

## Report of the Head of Planning, Sport and Green Spaces

**Address** UNIT 3 MILLINGTON ROAD HAYES

**Development:** Erection of 3281sq.m GEA industrial/warehouse unit (Use Classes B1c, B2, B8) and erection of 1327sq.m GEA coach maintenance/servicing unit and depot (Sui Generis); together with alterations to adjacent highway accesses, creation of associated service and customer yards, car parking and landscaping.

**LBH Ref Nos:** 32157/APP/2016/1696

**Drawing Nos:** 150191 E 101 P1  
15.104.A\_00\_00\_01 Rev. A  
15.104.A\_00\_00\_02 Rev. A  
15.104.A\_00\_00\_03 Rev. E  
15.104.A\_00\_00\_05 Rev. E  
15.104.A\_00\_00\_06 Rev. F  
15.104.A\_00\_00\_07 Rev. C  
15.104.A\_00\_00\_08 Rev. C  
Energy Assessment, Version 4.0  
15.104.A\_00\_00\_04 Rev. C  
Design and Access Statement  
RPS CgMS covering letter dated 3/5/16  
15.104.A\_00\_00\_10 Rev. E  
15.104.A\_00\_00\_11 Rev. E  
15.104.A\_00\_00\_12 Rev. E  
15.104.A\_00\_00\_13 Rev. E  
15.104.A\_00\_00\_14 Rev. E  
15.104.A\_00\_00\_15 Rev. C  
M276-100 Rev. P2  
M276-201 Rev. P2  
M276-202 Rev. P2  
M276-203 Rev. P2  
AAD Acoustic Note, dated 6/7/16  
BSPF Hayes, Phase 2 - Coach Depot Noise Assessment, dated 6/4/16  
Draft Workplace Travel Plan  
BSPF Hayes - Bird Hazard Management Plan, March 2016  
Addendum Air Quality Assessment, April 2016  
Air Quality Assessment, March 2011  
Transport Statement, 02/Final, 26 April 2016  
Flood Risk Assessment  
Unilateral Undertaking  
Agent's email dated 25/7/16

<b>Date Plans Received:</b>	03/05/2016	<b>Date(s) of Amendment(s):</b>	03/05/2016
<b>Date Application Valid:</b>	27/05/2016		06/07/2016 25/07/2016

### 1. SUMMARY

This proposal is for the erection of two industrial units (Use Classes B1(c)/B2/B8/sui generis) with floor areas of some 3,160sqm and 1,145sqm (GIA).

The application site forms the western part of a larger, previously vacant site on the south western corner of the junction of Station Road and North Hyde Road to the south west of Hayes town centre. The eastern part of the larger site has been re-developed as a supermarket with petrol filling station.

The site forms part of the Millington Road Industrial Business Area (IBA) and therefore the principle of the development is appropriate. The proposed industrial buildings and landscaping works are considered to be of an acceptable design. Subject to appropriate conditions and a S106 agreement the development is considered to accord with the relevant policies and guidance contained within the Hillingdon Local Plan (November 2012) and the London Plan (March 2016) and is recommended for approval.

## **2. RECOMMENDATION**

**1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to:**

**A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:**

- i. £50,000.00 contribution towards improvements to the local highway network,**
- ii. Highway Works: S278/S38 for required Highways Works subject to surrounding network adoption status,**
- iii. Construction Training: A financial contribution to the sum of: Training costs: £2500 per £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided. (if applicable in line with the terms set out in the Planning Obligations SPD),**
- iv. Travel Plan: to include £20,000 Bond,**
- v. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.**

**B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.**

**C) That Officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.**

**D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised by the 13th of December 2016, or any other period deemed appropriate by the Head of Planning and Enforcement, that delegated authority be given to the Head of Planning and Enforcement to refuse the application for the following reason:**

**'The applicant has failed to ensure that the necessary Highway Contribution, Construction Training, Travel Plan and Project Management & Monitoring Fee would be undertaken/prepared in a timely manner and to an appropriate standard. The scheme therefore conflicts with Policies R17, AM2 and AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Planning Obligations SPG.'**

**E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.**

**F) That if the application is approved, the following conditions be imposed subject to changes negotiated by the Head of Planning and Enforcement prior to issuing the decision:**

**1 COM3 Time Limit**

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 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

150191 E 101 P1

15.104.A\_00\_00\_01 Rev. A

15.104.A\_00\_00\_02 Rev. A

15.104.A\_00\_00\_03 Rev. E

15.104.A\_00\_00\_04 Rev. D

15.104.A\_00\_00\_05 Rev. E

15.104.A\_00\_00\_06 Rev. F

15.104.A\_00\_00\_07 Rev. C

15.104.A\_00\_00\_08 Rev. D

15.104.A\_00\_00\_10 Rev. E

15.104.A\_00\_00\_11 Rev. E

15.104.A\_00\_00\_12 Rev. E

15.104.A\_00\_00\_13 Rev. E

15.104.A\_00\_00\_14 Rev. E

15.104.A\_00\_00\_15 Rev. D

M276-100 Rev. P2

M276-201 Rev. P2

M276-202 Rev. P2

M276-203 Rev. P2; and shall thereafter be retained/maintained for as long as the development remains in existence.

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

**3 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement

Unilateral Undertaking

Energy Assessment, Version 4.0

BSPF Hayes, Phase 2 - Coach Depot Noise Assessment, dated 6/4/16

BSPF Hayes - Bird Hazard Management Plan, March 2013

Air Quality Assessment, March 2011

Addendum Air Quality Assessment, April 2016  
Transport Statement, 02/Final, 26 April 2016  
Flood Risk Assessment

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

#### REASON

To ensure that the development complies with the objectives of Policies . Specify Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **4 COM9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

##### 1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),
- 1.b Written specification of planting and cultivation works to be undertaken,
- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

##### 2. Details of Hard Landscaping

###### 2.a Cycle Storage

###### 2.b Means of enclosure/boundary treatments

###### 2.c Car Parking Layouts (including 3 motorcycle parking spaces and demonstration that 10% of all parking spaces are served by electrical charging points)

###### 2.d Hard Surfacing Materials

##### 3. Living Walls and Roofs

###### 3.a Details of the inclusion of living walls and roofs

###### 3.b Justification as to why no part of the development can include living walls and roofs

##### 4. Details of Landscape Maintenance

###### 4.a Landscape Maintenance Schedule for a minimum period of 5 years.

###### 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

##### 5. Schedule for Implementation

##### 6. Other

###### 6.a Existing and proposed functional services above and below ground

###### 6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

## **5 NONSC Non Standard Condition**

Unit 3 shall be used as a warehouse supplying the building trade and shall not be used for retail sales to the general public.

### **Reason**

To comply with the terms of the application and to ensure the site is used Class B8 purposes, in compliance with Policy LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## **6 NONSC Energy**

Prior to the commencement of development full specification of the clean, low and zero carbon technology required to reduce carbon emissions shall be submitted in writing to the Local Planning Authority. The specifications also shall include the type of PVs and full details of their position and fitting to the roofs of the development. The specifications shall be accompanied by a roof plan and elevations showing the panels on the roof. The development shall proceed in accordance with the approved designs.

### **Reason**

To ensure the development delivers the CO2 savings as set out in the energy strategy and in accordance with the London Plan Policy 5.2.

## **7 NONSC Sustainable Urban Drainage Scheme**

A scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it follows the strategy set out in 'Flood Risk Assessment' produced by GDP and demonstrate ways of controlling the surface water on site by providing information on:

### **a) Suds features:**

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided;
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change;
- iii. overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

### **b) Receptors**

- i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate;
- ii. Where infiltration techniques (soakaway) or a basement are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate);
- iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased;
- iv. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods.

- c) Minimise water use. The scheme shall also demonstrate the use of methods to

minimise the use of potable water through water collection, reuse and recycling and will:

- i. incorporate water saving measures and equipment;
- ii. provide details of water collection facilities to capture excess rainwater;
- iii. provide details of how rain and grey water will be recycled and reused in the development.

d) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues. Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required;

- ii. Clear plans showing the responsibility of different parties should be provided, such as the landowner, PMC, sewers offered for adoption and that to be adopted by the Council Highways services. Where it is a PMC the details of the body legally responsible for the implementation of the management and maintenance plan must be provided.

f) During Construction

- i. How temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

Reason

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy DME1 10 Water Management, Efficiency and Quality in emerging Hillingdon Local Plan Part 2 - Development Management Policies, Policy 5.12 Flood Risk Management of the London Plan (July 2011), and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2015), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016).

## **8 COM31 Secured by Design**

The building(s) shall achieve '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). No building shall be occupied until accreditation has been achieved.

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 excising 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 London Plan (2016) Policies 7.1 and 7.3.

## **9 NONSC Low Emissions Strategy**

The development shall not commence until a low emissions strategy has been submitted to and approved in writing by the LPA. The low emission strategy shall, as a minimum,

address:

1. Fleet composition - to include a a quantified baseline for the current fleet, with targets set for the continued use of lower emission vehicles. This should be reviewed on annual basis to demonstrate continual improvement from this source of emissions, with a target to move towards a Euro VI fleet as soon as practicable;
2. Traffic management schemes - to include the enforcement of no-idling practices;
3. Emissions from energy plant - to include the use of low NOx boilers;

Reason

To ensure the development complies with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.14 of the London Plan (2016) and paragraph 124 of the National Planning Policy Framework.

#### **10 NONSC Non Road Mobile Machinery**

All Non Road Mobile Machinery (NRMM) used on major development sites within the London Borough of Hillingdon are required to meet Stage IIIA of EU Directive 97/68/EC and the development site must be registered online on the NRMM website at <http://nrmm.london/>. Confirmation of registration shall be submitted to the Local Planning Authority before work commences.

REASON

To ensure the development complies with Policy EM8 of the Hillingdon Local Plan: Part 1, Policy 7.14 of the London Plan (2016) and paragraph 124 of the National Planning Policy Framework.

#### **11 NONSC Construction Management Plan**

Prior to development commencing, the applicant shall submit a 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
- (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (iv) 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).
- (v) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vi) 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 Local Plan: Part Two Saved UDP Policies (November 2012).

#### **12 NONSC Delivery and Servicing Plan**

Prior to occupation of development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during am and pm peak hours. The approved strategy shall be implemented as soon as the development is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in

writing by the Local Planning Authority.

**REASON**

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Local Plan (November 2012).

**13 NONSC Waste and Recycling**

Prior to commencement of the development or any of the elements of development for which planning permission is hereby approved, detailed drawings and supporting documentation shall be submitted to and approved in writing by the Local Planning Authority. The detailed drawings and supporting documentation shall include the following:

- i) Detailed drawings and specification of covered, secured and signposted waste and recycling storage collection areas.
- ii) Detailed drawings and supporting information for the management and collection of waste.

**REASON**

To ensure a sustainable environment is secured in compliance with the requirements of Policy 5.3 of the London Plan (March 2016).

**14 NONSC Noise affecting residential property**

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

**REASON:** To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012).

**15 NONSC Imported Soils**

All imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All imported soils used for landscaping purposes shall be clean and free of contamination.

**REASON**

To ensure that the users of the development are not subject to any risks from soil contamination in the landscaped areas in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (November 2012).

**INFORMATIVES**

**1**

1. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

2. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.



3. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.

4. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

## **2            I15            Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

## **3            I52            Compulsory Informative (1)**

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).

## **4            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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

NPPF1	NPPF - Delivering sustainable development
NPPF4	NPPF - Promoting sustainable transport
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
LPP 2.17	(2015) Strategic Industrial Locations
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions

LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.15	(2015) Water use and supplies
LPP 5.21	(2015) Contaminated land
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 6.5	(2015) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2015) Cycling
LPP 6.13	(2015) Parking
LPP 6.14	(2015) Freight
LPP 7.2	(2015) An inclusive environment
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 8.2	(2015) Planning obligations
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
BE25	Modernisation and improvement of industrial and business areas
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

## 5 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

### 6

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site extends to approximately 0.17 hectares and forms the western part of a larger, previously vacant site on the south western corner of the traffic lighted junction of Station Road and North Hyde Road to the south west of Hayes town centre, some 400m from Hayes and Harlington Station, which will be served by Crossrail from 2017.

The eastern part of the larger site has been re-developed as a supermarket with petrol filling station whereas this part of the site remains vacant, with Millington Road wrapping around the site on its other three boundaries.

To the south and west of the site, on the opposite side of Millington Road are industrial/commercial buildings, whereas to the north is a vacant site, beyond which, fronting the northern side of North Hyde Road are traditional two storey residential houses.

The site forms part of the Millington Road Industrial Business Area (IBA) and has a mixed PTAL level of 3 and 4. The site also forms part of an Air Quality Management Area.

### 3.2 Proposed Scheme

The application proposes the erection of two industrial scale units as follows:

Unit 3 - B8 Use single storey building with a GEA of 3281m2

Unit 4 - Sui Generis Use two storey building with a GEA of 1327m2

The larger of the two units, Unit 3 will provide a new outlet for Selco Trade Centres Ltd, supplying building materials to registered trade and business customers. The buildings active frontage, to the south, would front Millington Road and provides the customer entrance.

To suit the working function of the unit, the customer and service yards have been located on the west elevation, with two large roller shutter doors providing access. The customer yard has been set back from the south elevation to create a landscape buffer to screen and soften the secure fencing. Further landscaping will be provided along the southern boundary to reinforce/ complement the existing planting along Millington Road South.

Rooflights will be installed to the building to provide natural daylight to the internal areas and photovoltaic panels will be installed on the roof to provide a sustainable source of electricity.

Unit 4 will be occupied by City Circle, a coach hire company and will become their new London base. The building will predominantly be used for the repair, maintenance and cleaning of their coach fleet, together with ancillary office accommodation. The building size has been reduced to the minimum, to suit City Circle's requirements, and located along the western boundary to ensure that the site area is maximised for coach parking and vehicle manoeuvring.

Rooflights will be installed to the building to provide natural daylight to the internal areas and photovoltaic panels will be installed on the roof to provide a sustainable source of electricity. To reduce the reliance on the mains water supply, a rainwater harvesting system located internal to the building, will be installed and used for the cleaning of the coaches.

#### **PARKING**

Each building will have its own dedicated car park and will include disabled parking bays, electric vehicle charging points and motor cycle parking. In addition covered shelters will be provided for cycle parking.

Unit 3 would be provided with 29 No. Parking spaces, including; 3 No. Disabled parking spaces and; 6 No. Spaces for electric vehicles, serviced by 3No. Electric vehicle chargers (EVC). It is proposed that additional ducting to be provided for the potential future installation of 2 No. EVC's to service a further 3No. Parking spaces for electric vehicles. Also proposed is 1 No. Motorcycle parking space.

Unit 4 would be provided with 4 No. parking spaces, including 1 No. Disabled parking space and 1 No. Space for electric vehicles, serviced by 1 No. Electric vehicle charger (EVC). Also proposed are 2 No. Motorcycle parking spaces and 39 No. Coach parking spaces.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

In November 2012 planning permission was granted on appeal (appeal reference APP/R5510/A/12/2174884) for a mixed use development comprising a 7,310 sqm (gross external area) industrial/warehouse unit (use classes B1c, B2, B8), 7,998 sqm (gross external area) retail store (use class A1) and petrol filling station together with associated parking, landscaping and alterations to adjacent highways (LBH application ref:

32157/APP/2011/872). The retail unit, together with the petrol filling station has subsequently been constructed and has been trading as an Asda food store since May 2015.

#### **4. Planning Policies and Standards**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (March 2016)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.E3 (2012) Strategy for Heathrow Opportunity Area  
PT1.E7 (2012) Raising Skills  
PT1.BE1 (2012) Built Environment  
PT1.EM1 (2012) Climate Change Adaptation and Mitigation  
PT1.EM6 (2012) Flood Risk Management  
PT1.EM8 (2012) Land, Water, Air and Noise  
PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

NPPF1 NPPF - Delivering sustainable development  
NPPF4 NPPF - Promoting sustainable transport  
NPPF10 NPPF - Meeting challenge of climate change flooding coastal  
LPP 2.17 (2015) Strategic Industrial Locations  
LPP 5.2 (2015) Minimising Carbon Dioxide Emissions  
LPP 5.3 (2015) Sustainable design and construction  
LPP 5.7 (2015) Renewable energy  
LPP 5.11 (2015) Green roofs and development site environs  
LPP 5.12 (2015) Flood risk management  
LPP 5.13 (2015) Sustainable drainage  
LPP 5.15 (2015) Water use and supplies  
LPP 5.21 (2015) Contaminated land  
LPP 6.3 (2015) Assessing effects of development on transport capacity

LPP 6.5	(2015) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2015) Cycling
LPP 6.13	(2015) Parking
LPP 6.14	(2015) Freight
LPP 7.2	(2015) An inclusive environment
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 8.2	(2015) Planning obligations
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
BE25	Modernisation and improvement of industrial and business areas
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-NO	Noise Supplementary Planning Document, adopted April 2006

SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **24th June 2016**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Three site notices were displayed on site on 10/6/16, with a closing date of 1/7/16. The proposal was also advertised in local press on 8/6/16. No comments have been received.

#### METROPOLITAN POLICE

I have no objections to this, especially as it currently sits within an industrial estate. I would like this to have a planning condition to achieve SBD (Secured by Design) Commercial 2015.

### Internal Consultees

#### LANDSCAPE ARCHITECT

The site is currently a vacant plot / cleared brownfield site within Westlands Industrial Estate. Situated to the south of North Hyde Road and Hayes Town Centre, the plot is found between the newly-built ASDA supermarket (to the east) and Rackspace City to the west. There are no trees or other landscape features on the site. However, the surrounding developments have been well-landscaped and have been successfully enhancing the local green infrastructure in this area. There are no TPO's or Conservation Area designations affecting this site.

The Design & Access Statement, by HGP Architects describes the proposal to develop two new industrial / warehouse units with associated service yards, parking and landscaping. The Landscape Strategy is described in section 4.0.

The Proposed Site Plan, by HGP Architects, indicates the narrow strips of land available for planting along the north, south and west boundaries. Tree planting (approximately 16No.) is proposed along the south and west edges of the site. While the space and opportunities for new planting are limited, this plot lies within the centre of the estate, where much of it will be screened by adjacent buildings and the 'borrowed landscape' enhancement provided by neighbouring sites.

Detailed soft landscape proposals have been prepared by IJLA, drawing Nos. M276-201, 202 and 203 (sheets 1, 2 and 3 of 3). The planting plan appears to miss a couple of opportunities for tree planting and the hedge / ground-cover species selection should be reviewed. I recommend simplifying the scheme and reducing the range of shrubs, herbaceous species and ferns. Planting on this type of site needs to be more robust, straightforward to maintain and provide effective screening around the boundaries. A brief specification and management notes have been incorporated within the drawings. Further details should be secured by condition. No details have been provided of the site security fencing. Steel palisade should be avoided in favour of colour-coated (preferably black) welded mesh.

#### Recommendation

This proposal follows a pre-application meeting on 20 January 2016. No objection, subject to the

above comments and condition to secure the above requirements.

#### ENVIRONMENTAL PROTECTION UNIT (NOISE)

Case Officer comment:

The Council's Environmental Protection Unit raised an initial query regarding the potential impact of the proposals on nearby residential properties. This was raised with the applicant who provided further information. Following a review of the additional information the EPU consultee response received was:

The additional information from AAD consultant (report ref: 16035/AN002/js) clarifies my queries/concerns. I therefore have no objections subject to the following conditions/informative:

Condition:

Noise affecting residential property

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part 1.

Informative:

Control of environmental nuisance from construction work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155)

#### ENVIRONMENTAL PROTECTION UNIT (AIR QUALITY)

The application site is located within an area of current poor air quality. The development introduces the use of coaches and heavy goods vehicles into an area where the roads are already congested. The operation of the congested road network is the main cause of the pollution exceedances within this area, even a small increase in traffic will exacerbate the situation. The borough considers any increase in pollution levels where the pollution levels are already above the air quality standard to be



significant as is the case with this application. As such the borough will be seeking mitigation measures in this area to address the impacts from the development on the already congested traffic situation, in order to help improve the local air quality.

The following conditions should be considered:

#### Construction Phase

There are two elements to this, the risk assessment of the dust and emissions along with appropriate mitigation (Condition 1) and the application of the NRMM regulations which relate to the construction plant and vehicles used, (Condition 2). Both should be applied.

1. A construction management plan should be sought which includes the risk assessment of the construction phase in terms of impacts on nearby sensitive receptors and the implementation of the appropriate mitigation measures, as described in the GLA Best Practice Guidance for the Control of Dust and Emissions.

<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust>

#### Reason

To ensure the development complies with Policy EM8 of the Hillingdon Local Plan: Part 1, Policy 7.14 of the London Plan (2016) and paragraph 124 of the National Planning Policy Framework.

2. All Non Road Mobile Machinery (NRMM) used on major development sites within the London Borough of Hillingdon are required to meet Stage IIIA of EU Directive 97/68/EC and the development site must be registered online on the NRMM website at <http://nrmm.london/> before the commencement of any works.

#### Reason

To ensure the development complies with Policy EM8 of the Hillingdon Local Plan: Part 1, Policy 7.14 of the London Plan (2016) and paragraph 124 of the National Planning Policy Framework.

#### Operational Phase

The development shall not commence until a low emissions strategy has been submitted to and approved in writing by the LPA. The low emission strategy shall, as a minimum, address:

Fleet composition - to include a quantified baseline for the current fleet, with targets set for the continued use of lower emission vehicles. This should be reviewed on annual basis to demonstrate continual improvement from this source of emissions, with a target to move towards a Euro VI fleet as soon as practicable;

Traffic management schemes - to include the enforcement of no-idling practices;

Emissions from energy plant - to include the use of low NOx boilers;

Electric vehicle charging points - in line with the London Plan requirements;

Travel plan - to include the encouragement of the use of low/zero emission technologies

#### Reason

To ensure the development complies with Policy EM8 of the Hillingdon Local Plan: Part 1, Policy 7.14 of the London Plan (2016) and paragraph 124 of the National Planning Policy Framework.

#### Case Officer's comments:

The requirement for a Travel Plan is included with the Heads of Terms of the S106 and is therefore not also required to be secured by condition. The requirement for details of Electric Vehicle charging points is included within the Landscape condition.

#### ENVIRONMENTAL PROTECTION UNIT (CONTAMINATION)

I refer to your consultation regarding the above planning application for the remaining units on the

former site of Unit 3, Millington Road (former aircraft manufacturing works).

The wider Unit 3 site including the now redeveloped 'ASDA' supermarket was treated as one site for the contaminated land works under condition 10 of the Appeal decision referenced, APP/R5510/A/12/2174884. The condition was a general contaminated land condition covering soil, gas and groundwater contamination. Significant contaminated land remediation works have been carried out at this site. These include soil remediation works particularly asbestos removal work which was validated by fairhurst Engineers in a report of October 2012. Over 14,000 tonnes of contaminated material was removed. Groundwater remediation works were also carried out in liaison with the Environment Agency and validated in 2014.

It appears that the initial parts of Condition 10 for the site investigation and the remediation strategy were discharged under 32157/APP/2013/1330. The formally submitted report was the ground water remediation report. The final parts of condition 10, (ii) and (iii) for unknown contamination and the validation work were discharged under planning application, 32157/APP/2014/3226. See officer report and decision notice dated 3 February 2015.

There was some discussion that we might reapply a contaminated land condition to ensure that any unknown contamination is addressed, and we would receive a summary report for the whole site (see below). However this appears onerous given that the site has been remediated as a whole under Condition 10 which is not a phased condition.

You may wish to provide our condition or informative emphasising that any imported landscaping soils (if there is landscaping) must be tested and clean. The full contaminated land condition is not required.

Condition to minimise risk of contamination in landscaped areas:

All imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All imported soils used for landscaping purposes shall be clean and free of contamination.

#### REASON

To ensure that the users of the development are not subject to any risks from soil contamination in the landscaped areas in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (November 2012).

#### SUSTAINABILITY OFFICER

The development is within an air quality management area and needs to improve opportunities for wildlife. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. The following condition is therefore necessary:

#### Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans.

#### Reason

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan and Policy EM1 of the Local Plan.

### Energy Comments

The energy strategy is acceptable for this stage of the planning process. However further information is required prior to commencement of development:

#### Condition

Prior to the commencement of development full specification of the clean, low and zero carbon technology required to reduce carbon emissions shall be submitted in writing to the Local Planning Authority. The specifications also shall include the type of PVs and full details of their position and fitting to the roofs of the development. The specifications shall be accompanied by a roof plan and elevations showing the panels on the roof. The development shall proceed in accordance with the approved designs.

#### Reason

To ensure the development delivers the CO2 savings as set out in the energy strategy and in accordance with the London Plan Policy 5.2.

#### Case Officer comment's:

The requirement for details of living walls/roofs is included within the proposed landscaping condition and therefore an additional condition to secure these details is not required.

### WATER AND FLOOD MANAGEMENT OFFICER

Request for a sustainable water management condition to cover sustainable urban drainage, receptors, minimising water use, details of the long term management and maintenance of the drainage system and how temporary measures will be implemented to ensure no increase in flood risk from construction.

### ACCESS OFFICER

The proposal is to site two industrial/warehouse units on this parcel of land. One unit would be occupied by Selco Trade Centres Ltd (Unit 3), which supplies construction materials to registered trade and business customers.

The second unit would serve as a parking, repair and maintenance base for the City Circle coach hire company. Ancillary office accommodation for this proposed London depot would be located on the mezzanine level (Unit 4).

The Design & Access Statement refers 29 car parking spaces with three accessible parking spaces attached to unit 3. Unit 4 would have four allocated parking spaces, with an additional accessible bay.

Drawing no: 15.104.A\_00\_00\_11, revision C, details an accessible WC and a platform lift to the ancillary office accommodation on the mezzanine floor.

#### Recommended Informatives

1. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

2. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.

3. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.

4. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

Conclusion: no objection from accessibility standpoint.

#### HIGHWAYS OFFICER

I have reviewed the material provided as part of this application and have the following comments:

The proposal is to develop a vacant site in Millington Road Hayes which is a local road adjacent to the new ASDA development. The vacant site generates no traffic at present so all traffic generated by the development will be additional. There are existing parking restrictions in place on Millington Road so there is no readily available on-street parking spaces available nearby. The site has a PTAL value of 4 (good).

The site has been the subject of a previous planning permission for a larger scale of development of which 7310 sq.m of B2/B8 has not been developed. A separate pre-app report for a development very similar to that currently proposed was used as the basis of the comments and clear guidance was given on a number of factors and they are:

- Traffic has changed in the area since the ASDA appeal in 2012 including consented development and the Hayes Town Centre scheme, the EMI consented development and the now operational ASDA development. The highways summary also mentioned the current observed traffic congestion in the area.
- Traffic generation should include a comparison of Selco rates with general warehousing.
- Car parking should provide 10% provision for disabled bays and provision for EVs.
- Car parking accumulation estimates should demonstrate the provision is appropriate.
- For the coach depot the provision of any overnight accommodation and a coach MoT test centre further details were required including a coach lay-by on Millington Road.
- The pre-app requirements included Travel Plans, Servicing and Delivery Plans along with Construction and Logistics Plans.
- A full Transport Assessment was required unless it could be demonstrated that traffic from the site was not significantly greater than the consented scheme.

A Transport Assessment (TA) by Royal Haskoning DHV dated April 2016 was supplied in support of the application. The proposal involves the construction of two separate units on the site. One unit (known as Unit 3) will be developed for 3,281 sq.m of B2/B8 uses and Unit 4 will be for a 1,327 sq.m floorspace coach depot (Sui Generis). There will be three vehicular access points off Millington Road; one of which is already in existence. The development will provide car parking for 29 cars in Unit 3 and 4 car spaces in Unit 4. The new coach depot (Unit 4) parking is provided for 39 coaches whereby drivers of coaches can park in the coach bays so effectively there are as many as 43 car parking spaces available. There are also motorcycle parking bays and cycle parking spaces provided on the scheme plans which are supported. There are pedestrian routes around the outside of the site so pedestrian access is available in the area. Traffic generation estimates were made and it was clear that in the 2012 consented scheme that traffic generation was 86 trips in the AM peak hour and 65 trips in the PM peak hour. The TA suggests that the development has reduced in size by 41% so that trips could also be reduced. The document estimates that the latest proposals will generate 87 vehicle movements in the AM peak hour and 41 in the PM peak hour. From these estimates it can be concluded that the new proposal is not significantly different to the consented scheme. The traffic generation estimates are based on a single Selco site in West Midlands and it would be preferred if a more standard B2/B8 use were also used to see what the impact might be with a more general use in place and this was suggested in the pre-app report.

The proposed B2/B8 use (Unit 3) is provided with 29 car parking spaces (1 space per 109 sq.m) but no parking accumulation estimates were provided for this element of the development and it is important that overspill parking does not occur. Cycle parking (9 spaces for Unit 3 and 3 spaces for Unit 4) and motorcycle parking (1 space in Unit 3 and 2 spaces in Unit 4) and EV charging is provided on site and is supported. The level of EV charging will be in accordance with the London Plan which will be conditioned. A draft Travel Plan for the B2/B8 use was provided but not for the Coach Depot so we would expect conditions for a single Travel Plan for the whole site to be provided along with a CMP and SDP and these documents can be conditioned.

We would expect the applicant to make a highways study/works contribution of £50,000 in order to improve transport/highways facilities in the vicinity of the site. This approach has been used with nearby applicants and can be time and cost efficient on the part of the applicant rather than being involved in further supporting studies and associated time delays.

#### S106 OFFICER - HEADS OF TERMS

1. Highway Works: S278/S38 for required Highways Works subject to surrounding network adoption status
2. Construction Training: A financial contribution to the sum of: Training costs: £2500 per £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided. (if applicable in line with the terms set out in the Planning Obligations SPD)
3. Air Quality Monitoring: A financial contribution to the sum of £25,000 subject to comments from LBH air quality specialists.
4. Travel Plan: to include £20,000 Bond
5. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions

#### Case Officer's comments:

The Council's Air Quality Specialist has requested a condition regarding control of emissions of non road mobile machinery be attached to any consent. They have not requested an Air Quality Monitoring contribution and therefore this requirement is recommended to be removed from the S106. The Council's Highways Engineer has requested a highways study/works contribution of £50,000 in order to improve transport/highways facilities in the vicinity of the site.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The site forms part of a Preferred Industrial Location (PIL) in the London Plan (March 2016) and part of an IBA in the adopted local plan, therefore the principle of industrial development is deemed appropriate.

In addition planning permission was granted at appeal on 15/11/12 on the wider site for a mixed use development comprising 7,310sqm (GEA) industrial/commercial unit (Use Classes B1c, B2, B8); 7,998sqm (GEA) retail store (Use Class A1) and petrol filling station, together with associated car parking, landscaping and alterations to adjacent highway (application reference 32157/APP/2011/872), of which the retail store and petrol filling station have now been built. As such, there is an extant permission for a single industrial/commercial building on this part of the site.

### **7.02 Density of the proposed development**

The application relates to a commercial development with no residential properties proposed. Considerations in relation to residential density are not therefore relevant to the application.

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

The site is not located within a Conservation Area, Area of Special Local Character or Archaeological Priority Area, and there are no Listed Buildings on the site. As such, it is considered that the scheme would not impact on the heritage of the borough.

#### **7.04 Airport safeguarding**

The proposed development is not significantly greater in scale or height than the existing approved scheme on the site or surrounding industrial and retail buildings. As such the development is not considered to create any airport safeguarding concerns.

#### **7.05 Impact on the green belt**

The application site is not located within or close to the greenbelt.

#### **7.07 Impact on the character & appearance of the area**

The site forms part of an IBA and the buildings are considered to be of an appropriate scale and design to harmonise with their industrial/commercial surroundings. The external materials proposed to be used in the construction of the development are industrial in nature and are deemed appropriate in this location.

#### **7.08 Impact on neighbours**

The Council's Environmental Protection Unit have reviewed the proposals and following the submission of further details regarding the impact of the proposal on adjacent residential properties in terms of noise have raised no objections to the development subject to the inclusion of appropriate conditions.

#### **7.09 Living conditions for future occupiers**

The application relates to a commercial development with no residential properties proposed. Considerations in relation to residential amenity for future occupiers are not therefore relevant to the application.

The proposed development is considered to create an acceptable environment for future occupiers of the commercial premises.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The vacant site generates no traffic at present so all traffic generated by the development will be additional. There are existing parking restrictions in place on Millington Road so there is no readily available on-street parking spaces available nearby. The site has a PTAL value of 4 (good).

The proposed B2/B8 use (Unit 3) is provided with 29 car parking spaces (1 space per 109 sq.m) but no parking accumulation estimates were provided for this element of the development and it is important that overspill parking does not occur. Cycle parking (9 spaces for Unit 3 and 3 spaces for Unit 4) and motorcycle parking (1 space in Unit 3 and 2 spaces in Unit 4) and Electronic Vehicle (EV) charging is provided on site and is supported. The level of EV charging will be in accordance with the London Plan and is recommended to be conditioned. A draft Travel Plan for the B2/B8 use has been submitted with the application, however one has not been provided for the Coach Depot. As such it is recommended that a single Travel Plan for the whole site to be provided through the S106 agreement along with a Construction Management Plan and Servicing and Delivery Plan. The requirement for these documents is recommended to be secured through conditions.

The Council's Highways Engineer has reviewed the scheme and has raised no objection to the development provided the above are secured along with a highways study/works contribution of £50,000 in order to improve transport/highways facilities in the vicinity of the site. This is proposed to be secured as part of the S106 agreement.

#### **7.11 Urban design, access and security**

The Metropolitan Police were consulted as part of the application process and have raised

no objection to the development subject to the inclusion of a Secure by Design condition. This condition is therefore recommended to be attached to any approval of the development.

#### **7.12 Disabled access**

The Council's Access Officer has reviewed the details submitted with the application and, subject to the attachment of a number of informatives, has raised no objection to the development proposed.

As such the proposed scheme is considered to be acceptable with regards to accessibility.

#### **7.13 Provision of affordable & special needs housing**

The application relates to a commercial development with no residential properties proposed. Considerations in relation to affordable housing provision are not therefore relevant to the application.

#### **7.14 Trees, landscaping and Ecology**

The site is currently a vacant plot / cleared brownfield site within Westlands Industrial Estate. There are no trees or other landscape features on the site. However, the surrounding developments have been well-landscaped and have been successfully enhancing the local green infrastructure in this area. There are no TPO's or Conservation Area designations affecting this site. Tree planting is proposed along the south and west edges of the site. While the space and opportunities for new planting are limited, this plot lies within the centre of the estate, where much of it will be screened by adjacent buildings and the 'borrowed landscape' enhancement provided by neighbouring sites.

The Council's Landscape Architect has reviewed the proposals and has raised no objection to the application subject to the attachment a landscaping condition to include details of planting management and the sites proposed security fencing.

#### **7.15 Sustainable waste management**

No detailed information has been provided regarding the provision of services for waste management. However there is considered to be sufficient space within the site to provide appropriate facilities for the proposed buildings.

Therefore subject to the attachment of an appropriately worded condition requiring further details of the waste services proposed, the application is deemed acceptable with regards to sustainable waste management.

#### **7.16 Renewable energy / Sustainability**

The Council's Sustainability Officer has raised no objections to the development subject to the inclusion of appropriate conditions to secure living walls or roofs and an updated Energy Strategy. These conditions are recommended to be attached to any consent and therefore the development is considered to be acceptable.

#### **7.17 Flooding or Drainage Issues**

London Plan policies 5.12 and 5.13 require that development proposals should use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) requires that surface water run-off is controlled to ensure the development does not increase the risk of flooding.

The Council's Flood and Water Management Officer has reviewed the proposals and requested that a suitably wording condition be attached to any consent to ensure that a scheme for the provision of sustainable water management can be secured.

Subject to the attachment of such a condition the proposal is considered to comply with the intentions of the Hillingdon Local Plan: Part One and Part Two Saved UDP Policies (November 2012) in respect to water management and London Plan policies 5.12 and 5.13.

#### **7.18 Noise or Air Quality Issues**

The Council's Environmental Protection Unit (Air Quality) have raised no objections to the development subject to the inclusion of appropriate conditions.

#### **7.19 Comments on Public Consultations**

No comments were received from the public as part of the consultation process.

#### **7.20 Planning obligations**

Should the application be approved, a range of planning obligations would be sought to mitigate the impact of the development, in line with saved policy R17 of the Council's Unitary Development Plan.

The obligations sought are as follows:

1. £50,000.00 contribution towards improvements to the local highway network.
2. Highway Works: S278/S38 for required Highways Works subject to surrounding network adoption status.
3. Construction Training: A financial contribution to the sum of: Training costs: £2500 per £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided. (if applicable in line with the terms set out in the Planning Obligations SPD)
4. Travel Plan: to include £20,000 Bond.
5. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

In addition to S106 contributions the Council has recently adopted its own Community Infrastructure Levy (CIL) with a charge of £5 per square metre of gross internal floor area. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £23,042.03.

In addition to the London Borough of Hillingdon CIL, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £171,420.27.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the



application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

### **9. Observations of the Director of Finance**

None.

### **10. CONCLUSION**

This proposal is for the erection of two industrial units (Use Classes B1(c)/B2/B8/sui generis) with floor areas of some 3,160sqm and 1,145sqm (GIA).

The application site forms the western part of a larger, previously vacant site on the south

western corner of the junction of Station Road and North Hyde Road to the south west of Hayes town centre. The eastern part of the larger site has been re-developed as a supermarket with petrol filling station.

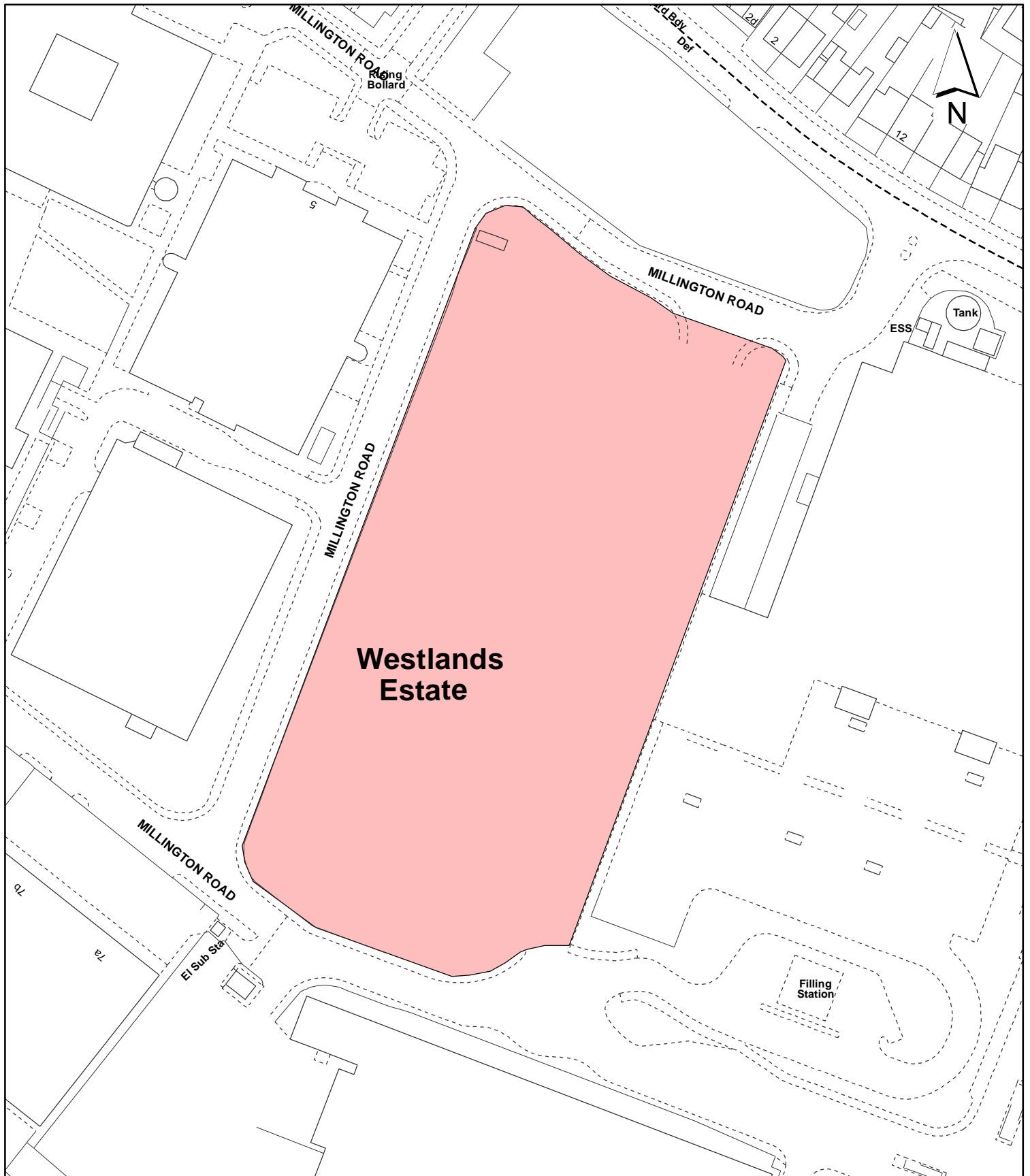
The site forms part of the Millington Road Industrial Business Area (IBA) and therefore principle of the development is appropriate. The proposed industrial buildings and landscaping works are considered to be of an acceptable design. Subject to appropriate conditions and a S106 agreement the development is considered to accord with the relevant policies and guidance contained within the Hillingdon Local Plan (November 2012) and the London Plan (March 2016) and is recommended for approval.

#### **11. Reference Documents**

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (March 2016)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

**Contact Officer:** Richard Phillips

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**Notes:**

 Site boundary

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Site Address:

**Unit 3  
 Millington Road**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**32157/APP/2016/1696**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**September 2016**

