

Hounslow town centre car park, Bath Road

in the London Borough of Hounslow

planning application no. P/2015/5418

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

Development for a new civic centre, incorporating office accommodation and associated civic facilities, public library and registrar, associated car parking facilities, access and public realm and footway improvements.

The applicant

The applicant is **BY Development Ltd.**, and the architect is **Sheppard Robson**.

Strategic issues

The proposed **social infrastructure** is **strongly supported**, and would provide a compact and **sustainable civic centre** for Hounslow town centre, enriched with **community use**.

Delivery of this scheme would also allow Hounslow's **existing civic centre site** to be **released for residential-led redevelopment** in support of **Hounslow Housing Zone** objectives.

Furthermore, issues with respect to **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:

- 1B 1.(c) *“Development... which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres”*; 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/3798/01, 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 51 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.

- **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 carbon dioxide savings 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.

Inclusive access

8 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

9 Whilst the proposed energy strategy was broadly supported at consultation stage, a number of detailed clarifications were sought, particularly with respect to the proposed Air Source Heat Pump (ASHP) approach. Since consultation stage the applicant team has engaged in further technical discussion with the GLA, and has confirmed the relationship between the ASHP (a renewable technology) and the site wide heat network. ASHP coefficient of performance figures have also been provided, and the proposed overall carbon dioxide saving of 35% has been verified. Noting also that accordance with the proposed energy strategy is to be secured by way of planning condition, GLA officers are satisfied that the application complies with London Plan Policy 5.2.

10 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

11 TfL is satisfied that proposals for site access and relocation of the bus stand are acceptable in principle. The new bus stand would provide increased capacity, which is welcomed. The detailed design is being developed by Hounslow Council in consultation with TfL London Buses. A condition will require the replacement bus standing facilities to be operational in advance of commencement of construction.

Trip generation and impact assessment

12 Further information has been provided to TfL on the mode share projections and travel plan measures designed to achieve reductions in car travel. Information has also been provided on cumulative impacts taking into account the consented High Street Quarter development. As a result, TfL has confirmed that there is no requirement for additional highways assessment or modelling. A further breakdown of public transport trips by mode has also been provided. TfL has confirmed that this does not raise any capacity issues on the bus network, so no mitigation is required.

Car parking

13 TfL has received confirmation that civic centre staff will not be given free permits for other town centre car parks, or on street parking, when they move from the Lampton Road to Bath Road site. This will help to ensure that car use at the Bath Road site will be constrained by the low levels of on-site parking. A car park management plan, in accordance with this approach, will be secured by condition.

Cycling

14 A condition will require cycle parking to meet the required standards, and to include provision for oversize cycles and lifting devices to the upper levels, in accordance with guidance. The detailed design of cycle parking will also be submitted for review.

Pedestrians

15 On the basis that the pedestrian environment review has not indicated any sub-standard local links and connections, TfL does not seek any additional improvements for pedestrians beyond those already proposed.

Travel planning

16 It was noted at consultation stage that the draft travel plan needed to be more ambitious in setting targets to achieve modal shift. As part of the additional information provided to TfL, it has been confirmed that a new 'Worksmart' programme is being implemented by the Council. This will encourage flexible working and lead to a reduction in travel to the civic centre. TfL understands that the amount of car parking at the existing civic centre is also being reduced over time, and on-street parking permits are being withdrawn. These measures, if implemented in full, should ensure that the mode share predictions for car travel to the new site on Bath Road (as set out in the transport assessment), can be achieved. TfL expects all the proposed measures to be set out clearly within the finalised travel plan, which will be secured by condition.

Construction and deliveries

17 A draft construction management plan (CMP) has been submitted for review and the contents are broadly acceptable to TfL. A delivery and servicing plan and the implementation of the CMP will be secured by way of planning condition.

Transport conclusion

18 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

19 Hounslow Council publicised the application by sending notifications to 508 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

20 In response to the neighbourhood consultation process Hounslow Council received three 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: loss of public car park; absence of visible Blue Badge parking and visitor parking; lack of family-sized public WCs; insufficient public lift capacity; no provision for library 'local studies unit' or archives; lack of space for large meetings; poor response to context; impact on visual amenity; overshadowing; and, lack of landscaping.

21 The Council also received a letter of comment from Hounslow Central Residents' Association, which, whilst raising no objection, queried how demand created by the proposed loss of the Bath Road public car park (and other car parks) would be accommodated.

22 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.

23 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 Civic Centre 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

24 Historic England (Archaeology): Has raised no objection to the application, and confirmed that no further archaeological assessment is necessary.

25 Heathrow (aerodrome safeguarding): raised no objection to the application, but emphasised that the applicant would need to consult nearby aerodromes if cranes are to be used.

Response to public consultation – conclusion

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

27 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

28 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

29 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

30 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.

31 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.

32 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

33 The proposed social infrastructure is strongly supported, and would provide a compact and sustainable civic centre for Hounslow town centre, enriched with community use. Delivery of this scheme would also allow Hounslow's existing civic centre site to be released for residential-led redevelopment in support of Hounslow Housing Zone objectives. Furthermore, consultation stage issues with respect to inclusive access, sustainable development and transport have now been resolved, and the application complies with the London Plan.

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