

Commerce Road Brentford

**The Response
of the Mayor of London
to an application
deemed by the Inspector
to be an over-development**

Policy & Partnerships Directorate

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Our ref: PDU/ 0971aSLM/02

Your ref: 00279/R/P2

Date: 31 May 2005

For the attention of: Mr Paul Draper

Dear Mr Draper,

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000 Commerce Road, Brentford / 00279/R/P2

I refer to your letter of 2 February 2005, consulting the Mayor of London on the above planning application. On 25 May 2005 the Mayor considered a report on this proposal, reference PDU/0971a/01. A copy of the report is attached, in full.

Having considered the report, the Mayor has concluded that the application proposes a high quality mixed use development in accordance with many London Plan policies. The issues relating to affordable housing have been resolved and constructive discussions with TfL are continuing. The development is welcomed in strategic planning terms.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The Mayor has taken the environmental information made available to date into consideration in formulating his comments.

If Hounslow Council decides in due course that it is minded to approve the application, it should allow the Mayor fourteen days to decide whether or not to direct the Council to refuse planning permission (under article 4(1)(b)(i) of the Town & Country Planning (Mayor of London) Order 2000). You should therefore send me a copy of any officer's report on this case to your planning committee (or its equivalent), together with a statement of the permission your authority proposes to grant and of any conditions the authority proposes to impose, and a copy of any representations made in respect of the application (article 4(1)(a) of the Order).

In view of his support for the proposal, the Mayor has indicated that, in light of the information currently available to him, he is minded to support the applicant at a public inquiry should planning permission be refused or the application be called in by the Secretary of State.

Yours sincerely,

Giles Dolphin

Head of Planning Decisions

cc Tony Arbour, Chair of London Assembly Planning and Spatial Development Committee, and
London Assembly Member for Hounslow
Andrew Melville, GoL
Sam Richards, TfL
Anne Crane, LDA
Mark Gibney, Hephher Dixon, 100 Temple Chambers, Temple Avenue, London EC4Y 0HP

Commerce Road, Brentford

in the London Borough of Hounslow

planning application no. 00297/R/P1 & 00297/R/CA1

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000 – strategic planning application stage 1 referral

Part outline and part detailed planning application for the demolition of existing buildings and a redevelopment of the site for a mixture of uses including residential, commercial, retail shops, financial services, restaurants, a day centre, leisure and other community facilities and 900 associated car parking spaces. Retention and enhancement of bus depot use, including the provision of workshops, offices, staff amenities and bus parking space or redevelopment of its site for commercial uses (i.e. Class B1 business and/or Class B8 storage and distribution), public open space and car parking spaces.

Context

1 On 13 September 2004, Hounslow Council consulted the Mayor of London on a proposal to develop the above site for the above uses. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000, the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under the following Categories of the Schedule of the Order 2000:

1A – “Development which... (a) comprises or includes the provision of more than 500 houses, flats, or houses and flats;”

1B – “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings-(c) outside Central London and with a total floor space of more than 15,000 square metres;”

1C – “Development which comprises or includes the erection of a building which...is more than 30 metres high and outside the City of London;”

2C – “Development to provide- (f) a bus or coach station.”

3F – “Development for a use, other than a residential use, which includes the provision of more than 200 car parking spaces in connection with that use.”

3 If Hounslow Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London's comments on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The site is approximately 4.5 hectares in size and owned by British Waterways Board. It is located on the western edge of Brentford town centre, bounded on the northeast by the Grand Union Canal, on the northwest by the 'Hounslow Loop' railway line and on the southwest by a large, grassy, former railway embankment. The southeastern boundary is formed by existing buildings including the Brentford Business Centre and the Brentford Lock mixed use development, which is currently under construction.

7 Vehicular and pedestrian access to the site is along Commerce Road, which joins the A.315 London Road to the southeast of the site. Alternative access is constrained by the former and existing railway embankments and the Grand Union Canal.

8 The site is currently occupied by a variety of commercial and industrial buildings, of mostly one to three storeys in height. On the whole these buildings are unremarkable and of low grade design. Some 17% of the commercial units on the site are currently vacant.

9 The site also accommodates a bus depot, currently used on a short-term lease by a private company, Armchair Bus Services, to operate essential bus services in the area on behalf of Transport for London.

10 The area surrounding the site is mixed in character, comprising a predominance of residential land, extensive commercial areas along the Great West Road to the north and the Brentford Business Park to the south, and the full range of town centre uses to the east.

Details of the proposal

11 The hybrid (part outline and part detailed) planning application was submitted to Hounslow Council by Hephher Dixon planning consultancy, on behalf of ISIS Waterside Regeneration. It proposes a mixed-use development designed by Jestico and Whiles Architects in collaboration with CZWG Architects.

12 The scheme comprises 922 residential units, of which 36% would be affordable, a total of 7,590sq.m for flexible business (B1) purposes, financial and professional services (A2), food and drink (A3) and 700sq.m. of retail shopping (A1) space. The development would also include a 1,395sq.m. health and fitness facility (D2), a 650sq.m. medical centre (D1) and 465sq.m. for community uses.

13 The application proposes to retain and upgrade the existing bus depot described in paragraph 9 above. This would include the provision of 1,120sq.m. of workshops, 740sq.m. of office space, 104 bus parking spaces, bus refuelling and bus washing facilities. In the event that ISIS Waterside Regeneration cannot reach a suitable agreement with TfL regarding the future of

the bus depot, the developer proposes to redevelop the land to provide 3,458sq.m of storage and distribution (B8) and light industrial (B1c) space, and 610sq.m of office (B1a) space.

14 An associated but separate, non-referable, application for Conservation Area Consent has been submitted to Hounslow Council for demolition of the existing structure overhanging part of the towpath into the Grand Union Canal.

Case history

15 There is no relevant planning history.

Strategic planning issues and relevant policies and guidance

16 The relevant issues and corresponding policies are as follows:

- Mix of uses *London Plan*
- Employment *London Plan; PPG4*
- Regeneration *London Plan; London's Economic Development Strategy (LDA)*
- Economic development *London Plan; London's Economic Development Strategy (LDA)*
- Affordable housing *London Plan; PPG3*
- Density *London Plan; PPG3*
- Urban design *London Plan: PPG1*
- Tall buildings/views *London Plan; RPG3A; Strategic Planning Advice on Tall Buildings and Strategic Views in London (LPAC)*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13*
- Parking *London Plan; the Mayor's Transport Strategy; PPG13*
- Biodiversity *London Plan; the Mayor's Biodiversity Strategy; PPG9*
- Blue Ribbon Network *London Plan; the Mayor's Biodiversity Strategy; PPG9*
- Access/equal opportunities *London Plan*
- Sustainable development *London Plan; PPG3; PPG13*

The Development Plan

17 For the purposes of Section 38 of the Planning and Compensation Act 2004, the site is within the coverage of the Hounslow Unitary Development Plan, which was adopted in December 2003 (prior to the adoption of the London Plan), but has no specific designation in either the proposals schedule or proposals map of the development plan.

18 UDP policies E.1.2 to E.1.5 set out the criteria on which applications for the location of Class B employment uses will be determined. Policy E.1.5 provides, amongst other things, that:

- Redevelopment or change of use proposals that would result in the loss of high trip-generating employment uses in town centres, edge-of-centre sites or in key employment locations will not be permitted.
- Except in town centre sites, edge of town centre sites or key employment locations, permission will normally be granted for development involving a change of use from one employment use to another, subject to certain criteria.
- Isolated employment uses should be protected if they are compatible with the protection of residential amenity and highway considerations.

- Housing would be considered as an alternative to employment where the use of the land for employment purposes is unlikely (e.g. due to vacancy levels or the supply of alternative land), or the location and scale of the existing employment use is detrimental to the amenity of the surrounding area. In such circumstances, the Council would seek the maximum proportion of affordable housing.

19 The only specific reference to Commerce Road in the UDP employment policies is set in the context of an example, in paragraph 7.8 of the reasoned justification for policies E.1.2 to E.1.5. This paragraph refers to the London Plan's identification of Strategic Employment Locations (SEL's) and the protection they could afford to the Industrial Business Park on the Great West Road and the Preferred Industrial Locations on the North Feltham Trading Estate and the Brentford Industrial Area (comprising Transport Avenue and Commerce Road).

20 Although the London Plan (and its preceding draft) entreats local planning authorities to support its SEL recommendations with a formal designation of such sites in their development plans, in the case of Commerce Road no attempt has been made to affirm that designation for the purposes of section 38 of the Planning Act 2004. In effect, therefore, Commerce Road has no special protection site as an employment site other than that provided generally by policy E.1.5 of the borough's UDP.

The mix of uses

21 Although the London Plan includes the Commerce Road site in its Strategic Employment Locations, the proposed intensification of development and mix of employment and residential uses on an edge of town centre site, reasonably accessible by public transport, is consistent with the Mayor's draft Supplementary Planning Guidance on Industrial Capacity.

22 In particular, the inclusion of a residential element makes efficient use of the site and enhances its potential to deliver a more sustainable and balanced mix of uses on this urban brownfield site than the existing low-density, low-employment development.

Employment, economic development and regeneration

23 Brentford has been undergoing rapid transformation and regeneration over the past decade. It has been the focus of Single Regeneration Budget (SRB) funding during that time and is the subject of a Town Centre Action Plan, an emerging Brentford Regeneration Framework and several major developments, such as Brentford Lock, Ferry Quays, Capital West and Land South of the High Street, for all of which planning permission has been granted.

24 Despite this trend and the favourable location of Commerce Road at the edge of the town centre, the application site is still occupied by old and unsuitable buildings that are unlikely to attract modern businesses, have a low employment density relative to the site area, and a generally poor physical environment. It would require significant investment to secure its potential to deliver a more substantial level of employment and the Mayor's strategic planning aspirations in respect of urban brownfield sites with good public transport links.

25 The applicant's planning statement indicates that at the time of submission, the site supported approximately 461 full and part-time jobs, of which 250 were employed at the existing bus depot. This equates to 385.5 full-time positions, of which 217.5 are engaged at the bus depot.

26 The applicant projects that even if the bus depot were excluded from the site, employment would increase to a level between 387 and 647 full-time equivalents (FTEs). The current proposals would therefore increase existing employment levels and at least maintain the employment capacity of the site as a whole.

27 With regard to employment capacity, there is a need to confirm the overall amount and proposed split between retail and employment floor space. The indicative estimate is that up to 700sq.m would be retail space, but no breakdown is provided of the 7,590sq.m of flexible B1, A2 and A3 uses. It is therefore difficult to ascertain the projected estimates of employment.

28 Based upon a total of 8,300sq.m of office i.e. B1 (a) floor space, however, the indicative total employment capacity could be in the region of 410 jobs (allowing 20sq.m per job). This is substantially below that suggested in the applicant’s employment statement (i.e. by a shortfall of over 100 jobs). Nonetheless, provided this is actually delivered, it would represent an increase over the existing employment level and at least maintain the employment capacity of the site as a whole.

Affordable housing

29 The development proposes 992 residential apartments, 355 (36%) of which would be affordable homes. The indicative mix of market and affordable homes are provided in the table 1 as follows:

Table 1.

Dwelling size	Market sale	Affordable	Total
1 -Bedroom	117	91	208
2-Bedroom	397	229	626
3- Bedroom	123	35	158
Total	637	355	992

30 The proportion affordable housing proposed within the scheme is below that required in the London Plan. An almost equal split between intermediate and social rented affordable housing is also proposed, even though the London Plan does not normally support such a split unless it can be justified by exceptional circumstances.

31 The level of affordable housing ultimately provided by developers normally depends on an assessment of a range of variables, including the availability of public subsidy (Social Housing Grant), overall site costs, the package of planning benefits to be secured by legal agreement (under S106. of the Planning Act) and the level of profit envisaged by the developer. The applicant was therefore requested to provide financial information to justify why the scheme should not meet the London Plan target of 50% affordable housing, so that the Mayor and Hounslow Council could test the key financial assumptions behind the level currently proposed. A viability appraisal was subsequently commissioned by the applicant for the Mayor’s consideration.

32 The appraisal, conducted by Sustainable Property Consultants, indicates that the applicant's proposals derive from modelling the following three scenarios against the toolkit normally used by the Mayor:

- 36% affordable housing provision with no allowance for the costs of providing of a new bus depot on site.
- 36% affordable housing provision with allowance for the cost of providing the new bus depot on site.
- 28% affordable housing provision with allowance for the bus facility.

33 The appraisal considered that base construction costs for the scheme are expected to be higher than the toolkit default value, given the need to clear significant quantities of asbestos and ground-borne contamination as part of the demolition, the need for extensive levelling to achieve an optimum level in relation to the waterfront, the construction of two new finger docks as part of the environmental improvement programme, ground conditions that require all buildings to be piled and the extra cost of having to work on blocks L and M in close proximity to a railway line. Furthermore, it is calculated that the commercial elements of the scheme would produce marginal financial returns for the high degree of risk and relatively low demand for that type of accommodation. .

34 For all these reasons, the appraisal concludes that the proposed scheme is capable of providing 28% affordable housing if the bus depot site is secured for continued transport use and that potentially a level of 36% could be achieved. This proposal is however predicated on the assumption that 70% of the affordable provision would be intermediate provision and 30% would be social rented. The proposal assumes social housing grant for the social rented element but not for the intermediate provision. The basis of this assumption is not yet known. The main argument for not achieving a higher proportion is that it would reduce the residual value below the existing site value as commercial space.

24 Even at 36% affordable housing, the proposal would fall well below the Mayor's 50% target. Moreover the balance between social rent and intermediate provision is inverted and no justification, other than a viability argument has been proposed. Insufficient information has been provided on bedroom size mix in relation to identified location. In terms of the location and density proposed, a significant proportion of family-sized housing should be provided. While the appraisal has checked the developer's costs and value assumptions against toolkit defaults, the GLA has not been provided with that information and consequently is unable to confirm their validity.

Density

35 The proposed density of the site is 500 habitable rooms per hectare. This is within, albeit at the lower end, of the applicable range identified in the density matrix (table 4B.1) of the London Plan. The scheme is well designed, served by three high-frequency bus routes and configured to maximize the development potential of the site.

Urban design and architectural quality

36 This is the first ISIS scheme in London and the applicant is keen to create an exemplary flagship out of the proposed mixed-use scheme. It is intended to provide a high quality and sustainable, living, working and recreational environment, implemented to an exceptional standard of building and public realm design in this waterfront location. Based on that vision, the accompanying design statement describes how the on-site residential, working and

waterside environments are integrated with the adjoining town centre, other surrounding areas and local community aspirations.

37 The present site is characterised by old, unattractive low-rise sheds with poor accessibility, which do not meet the needs of modern business. It is also clear from a casual visit that physical barriers separate the present users of the site and its buildings from the adjoining canal and local town centre. Therefore, the submitted proposals seek to link areas of open amenity space between the new buildings along the canal edge and along Commerce Road. It tries to achieve this, for example, by the creation of a new landscaped piazza at the north of the site, which would visually connect with the allotments and public park to the east of the canal. It also encourages waterside activity by allowing access into and through the site, as well as interconnection between neighbours. The resultant layout strikes a potentially successful balance between the security needs of future occupiers and visitors, and the degree of permeability required to secure adequate access to the new public facilities and the waterfront.

38 The development would comprise a variety of building scale and massing to reflect its relationship to the canal and surrounding buildings. It would include new landmarks, vistas and focal points onto the local skyline. A distinctive building fronting the canal and a new 'community' piazza is to be sited against the railway boundary to mark the northern edge of the development. This community space would include the leisure, crèche and health and fitness facilities. A separate focal building would be established towards the south of Commerce Road to mark the southern 'civic' edge of the scheme. The civic provision would include the medical centre, workspace and water-related industry at ground level and provide residential accommodation above.

39 The ground level would be interspersed by a series of publicly accessible spaces between buildings. Most of the ground floor would consist of double-height commercial space to be allocated for B1, A1, A2, A3, leisure, and community purposes, giving the development active frontages throughout. These address the canal frontage and together with the formation of two new finger docks, the retention of an existing dock and the public piazza and boulevard would enhance the pedestrian environment. The removal of the canal-side buildings that overhang the towpath would also enhance the public realm and encourage pedestrians to use this route. The proximity to the railway, together with the direct pedestrian routes to bus services and the town centre would all contribute to an enhanced degree of public accessibility to and from the site.

40 The taller residential blocks along Commerce Road are intended to form a physical and visual hierarchy at the centre of the development and its surrounding context, emphasizing the new development as a key location whilst gradually stepping down towards the canal. Viewed in the context of larger buildings such as the new GlaxoSmithKline head-office, the surrounding elevated railway embankments to the north and west, and the considerable distance (approximately 300m) from residential property, it is evident that there would be no adverse impact on the townscape quality or amenity of the local community.

41 The visual experience of the scheme would be further enhanced by the use of high quality materials and a variety of colours, set within an elaborate and rather thoughtful landscaping scheme. Set in the context of the on-going regeneration of Brentford, its town centre modernisation and the introduction of new residential and working premises, the proposals would make a positive contribution to the achievement of the London Plan aspirations relating to under-used sites with good transport links.

Biodiversity

42 The application site is not identified as a Site of Importance for Nature Conservation (SINC), but is bounded on two sides by land with such designations. These are the Grand Union Canal Site of Metropolitan Importance to the east, and the railway corridor Site of Borough Importance (Grade 2) to the north.

43 The treatment of nature conservation in the ES, particularly with respect to the canal, leaves something to be desired. While this may not be the best section of the canal in ecological terms, the whole canal network in London has been identified as being of Metropolitan Importance. If, as suggested in the ES, the local nature conservation value of this part of the canal is low, there is a significant opportunity for enhancement, which is not being taken.

44 It is not clear to what extent the proposed new finger docks are functional, in terms of canal transport, or whether they are largely cosmetic. If the latter, then this is an excellent opportunity for habitat creation within these new areas of water.

45 The possibility that black redstarts may nest in the buildings should be considered and appropriate surveys conducted. See www.blackredstarts.org.uk for advice.

46 Further opportunities for ecological enhancements, both alongside the canal and within the built environment, should be considered. For the latter, the London Development Agency's recent publication *Design for Biodiversity* is a useful reference.

Access and equal opportunities

47 The applicant has indicated that all residential units would be constructed to 'Lifetime Homes' standards and that 10% of all new housing would be wheelchair accessible. The commitment to improving housing choice in accordance with Policy 3A.4 of the London plan is welcomed in strategic planning terms.

48 However, a detailed Access Statement is required to ensure that the development makes a positive contribution to the strategic promotion of an inclusive environment, as required by Policy 4B.5 of the London Plan.

Sustainable design and construction

49 The applicant considers that a development of the size and scale proposed can and should make a positive contribution to the reduction of greenhouse gas emissions by applying energy efficiency measures, sensible material specification and improved conservation of non-renewable resources. Consequently, the proposed scheme would adopt the following key features:

- Passive Solar Design: The massing and layout of the building is designed to maximise the reception of daylight and sunlight.
- District heating: To provide a high level of energy efficiency and minimise carbon dioxide emissions.
- Domestic appliances: By a commitment to install energy efficient appliances throughout the development.

- **Materials:** By the selection of purpose-made materials, brick, high performance windows to meet the acoustic demands of the location and externally insulated render to reduce storage and minimize waste.
- **Water conservation:** The integrated strategy would include rainwater collection, the use of spray taps, showers and dual flushing toilets, together with 'grey water' usage where appropriate.
- **Urban Drainage System:** This allows the collection of surface rainwater by a filtration system below ground level to be cleaned and allowed back into the canal or new inlet, so that the circulating water can force any debris away.
- **Waste management:** The strategy of centralising waste stores and the provision of recycling centres throughout the development is expected to make a significant contribution to energy saving.
- **Reduction in car use:** The proximity of the site to the railway, the amenity opportunities of the canal and the on-site provision of workspace, retail, leisure facilities, together with the direct pedestrian routes to bus services and alternative facilities in the town centre and beyond, should all contribute to a significant reduction in private car journeys.

Transport for London's comments

50 The application site is served directly by bus routes E2 and E8 but the local National Rail and London Underground stations are not within a convenient walking distance. Bus routes 235, 237 and 267 operate at high frequency along London Road/High Street. The site has a Public Transport Accessibility Level (PTAL) of 3 (where level 6 is the highest).

Transport Assessment

51 TfL requires the Transport Assessment to include a modal split analysis that would enable London Buses to consider the impact of the development on local bus service capacity. The submitted Transport Assessment is limited in that it only considers the traffic impact of the development proposals.

Bus infrastructure and services

52 The bus garage currently provides capacity for a total of 109 buses, which has previously included private coach parking by the same operator. The renewed short-term lease prohibits the firm from continuing this operation unless the coach operation is run on behalf of TfL.

53 Bus routes E2 and E8 terminate at Commerce Road and use the existing bus garage for turning around and standing between services. This merging of bus garage and bus service operations within the same site is problematic in operational and land management terms. The planning application provides an opportunity to safeguard the continued use of the bus garage and to improve turning and standing facilities for bus routes E2 and E8.

54 In order to accommodate the development proposals, the existing 3.2-acre bus garage has been reconfigured by the developer and accommodated within a smaller site area that measures 2.5 acres. The existing office and workshop accommodation will also require

demolition and reconstruction, together with a provision for 30 staff car parking spaces. London Plan policy 3C.4 seeks to safeguard land for transport functions and requires that local authorities only approve changes of use of land for transport functions if it is surplus to requirements, or an equally good alternative is provided. Although TfL supports the applicant's broad commitment to safeguarding the bus depot, in its current form the proposal fails to demonstrate that an equally good alternative, comprising a workshop, office accommodation and staff parking, can be provided on a reconfigured and reduced site area in conjunction with adequate standing space for the E2 and E8 bus routes.

55 The proposed scheme introduces a new roundabout at the top of Commerce Road, which allows the E2 and E8 bus services to turn. However, the application does not make provision for bus standing space or replacement alighting or pick-up stops on Commerce Road. Replacement bus-stop facilities should be located close to the development access and relate to pedestrian desire lines to and from the development. London Buses require adequate space to stand 4 buses in between services and expect that space to be located outside the curtilage of the bus depot. In contrast, the applicant currently proposes to accommodate standing space for the E2 and E8 within the reduced (2.5 acre) site. This is undesirable for operational and land management reasons and could realistically only take place by reducing the overall capacity of the bus garage. The provision of standing space for the E2 and E8 buses without reducing existing garage capacity is an issue that should be resolved through an iterative design process with London Buses.

56 For TfL to support the scheme, the applicant would be required to demonstrate that:

- TfL's garage capacity and operational requirements are met; and
- The turning and standing needs for buses E2 and E8 can be designed and accommodated within a smaller site area to meet the requirements of London Plan policy 3C.4.

Bus priority

57 TfL is concerned about the impact of the development on the movement of a significant number of buses negotiating the Brentford High Street/Commerce Road junction. The impact is greatest on eastbound and westbound services along London Road/Brentford High Street and is caused by the additional traffic attempting to access and/or egress Commerce Road, thereby reducing junction capacity and impeding bus movements. TfL requests the applicant to consider the implementation of bus priority measures to mitigate this impact and to include these within the terms of the proposed legal agreement.

Car/cycle Parking

58 The detailed and outline applications propose a total of 900 spaces for 992 residential units, the 7,590sq.m of class B1/A2/A3 floorspace and the ancillary community, medical and health and fitness uses. The detailed proposal seeks 243 parking spaces for 441 units at a ratio of 0.55 spaces per unit and 44 commercial spaces, totalling 287spaces. The outline application suggests an indicative parking provision of 613 spaces but does not include a breakdown of its allocation. For purposes of clarity, however, TfL recommends the overall on-site residential parking provision should ideally be maintained at the ratio of 0.55 spaces per unit but would certainly insist that the maximum provision be no more than one space per unit. Parking provision for the non-operational employment should be set at a ratio of 1 space per 100-600sq.m.

59 TfL requires cycle parking to be provided to the standards set out in the London Cycle Network Design Manual, which recommends 1 space per residential unit and 1 space per 125sq.m for B1/A2 uses.

S.106 agreement

60 Given the requirements of Policy 3C.4, TfL considers it imperative for the applicant to safeguard land for continued use of the bus garage and to reconstruct the ancillary workshop and office accommodation under the terms of a s.106 agreement. Consideration should also be given to improving pedestrian and cycle desire lines between the site and public transport nodes, and the implementation of measures to mitigate the impact on bus movements at the junction of Commerce Road and London Road.

The London Development Agency's comments

61 The LDA would be concerned to see the loss of a site that is currently performing a local economic function. This is especially the case as the current vacancy rate is a relatively low 17%. The Agency acknowledges, however, that the current building stock is ageing and increasingly unsuitable for modern industrial/business needs. The LDA agrees with the employment comments made in the preceding paragraphs of this report. The current proposal would contribute to the urban renaissance of London so long as the applicant can demonstrate that the employment offer at least matches the existing provision. The retention or relocation of current uses that serve the local area and beyond should be encouraged.

62 Should Hounslow Council be minded to grant planning permission, the LDA would like to see a more detailed breakdown of the non-residential element of the scheme. A substantial retail element in place of business class uses would not be a satisfactory outcome. The Agency would like to see the employment component of the scheme delivered as part of a legal agreement (s.106), under which the residential element would not be delivered until the employment floorspace has been provided.

Local planning authority's position

63 The local planning authority has strong reservations against the proposals in their existing form and may wish to resist the loss of a potential industrial employment site to a residential-led mixed-use scheme, particularly since the site is identified as a Strategic Employment Location in the London Plan.

64 The Council has indicated that it would give favourable consideration to a scheme that provides industrial premises and local jobs, accommodates water-related activities and is imaginative yet sensitive to its waterside location. The application is still under consideration, with no date confirmed for the submission of a report to the Council's Sustainable Development Committee.

Legal considerations

65 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Hounslow Council at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

Financial considerations

66 There are no financial considerations at this stage.

Conclusion

67 These proposals relate to a grossly under-used site in a prime, waterside location on the edge of Brentford town centre. Whilst it is identified in the preferred industrial category of Strategic Employment Locations (SELS) within the London Plan, it is significant that the site has not been formally designated as such in the recently adopted Unitary Development Plan, although the employment policies of that plan state a presumption in favour of retaining and protecting employment on sites which are already in an employment use.

68 In principle, however, the London Plan provides the flexibility to allow the reallocation of some strategic employment land, where it meets the criteria set out in the Mayor's draft Supplementary Guidance on Industrial Capacity and where it is demonstrable that site could be more productively used for alternative purposes with no net loss of jobs.

69 On balance, the proposed mixed-use development has the potential to optimise the development density, significantly increase employment and meet the London Plan aspiration to make more efficient use of urban brownfield sites with good public transport links. In particular, it offers an excellent opportunity to deliver a greater number and wider variety of jobs, provide some affordable housing, significantly enhance a neglected waterfront environment and secure the long-term future of a bus depot required to facilitate the provision of essential services to the locality.

70 In terms of its detail, however, the 36% affordable housing provision is significantly below the Mayor's London Plan target of 50% without adequate justification. In those circumstances, a higher level of affordable housing should be secured or a more robust viability assessment submitted for the Mayor's consideration.

71 With respect to transport, the Mayor supports TfL in requiring the applicant to ensure that its bus depot capacity and operational requirements would be met, and that the turning and standing requirements for buses E2 and E8 can be designed and accommodated within a smaller site area in accordance with the requirements of policy 3C.4 of the London Plan.

for further information, contact Planning Decisions Unit:

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APPENDIX to PDU/0971a/01

planning report PDU/0971/01

8 December 2004

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planning application no. 00297/R/P1 & 00297/R/CA1

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000 – strategic planning application stage 1 referral

Part outline and part detailed planning application for the demolition of existing buildings and a redevelopment of the site for a mixture of uses including residential, commercial, retail shops, financial services, restaurants, a day centre, leisure and other community facilities and 900 associated car parking spaces. Retention and enhancement of bus depot use, including the provision of workshops, offices, staff amenities and bus parking space or redevelopment of its site for commercial uses (i.e. Class B1 business and/or Class B8 storage and distribution), public open space and car parking spaces.

Context

1 On 13 September 2004, Hounslow Council consulted the Mayor of London on a proposal to develop the above site for the above uses. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000, the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under the following Categories of the Schedule of the Order 2000:

1A – "Development which... (a) comprises or includes the provision of more than 500 houses, flats, or houses and flats;"

1B – "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings-(c) outside Central London and with a total floor space of more than 15,000 square metres;"

1C – "Development which comprises or includes the erection of a building which...is more than 30 metres high and outside the City of London;"

2C – "Development to provide- (f) a bus or coach station."

3F – "Development for a use, other than a residential use, which includes the provision of more than 200 car parking spaces in connection with that use."

3 If Hounslow Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London's comments on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The site is approximately 4.5 hectares in size and owned by British Waterways Board. It is located on the western edge of Brentford town centre, bounded on the northeast by the Grand Union Canal, on the northwest by the 'Hounslow Loop' railway line and on the southwest by a large, grassy, former railway embankment. The southeastern boundary is formed by existing buildings including the Brentford Business Centre and the Brentford Lock mixed use development, which is currently under construction.

7 Vehicular and pedestrian access to the site is along Commerce Road, which joins the A.315 London Road to the southeast of the site. Alternative access is constrained by the former and existing railway embankments and the Grand Union Canal.

8 The site is currently occupied by a variety of commercial and industrial buildings, of mostly one to three storeys in height. On the whole these buildings are unremarkable and of low grade design. Some 17% of the commercial units on the site are currently vacant.

9 The site also accommodates a bus depot, currently used on a short-term lease by a private company, Armchair Bus Services, to operate essential bus services in the area on behalf of Transport for London.

10 The area surrounding the site is mixed in character, comprising a predominance of residential land, extensive commercial areas along the Great West Road to the north and the Brentford Business Park to the south, and the full range of town centre uses to the east.

Details of the proposal

11 The hybrid (part outline and part detailed) planning application was submitted to Hounslow Council by Hephher Dixon planning consultancy, on behalf of ISIS Waterside Regeneration. It proposes a mixed-use development designed by Jestico and Whiles Architects in collaboration with CZWG Architects.

12 The scheme comprises 922 residential units, of which 36% would be affordable, a total of 7,590sq.m for flexible business (B1) purposes, financial and professional services (A2), food and drink (A3) and 700sq.m. of retail shopping (A1) space. The development would also include a 1,395sq.m. health and fitness facility (D2), a 650sq.m. medical centre (D1) and 465sq.m. for community uses.

13 The application proposes to retain and upgrade the existing bus depot described in paragraph 9 above. This would include the provision of 1,120sq.m. of workshops, 740sq.m. of office space, 104 bus parking spaces, bus refuelling and bus washing facilities. In the event that

ISIS Waterside Regeneration cannot reach a suitable agreement with TfL regarding the future of the bus depot, the developer proposes to redevelop the land to provide 3,458sq.m of storage and distribution (B8) and light industrial (B1c) space, and 610sq.m of office (B1a) space.

14 An associated but separate, non-referable, application for Conservation Area Consent has been submitted to Hounslow Council for demolition of the existing structure overhanging part of the towpath into the Grand Union Canal.

Case history

15 There is no relevant planning history.

Strategic planning issues and relevant policies and guidance

16 The relevant issues and corresponding policies are as follows:

- Mix of uses *London Plan*
- Employment *London Plan; PPG4*
- Regeneration *London Plan; London's Economic Development Strategy (LDA)*
- Economic development *London Plan; London's Economic Development Strategy (LDA)*
- Affordable housing *London Plan; PPG3*
- Density *London Plan; PPG3*
- Urban design *London Plan; PPG1*
- Tall buildings/views *London Plan; RPG3A; Strategic Planning Advice on Tall Buildings and Strategic Views in London (LPAC)*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13*
- Parking *London Plan; the Mayor's Transport Strategy; PPG13*
- Biodiversity *London Plan; the Mayor's Biodiversity Strategy; PPG9*
- Blue Ribbon Network *London Plan; the Mayor's Biodiversity Strategy; PPG9*
- Access/equal opportunities *London Plan*
- Sustainable development *London Plan; PPG3; PPG13*

The Development Plan

17 For the purposes of Section 38 of the Planning and Compensation Act 2004, the site is within the coverage of the Hounslow Unitary Development Plan, which was adopted in December 2003 (prior to the adoption of the London Plan), but has no specific designation in either the proposals schedule or proposals map of the development plan.

18 UDP policies E.1.2 to E.1.5 set out the criteria on which applications for the location of Class B employment uses will be determined. Policy E.1.5 provides, amongst other things, that:

- Redevelopment or change of use proposals that would result in the loss of high trip-generating employment uses in town centres, edge-of-centre sites or in key employment locations will not be permitted.
- Except in town centre sites, edge of town centre sites or key employment locations, permission will normally be granted for development involving a change of use from one employment use to another, subject to certain criteria.

- Isolated employment uses should be protected if they are compatible with the protection of residential amenity and highway considerations.
- Housing would be considered as an alternative to employment where the use of the land for employment purposes is unlikely (e.g. due to vacancy levels or the supply of alternative land), or the location and scale of the existing employment use is detrimental to the amenity of the surrounding area. In such circumstances, the Council would seek the maximum proportion of affordable housing.

19 The only specific reference to Commerce Road in the UDP employment policies is set in the context of an example, in paragraph 7.8 of the reasoned justification for policies E.1.2 to E.1.5. This paragraph refers to the London Plan's identification of Strategic Employment Locations (SEL's) and the protection they could afford to the Industrial Business Park on the Great West Road and the Preferred Industrial Locations on the North Feltham Trading Estate and the Brentford Industrial Area (comprising Transport Avenue and Commerce Road).

20 Although the London Plan (and its preceding draft) entreats local planning authorities to support its SEL recommendations with a formal designation of such sites in their development plans, in the case of Commerce Road no attempt has been made to affirm that designation for the purposes of section 38 of the Planning Act 2004. In effect, therefore, Commerce Road has no special protection site as an employment site other than that provided generally by policy E.1.5 of the borough's UDP.

The mix of uses

21 Although the London Plan includes the Commerce Road site in its Strategic Employment Locations, the proposed intensification of development and mix of employment and residential uses on an edge of town centre site, reasonably accessible by public transport, is consistent with the Mayor's draft Supplementary Planning Guidance on Industrial Capacity.

22 In particular, the inclusion of a residential element makes efficient use of the site and enhances its potential to deliver a more sustainable and balanced mix of uses on this urban brownfield site than the existing low-density, low-employment development.

Employment, economic development and regeneration

23 Brentford has been undergoing rapid transformation and regeneration over the past decade. It has been the focus of Single Regeneration Budget (SRB) funding during that time and is the subject of a Town Centre Action Plan, an emerging Brentford Regeneration Framework and several major developments, such as Brentford Lock, Ferry Quays, Capital West and Land South of the High Street, for all of which planning permission has been granted.

24 Despite this trend and the favourable location of Commerce Road at the edge of the town centre, the application site is still occupied by old and unsuitable buildings that are unlikely to attract modern businesses, have a low employment density relative to the site area, and a generally poor physical environment. It would require significant investment to secure its potential to deliver a more substantial level of employment and the Mayor's strategic planning aspirations in respect of urban brownfield sites with good public transport links.

25 The applicant's planning statement indicates that at the time of submission, the site supported approximately 461 full and part-time jobs, of which 250 were employed at the

existing bus depot. This equates to 385.5 full-time positions, of which 217.5 are engaged at the bus depot.

26 The applicant projects that even if the bus depot were excluded from the site, employment would increase to a level between 387 and 647 full-time equivalents (FTEs). The current proposals would therefore increase existing employment levels and at least maintain the employment capacity of the site as a whole.

27 With regard to employment capacity, there is a need to confirm the overall amount and proposed split between retail and employment floor space. The indicative estimate is that up to 700sq.m would be retail space, but no breakdown is provided of the 7,590sq.m of flexible B1, A2 and A3 uses. It is therefore difficult to ascertain the projected estimates of employment.

28 Based upon a total of 8,300sq.m of office i.e. B1 (a) floor space, however, the indicative total employment capacity could be in the region of 410 jobs (allowing 20sq.m per job). This is substantially below that suggested in the applicant's employment statement (i.e. by a shortfall of over 100 jobs). Nonetheless, provided this is actually delivered, it would represent an increase over the existing employment level and at least maintain the employment capacity of the site as a whole.

Affordable housing

29 The development proposes 992 residential apartments, 355 (36%) of which would be affordable homes. The indicative mix of market and affordable homes are provided in the table 1 as follows:

Table 1.

Dwelling size	Market sale	Affordable	Total
1 -Bedroom	117	91	208
2-Bedroom	397	229	626
3- Bedroom	123	35	158
Total	637	355	992

30 The proportion affordable housing proposed within the scheme is below that required in the London Plan. An almost equal split between intermediate and social rented affordable housing is also proposed, even though the London Plan does not normally support such a split unless it can be justified by exceptional circumstances.

31 The level of affordable housing ultimately provided by developers normally depends on an assessment of a range of variables, including the availability of public subsidy (Social Housing Grant), overall site costs, the package of planning benefits to be secured by legal agreement (under S106. of the Planning Act) and the level of profit envisaged by the developer. The applicant was therefore requested to provide financial information to justify why the scheme should not meet the London Plan target of 50% affordable housing, so that the Mayor and Hounslow Council could test the key financial assumptions behind the level currently proposed.

A viability appraisal was subsequently commissioned by the applicant for the Mayor's consideration.

32 The appraisal, conducted by Sustainable Property Consultants, indicates that the applicant's proposals derive from modelling the following three scenarios against the toolkit normally used by the Mayor:

- 36% affordable housing provision with no allowance for the costs of providing of a new bus depot on site.
- 36% affordable housing provision with allowance for the cost of providing the new bus depot on site.
- 28% affordable housing provision with allowance for the bus facility.

33 The appraisal considered that base construction costs for the scheme are expected to be higher than the toolkit default value, given the need to clear significant quantities of asbestos and ground-borne contamination as part of the demolition, the need for extensive levelling to achieve an optimum level in relation to the waterfront, the construction of two new finger docks as part of the environmental improvement programme, ground conditions that require all buildings to be piled and the extra cost of having to work on blocks L and M in close proximity to a railway line. Furthermore, it is calculated that the commercial elements of the scheme would produce marginal financial returns for the high degree of risk and relatively low demand for that type of accommodation. .

34 For all these reasons, the appraisal concludes that the proposed scheme is capable of providing 28% affordable housing if the bus depot site is secured for continued transport use and that potentially a level of 36% could be achieved. This proposal is however predicated on the assumption that 70% of the affordable provision would be intermediate provision and 30% would be social rented. The proposal assumes social housing grant for the social rented element but not for the intermediate provision. The basis of this assumption is not yet known. The main argument for not achieving a higher proportion is that it would reduce the residual value below the existing site value as commercial space.

24 Even at 36% affordable housing, the proposal would fall well below the Mayor's 50% target. Moreover the balance between social rent and intermediate provision is inverted and no justification, other than a viability argument has been proposed. Insufficient information has been provided on bedroom size mix in relation to identified location. In terms of the location and density proposed, a significant proportion of family-sized housing should be provided. While the appraisal has checked the developer's costs and value assumptions against toolkit defaults, the GLA has not been provided with that information and consequently is unable to confirm their validity.

Density

35 The proposed density of the site is 500 habitable rooms per hectare. This is within, albeit at the lower end, of the applicable range identified in the density matrix (table 4B.1) of the London Plan. The scheme is well designed, served by three high-frequency bus routes and configured to maximize the development potential of the site.

Urban design and architectural quality

36 This is the first ISIS scheme in London and the applicant is keen to create an exemplary flagship out of the proposed mixed-use scheme. It is intended to provide a high quality and sustainable, living, working and recreational environment, implemented to an exceptional

standard of building and public realm design in this waterfront location. Based on that vision, the accompanying design statement describes how the on-site residential, working and waterside environments are integrated with the adjoining town centre, other surrounding areas and local community aspirations.

37 The present site is characterised by old, unattractive low-rise sheds with poor accessibility, which do not meet the needs of modern business. It is also clear from a casual visit that physical barriers separate the present users of the site and its buildings from the adjoining canal and local town centre. Therefore, the submitted proposals seek to link areas of open amenity space between the new buildings along the canal edge and along Commerce Road. It tries to achieve this, for example, by the creation of a new landscaped piazza at the north of the site, which would visually connect with the allotments and public park to the east of the canal. It also encourages waterside activity by allowing access into and through the site, as well as interconnection between neighbours. The resultant layout strikes a potentially successful balance between the security needs of future occupiers and visitors, and the degree of permeability required to secure adequate access to the new public facilities and the waterfront.

38 The development would comprise a variety of building scale and massing to reflect its relationship to the canal and surrounding buildings. It would include new landmarks, vistas and focal points onto the local skyline. A distinctive building fronting the canal and a new 'community' piazza is to be sited against the railway boundary to mark the northern edge of the development. This community space would include the leisure, crèche and health and fitness facilities. A separate focal building would be established towards the south of Commerce Road to mark the southern 'civic' edge of the scheme. The civic provision would include the medical centre, workspace and water-related industry at ground level and provide residential accommodation above.

39 The ground level would be interspersed by a series of publicly accessible spaces between buildings. Most of the ground floor would consist of double-height commercial space to be allocated for B1, A1, A2, A3, leisure, and community purposes, giving the development active frontages throughout. These address the canal frontage and together with the formation of two new finger docks, the retention of an existing dock and the public piazza and boulevard would enhance the pedestrian environment. The removal of the canal-side buildings that overhang the towpath would also enhance the public realm and encourage pedestrians to use this route. The proximity to the railway, together with the direct pedestrian routes to bus services and the town centre would all contribute to an enhanced degree of public accessibility to and from the site.

40 The taller residential blocks along Commerce Road are intended to form a physical and visual hierarchy at the centre of the development and its surrounding context, emphasizing the new development as a key location whilst gradually stepping down towards the canal. Viewed in the context of larger buildings such as the new GlaxoSmithKline head-office, the surrounding elevated railway embankments to the north and west, and the considerable distance (approximately 300m) from residential property, it is evident that there would be no adverse impact on the townscape quality or amenity of the local community.

41 The visual experience of the scheme would be further enhanced by the use of high quality materials and a variety of colours, set within an elaborate and rather thoughtful landscaping scheme. Set in the context of the on-going regeneration of Brentford, its town centre modernisation and the introduction of new residential and working premises, the proposals would make a positive contribution to the achievement of the London Plan aspirations relating to under-used sites with good transport links.

Biodiversity

42 The application site is not identified as a Site of Importance for Nature Conservation (SINC), but is bounded on two sides by land with such designations. These are the Grand Union Canal Site of Metropolitan Importance to the east, and the railway corridor Site of Borough Importance (Grade 2) to the north.

43 The treatment of nature conservation in the ES, particularly with respect to the canal, leaves something to be desired. While this may not be the best section of the canal in ecological terms, the whole canal network in London has been identified as being of Metropolitan Importance. If, as suggested in the ES, the local nature conservation value of this part of the canal is low, there is a significant opportunity for enhancement, which is not being taken.

44 It is not clear to what extent the proposed new finger docks are functional, in terms of canal transport, or whether they are largely cosmetic. If the latter, then this is an excellent opportunity for habitat creation within these new areas of water.

45 The possibility that black redstarts may nest in the buildings should be considered and appropriate surveys conducted. See www.blackredstarts.org.uk for advice.

46 Further opportunities for ecological enhancements, both alongside the canal and within the built environment, should be considered. For the latter, the London Development Agency's recent publication *Design for Biodiversity* is a useful reference.

Access and equal opportunities

47 The applicant has indicated that all residential units would be constructed to 'Lifetime Homes' standards and that 10% of all new housing would be wheelchair accessible. The commitment to improving housing choice in accordance with Policy 3A.4 of the London plan is welcomed in strategic planning terms.

48 However, a detailed Access Statement is required to ensure that the development makes a positive contribution to the strategic promotion of an inclusive environment, as required by Policy 4B.5 of the London Plan.

Sustainable design and construction

49 The applicant considers that a development of the size and scale proposed can and should make a positive contribution to the reduction of greenhouse gas emissions by applying energy efficiency measures, sensible material specification and improved conservation of non-renewable resources. Consequently, the proposed scheme would adopt the following key features:

- Passive Solar Design: The massing and layout of the building is designed to maximise the reception of daylight and sunlight.
- District heating: To provide a high level of energy efficiency and minimise carbon dioxide emissions.
- Domestic appliances: By a commitment to install energy efficient appliances throughout the development.

- **Materials:** By the selection of purpose-made materials, brick, high performance windows to meet the acoustic demands of the location and externally insulated render to reduce storage and minimize waste.
- **Water conservation:** The integrated strategy would include rainwater collection, the use of spray taps, showers and dual flushing toilets, together with 'grey water' usage where appropriate.
- **Urban Drainage System:** This allows the collection of surface rainwater by a filtration system below ground level to be cleaned and allowed back into the canal or new inlet, so that the circulating water can force any debris away.
- **Waste management:** The strategy of centralising waste stores and the provision of recycling centres throughout the development is expected to make a significant contribution to energy saving.
- **Reduction in car use:** The proximity of the site to the railway, the amenity opportunities of the canal and the on-site provision of workspace, retail, leisure facilities, together with the direct pedestrian routes to bus services and alternative facilities in the town centre and beyond, should all contribute to a significant reduction in private car journeys.

Transport for London's comments

50 The application site is served directly by bus routes E2 and E8 but the local National Rail and London Underground stations are not within a convenient walking distance. Bus routes 235, 237 and 267 operate at high frequency along London Road/High Street. The site has a Public Transport Accessibility Level (PTAL) of 3 (where level 6 is the highest).

Transport Assessment

51 TfL requires the Transport Assessment to include a modal split analysis that would enable London Buses to consider the impact of the development on local bus service capacity. The submitted Transport Assessment is limited in that it only considers the traffic impact of the development proposals.

Bus infrastructure and services

52 The bus garage currently provides capacity for a total of 109 buses, which has previously included private coach parking by the same operator. The renewed short-term lease prohibits the firm from continuing this operation unless the coach operation is run on behalf of TfL.

53 Bus routes E2 and E8 terminate at Commerce Road and use the existing bus garage for turning around and standing between services. This merging of bus garage and bus service operations within the same site is problematic in operational and land management terms. The planning application provides an opportunity to safeguard the continued use of the bus garage and to improve turning and standing facilities for bus routes E2 and E8.

54 In order to accommodate the development proposals, the existing 3.2-acre bus garage has been reconfigured by the developer and accommodated within a smaller site area that measures 2.5 acres. The existing office and workshop accommodation will also require

demolition and reconstruction, together with a provision for 30 staff car parking spaces. London Plan policy 3C.4 seeks to safeguard land for transport functions and requires that local authorities only approve changes of use of land for transport functions if it is surplus to requirements, or an equally good alternative is provided. Although TfL supports the applicant's broad commitment to safeguarding the bus depot, in its current form the proposal fails to demonstrate that an equally good alternative, comprising a workshop, office accommodation and staff parking, can be provided on a reconfigured and reduced site area in conjunction with adequate standing space for the E2 and E8 bus routes.

55 The proposed scheme introduces a new roundabout at the top of Commerce Road, which allows the E2 and E8 bus services to turn. However, the application does not make provision for bus standing space or replacement alighting or pick-up stops on Commerce Road. Replacement bus-stop facilities should be located close to the development access and relate to pedestrian desire lines to and from the development. London Buses require adequate space to stand 4 buses in between services and expect that space to be located outside the curtilage of the bus depot. In contrast, the applicant currently proposes to accommodate standing space for the E2 and E8 within the reduced (2.5 acre) site. This is undesirable for operational and land management reasons and could realistically only take place by reducing the overall capacity of the bus garage. The provision of standing space for the E2 and E8 buses without reducing existing garage capacity is an issue that should be resolved through an iterative design process with London Buses.

56 For TfL to support the scheme, the applicant would be required to demonstrate that:

- TfL's garage capacity and operational requirements are met; and
- The turning and standing needs for buses E2 and E8 can be designed and accommodated within a smaller site area to meet the requirements of London Plan policy 3C.4.

Bus priority

57 TfL is concerned about the impact of the development on the movement of a significant number of buses negotiating the Brentford High Street/Commerce Road junction. The impact is greatest on eastbound and westbound services along London Road/Brentford High Street and is caused by the additional traffic attempting to access and/or egress Commerce Road, thereby reducing junction capacity and impeding bus movements. TfL requests the applicant to consider the implementation of bus priority measures to mitigate this impact and to include these within the terms of the proposed legal agreement.

Car/cycle parking

58 The detailed and outline applications propose a total of 900 spaces for 992 residential units, the 7,590sq.m of class B1/A2/A3 floorspace and the ancillary community, medical and health and fitness uses. The detailed proposal seeks 243 parking spaces for 441 units at a ratio of 0.55 spaces per unit and 44 commercial spaces, totalling 287spaces. The outline application suggests an indicative parking provision of 613 spaces but does not include a breakdown of its allocation. For purposes of clarity, however, TfL recommends the overall on-site residential parking provision should ideally be maintained at the ratio of 0.55 spaces per unit but would certainly insist that the maximum provision be no more than one space per unit. Parking provision for the non-operational employment should be set at a ratio of 1 space per 100-600sq.m.

59 TfL requires cycle parking to be provided to the standards set out in the London Cycle Network Design Manual, which recommends 1 space per residential unit and 1 space per 125sq.m for B1/A2 uses.

S.106 agreement

60 Given the requirements of Policy 3C.4, TfL considers it imperative for the applicant to safeguard land for continued use of the bus garage and to reconstruct the ancillary workshop and office accommodation under the terms of a s.106 agreement. Consideration should also be given to improving pedestrian and cycle desire lines between the site and public transport nodes, and the implementation of measures to mitigate the impact on bus movements at the junction of Commerce Road and London Road.

The London Development Agency's comments

61 The LDA would be concerned to see the loss of a site that is currently performing a local economic function. This is especially the case as the current vacancy rate is a relatively low 17%. The Agency acknowledges, however, that the current building stock is ageing and increasingly unsuitable for modern industrial/business needs. The LDA agrees with the employment comments made in the preceding paragraphs of this report. The current proposal would contribute to the urban renaissance of London so long as the applicant can demonstrate that the employment offer at least matches the existing provision. The retention or relocation of current uses that serve the local area and beyond should be encouraged.

62 Should Hounslow Council be minded to grant planning permission, the LDA would like to see a more detailed breakdown of the non-residential element of the scheme. A substantial retail element in place of business class uses would not be a satisfactory outcome. The Agency would like to see the employment component of the scheme delivered as part of a legal agreement (s.106), under which the residential element would not be delivered until the employment floorspace has been provided.

Local planning authority's position

63 The local planning authority has strong reservations against the proposals in their existing form and may wish to resist the loss of a potential industrial employment site to a residential-led mixed-use scheme, particularly since the site is identified as a Strategic Employment Location in the London Plan.

64 The Council has indicated that it would give favourable consideration to a scheme that provides industrial premises and local jobs, accommodates water-related activities and is imaginative yet sensitive to its waterside location. The application is still under consideration, with no date confirmed for the submission of a report to the Council's Sustainable Development Committee.

Legal considerations

65 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Hounslow Council at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

Financial considerations

66 There are no financial considerations at this stage.

Conclusion

67 These proposals relate to a grossly under-used site in a prime, waterside location on the edge of Brentford town centre. Whilst it is identified in the preferred industrial category of Strategic Employment Locations (SELS) within the London Plan, it is significant that the site has not been formally designated as such in the recently adopted Unitary Development Plan, although the employment policies of that plan state a presumption in favour of retaining and protecting employment on sites which are already in an employment use.

68 In principle, however, the London Plan provides the flexibility to allow the reallocation of some strategic employment land, where it meets the criteria set out in the Mayor's draft Supplementary Guidance on Industrial Capacity and where it is demonstrable that site could be more productively used for alternative purposes with no net loss of jobs.

69 On balance, the proposed mixed-use development has the potential to optimise the development density, significantly increase employment and meet the London Plan aspiration to make more efficient use of urban brownfield sites with good public transport links. In particular, it offers an excellent opportunity to deliver a greater number and wider variety of jobs, provide some affordable housing, significantly enhance a neglected waterfront environment and secure the long-term future of a bus depot required to facilitate the provision of essential services to the locality.

70 In terms of its detail, however, the 36% affordable housing provision is significantly below the Mayor's London Plan target of 50% without adequate justification. In those circumstances, a higher level of affordable housing should be secured or a more robust viability assessment submitted for the Mayor's consideration.

71 With respect to transport, the Mayor supports TfL in requiring the applicant to ensure that its bus depot capacity and operational requirements would be met, and that the turning and standing requirements for buses E2 and E8 can be designed and accommodated within a smaller site area in accordance with the requirements of policy 3C.4 of the London Plan.

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