

Report of the Corporate Director of Planning & Community Services

Address UNIT E, PROLOGIS PARK STOCKLEY ROAD WEST DRAYTON

Development: Reserved matters (details of siting, design, external appearance and landscaping) of Unit E (employment component) in compliance with condition 3 of planning permission ref.18399/APP/ 2005/3415 dated 02/03/2006 for variation of conditions 2, 3, 7, 8, 10, 11, 13, 20, 21, 22, 26, 29 and 30 (to allow separate phased submissions of details relating to residential and employment components of the development) of outline planning permission ref.18399/APP/2004/2284 dated 19/08/2005 for redevelopment of the site for a mixed-use development comprising Classes B1(a) and (c), B2 and B8 employment uses and Class C3 residential use up to a maximum of 101 units with associated access, parking and landscaping.

LBH Ref Nos: 18399/APP/2009/2119

Drawing Nos: 30179-PL-002
30179-PL-003
30179-PL-004
30179-PL-006
30179-PL-007
30179-PL-001A
30179-PL-005A
30179-PL-008A
30179-PL-009A
Noise Assessment

Date Plans Received: 01/10/2009 **Date(s) of Amendment(s):** 01/10/2009
Date Application Valid: 01/10/2009 03/12/2009
15/12/2009

1. SUMMARY

The application seeks approval of alternative reserved matters for the siting, design, external appearance and landscaping of Unit E in relation to outline planning permission ref. 18399/APP/2005/3415.

The current application seeks approval for various alterations to aspects of the scheme previously approved. These comprise:

- * The extension of the service yard by approximately 2,223 sq metres to the north of the unit.
- * Alterations to the design of the northern elevation (the substitution of 13 ramped access loading doors and 4 level access loading doors in lieu of the 6 ramped access loading doors and 4 level access loading doors previously approved).
- * The relocation of the existing palisade fence and extension of the existing acoustic fence around the extended service yard.
- * Amendments to the existing estate road and entrance to the service yard.

The reason given by the applicant for the amendments is to meet the individual requirements of a prospective occupier in order to ensure the tenancy of the unit and secure the associated employment opportunities.

The proposed alterations would still result in a development with an appropriate impact on the character and appearance of the area and the neighbouring Green Belt.

The landscaping of the site would remain satisfactory, as would the highways aspects. The residential amenity of nearby occupiers would not be compromised.

Subject to appropriate conditions the development would have no detrimental impacts in relation to flood risk or water quality.

Approval is therefore recommended subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 NONSC Materials

All external surfaces of the development shall be constructed of the materials, colours and finishes approved under application ref. 18399/APP/2006/3111 dated 12/03/2007 unless otherwise approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Boundary Treatments

The boundary treatments on site shall be completed in strict accordance with the details shown on drawing nos. 30179-PL-005A, 30179-PL-008A and 30179-PL-009A prior to the occupation of the unit hereby approved.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 MCD10 Refuse and Recycling Facilities

No development shall take place until details of facilities to be provided for the secure, screened storage of refuse and recycling at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area and provide adequate storage for waste and recycling, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4A.21 and 4B.1.

6 TL5 Tree Planting

No development shall take place until details of proposed tree planting as shown indicatively on drawing no. 30179-PL-005A have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

The details shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of trees giving species, sizes, and proposed numbers,
- Implementation programme and schedule of maintenance.

The approved planting shall be completed within the first planting season following the completion of the development or the occupation of the building, whichever is the earlier period. Maintenance shall thereafter be carried out in accordance with the approved schedule.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 NONSC Cycle Parking

Cycle parking shall be provided on site in accordance with the details approved under application ref. 18399/APP/2006/547 dated 12/07/2006. The cycle parking shall be erected prior to the occupation of the unit hereby approved and thereafter be retained on site.

REASON

To ensure that adequate facilities are provided for cyclists in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007)

8 NONSC Access to building entrances

Accesses to the building entrances shall be constructed in accordance with the details approved under application ref. 18399/APP/2007/814 dated 05/06/2007.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 NONSC Berry Bearing Bushes

The berry bearing species for the landscaping of the site shall be no more than 25% of the total species on site and shall be spread throughout the planting palette rather than in concentrated areas. Details are to be submitted to and approved in writing by the Local Planning Authority.

REASON

To reduce the bird strike risk posed by winter thrushes and starlings in order to ensure compliance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 NONSC Wheel Washing

Prior to the commencement of development, plant equipment for the cleaning of construction vehicle wheels shall be installed in accordance with the details approved under application ref. 18399/APP/2006/3002 dated 30/11/2006. The equipment shall be retained during the period over which the development takes place, and used by all vehicles that leave the site.

REASON

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

11 NONSC Security Measures

Prior to the occupation of the unit hereby approved external lighting within the site shall be implemented in accordance with the details approved under application ref. 18399/APP/2007/108 dated 06/06/2007.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under Section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with Policies 4B.1 and 4B.6 of the London Plan (February 2008).

12 NONSC Noise Mitigation

The development hereby approved shall not be occupied until the existing 6.5 metre high timber acoustic fence along the eastern boundary of the service yard has been extended in accordance with the details shown on drawing nos. 30179-PL-005A, 30179-PL-008A and 30179-PL-009A and the specification contained in paragraph 5.3 of the Noise Assessment dated 14 December 2009 accompanying the application. Thereafter the fence shall be retained and maintained in good order for so long as the site remains in use.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

13 H10 **Parking/Turning/Loading Arrangements - Commercial Devs.**

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

14 NONSC **Bird Management Plan**

The bird management plan approved under application ref. 18399/APP/2007/27 dated 06/06/2007 shall be implemented in relation to the unit hereby approved and maintained in perpetuity.

REASON

To avoid endangering the safe operation of aircraft through the attraction of birds in order to ensure compliance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

15 NONSC **Sustainable Drainage**

Development shall not begin until a surface water drainage scheme for the 'extended service yard', including details of the surfacing material and based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to occupation of the development.

In relation to this condition the 'extended service yard' will be taken to mean the area of extended concrete service yard demonstrated on drawing no. 30179-PL-005A which is located outside the boundary of the concrete service yard demonstrated by drawing no. 30179-PL-002.

REASON

To prevent increased risk of flooding; to improve and protect water quality; and to ensure an appropriate appearance of the service yard in compliance with Policies 4A.13, 4A.14 and 4A.17 of the London plan (February 2008) and Policies OE7, OE8, BE13 and BE25 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

16 OM2 **Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in

accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

17 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative 7 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

18 NONSC Noise Mitigation

The development hereby approved shall not be implemented until all noise mitigation measures approved under application ref. 18399/APP/2007/106 dated 27/02/2007 have been implemented. Thereafter these measures shall be retained and maintained in good working order for so long as the site remains in use.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 NONSC Electric vehicle charging points

Prior to the commencement of the development hereby approved, details of the installation (including location and type) of at least two electric vehicle charging points within the car park shall be submitted to, and approved in writing by, the Local Planning authority. The electric vehicle charging points shall be installed prior to occupation of the development and retained for the lifetime of the building.

REASON

To encourage sustainable travel and to comply with Policy 4A.3 of the London Plan (February 2008).

20 OM14 **Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

INFORMATIVES

1 I52 **Compulsory Informative (1)**

The application seeks approval of alternative reserved matters for the siting, design, external appearance and landscaping of Unit E in relation to outline planning permission ref. 18399/APP/2005/3415. The proposed alterations would still result in a development with an appropriate impact on the character and appearance of the area and the neighbouring Green Belt. The landscaping of the site would remain satisfactory, as would the highways aspects. The residential amenity of nearby occupiers would not be compromised. Subject to appropriate conditions the development would have no detrimental impacts in relation to flood risk or water quality.

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to

	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 4A.22	Spatial policies for waste management

3

The plans and conditions attached to this planning permission relate only to the consideration of the development falling within the submitted red site outline for this application (drawing 30179-PL-001A). You are advised that the previous reserved matters approval ref. 18399/APP/2006/547 dated 12/07/2006 has been implemented through the erection of Unit E and associated works. Compliance with the conditions and approved plans of that planning permission must be ensured for all relevant areas which fall outside of the red site outline for this application.

This includes, but is not limited to, matters concerning the site layout, built form, materials, boundary treatments, ground levels, refuse storage, cycle storage, landscaping, security, noise mitigation and bird management.

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For the avoidance of doubt, condition 16 requires the implementation, maintenance and retention of all noise mitigation measures approved under application ref. 18399/APP/2007/106. This includes measures which lie outside of the current application site, but are contained within the boundary of the development approved under outline planning permission ref. 18399/APP/2004/2284 dated 19/08/2005.

5

Any method statement in relation to condition 14 must ensure that flat/shallow pitched roofs are constructed to allow easy access to all areas by foot using permanent fixed access stairs, ladders or similar. The owner/occupier must not allow gulls to nest, roost or loaf on the building. Checks must be made weekly during the breeding season. Outside the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airfield Operations staff. The owner/occupier must remove any nests or eggs found on the roof. The breeding season for gulls typically runs from March to June. The owner/occupier must hold the appropriate licences before the removal of nests or eggs.

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Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed

plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

7 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

8 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

9 112 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

10 119 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

11 125 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate

consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

12 I46 **Renewable Resources**

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

13 I47 **Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

14 I43 **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.

15 I45 **Discharge of Conditions**

Your attention is drawn to conditions 5, 6, 15, 16, 17, 19 and 20 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

3. CONSIDERATIONS

3.1 Site and Locality

The application site has an area of 1.41 hectares and forms part of a wider development site for Classes B1(a) & (c), B2 and B8 employment uses of 12.08 hectares located adjacent to the Stockley Park employment area. The site is located 1.8km west of Hayes Town Centre and 0.8km north of the M4. Heathrow Airport is approximately 2.8km to the south.

The site is part of land which was in agricultural use until the late 1930's when it was developed by the Ministry of Defence (MoD) as a munitions factory during the Second World War. During the 1950's the site was converted for use as a file repository and contained a range of warehouse and office accommodation.

The construction of Unit E has been implemented on site in accordance with the details approved under reserved matters application 18399/APP/2006/547. Units A, B and F and the main access routes into the site from Stockley Road and Bourne Avenue have also been implemented in accordance with the relevant reserved matters approvals. The northern part of the site remains cleared awaiting future development.

The area surrounding the application site is mixed in character. To the south and west are Units A, B and F, beyond which is the Heathrow Express rail link which separates the wider development site from neighbouring Green Belt land. To the east of the site is the housing component of the former Ministry of Defence site, which was approved and provided for 101 residential units. To the south of the wider development site are Bourne Farm Playing Fields and other open Green Belt land.

3.2 Proposed Scheme

Reserved matters approval is sought for the siting, design, external appearance and landscaping of Unit E (employment component) in compliance with condition 3 of planning permission ref.18399/APP/2005/3415).

Reserved matters in relation to the siting, design, external appearance and landscaping of Unit E have previously been approved under planning permission ref. 18399/APP/2006/547. The unit has been erected on site in accordance with the details approved under this permission.

The current application seeks approval for various alterations to aspects of the scheme previously approved. These comprise:

- * The extension of the service yard by approximately 2,223 sq metres to the north of the unit.
- * Alterations to the design of the northern elevation (the substitution of 13 ramped access loading doors and 4 level access loading doors in lieu of the 6 ramped access loading doors and 4 level access loading doors previously approved).
- * The relocation of the existing palisade fence and extension of the existing acoustic fence around the extended service yard.
- * Amendments to the existing estate road and entrance to the service yard.

The applicant has advised that the changes are required to assist logistical operations by the prospective occupier and should approval be granted it will provide 120 jobs bringing vital employment to the Hayes area.

The siting, bulk, massing and scale (maximum of 13 metres in height) of the unit remain identical to the details previously approved under application ref. 18339/APP/2006/547). The total floor area of the unit of 6,298 sq metres, of which 618 sq metres comprises ancillary office space, also remains unchanged from the previous approval.

A total of 61 car spaces are provided along the western side of Unit E, including 6 spaces for people with disabilities. This level of provision is identical to that agreed under the previous reserved matters approval with the exception that 3 additional spaces for people with disabilities have been provided in lieu of 5 standard parking spaces previously approved in order to comply with condition 17 of the reserved matters approval.

3.3 Relevant Planning History

18399/APP/2004/2284 Former M O D Records Office Stockley Road Hayes Middx
REDEVELOPMENT OF THE SITE FOR A MIXED- USE COMPRISING (CLASSES B1(a) & (c), B2 AND B8) EMPLOYMENT USES AND (CLASS C3) RESIDENTIAL (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (OUTLINE APPLICATION)

Decision: 19-08-2005 Approved

18399/APP/2005/2387 Former M O D Records Office Stockley Road West Drayton
RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) OF PLOT A (STORAGE/ DISTRIBUTION WITH ANCILLARY OFFICE) IN COMPLIANCE WITH CONDITION 2 OF PLANNING PERMISSION REF.18399/APP/2004/2284 DATED 19/08/2005 'REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) AND B1(c), B2 AND B8 EMPLOYMENT USES AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (OUTLINE APPLICATION)'.
RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE & LANDSCAPING) OF Unit F (employment component) in compliance with condition 3 of planning permission ref:18399/APP/2005/3415 dated 02/03/06 and variation of conditions 2, 3, 7, 8, 10, 11, 13, 20, 21, 22, 26, 29 & 30 (to allow separate phased submissions of details relating to residential & employment components of the development) of outline planning permission ref:18399/APP/2004/2284 dated 19/08/05 Redevelopment of the site for a mixed-use development comprising Classes B1(a) & (c), B2 & B8 employment uses and Class C3 residential use up to a maximum of 101 units with associated access, parking and landscaping

Decision: 30-11-2005 Approved

18399/APP/2005/3415 Former M O D Records Office Stockley Road West Drayton
VARIATION OF CONDITIONS 2,3,7,8,10,11,13,20, 21,22,26,29 & 30 (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF.18399/ APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT USES AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

Decision: 02-03-2006 Approved

18399/APP/2006/2308 Former M O D Records Office Stockley Road West Drayton
Reserved matters (details of siting, design, external appearance & landscaping) of Unit F (employment component) in compliance with condition 3 of planning permission ref:18399/APP/2005/3415 dated 02/03/06 and variation of conditions 2, 3, 7, 8, 10, 11, 13, 20, 21, 22, 26, 29 & 30 (to allow separate phased submissions of details relating to residential & employment components of the development) of outline planning permission ref:18399/APP/2004/2284 dated 19/08/05 Redevelopment of the site for a mixed-use development comprising Classes B1(a) & (c), B2 & B8 employment uses and Class C3 residential use up to a maximum of 101 units with associated access, parking and landscaping

Decision: 03-11-2006 Approved

18399/APP/2006/547 Former M O D Records Office Stockley Road West Drayton
Reserved matters (details of siting, design, external appearance and landscaping) of Units B, E and F (employment component) in compliance with condition 3 of planning permission ref.18399/APP/ 2005/3415 dated 27/01/2006: Variation of conditions 2,3,7,8,10,11,13, 20,21,22,26,29 and 30 (to allow separate phased submissions of details relating to residential and employment components of the development) of outline planning permission ref. 18399/APP/2004/2284 dated 19/08/2005: Redevelopment of the site for a mixed use development comprising Use Classes B1(a) and (c), B2 and B8 employment uses and C3

residential use (up to a maximum of 101 units) with associated access, parking and landscaping.

Decision: 12-07-2006 Approved

18399/APP/2007/2724 Former M O D Records Office Stockley Road West Drayton

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) OF UNITS C AND D (EMPLOYMENT COMPONENT) IN COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION REF.18399/APP/2005/3415 DATED 27/01/2006: VARIATION OF CONDITIONS (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF.18399/ APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

Decision: 17-12-2007 Approved

18399/APP/2007/2725 Former M O D Records Office Stockley Road West Drayton

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) OF UNITS C, D AND G (EMPLOYMENT COMPONENT) IN COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION REF.18399/APP/2005/3415 DATED 27/01/2006: VARIATION OF CONDITIONS (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF. 18399/APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT USES AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

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Comment on Relevant Planning History

None.

4. Planning Policies and Standards

Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Guidance Note 13 (Transport) (April 2001)
Planning Policy Statement 23 (Planning and Pollution Control) (November 2004)
Planning Policy Guidance Note 24 (Planning and Noise) (October 1994)
The London Plan (February 2008)

The relevant policies of the Hillingdon Unitary Development Plan Saved Policies (September 2007) are referenced in the relevant section below

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.26 To encourage economic and urban regeneration in the Hayes/West Drayton Corridor, designated Industrial and Business Areas (IBA's) and other appropriate locations.

Part 2 Policies:

- OL5 Development proposals adjacent to the Green Belt
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- LPP 4A.22 Spatial policies for waste management

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- **31st December 2009**
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised as major development under Article 8 of the Town and Country Planning (General Development Procedure) Order 1995 and 158 neighbours were consulted. 1 reply has been received objecting on the grounds:

1. Loss of sunlight to adjoining houses and gardens.
2. Reduction in value of adjoining properties.
3. Loss of amenity to adjoining properties as a result of noise and nuisance from floodlights.

Internal Consultees

TREES AND LANDSCAPE OFFICER

The proposal is to extend the service yard of Unit E to the north, to assist logistical operations by the occupier. The existing 6.5 metre high acoustic fence on the east boundary is to be extended northwards to mitigate noise to the adjacent residential site to the east. The planted woodland to the east of the new acoustic fence would be unaffected by the fencing proposal but will reduce any visual impact of it. There is no proposal to alter the offices, car parking or associated landscaping

which will be retained as previously approved.

New 2.4 metre high galvanised steel palisade fencing is proposed to secure the northern boundary, to match the existing site boundary fences. The proposed site layout includes the planting of 2 new trees to the north of the new entrance. These trees should be detailed to match the existing tree-lined avenue.

There is no objection to the proposal subject to conditions requiring details of the proposed tree planting and to ensure its implementation and subsequent maintenance.

ENVIRONMENTAL PROTECTION UNIT

No objection on noise grounds, subject to the existing 6.5m high acoustic fence being extended along the eastern boundary of the northern extension of the service yard as shown on the submitted drawings.

HIGHWAYS ENGINEER

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the development has been established under outline planning permission ref. 18399/APP/2004/2284 granted on 19 August 2005 and the subsequent reserved matters approval granted on 12 July 2006 under ref. 18399/APP/2006/547. Accordingly, there is no objection to the principle of the proposal.

7.02 Density of the proposed development

The application seeks reserved matters approval for the siting, design, external appearance and landscaping of an industrial unit. Density is not therefore considered to be a relevant consideration.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The site does not lie within a conservation area or area of special local character. Nor is the site located in the vicinity of a listed building.

Archaeological implications of the entire development were considered under the outline application and conditions 24 and 26 of the outline approval (18399/APP/2004/2284) ensure that archaeological work must be undertaken before development work commences on new parts of the site.

7.04 Airport safeguarding

The height of the proposed building remains identical to that existing on site. At 13m the height of the proposal does not contravene airport safeguarding criteria.

Despite the height of the proposal not being sufficient to warrant consultation with BAA or NATS, conditions requiring the submission and approval of a bird management plan and restricting the number of berry bearing bushes have previously been imposed for all units within the site. It is considered that to ensure the continued effectiveness of these measures across the site these conditions must also be imposed on the proposed unit, accordingly they are included within the recommendation.

7.05 Impact on the green belt

Initial consideration of the impact of the overall development on the Green Belt was made at the outline planning stage. The development was considered to have a greater impact on the Green Belt than the previous single/two storey buildings, however, it was

determined that sufficient area was available to screen and soften the impact of any new built development.

Unit E is screened from the adjoining Green Belt land to the west of the wider development site by Unit B and existing landscape buffers along the side of the railway line. It is also screened from the adjoining Green Belt land to the south by Unit F and a landscaped buffer up to 13 metres in width which has been provided along the southern boundary of the overall site. The proposed alterations to Unit E and its service yard would therefore have no greater impact on the Green Belt than the approved scheme. The development is therefore considered to comply with UDP Saved Policy OL5.

7.07 Impact on the character & appearance of the area

The siting, mass, bulk and scale of the proposed unit are identical to those considered under reserved matters approval 18399/APP/2006/547. Accordingly, it is considered that any impacts on the character and appearance of the area would be limited to those of the amended northern elevation, the increased area of service yard and the amendments to the proposed fencing.

In relation to the northern elevation, 10 vehicular loading bays (6 ramped bays and 4 level bays) were included on this elevation under the previous reserved matters approval. The current application seeks 17 vehicular loading bays (13 ramped bays and 4 level bays) on this elevation. This elevation is only visible from within the industrial site itself and the proposed design would be consistent with the design of the units and the site as a whole. Accordingly, this alteration does not raise any concerns with regard to the character and appearance of the area.

The current proposal seeks an increase of 2,223 sq metres in the size of Unit E's service yard above that approved under the previous reserved matters consent. Permission has previously been granted for a hard landscaped car parking/servicing area and the portions of two industrial units in this location under reserved matters approvals 18399/APP/2007/2724 and 18399/APP/2007/2725. It is considered that the proposed service yard would have a similar impact on the character and appearance of the area as the previously approved proposals and would be consistent with the overall design quality of the larger industrial site. Accordingly, this aspect of the proposal does not raise any concerns with regard to the character and appearance of the area.

It is not considered that the relocation of the existing 2.4 metre high palisade fence and extension of the existing 6.5 metre high acoustic fence around the extended service yard raises any concerns with regard to the character and appearance of the area.

It is considered that the design of the proposed building and the proposed landscaping are complementary to the surrounding area and in accordance with Policies BE13 and BE38 of the Unitary Development Plan Saved Policies.

7.08 Impact on neighbours

The proposed service yard would not extend any closer to the nearest residential properties to the east of the site in Nine Acres Close. These are presently situated approximately 14 metres away and separated by a woodland buffer strip and an existing 6.5 metre high timber acoustic fence. The Environmental Protection Unit raises no objection to the development in terms of the impact of noise on these properties subject to the existing acoustic fence being extended along the eastern boundary of the extension of the service yard as indicated on the submitted drawings. This can be secured by an appropriate condition in the event of planning permission being granted. The proposed fence would be on the same line as the existing fence and not result in any undue loss of

light to, or outlook from, these properties. It would also screen the service yard and rear elevation of Unit E from these properties.

Accordingly, the proposal would not have any detrimental impacts on the residential amenity of nearby properties and is considered to accord with Policies BE19, BE20, BE21, BE24 and OE1 of the Unitary Development Plan Saved Policies.

7.09 Living conditions for future occupiers

The application is not for residential accommodation, accordingly this consideration is not relevant.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The traffic generation and impacts of the development on the operation of the wider highway network were considered under the outline planning permission.

The Council's Highways Engineer raises no objection to the proposed amendments to the existing estate road and entrance to the service yard.

The car parking arrangements and cycle parking arrangements remain unchanged from the previously approved application.

No objections are therefore raised in terms of traffic impacts, car parking, cycle parking, highways safety or pedestrian safety.

7.11 Urban design, access and security

Aspects relating to the design changes have been addressed in section 7.07 of the report.

Access arrangements have been addressed in section 7.10 of the report.

Security issues for the unit as a whole were considered under the previous application and considered acceptable.

7.12 Disabled access

All access issues were considered under the previous applications and remain unchanged.

7.13 Provision of affordable & special needs housing

The application is not for residential accommodation, accordingly this consideration is not relevant.

7.14 Trees, landscaping and Ecology

The landscaping of the areas around the application site has previously been considered under outline planning permission ref. 18399/APP/2004/2284 and reserved matters approval ref. 18399/APP/2006/547). The proposal would not result in a reduction of the previously approved on site landscaping. The proposed site layout includes the planting of 2 new trees to the north of the new entrance. The Council's Trees and Landscape Officer raises no objection to the proposal subject to conditions requiring details of the proposed tree planting and to ensure its implementation and subsequent maintenance.

Accordingly, it is considered that the scheme would maintain an appropriate landscape environment both within the application site and in relation to the wider area, consistent with Policy BE38 of the Unitary Development Plan Saved Policies.

With regard to ecology, the outline planning permission considered the impact of the development on the adjoining nature conservation area. The assessment concluded that while the development would have direct impacts on the site and on the adjoining Site of Importance for Nature Conservation (SINC), Natural England were consulted and raised no objections subject to the inclusion of specific conditions. Conditions were included in the outline planning permission, which required specific works in relation to the relocation of badger setts and the removal Japanese Knotweed. These conditions were considered to satisfactorily address the impact of the development on nature conservation interests. No additional conditions are considered necessary in this regard.

7.15 Sustainable waste management

In relation to waste management, Policy 4A.22 of the London Plan requires that new developments provide adequate facilities for the storage of waste and recycling.

There is sufficient room within the unit and proposed service yard to accommodate appropriate waste and recycling facilities. A condition is proposed to ensure these facilities maintain an appropriate appearance.

7.16 Renewable energy / Sustainability

The current application seeks design and layout amendments to a previously approved scheme which has been implemented on site. With the exception of drainage impacts arising from the increased area of hard standing and a condition concerning electric charging points (to address London Plan policies) it is not considered that any consideration of sustainability, above that given to the reserved matters approval 18399/APP/2006/547 and the outline planning permission, is warranted.

Issues relating to the impact of the hard standing area on drainage are dealt with in section 7.17 of the report.

7.17 Flooding or Drainage Issues

The construction of Unit E and the associated area of service yard approved under reserved matters application 18399/APP/2006/547 have been implemented on site in accordance with the planning permission and the drainage of these areas is therefore considered to be satisfactory. However, sustainable drainage solutions for the site were not considered necessary in relation to these aspects of the scheme.

The proposed extension to the service yard of the unit would represent a significant increase in the level of hard standing above that approved under application 18399/APP/2006/547. The approved plans for the northern part of the site confirmed the acceptability of this area being utilised for hard standing and built form only subject to appropriate sustainable urban drainage solutions being implemented.

Given that the overall built form of proposed Unit E and the majority of the service yard have been completed in accordance with the previous planning permission, which did not require sustainable drainage solutions, a retrospective condition relating to these aspects of the development would be both unreasonable and unnecessary failing to meet the tests set out within Circular 11/95: 'The Use of Conditions in Planning Permissions'.

The 2,223 sq metres extension to the service yard, however, has not yet been constructed on the site. The previous applications relating to this part of the site (refs. 18399/APP/2007/2724 and 18399/APP/2007/2725) did require the utilisation of sustainable urban drainage techniques and indicate such measures have historically been necessary on this part of the site. A condition requiring the use of sustainable urban

drainage systems on this particular part of the site is considered necessary and would meet the relevant tests.

Subject to the above suggested condition being included within the recommendation the scheme does not raise any concerns with regard to flooding or drainage.

7.18 Noise or Air Quality Issues

Issues relating to noise impacts have been dealt with in section 7.08 of the report.

Issues relating to air quality were considered under the grant of the outline planning permission, accordingly the proposal does not give rise to any concerns relating to air quality.

7.19 Comments on Public Consultations

The issue of the impact of the proposal on the amenities of the occupiers of neighbouring residential properties is dealt with in section 7.07 of the report. It is considered that the proposed extension of the existing 6.5 metre high timber acoustic fence along the eastern boundary of the extension of the service yard would screen the service yard and rear elevation of Unit E from the nearest residential properties and would be sufficient distance away to avoid any loss of light to, or outlook from, these properties. It would also prevent transmission of noise and glare from floodlights to these properties. The perceived reduction in property values is not a planning consideration.

7.20 Planning obligations

The application seeks approval of reserved matters for an industrial development. Matters relating to planning obligations were considered under the outline planning permission.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest

infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

10. CONCLUSION

The application seeks approval of alternative reserved matters for the siting, design, external appearance and landscaping of Unit E in relation to outline planning permission ref. 18399/APP/2005/3415.

The current application seeks approval for various alterations to aspects of the scheme previously approved. These comprise:

- * The extension of the service yard by approximately 2,223 sq metres to the north of the unit.
- * Alterations to the design of the northern elevation (the substitution of 13 ramped access loading doors and 4 level access loading doors in lieu of the 6 ramped access loading doors and 4 level access loading doors previously approved).
- * The relocation of the existing palisade fence and extension of the existing acoustic fence around the extended service yard.
- * Amendments to the existing estate road and entrance to the service yard.

The reason given by the applicant for the amendments is to meet the individual requirements of a prospective occupier in order to ensure the tenancy of the unit and secure the associated employment opportunities.

The proposed alterations would still result in a development with an appropriate impact on the character and appearance of the area and the neighbouring Green Belt.

Subject to appropriate conditions the development would have no detrimental impacts in relation to flood risk or water quality.

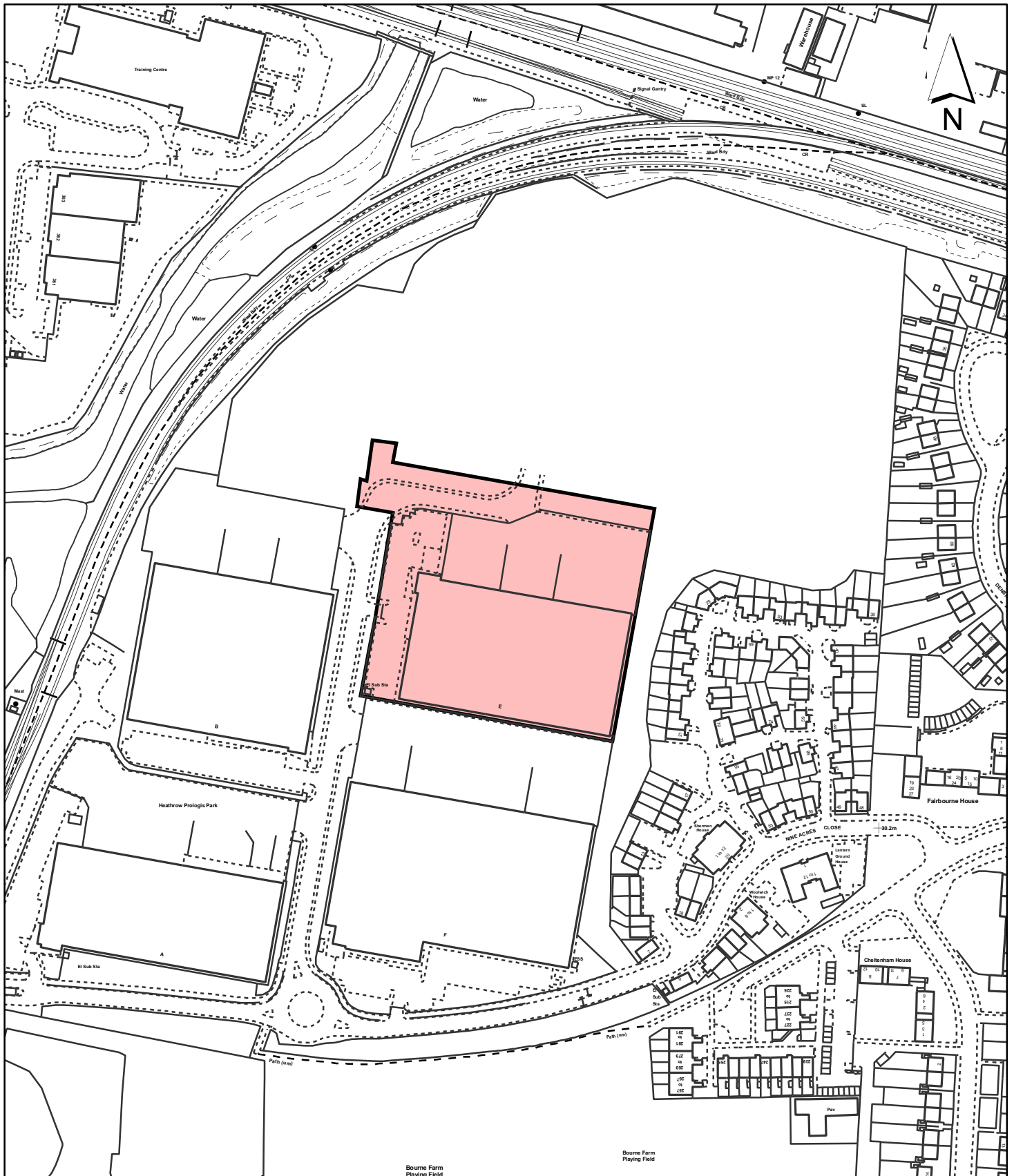
Approval is therefore recommended subject to conditions.

11. Reference Documents


Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Guidance Note 13 (Transport) (April 2001)
Planning Policy Statement 23 (Planning and Pollution Control) (November 2004)
Planning Policy Guidance Note 24 (Planning and Noise) (October 1994)
The London Plan (February 2008)

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Notes

 Site boundary

For identification purposes only.

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Site Address	
Unit E Prologis Park Stockley Road West Drayton	
Planning Application Ref:	Scale
18399/APP/2009/2119	1:2,500
Planning Committee	Date
Central and South	December 2009

**LONDON BOROUGH
OF HILLINGDON**

**Planning &
Community Services**

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