and has to be assessed on that basis.

7.4 Construction traffic during the building operations must also be assessed in terms of its impact on Hounslow residents and occupiers, and this clearly will have an impact in the short term and medium term as the construction phase is likely to last four years.

7.5 It is also considered and is of concern that the planning assessment on the submitted scheme cannot be properly made by the London Borough of Hillingdon, because of inadequate information in the Environmental Statement.

Assessment of HET against the “Aviation Policy”.

7.6 Hounslow’s aviation policy outlines eight key policy areas. What follows is an assessment of the Heathrow East development against each of these criteria

7.7 A Quieter Borough

- The Heathrow East proposal will not lead to any additional impact from aircraft noise. There may be a very small increase in the road noise levels during the construction phase because of a possible increase in heavy vehicles.

7.8 Quieter Nights

- The Heathrow East proposal will not lead to any changes in the night flying regime.

7.9 Quieter Schools

- Because the Heathrow East proposal does not lead to any increase in the number of air transport movements there will be no additional effect on the borough’s Schools.

7.10 Cleaner Air

- Because the Heathrow East proposal does not lead to any increase in aircraft movements or passenger capacity it is envisaged that there will be no impact on the Borough’s air quality. This may not be the case for the construction phase.
7.11 Improved Surface Transport

- The Heathrow Airport draft interim Master plan states, “there are a number of challenges ahead, not all within our control. The principal issues are: Uncertainty over the future proportions of passengers travelling to/from Inner London and the proportion of foreign passengers, each of which tend to have a higher propensity to use public transport”

- Given the above statement it would appear remiss not to have included a public transport capacity assessment or surface access demand assessment in relation to this application. A tabulation of the aircraft fleet mix, and hence, by calculation, the passenger numbers expected to service HET, would have given more substance to the claims that there will be no more demand on surface access from 2005 to 2016 and only a 4% increase by 2030.

- However, with the surrounding road network close to capacity, any increases to traffic when the terminal opens may be significant. Pressures on surface access links to and from Heathrow have been flagged up as concerns by the local authorities surrounding Heathrow and the Mayor of London as well as organisations such as the South East England Regional Assembly.

- BAA Heathrow have been working towards a goal of 40% passengers using public transport to access the airport, with a long-term vision of 50%. Considering the 40% level is still not achieved, every opportunity should be taken to improve public transport connections. Consideration should be given, as part of this application, to improve public transport access and the availability of public transport information to passengers where possible or to agree a contribution to BAA Air Quality Action Plan/Transport Fund.

7.12 A Healthier Environment

- It is not envisaged that there would be any additional deterioration in health due to the Heathrow East proposals.

7.13 Employment and Quality of Employment

- During the construction phase it is likely that there would be employment available for construction workers.

- It is possible that the number of people employed within the replacement facility will be reduced due to increased mechanisation.

7.14 A Safe Borough

- This refers to the risk of aircraft crashing in the Hounslow area. Given that there is no increase in the number of air transport movements there is no increase in the risk.
7.15 BAA has been at great pains to emphasise that this is a **replacement facility** and does not provide any **additional** passenger capacity. Therefore this assessment is based wholly on the fact that there is no increase in capacity. To ensure that this the case the following is recommended.

7.16 Because of this it is **recommended** that BAA enter into a formal legal agreement with the London Borough of Hillingdon to cap the new terminals’ capacity to 30 million passengers per annum.

7.17 In a similar vein it is **recommended** that BAA enter into a legal agreement with the London Borough of Hillingdon to ensure that Terminal 1 is and remains mothballed. Members should note that should BAA wish to reopen Terminal 1 sometime in the future, this would release further passenger capacity of 20 million passengers per annum.

**Assessment of the Development against Development Plan Policies**

7.18 The UDP and London Plan policies that affect developments are also predicated around airport expansion. Therefore, given that airport expansion is not proposed, the policies have limited application with respect a proposal that involves a building some distance away from the Borough boundary. However UDP policies in relation to noise, air quality, traffic and climate change are certainly important.

7.19 Noise. As stated above the Heathrow East proposal will not lead to any additional impact from aircraft noise. There may be a very small increase in the road noise levels during the construction phase because of a possible increase in heavy vehicles. The Heathrow East proposal will not lead to any changes in the night flying regime.

7.20 Air Quality. In terms of air quality when the terminal opens there is nothing to indicate that Heathrow East will lead to increasing levels of the pollutants of concern i.e. nitrogen dioxide and fine particles. This may not be the case when the terminal is being constructed and this is considered below in respect of the submitted environment statement.

**Traffic.**

7.21 Heathrow East Terminal is being proposed as a replacement facility for the existing Terminals 1 and 2. It is being designed for approximately 30 million passengers per annum, which is less than the current throughput of Terminals 1 and 2 and so does not provide for a passenger capacity increase. The road access will be the same as for Terminal 2 at present in the Central Terminal Area, entering and exiting via the Inner Ring Road.

7.22 The existing access for public transport at Terminal 2 will be maintained, with pedestrian subway links to the Heathrow Express and London Underground stations and to the Central Bus Station. The ‘vertical circulation’ between the terminal building and the pedestrian subway network that links to the public transport facilities will represent an improvement on the existing facilities, thereby encouraging public transport use by air passengers and other visitors. Short stay parking will be provided by a replacement car park on the site of the existing Multi-Storey Car Park 2, which will be demolished.
7.23 As it does not provide for any increase in air passenger capacity, Heathrow East Terminal will not change road traffic or public transport conditions when it is operational from those that would have otherwise occurred as a result of Terminal 5 opening and the changes in air passenger movements. Therefore the operational traffic impact can be considered to be neutral. That having been said, it is vital the BAA continues with its aim set out in its Surface Access Strategy to achieve a minimum level of 40% of all air passengers using public transport to travel to and from the airport. In 2005, this percentage reached 37%.

7.24 The development, if approved, will form a major construction site for a number of years and the impact of the related construction traffic on the surrounding road network needs to be assessed. Forecasts of construction-related traffic have been provided by the applicants and have been compared to the baseline traffic flows that are anticipated on the construction routes in 2010.

7.25 The building programme will involve some construction materials being delivered straight to the construction site, either via the M4 spur and the main tunnel into the central terminal area or using the airside cargo tunnel on the south side of the airport.

7.26 However, a ‘Southside pre-assembly area’ is to be provided, accessed off the southern perimeter road in the vicinity of the Beacon Road roundabout to which materials including, some 60% of fitting out materials will be delivered for subsequent onward delivery to the construction site.

7.27 For the majority of highways links in the area that have been assessed, the increase in traffic volume is around 1.0% or less for all time periods considered. The highest increase on any link is a 2-3% increase in total flow in the AM peak and 1-2% over 18 hours and 24 hours. This occurs on the section of the southern perimeter road between Terminal 4 and the Hatton Cross roundabout. However, for this link, this percentage represents an increase in traffic of around 20 vehicles/hour or less.

7.28 One link that has not been considered in the assessment is the dual carriageway section of Stanwell Road linking west from the A30 to the Beacon Road roundabout. This route provides a direct link between the A30 and the proposed pre-assembly area and could prove an ‘attractive’ route for construction traffic. There are already a number of accidents occurring at the roundabout junction with Beacon Road and there is concern that an increase in traffic flows could adversely affect safety at this busy junction. The Council should therefore consider requesting a contribution towards measures to reduce speeds and improve safety at this roundabout.

7.29 Looking at the levels of traffic that are anticipated elsewhere, it is not considered that the addition of construction traffic will have a significant impact on the operation of other areas of Hounslow’s road network around Heathrow.

7.30 Parking for construction operatives and staff will be provided at the existing Lithgows Road car park, which is sited off the Southern Perimeter Road just to the southwest of Hatton Cross. Existing parking on this site will be displaced to another on-airport location controlled by BAA. The London Borough of Hillingdon already has an agreement with the airport operator on the location and size of car parks in relation to the cap on parking stock.
as part of the Terminal 5 planning permission. Including the construction-related use, all parking will remain well below the Terminal 5 limit on parking numbers.

7.31 The peak total construction workforce is estimated to be around 2,800 in number and experience from the Terminal 5 construction site indicates that some 50% may elect to drive to work. The construction worker car park provides 1406 spaces and so should be sufficient for demand. However, there could possibly be the potential for overflow parking in the nearest streets to the construction site. Whilst the Council already has a residents’ parking scheme in operation around the Hatton Green area that would prevent the ingress of any parking by construction workers’ vehicles, there is no such control around the Stanwell Road area. The Council should therefore consider requesting a contribution towards the costs, should the need arise, of introducing waiting restrictions in the dual carriageway section of Stanwell Road west of the A30 and a possible residents’ parking scheme to cover the Stanwell Road area east of the A30 should residents support its introduction.

Climate Change.

7.32 BAA advise that the actual design of the new facility is “State of the Art” and will reduce energy and water use and therefore carbon emissions. A summary giving details on how this building will be more sustainable is giving in Appendix 1 to this report.

8 CONCERNS OVER SUBMITTED ENVIRONMENTAL STATEMENT (ES)

8.1 The purpose of an environmental statement is to allow the local planning authority to compare the environment with and without the development. In order to do this properly there is a clearly laid out methodology.

8.2 In this case it would appear that is for the construction impacts alone, the BAA methodology within the environmental statement is inadequate.

8.3 These deficiencies are:

- Inadequacy of the Environmental Statement in terms of the baseline and impact on Air Quality.

- Use of an inappropriate tool to indicate air quality.

- Necessary information is required to complete the traffic data, day/night speed profile.

- Integrated Atmospheric Dispersion modelling of all sources at the airport and surrounding roads is required to provide an accurate prediction.

- All the parameters used and projections need to be reported and made transparent.

8.4 The Environmental Statement has fundamental omissions. Until these are rectified it is not
considered that the planning application can be decided in compliance with the Environmental Impact Regulations.

8.5 Further details on this matter are given in Appendix 2.

9 EQUAL OPPORTUNITIES IMPLICATIONS

9.1 None specific.

10 CONCLUSION

10.1 The Aviation Policy is not particularly applicable in this case because the development does not increase airport capacity particularly the number of flights. The likely environmental effect on Hounslow’s residents and occupiers is likely to be insignificant during the operational phase of the development. Council officers have been unable to fully assess the effect of the construction phase due to the inadequacy of the environmental assessment. The impact on airport operational traffic is not likely to be significant, but the short/medium term construction traffic will impact on Hounslow more significantly.

10.2 The requirements of the Environmental Impact Assessment Regulations have not been met and as such the HET planning application should not proceed until this information has been supplied, consulted upon and reviewed. The Environmental Statement fails to establish a baseline for the air quality and establish the impact of the development. Scoping out using inappropriate, and selective use of, guidelines in the developers favour, means the environmental impact of the proposed development cannot be accurately assessed by the Hillingdon planning committee.

11 RECOMMENDATION

11.1 That the London Borough of Hillingdon be advised that the London Borough of Hounslow has the following concerns with respect to the submitted proposal: -

(i) The requirements of the Environmental Impact Assessment Regulations have not been met and as such the HET planning application ought not to proceed until this information has been supplied, consulted upon and reviewed. The Environmental Statement fails to establish a baseline for the air quality and establish the impact of this development. The applicants have scoped out using an inappropriate, and selective use of, the guidelines in their favour, with the result that the environmental impact of the proposed development cannot accurately be assessed by the planning authority. There is therefore insufficient information and a lack of appropriate Information for the planning application to be adequately assessed and for the London Borough of Hounslow to be able to confirm how it would be likely to be affected by the development.

(ii) If Hillingdon Council is minded to approve the development, then the applicants should contribute £50,000 to the London Borough of Hounslow to reduce vehicle speeds and improve safety at the Stanwell Road/Beacon Road roundabout, and
£120,000 to the London Borough of Hounslow for the possible introduction of a residents parking scheme in the Stanwell Road area.

(iii) The London Borough of Hounslow’s assessment is based on there being no increase in the number of passengers. In order to secure this position it is recommended that BAA be required to enter into a formal legal agreement with the London Borough of Hillingdon to cap the new terminals’ capacity to 30 million passengers per annum and to ensure that terminal 1 is, and remains, mothballed. Should BAA wish to reopen terminal 1 sometime in the future, this would release further passenger capacity of 20 million passengers per annum.
Appendix 1.

Summary of the development proposals relating to sustainable design and construction issues.

Energy – HET Demand Reduction Measures
- Optimise built form
- Limit heat losses through the fabric
- Minimise solar gains
- Optimise the use of exposed thermal mass
- Maximise daylighting
- Provide passive shading
- Minimise air infiltration

Energy – HET Energy Efficiency Measures
- Low energy ventilation systems
- Energy efficient light fittings
- Intelligent lighting controls
- Local heating and cooling control
- Variable speed pumps and fans
- Heat recovery

- CHP / Tri-generation
- Ground Source Borehole Cooling and abstraction *
- Wind Turbines *
- Biomass Heating Boilers
- Photovoltaic (PV) modules
  * - Subject to further detailed studies and trials

Materials
- Maximise the selection of timber (in permanent applications) which is FSC certified
- Maximise the selection of refrigerants and materials with zero ODP (ozone depletion potential) and GWP (global warming potential) of less than 5
- Minimise new (virgin) aggregate use.
- Select materials with low embodied energy for internal finishes to suit the function / purpose.
- Minimise natural resource depletion of peat and natural weathered limestone
- Maximise Recycling of Demolition Materials
- Maximise the specification of locally sourced materials
- Minimise the specification of PVC or systems containing PVC.
- Maximise the specification of materials with low VOC content.
- Maximise the specification of natural materials to suit the function / purpose.

Water
- Water Metering
- Low flush WCs
- Aerated / Spray taps
- Low water use showers
- PIR controlled urinals
- Use of Borehole water for WC flushing
- · Use of Rainwater recycling for WC flushing *
- · Use of Reclaimed water from Terminal 5 for WC flushing *
- · Water leak detection

* Subject to further detailed studies and trials

Waste
- Recycling storage areas have been provided within the terminal building to allow occupants to segregate their recyclable waste at source
- Recyclable waste produced during the operation of Heathrow East Terminal will be segregated into waste streams (e.g. paper, plastic, metal, cardboard etc) at recycling stations throughout the terminal building.
- Segregated recyclable waste will be compacted prior to transportation by a licensed waste contractor.
- Pre-fabrication of envelope and standardisation of structural elements
- Maximise the specification of re-used or recycled construction materials for fill and hardcore
- Maximise recycling of demolition waste for re-use
- Prohibit mixing of hazardous and non hazardous wastes
- Prohibit mixing of incompatible hazardous wastes
- Ensure all waste skips and containers are labelled correctly with their contents
- Segregate recyclable waste on site

Transport
- Promote the use of public transport by connecting Heathrow East Terminal to the existing underground links to bus station and rail services
- Provision of onward travel information and services within Heathrow East Terminal
- Provision direct access routes to underground bus and rail links to improve wayfinding

Construction
- Develop a detailed waste management plan
- Develop a detailed environmental management plan
- Establish a system of environmental audits to demonstrate that the requirements of the environmental management plan are being upheld
- Comply with protected species legislation ensuring that Bat and Black redstart surveys are carried out prior to demolition
- Ensure all contractors sign up to the Mayor and ALG ‘s London BPG on the control of dust emissions during construction and demolition
- Ensure all contractors sign up to formal registration and third party auditing under the relevant Considerate Constructors Scheme
Appendix 2  BAA’s Environmental Statement For Heathrow East.

The Department of Communities and Local Government’s (DCLG) “Note On Environmental Impact Assessment Directive For Local Planning Authorities”, states

“The planning authority is responsible for evaluating the Environmental Statement (ES) to ensure it addresses all of the relevant environmental issues and that the information is presented accurately, clearly and systematically. It should be prepared to challenge the findings of the ES if it believes they are not adequately supported by scientific evidence. **If it believes the key issues are not fully addressed, or not addressed at all, it must request further information.** The authority has to ensure that it has in its possession all relevant environmental information about the likely significant environmental effects of the project **before it** makes its decision whether to grant planning permission. It is too late to address the issues after planning permission has been granted.”

The case of *R v Cornwall CC ex parte Hardy [2001 JPL 786]* has shown “If the full environmental information as defined in Regulation 2(1) is not taken into account due to the inadequacy of the Environmental Statement, any planning permission granted runs the risk of being quashed”.

Given the local sensitivity to development at Heathrow Airport, the London Borough of Hillingdon is strongly advised to consider the ramifications of permitting such development without satisfying the Environmental Impact Assessment Guidelines.

In particular, the HET application has not followed appropriate guidance on Air Quality and therefore the baseline, the impact of the development and the significance of the impact on nearby receptors, cannot satisfactorily be assessed without dispersion modelling being done and the assessment of its results. **As such the EIA Regulations have not been satisfied and further information will need to be requested and consulted upon.**

1). Adequacy of the Environmental Statement

Section 12. of the EIA Regulations states “Local planning authorities should satisfy themselves in every case that submitted statements contain the information specified in Part II of Schedule 4 to the Regulations and the relevant information set out in Part I of that Schedule that the developer can reasonably be required to compile. To avoid delays in determining EIA applications, consideration of the need for further information and any necessary request for such information should take place as early as possible in the scrutiny of the planning application”.

If the full environmental information as defined in Regulation 2(1) is not taken into account due to the inadequacy of the Environmental Statement, any planning permission granted runs the risk of being quashed.

In considering the sensitivity of a particular location, regard should also be had to whether any national or internationally agreed environmental standards are already being approached or exceeded. An example is where a proposed development might affect air quality in a designated Air Quality Management Area.
In the case of the HET application the Air Quality assessment has been carried out using an inappropriate methodology that cannot reflect the baseline nor the impact of construction of the development.

2). Traffic

The Traffic and Transport assessment uses criteria which state that only changes in traffic flow greater than 30% are considered significant, or in specifically sensitive areas, where traffic flows are predicted to increase by 10% or more, as “guidelines for the environmental assessment of road traffic” produced by IEM in 1993. This guidance also states that an assessment should also be made when “HGV flows have increased significantly”.

It should be noted that the Department of Environment suggests, in Policy Planning Guidance Note 13 (DOE, 1988), that increases in traffic of 5% are likely to be considered as significant by the Department of Transport.

However these guidelines predate the Ambient Air Quality and Assessment and Management Directive (96/62/EC). The Air Quality Strategy 2000 and implementation of Air Quality Management were produced long after the IEM guidelines and so the IEA guidelines cannot be used to scope out the impact of traffic on air quality as they do not fully consider the current level of knowledge of the impact of traffic on air quality.

3). Air Quality

Though BAA considers the HET to be operationally neutral, this is debatable, as the HET will facilitate greater passenger numbers within the T5 cap through use of larger aircraft, hence our recommendation for a legal agreement with Hillingdon. Nevertheless what is not disputable is the impact of traffic during the demolition/construction of HET.

An inappropriate methodology has been used for scoping-out and modelling. Entec have used traffic guidance to scope out large areas of receptors for air quality implications except for small areas where the traffic increase meets the IEM criteria. Air quality guidance should have been used from the start to provide an accurate baseline and assessment of significance. Entec apply NSCA and ALG guidance which states that an increase of AADT of even 2-3% can be significant and so this should be in the Transport Assessment.

As the baseline needs to be established and the impact of the construction of the development needs to be considered, the Entec air quality assessment has not satisfactorily assessed this baseline or impact.

Only air quality in the London Borough of Hillingdon has been considered, and even then only with an unsuitable screening model. Without detailed dispersion modelling with model verification as described in LAQM TG03, the Air Quality assessment does not comply with the EIA and DEFRA guidelines for assessment and cannot be considered to accurately reflect the baseline nor the impact of the construction traffic.

DCLG Guidance on producing Environmental Statements states: -
Section 2.8 - In preparing an Environmental Statement it is considered that the documentation should enable significantly affected people, parties or interests to be able to identify the “worst” environmental impact that might reasonably be expected, in addition to how they would be affected by the average or typical condition. This issue is returned to in paragraph 3.10 of these Guidelines. “Worst” environmental impacts are likely to include the effect of “greatest change” as well as “highest impact”.

Section 2.9 - The Environmental Statement should also indicate how frequently the “worst” conditions are likely to occur. The Environmental Statement must, therefore, be locationally defined and be specific in terms of effect.

Though Entec have selectively used these IEA guidelines in order to scope out air quality, full appreciation of these guidelines make recommendations that -

Moreover, the process and practice of environmental assessment is evolving rapidly, as is legislation and guidance on the environmental impact of traffic. There is therefore, a continual requirement to monitor and update procedures. The structure of the Guidelines is intended to mirror the activities necessary to undertake an Environmental Assessment.

Development of air quality guidance is a prime example whereby the impacts of traffic below these IEA thresholds need to be considered.

It should be noted that Heathrow borders residential areas of the London Borough of Hounslow and the Boroughs of Spelthorne and Slough. As the air quality in these boroughs has not been considered in the ES, construction traffic should not be allowed to pass through them.

Air Quality Modelling Methodology
The Design Manual for Roads and Bridges, which has been used to model the impact on air quality from construction traffic, is unsuitable for assessment of air quality around airports and areas of exceedance of the National Objective and EU limit value for NO₂ of 40µgm⁻³.

DMRB is a screening model designed for new roads in rural areas, and should not be used for complex modelling of roads around airports.

It cannot contain the actual mix of different aircraft types during taxiing, takeoff, climb, and landing phases and whilst on a stand. Neither can it reflect runway usage, and take offs over a particular area will lead to increased emission levels over a particular area and increased concentrations of pollutants.

ALG guidance states:

Dispersion models should be used in almost all cases for large developments, or those developments proposed in areas where air quality is approaching or exceeding the relevant standards or objectives. DEFRA guidance LAQM.TG (03)¹ suggests models that can be used for air quality assessments– it could be beneficial to confirm the selection of the model with the local

__________________________

68
authority. The model should be capable of taking into account all relevant emission sources within London, for example; line (major road) and area (minor road, domestic heating, individual boilers, commercial etc.) sources. The application should also be able to include point sources (i.e., chimney stacks) from nearby industrial sources. Where relevant the model should be able to determine the effect of height on air pollutant concentrations, if relevant for the planning application under consideration.

The guidance also states: -

‘Where practicable, air quality assessments should take into account the cumulative air quality impacts of other developments, both within the authority and neighbouring boroughs. These should include both committed developments (i.e., those proposals that have been granted planning permission at the time the assessment is undertaken), as well as other proposals which planning officers consider are likely to proceed. This will ensure that a realistic scenario of air quality in the AQMA is presented for both the ‘baseline’ and ‘with development’ predictions of the air quality impact of the development.’

As such the HET development should reflect all the approved and predicted to be approved development around Heathrow by the time of construction of HET, to include GPDO development.

The HET application has not followed appropriate guidance on Air Quality and therefore the baseline, the impact of the development and the significance of the impact on nearby receptors cannot satisfactorily be assessed without this dispersion modelling being done.

Nevertheless the DMRB model shows exceedances of the National Object and EU limit value for 2010. DMRB is a screening model and where exceedances are shown a dispersion model should be used to more accurately quantify the levels of air pollution. The Environmental Statement does not include this and as such fails to provide an accurate baseline of the air quality and the impact of the construction of the development.

The significance methodology (Table 6.4) that has been applied (NSCA 2004, ALG draft) should not be applied to a DMRB screening model. The NO₂ no development contours from document L, the air quality assessment for the energy centre show large areas of London Boroughs of Hillingdon and Hounslow to be above the Air Quality Objective of 40µgm⁻³ NO₂ and therefore have “Very High Sensitivity” Minor significance would be an increase of 0% to +2.5% and Significant for +2.5%. DMRB cannot be used to assess significance, as the guidance does not consider it a suitable model. A Dispersion model with model verification as described in LAQM TG03 is required. Until this dispersion model and its assessment of significance are forthcoming the HET application should not proceed.
RESULTS OF PLANNING APPEALS

Report by: Director of Legal Services

Summary

The report gives an outline of appeal decisions received since the mid December 2006, categorised by the relevant area. The decision letters are available for inspection in the Members’ Suite.

Chiswick Area Committee (Planning)
Heston and Cranford Area Committee (Planning)
West Area Committee (Planning)
Isleworth and Brentford Area Committee (Planning)
No Central Area Report as Committee Cancelled

RECOMMENDATIONS

To note the report

CHISWICK AREA COMMITTEE (PLANNING)

<table>
<thead>
<tr>
<th>NO.</th>
<th>SITE</th>
<th>DATE</th>
<th>OUTCOME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>35A Eastbury Grove, Chiswick</td>
<td>28 December 2006</td>
<td>Dismissed</td>
</tr>
<tr>
<td>2.</td>
<td>13a Priory Avenue, Bedford Park</td>
<td>19 December 2006</td>
<td>One appeal dismissed, one allowed</td>
</tr>
</tbody>
</table>

1. 35A Eastbury Grove, Chiswick, London W4 2JT

*Appeal against enforcement notice against erection of single storey side/rear infill extension to the premises not in accordance with planning permission. (Enforcement notice issued 1 June 2006, committee approval 5 April 2006).*

*Appeal Dismissed 28 December 2006.*

The Council considered that the extension due to its excessive height has an obtrusive and overbearing impact on the neighbouring property with a resultant loss of outlook and light to the occupiers of this property as well as an increased sense of oppression.

The Inspector considered that the main issue is whether the living conditions of the occupiers of 37A Eastbury Grove would be adversely affected. In this regard the Inspector considered that the approved extension must be the absolute limit of what could be built without unreasonably harming the amenities of the occupiers of 37A. The Inspector considered that in this particular case, the additional bulk (0.53m higher than planning permission) would not be in the interests of good neighbourliness. The Inspector also considered that the extension results in an unacceptable sense of enclosure along the boundary and is unduly intrusive and over-dominant in the outlook from the two habitable room windows at 37A. The Inspector concluded that the continued presence of the extension as built would have unacceptable adverse effects upon the living conditions of the occupiers of 37A.
2. **13a Priory Avenue, Bedford Park, London W4 1TX**

**Appeal A:** Appeal against refusal of planning permission for the erection of single storey side and rear extension and erection of part 2 storey extension incorporating replacement of window to front and rear elevation to house. (Refused 9 February 2006, delegated decision).

**Appeal B:** Appeal against refusal of revised proposals for the Erection of a two storey side extension and front porch to house. (Refused 8 September 2006, delegated decision).

**Appeal A Dismissed and Appeal B Allowed 19 December 2006.**

The Council considered that for appeal A the extensions and alterations would detract from the architectural and historic character of the property and neighbouring properties. The proposed extensions, due to their scale and proportions would dominate the building and fail to preserve or enhance the conservation area. The proposals would have an obtrusive and overbearing impact on the neighbouring property with a resultant loss of outlook and light to the occupiers of this property as well as an increased sense of oppression. The Council also considered that the proposals would constitute inappropriate infill and an overdevelopment of the site.

For appeal B the Council considered that the proposed development, by reason of its inappropriate scale and proportion would dominate the building, would not be compatible with the prevailing pattern of development in the locality, and would detract from the original character of the building and its neighbours, thereby failing to preserve or enhance the character and appearance of the conservation area. The Council also considered with regard to Appeal B, that the proposed development by reason of its unsatisfactory scale, height and position, would have a detrimental impact on the amenity enjoyed by neighbouring residents in respect of their outlook, owing to the dominant and unneighbourly extension.

The Inspector considered that the main issues are:

- in both appeals, whether the development would preserve or enhance the character or appearance of the conservation area;
- in appeal A, the effect of the proposed development on the living conditions of the adjacent dwellings in terms of outlook, privacy and daylight; and
- in appeal B its effect on outlook.

The Inspector considered that the rear extension in appeal A would represent an excessive addition to this small building, taking up the whole of the limited rear amenity area of the site. The Inspector considered that this, combined with the proposed side extension which would take up most of the space on the east side of the building which would represent a cramped form of development. For this appeal, on this issue, the Inspector concluded that the scheme would be excessive on this small site and would be harmful to the character and appearance of the conservation area.

In Appeal B the rear extension is omitted and the Inspector considered that the proposed two-storey side extension would not have a harmful effect on the modest scale of the building. The Inspector also considered that because of its modest size and location on the east side of the appeal site, it would not affect views of the rear gardens of properties to the south. For this appeal, on this issue, the Inspector concluded that the proposals would have a neutral effect on the character and appearance of the conservation area. The Inspector considered that further details of front boundary treatment should be provided, subject to condition, in order that this important aspect of the streetscene responds fully to the sense of place and townscape of Bedford Park.
The Inspector concluded on both appeals that in the immediate context of this site and given the relatively small scale of the building as extended, the additional proximity would not give rise to an overbearing effect when seen from the adjoining properties. The Inspector considered that the proposed development in both appeals would not have an unacceptably adverse impact on the living conditions of occupiers of adjacent dwellings in terms of outlook, or in regard to Appeal A, in terms of privacy or daylight. The Inspector did not concur with the Council’s views on the room sizes, and concluded that the rooms would not fall so far below standard as to represent unsuitable living accommodation.

The Inspector dismissed Appeal A on the grounds that it would not preserve or enhance the character and appearance of the conservation area. The Inspector allowed Appeal B, imposing conditions thereon.

**HESTON AND CRANFORD AREA COMMITTEE (PLANNING)**

<table>
<thead>
<tr>
<th>NO.</th>
<th>SITE</th>
<th>DATE</th>
<th>OUTCOME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>149 Ringway, Southall</td>
<td>28 December 2006</td>
<td>Dismissed</td>
</tr>
</tbody>
</table>

1. **149 Ringway, Southall, Middlesex UB2 5ST**

*Appeal against enforcement notice against the erection of a single storey rear extension onto the rear of an existing extension to the premises (Notice issued 23 June 2006, committee approval 1 June 2006).*

*Appeal Dismissed 28 December 2006.*

The Council considered that the second extension is considered, due to its size, position and appearance, to have an obtrusive and overbearing impact on neighbouring properties with a resultant loss of outlook and light to the occupiers of these properties. The Council also considered that the second extension fails to complement the shape and design of the original dwellinghouse, and is out of proportion and scale with the original dwellinghouse and the surrounding area.

The Inspector considered that the two main issues are firstly the effect of the development on the character and appearance of the dwelling and area, and secondly whether the living conditions of neighbouring dwellings would be adversely affected.

On the first issue, the Inspector considered that the extension to the rear of the premises is markedly out of proportion and keeping with the original building and fails to harmonise with adjoining buildings. The Inspector did not consider that any harm was caused to the general streetscene, given the position at the rear, however the excessive scale and bulk of the extension is readily apparent in views from neighbouring properties. Although this is a localised view, it nevertheless has a negative and adverse visual impact in this compact residential development and harms the character and appearance of the dwelling and area.

With regard to the second issue, the Inspector considered that although the vegetation growing along the boundaries and in the rear gardens of adjoining properties impacts on the sunlight and daylight reaching these properties, the sheer rearward extent of the extension inevitably causes overshadowing and has an unduly obtrusive and overbearing impact on the rear garden of 151. The development also has a detrimental effect on the living conditions of the occupiers of 147. The Inspector concluded that whilst the first rear extension was acceptable, the continued presence of the second extension is likely to have an unacceptably adverse effect upon the living conditions of the occupiers of neighbouring properties.
WEST AREA COMMITTEE (PLANNING)

1. 89 Fernside Avenue, Feltham

Appeal against refusal of planning permission for demolition of existing garage and house extension and the erection of 3 x 3 bedroom terraced houses and associated parking to existing site. (Planning permission refused 29 September 2005, delegated decision).

Appeal dismissed 8 January 2007.

The Council considered that the proposals would result in overdevelopment of the site and would be considered to be backland development resulting in a detrimental impact on the amenity of no.87 and no.89 in terms of loss of light, loss of outlook, massing and the creation of general noise and disturbance for other neighbouring properties. The Council also considered that the proposed development would be likely to be detrimental to the safety of drivers, passengers, cyclists and pedestrians due to the proposed use of the narrow access route for both private and service vehicles. The proposed development because of its appearance would not enhance the townscape value of the area through good urban design and is not considered to be in keeping with the appearance of the surrounding streetscene.

The Inspector considered that the main issues to consider are: the effect of the proposals on the living conditions of neighbouring properties; the character and appearance of the area; and the safety of users of the access route.

The Inspector considered that the proposal would significantly overshadow the rear of the existing property, reducing the light, sunlight and open outlook currently enjoyed by its occupants, materially harming their living conditions and that of future occupants. The Inspector agreed that the Council’s concerns over the staggered rear building line were justified, and considered that the entire rear plots of two of the houses would be overshadowed for most of the day. The Inspector considered that given the fact that the majority of the windows of each house would be at the rear, this overshadowing would result in poor living conditions of limited daylight, sunlight and outlook for the occupants. The Inspector did not consider that the outlook from no.87 would be significantly affected by the proposals, nor that the additional disturbance arising from the occupation of the proposed dwellings would cause any material harm to the living conditions of the occupants.

The Inspector considered that the proposal would undermine the existing sense of enclosure in the street and appear incongruous with the rest of the street and would therefore be harmful to the character and appearance of the area.

The Inspector agreed with the Council that the footpath would be insufficient to safely accommodate wheelchair users, people with buggies or residents manoeuvring refuse containers to the proposed collection point. The Inspector considered that these users may be forced onto the track itself, potentially placing them in conflict with vehicles as the track itself is well used as a secondary access to approximately 50 dwellings, but this use would alter significantly in providing the primary access to the proposed dwellings. The Inspector considered that the proposed location of the garages at the rear of the properties would be somewhat inconvenient, particularly for short periods and they may choose to park on-street causing an obstruction. The Inspector did not consider that the fact that the access track was in separate ownership had any great bearing on his decision, as it would be a legal matter between the parties.
Although the Inspector recognised that the proposal would make a small contribution to London’s housing need, he did not consider that this outweighs the harm to neighbouring residents’ living conditions, the character and appearance of the area and the safety of users of the access track.

**ISLEWORTH AND BRENTFORD AREA COMMITTEE (PLANNING)**

<table>
<thead>
<tr>
<th>NO.</th>
<th>SITE</th>
<th>DATE</th>
<th>OUTCOME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>5 Ashley Drive, Isleworth</td>
<td>13 December 2006</td>
<td>Allowed in part</td>
</tr>
<tr>
<td>2.</td>
<td>33 South Street, Isleworth</td>
<td>27 December 2006</td>
<td>Dismissed</td>
</tr>
<tr>
<td>3.</td>
<td>15 Lionel Road North, Brentford</td>
<td>3 January 2007</td>
<td>Allowed in part</td>
</tr>
<tr>
<td>4.</td>
<td>New England Bar &amp; Restaurant, 52 York Road, Brentford</td>
<td>9 January 2007</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

1. **5 Ashley Drive, Isleworth TW7 5QA**

*Appeal against refusal of planning permission for erection of a two storey side extension and a single storey rear extension to existing house. (Planning permission refused 24 January 2006, delegated decision).*

*Appeal Allowed, in part, and planning permission granted subject to conditions 13 December 2006.*

The Council considered that the proposed development by reason of size and scale would appear unduly dominant and obtrusive. It would fail to relate to the original house and the surrounding street scene and fails to preserve or enhance the Conservation Area.

In accordance with a request from the appellant’s agent, the Inspector considered only the side extension element of this proposal. The Inspector considered that the main issue to determine is whether the proposed side extension would preserve or enhance the character or appearance of the Osterley Park Conservation Area. The Inspector considered that the proposals would not result in an overlong or heavy appearance as the gable would continue to break up the front façade. The Inspector also considered that the extension is not unduly wide, and would be subservient to the main body of the house. The property would not look unbalanced nor have its symmetry harmed by the proposal, which would reflect the original design of the house and have no harmful impact upon its design and character. The Inspector considered that because of its position tucked away at one corner of an estate of houses, it would not be particularly prominent, and would therefore not appear obtrusive or overbearing. The Inspector further considered that the proposal would have no harmful impact on the quality of the street scene as it would not effect any gap between properties, and due to the large size of the properties, the limited extension proposed would not make this property out of proportion or scale with its neighbours. The Inspector concluded that the proposal would preserve the appearance and character of the conservation area, and he therefore allowed the appeal in part relating to the side extensions and imposed conditions to protect the amenities of the area.
2. 33 South Street, Isleworth, Middlesex TW7 7AL

**Appeal against refusal of planning permission and conservation area consent for demolition of front entrance, outbuilding and single storey extensions to north east and south elevations and conversion of existing King’s Arms public House to residential, to contain 6 self-contained flats, and the erection of a three-storey building facing South Street to contain 9 flats including associated car parking and landscaping to existing site.**

/Area committee referred their comments to SDC and agreed that the planning department be authorised to refuse the application under delegated powers should the current scheme be deemed unworkable, planning consents refused 19 June 2006).

**Appeal dismissed, 27 December 2006.**

The Council considered that the proposed demolition of the front entrance, outbuilding and single storey extensions to the north, east and south elevations of a building of local townscape character are not justified until an acceptable scheme for the site has been agreed and would harm the character and appearance of the conservation area. The Council further considered that the proposed frontage of the building because of its scale, design and appearance would harm the character and appearance of a building of townscape character and the conservation area. The Council also considered that the proposed development because of its excessive density and lack of parking and amenity space is considered to be an over development of the site, out of character with the surrounding residential area and the character and appearance of the conservation area.

The Inspector considered that the proposed demolitions of the extensions, outbuildings and other structures would allow the fine proportions of the original building to re-emerge and so would enhance both the architectural character of the building itself and the character and appearance of the conservation area. The Inspector considered that the further alterations proposed, principally involving the roof form and the fenestration, are well considered and in keeping with the original architecture. The proposed new residential building would prepare the unattractive break in the built form along South Street which the car park currently creates. The Inspector also considered, however, that there were serious concerns about the proposed relationship between the existing King’s Arms and the new building. The new building would compete for attention with the former public house, to the detriment of the latter’s architectural and historic significance. The Inspector concluded that these adverse impacts outweigh the positive aspects of the proposals and that their overall effect would be to detract from the character and appearance of the conservation area. The Inspector commented that outdoor amenity space could be dealt with through a planning obligation requiring contributions towards offsite provision. Provision of off-street parking at a level below the maximum standard would not materially harm highway safety or local amenity in the circumstances. The proposals would help to achieve policy objectives of maximising the supply of housing. However, the Inspector considered that it would be inappropriate to permit the demolition proposed until a satisfactory redevelopment scheme for the site has been agreed.
3. 15 Lionel Road North, Brentford, Middlesex TW8 9QZ

**Appeal against an enforcement notice requiring a single storey rear extension and roof extension to be altered to comply with their respective planning permissions (notice issued 24 March 2006, committee approval 15 December 2005).**


The Council considered that the rear extension as built by reason of its excessive depth results in an unacceptable loss of outlook and increased overshadowing to neighbouring property, no.17. The Council also considered that the roof extension by reason of its size and finish appears to be unduly prominent, excessive and dominant and consequently does not respect the style and shape of the original roof or the character of the conservation area.

The Inspector considered that for the rear extension the main issue is whether the living conditions of the occupiers of no.17 would be adversely affected. The Inspector considered that the fact that an extension has now also been built to no.17 means that the appeal extension is now in line with this and therefore the appeal extension does not result in a loss of outlook at, or undue overshadowing of the adjoining dwelling. The Inspector granted planning permission for this extension as built.

With regard to the roof extension, the Inspector considered that the main issue is the impact of the dormer extension on the character and appearance of the original building and the conservation area. The Inspector considered that the rear elevation of the house is prominent in views from Gunnersbury Park. The Inspector noted that the dormer is notably wider than that shown on the approved drawing, creating an unacceptable, top heavy and bulky addition to the roof of the house, occupying a substantial portion of the rear roof slope. The Inspector also considered that the scale of the extension is out of proportion with the rear elevation which it dominates, and the rear face of the dormer is dominated by tiles which were not approved and have not weathered down to match the original roof tiles. The Inspector was not persuaded by an examination of similar properties and their dormers that it would be right to grant permission for development that would so conspicuously harm the character and appearance of the original building and the conservation area.

4. New England Bar & Restaurant, 52 York Road, Brentford, Middlesex TW8 0PQ

**Appeal against refusal of planning permission for partial change of use as A3 public house to alterations and extensions to provide a 49-bed hotel incorporating A3 restaurant at ground floor. (Refusal 14 June 2006, delegated decision).**


The Council considered that the proposed hotel accommodation would not be well located in terms of the Town Centre and is not well served by existing public transport facilities. It would therefore be likely to attract car borne visitors particularly at unsociable hours resulting in noise and disturbance to adjoining residents. The Council also considered that the proposed car parking provision is inadequate, the site is poorly served by public transport, on-street parking is already congested and any overflow from the proposed hotel could not be tolerated by the public highway.
The Inspector considered that there are three main issues in this case: firstly, whether having regard to policy and other material considerations, the appeal site is an appropriate location for the proposed development; secondly, whether the living conditions of neighbouring residents would be unacceptably affected by noise and disturbance arising from the proposed uses; and thirdly, whether the development would adversely affect highway safety and free flow of traffic.

The Inspector considered that the previous planning permission granted by the Council for a smaller hotel scheme was a material consideration in this case. The Inspector considered that the effects of the changes in the balance of proposed hotel and restaurant/bar uses are not as significant as the council suggests, and indeed the development would have a number of benefits similar to those which led the Council to grant planning permission for the appellant's earlier scheme. The Inspector noted that the proposal would provide job opportunities as well as improving services in the area from which local businesses could benefit. The Inspector was satisfied with a trip generation study produced by the appellant which shows that the appeal proposal would create fewer vehicle trips than would the permitted scheme. The Inspector concluded that on balance, the appeal site is not an inappropriate location for the development.

With regard to effects on residents' living conditions, the Inspector considered that the concerns over noise and disturbance arising from the traffic and parking generated by the proposed uses can also be dealt with by the trip generation study evidence which demonstrates that less vehicles will be generated by the proposed scheme than the permitted scheme. The Inspector also considered that due to the location of the hotel vehicular access, very little of the traffic generated by the development would use the neighbouring residential streets for access. The Inspector considered that patrons would be more likely to travel to the site by airport shuttle bus or taxi than would be the case with the approved development, and concluded that the appeal scheme would have less impact on local parking conditions than the approved development would. The Inspector is of the view that the extra on-street parking demand which may arise at evenings and weekends would not be enough to create significant noise and disturbance and concluded that the living conditions of neighbouring residents would not be unacceptably affected by the proposed development.

For the same reasoning as above regarding the trip generation study, the Inspector considered that the proposal would generate fewer vehicle movements than the approved scheme and would be less likely to impact upon local parking conditions. Subject to the removal of the existing vehicular access onto the Great West Road, which can be dealt with by condition, the Inspector concluded that the proposed development would not adversely affect highway safety or free flow of traffic.

The Inspector allowed the appeal and granted planning permission subject to several conditions.

<table>
<thead>
<tr>
<th>Background Papers:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeal files</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>This report has been or is due to be considered by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area Planning Committees</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>This report is relevant to the following wards/areas:</th>
</tr>
</thead>
<tbody>
<tr>
<td>All areas</td>
</tr>
</tbody>
</table>
Guidance to the Sustainable Development Committee on National Planning Policy

The following note is intended to supplement individual committee reports and provides guidance to Members on National Planning Policy for consideration in reaching decisions and/or providing comments on planning applications.

Planning Policy Guidance Notes (PPGs), and Planning Policy Statements (PPSs), which are replacing PPGs, set out the Government’s national policies on different aspects of land use planning in England. The following provides an overview of each PPG and PPS. It does not seek to address all issues specific to a proposal, as these are outlined in each individual committee report.

Planning Policy Statement 1: Delivering Sustainable Development (February 2005)
sets sustainable development as the core principle underpinning planning and lists the Government’s four aims for achieving sustainable development:

- social progress which recognises the needs of everyone;
- effective protection of the environment;
- the prudent use of natural resources; and,
- the maintenance of high and stable levels of economic growth and employment.

Paragraph 13 lists key principles that should be applied to ensure that decisions taken on planning applications contribute to the delivery of sustainable development, including high quality inclusive design.

sets out objectives for the green belt including retaining openness through controls on development. New development is only acceptable if it is for specific purposes, identified in para. 3.4, and PPG2 emphasises that it is for the applicant to show why permission should be granted for inappropriate development.

Planning Policy Statement 3: Housing (November 2006)
The overall aim of PPS 3 is to ensure that everyone has the opportunity of living in a decent affordable home in a community where they want to live. It supports the delivery of decent homes through the efficient use of land, good design, and a mix of sizes and tenures. Housing should be in suitable locations with a good range of community facilities and with good access to jobs, key services and infrastructure.

Planning Policy Guidance 4: Industrial, commercial development and small firms (November 1992)
The Government is committed to a review of Planning Policy Guidance 4: Industrial, Commercial Development and Small Firms (PPG4), but at present a key aim is to encourage continued economic development in a way which is compatible with its stated environmental objectives and seeks to:

- Encourage the re-use of vacant or under-utilised land;
- Encourage new development in locations that minimise the need to travel and the number and length of trips; and
- Encourage a diverse range of employment opportunities.

Planning Policy Guidance 5: Simplified planning zones (November 1992)
The Borough does not have any SPZs at present.
The Government’s key objectives for town centres, as set out in Planning Policy Statement 6: Planning for town centres (PPS6), is to promote their vitality and viability by:

- planning for the growth and development of existing centres; and
- promoting and enhancing existing centres, by focusing development in such centres and
- encouraging a wide range of services in a good environment, accessible to all.

Planning Policy Statement 7: Sustainable Development in Rural Areas (August 2004)
Not applicable

Planning Policy Guidance 8: Telecommunications (August 2001)
sets out the Government’s planning guidance on the siting and design of telecommunication systems and installations. PPG 8 offers guidance on environmental and health issues and consultation procedures.

sets out planning policies on the protection of biodiversity and geological conservation interests.

sets out the approach of sustainable management using the 'waste hierarchy' of reduction, reuse, recycle and compost, using waste as a source of energy and disposing of waste only as a last resort. In determining planning applications, locational needs together with wider environmental and economic benefits of sustainable waste management are material considerations. The design and layout of new development should also support sustainable waste management.

Planning Policy Statement 11: Regional Spatial Strategies (September 2004)
Not applicable as the Spatial Development Strategy for London is prepared by the Mayor of London.

sets out the Government's policy on the preparation of local development documents.

Planning Policy Guidance 13: Transport (March 2001)
sets out objectives of PPG13 (as set out at Paragraph 4) are to integrate planning and transport at the national, regional, strategic and local level to:

1. promote more sustainable transport choices for both people and for moving freight;
2. promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
3. reduce the need to travel, especially by car.

Planning Policy Guidance 14: Development on unstable land (1990)
explains the effects of unstable land on development. Consideration is given to the responsibilities of the different parties and the need for instability to be taken into account in the planning process is emphasised.

Planning Policy Guidance 15: Planning and the historic environment (September 1994)
provides a full statement of Government policies for the identification and protection of historic buildings, conservation areas, and other elements of the historic environment
Planning Policy Guidance 16: Archaeology and planning (November 1990)
sets out the government's policy on archaeological remains, including the weight to be given
to them in planning decisions, and the use of planning conditions.

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (July 2002)
For all open spaces of public value local authorities should:
• avoid any erosion of recreational function and maintain or enhance the character of open spaces;
• ensure that open spaces do not suffer from increased overlooking, traffic flows or other
encroachment;
• protect and enhance those parts of the rights of way network that might benefit open space; and
• consider the impact of any development on biodiversity and nature conservation.

Planning Policy Guidance 18: Enforcing planning control (December 1991)
outlines the general approach to enforcement, including the primary responsibility of local
planning authorities in breaches of planning control that would unacceptably affect public
amenity or the existing use of land and buildings meriting protection in the public interest.

Planning Policy Guidance 19: Outdoor Advertisement Control (March 1992)
sets out guidance on the display of outdoor advertising, for which control can be justified on
the grounds of amenity and public safety.

sets out policies for renewable energy and the vital role the development of renewable energy
can play in facilitating the government’s objectives for sustainable development and climate
change.

Identifies key principles that local planning authorities should adhere to in their approach to
planning for renewable energy include promoting and encouraging a full range of renewable
energy sources, and considering the wider environmental and economic benefits of all
renewable energy proposals.

Planning Policy Statement 23: Planning and Pollution Control (November 2004)
advises that any consideration of the quality of land, air or water and potential impacts arising
from development, leading to impacts on health, is capable of being a material planning
consideration, in so far as it arises or may arise from or may affect any land use.

Planning Policy Guidance 24: Planning and Noise (September 1994)
outlines the considerations to be taken into account in determining planning applications both
for noise sensitive developments and for those activities which will generate noise; introduces
the concept of noise exposure categories for residential development, encourages their use
and recommends appropriate levels for exposure to different sources of noise. Also advises
on the use of conditions to minimise the impact of noise.

aims to ensure that flood risk is taken into account at all stages in the planning process to
avoid inappropriate development in areas at risk of flooding, and to direct development away
from areas of highest flood risk. Where new development is exceptionally necessary in areas
of flood risk, the guidance seeks to prevent an increase in flood risk elsewhere, and where
possible, reducing flood risk overall.