

Hounslow Civic Centre site, Lampton Road

in the London Borough of Hounslow

planning application no. P/2015/5505

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Hybrid application for demolition of existing buildings, and permission for: 178 residential dwellings (C3 use), flexible uses including retail (A1 use) or cafe (A3 use) or community centre (D1 use), car parking, public space, landscaping and associated works (in detail); and, up to 762 residential dwellings (C3 use) and associated car parking, public space, landscaping and associated works, with all matters to be reserved except means of access (in outline). The proposal includes buildings of up to nine-storeys.

The applicant

The applicant is **Notting Hill Housing Trust**, and the architect is **Allies and Morrison**.

Strategic issues

The proposed **residential-led redevelopment** would significantly **increase housing supply** in the **Hounslow Housing Zone**, and is **strongly supported** in strategic planning terms.

Furthermore, the issues raised at consultation stage with respect to **housing, inclusive access, sustainable development** and **transport** have now been resolved, and the application complies with the London Plan.

The Council's decision

In this instance Hounslow Council has resolved to grant permission subject to planning conditions and conclusion of a Section 106 legal agreement.

Recommendation

That Hounslow Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 25 January 2016 the Mayor of London received documents from Hounslow Council notifying him of a planning application of potential strategic importance to develop the above site

for the above uses. This was referred to the Mayor under the following categories of the Schedule to the Order 2008:

- 1A 1. *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”; and,*
- 1C 1.(c) *“Development which comprises or includes the erection of a building of... more than 30 metres high and is outside the City of London”.*

2 On 11 February 2016 the Mayor considered planning report D&P/3795/01, and subsequently advised Hounslow Council that whilst the scheme is broadly supported in strategic planning terms, the application does not yet fully comply with the London Plan for the reasons set out in paragraph 67 of the above mentioned report. The Mayor nevertheless stated that the resolution of those issues could lead to the application becoming compliant with the London Plan.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 10 March 2016 Hounslow Council decided that it was minded to grant permission for the application subject to planning conditions and conclusion of a Section 106 legal agreement. On 18 March 2016 the Council advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged; direct Hounslow Council under Article 6 to refuse the application; or, issue a direction to Hounslow Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application, and any connected application. The Mayor has until 31 March 2016 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons, will be made available on the GLA’s website www.london.gov.uk.

Update

5 At consultation stage Hounslow Council was advised that whilst the scheme is broadly supported in strategic planning terms, the application did not fully comply with the London Plan for the reasons set out below. The resolution of these issues could, nevertheless, lead to the application becoming compliant with the London Plan.

- **Housing:** The illustrative housing schedule is broadly supported, and the hybrid masterplan presents a well-designed scheme that would optimise development potential within the Hounslow Housing Zone, and increase housing supply in accordance with London Plan policies 3.3 and 3.4. The proposed 40% provision of affordable housing is supported, however, GLA officers seek a Section 106 mechanism to allow for a proportional increase in on-site affordable rent units where scheme viability improves in future.
- **Inclusive access:** The approach to access and inclusion is broadly supported in accordance with London Plan Policy 7.2. The Council is, nevertheless, encouraged to secure detailed approval of landscaping matters by way of planning condition.
- **Sustainable development:** The proposed energy strategy and climate change adaptation measures are broadly supported in strategic planning terms. Following the conclusion of discussions on the energy strategy, the Council is encouraged to secure associated energy and adaptation details by way of planning condition in accordance with London Plan policies 5.2, 5.10, 5.11, 5.13 and 7.19.

- **Transport:** Whilst the application is generally acceptable in strategic transport terms, the applicant should address the matters raised with respect to: site access; trip generation and impact assessment; car parking; cycling; walking; travel planning; delivery and servicing plan; and, construction logistics plan to ensure accordance with London Plan policies 6.3, 6.9, 6.10, 6.13 and 6.14.

6 On 14 March 2016 the Mayor published the Parking Standards and Housing Standards Minor Alterations to the London Plan. Therefore, for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004, these minor alterations are now operative as part of the London Plan (Consolidated with Alterations since 2011). At the same time, the Mayor also published his Housing SPG (2016).

7 Since consultation stage the applicant team has engaged in joint discussions with Hounslow Council, GLA and TfL officers with a view to addressing the issues set out above. Moreover, as part of Hounslow Council's draft decision on the case, various planning conditions and obligations are proposed to be applied to ensure that the development is acceptable in planning terms. The response to the various issues raised within the Mayor's representations on this application are considered under the corresponding sections below.

Housing

8 The proposed 40% provision of affordable housing was strongly supported at consultation stage. However, noting the proposed tenure split (24% affordable rent and 76% intermediate affordable), the Mayor sought the inclusion of a review mechanism obligation to allow for the conversion of intermediate units to affordable rent – where viable in future. Having regard to the Council's draft decision, GLA officers support the inclusion of such a mechanism within the detailed heads of terms for the Section 106 agreement. Accordingly, GLA officers are satisfied that the application is acceptable with respect to London Plan Policy 3.11.

Inclusive access

9 The approach to access and inclusion was broadly supported at consultation stage. However, GLA officers sought detailed approval by the Local Planning Authority of the landscaping strategy for the scheme - to ensure careful design of shared surface areas. In this respect it is noted that the Council proposes to secure approval of all relevant landscaping details by way of planning condition. This is supported, and the application accords with London Plan Policy 7.2.

Sustainable development

10 Whilst the proposed energy strategy was broadly supported at consultation stage, a number of detailed clarifications were sought, particularly with respect to the carbon dioxide savings attributed to the proposed combined heat and power (CHP) system. Since consultation stage the applicant team has engaged in further technical discussion with the GLA, and the 29.2% savings attributed to the 70 kWe CHP system have been verified. Noting also that accordance with the proposed 35% overall carbon dioxide reduction is to be secured by way of planning condition, GLA officers are satisfied that the application complies with London Plan Policy 5.2.

11 Furthermore, in line with representations at consultation stage, it is noted that appropriate climate change adaptation measures will also be secured by way of planning condition. This is supported, and the application accords with London Plan policies 5.10, 5.11, 5.13 and 7.19.

Transport

Site access and bus infrastructure

12 Further to scenario testing, TfL is satisfied that the proposed site access arrangements are acceptable. These will, nevertheless, necessitate the relocation of the existing northbound bus stop on Lampton Road. In this regard a site meeting has taken place, and Hounslow Council is currently developing proposals for relocating the shelter and flag. Details of the bus stop relocation will need to be formally approved by TfL London Buses as part of the scheme's highway works. The existing bus stop and stand for the H20 (within the site) is also being relocated. Whilst this is acceptable in principle, detailed plans for the bus stop and stand (as well as the associated facilities for servicing vehicles), will need to be submitted to and approved by TfL London Buses, and implemented as part of the highway works. There may need to be some minor variation of the submitted plans for the area around the bus stop and stand to take account of detailed design considerations. A corresponding condition has been included on the draft decision notice to enable this.

Trip generation and impact assessment

13 Further information has been provided on cumulative impacts (including those associated with the consented High Street Quarter scheme), and an additional test has been carried out for a 2018 scenario (when phase one of the residential development will be complete, but the civic centre will still be functioning on-site). This is welcomed, and it is noted that plans for flexible working (under the Council's 'Worksmart' initiative, which is currently being implemented) are expected to progressively reduce demand for travel to the civic centre from the 2015 baseline. Accordingly, the applicant concludes that the 2018 scenario would not be characterised by an additional peak in travel. TfL accepts this analysis, and therefore does not seek additional highways modelling or microsimulation.

Cycling

14 The layout of the site and alignment of routes should provide good access for cyclists to Hounslow town centre. Cycle parking meets the required standards and a planning condition has been imposed that requires details of cycle storage to be submitted for approval.

Walking

15 On the basis that the pedestrian environment review has indicated that the majority of local links and connections are of a good standard, TfL does not seek any associated mitigation.

Car parking

16 The proposed level of car parking is acceptable based on the level of public transport access. Moreover, the Section 106 agreement will review the existing Controlled Parking Zone (CPZ) controls in the area (subject to consultation), and restrict residents of this scheme from obtaining CPZ permits. The site will also be designated as a new CPZ, and a car parking management plan will be secured by way of planning condition.

Travel plan

17 The submitted travel plan contains a number of measures to encourage sustainable travel, including: provision of two car club spaces within the site; and, a sustainable travel

voucher worth £100 for each dwelling. These measures, and the travel plan itself, will be secured via the Section 106 agreement.

Construction and deliveries

18 A full construction management plan (CMP) has been submitted for phase one, and is broadly acceptable to TfL. Implementation of the plan will be secured by way of planning condition. An equivalent CMP for phase two, and a delivery and servicing plan, will be similarly secured.

Transport conclusion

19 Having regard to the consideration above, and the advice of TfL, GLA officers are satisfied that the application accords with London Plan policies 6.3, 6.9, 6.10, 6.13 and 6.14.

Public consultation

20 Hounslow Council publicised the application by sending notifications to 1,159 addresses within the vicinity of the site, and issuing site and press notices. The relevant statutory bodies were also consulted. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the Mayor.

Responses to neighbourhood consultation

21 In response to the neighbourhood consultation process Hounslow Council received six objections (including a set of late representations from St. Stephen's Residents Association). In summary, the points of objection raised in response to the neighbourhood consultation relate to: the existing office should be retained and used more intensively; the proposal does not constitute sustainable development; over-development and excessive residential density; risk that the proposal would not support sustainable communities; insufficient provision of affordable housing; potential inequitable distribution of affordable housing within masterplan; inappropriate design response to context (including the natural environment and original historic character of Hounslow); insufficient architectural quality; adverse impact on the visual amenity and character of Lampton Park; loss of existing configuration of Lampton Park footpaths and access at site interface; increased risk of crime and anti-social behaviour; absence of a visible community hub; failure of proposals to serve the best interests of the existing community; environmental impacts (including loss of habitat and increased greenhouse gasses); and, construction impacts (including traffic congestion, noise and other pollution).

22 The Council also received a letter of comment from Hounslow Central Residents' Association, which, whilst raising no objection, commented that the submitted flood risk assessment makes no mention of a culverted watercourse in Lampton Park.

23 The representations received in response to the neighbourhood consultation process are considered in detail within Hounslow Council's committee report of 10 March 2016, and the committee report addendum of the same date.

24 Since the Stage 2 referral, additional neighbour representations have been sent to GLA officers directly, reiterating the concerns raised to the Council about this and the car park scheme. Additional concerns have been raised about procedural matters in relation to the consultation process, notification of and attendance at planning committee. Detailed comments have also been made on perceived errors in the officer's report, with concerns reiterated about

residential amenity, including outlook, overlooking, privacy, daylight and sunlight, tree loss, noise and disturbance, affordable housing, parking, design and density.

Responses from statutory bodies and other organisations

Environment Agency

25 Environment Agency raised no objection to the application, but provided standard advice with respect to ground water protection.

Thames Water

26 Noting a current inability of existing waste water infrastructure to accommodate the needs of the development, Thames Water sought the inclusion of a planning condition to secure a drainage strategy detailing necessary on and/or off-site enabling works. Various other detailed advice was provided with respect to site discharge and piling.

Metropolitan Police

27 The Metropolitan Police raised no objection to the proposal, but recommended that Secured by Design principles, and various physical security standards, are adopted by the development.

Heathrow (aerodrome safeguarding)

28 Heathrow raised no objection to the application subject to the inclusion of planning conditions with respect to: height limitation on buildings and structures; submission of a bird hazard management plan; control of lighting; and, submission of a landscaping scheme. Informatives were also provided on cranes; wind turbines; and, limiting bird attraction.

Sport England

29 Sport England raised no objection to the application in relation to its playing field protection policy. The organisation nevertheless encouraged the Council to have regard to the need for local sporting facilities when considering how to allocate funding collected via its Community Infrastructure Levy.

Response to public consultation – conclusion

30 It is noted that, having considered the above representations and consultation responses, Hounslow Council has proposed various planning conditions (and informatives) within the draft decision notice. GLA officers are satisfied with these.

31 Moreover, GLA officers are satisfied that the statutory and non-statutory responses to Hounslow Council's consultation process and the additional comments made directly to the GLA since the committee meeting do not raise any material planning issues of strategic importance that have not already been considered at consultation stage, and/or in this report/

Article 7: Direction that the Mayor is to be the local planning authority

32 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance Hounslow Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters

raised at consultation stage, therefore, there is no sound planning reason for the Mayor to take over this application.

Legal considerations

33 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

34 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

35 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or, behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

36 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the Council to do so) and determining any approval of details (unless the Council agrees to do so).

Conclusion

37 The proposed residential-led redevelopment would significantly increase housing supply in the Hounslow Housing Zone, and is strongly supported in strategic planning terms. Furthermore, the issues raised at consultation stage with respect to housing, inclusive access, sustainable development and transport have now been resolved, and the application complies with the London Plan.

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