

## Report of the Head of Planning & Enforcement Services

**Address:** FORMER CAPE BOARDS SITE IVER LANE COWLEY

**Development:** Erection of two detached single storey buildings for the use of light industrial and offices with associated parking (Retrospective application).

**LBH Ref Nos:** 751/APP/2011/272

**Drawing Nos:**

- A1 3484 PLA 2.03 Office Building Proposed
- Flood Risk Assessment
- A1 3484 PLA 2.01 Block Plan Proposed
- A1 3484 PLA 2.02 Main Building Proposed
- A1 3484 PLA 2.04 Site Plan Proposed
- Design & Access Statement
- A1 3484 PLA 2.05 Site Location Plan
- Soil and Groundwater Investigation

**Date Plans Received:** 07/02/2011                    **Date(s) of Amendment(s):**

**Date Application Valid:** 13/04/2011

### 1. SUMMARY

Planning permission is sought for a single storey detached building for B2 light industrial use and an ancillary office building with a total of 28 car parking spaces.

The works represent a redevelopment of part of the industrial area located within a designated Industrial and Business Area and the principle of the development is therefore supported.

It is not considered that the development would have a detrimental impact on the appearance of the site or the general street scene.

Careful consideration has been given to the principal issue of traffic generation on the public highway and it is considered that the proposal would not have a detrimental effect on the existing highway given the level of vehicular movements expected. Conditions will be attached to any approval mitigating any potential for noise and disturbance. The development would therefore not be detrimental to the character or amenities of surrounding properties.

It is not considered that the buildings would result in any undue loss of light, outlook or privacy to the adjoining commercial units or residential properties.

Approval is therefore recommended subject to appropriate conditions.

### 2. RECOMMENDATION

That delegated powers be given to the Director of Planning and Community Services to grant planning permission, subject to the following:

**A. No objections being received from residents at No 1 Iver Lane within 7 days of the date of this resolution, which raise any significant planning issues not already addressed in the report;**

**B. That if the application is approved, the following conditions be attached:**

**1 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).

**2 OM11 Floodlighting**

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

**REASON**

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

**3 H8 Surfacing and marking out of access/parking/servicing areas**

Within 3 months of the date of this permission the parking shown on the approved plans shall be surfaced and marked out. Thereafter these areas shall be permanently retained and used for no other purpose.

**REASON**

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

**4 H16 Cycle Storage - details to be submitted**

Within 3 months of the date of this permission details of covered and secure cycle storage for 20 bicycles shall be submitted to, and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

**5 NONSC Non Standard Condition**

Operation of the site, servicing, deliveries and collections, including waste collections, shall be restricted to the following hours; 0800 hrs to 1800 hrs Monday to Saturdays and not at all on Sundays and Bank/Public Holidays.

#### REASON

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 6 NONSC Non Standard Condition

Within 3 months of the date of this permission details of the entrances/exits (including fire escapes) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate:

- a) Appropriate door widths and level access (maximum upstand of 10mm);
- b) Automation of the principal entrances or that they require only appropriate opening force; and
- c) marking of glazed entrances and screens for safety and visibility.

Thereafter the development shall be implemented in accordance with the approved details.

#### REASON

To ensure that the entrances are designed to accommodate the needs of disabled users in accordance with Policies 4B.5 of the London Plan and the Accessible Hillingdon SPD.

#### 7 NONSC Non Standard Condition

Within 3 months of the date of this permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by the local planning authority:

- 1) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

#### REASON

To protect controlled waters from pollution. The Cape PLC Iver Land Soil and Groundwater Investigation (Aug 2002 AIG Consultations) demonstrated contamination of both soil and groundwater at this site. The site is on Secondary A (Alluvium) aquifer which showed elevated concentrations of metals, PAH, PCB and hydrocarbons. It is therefore important that any required remediation of the site is carried out appropriately.

#### 8 NONSC Non Standard Condition

Within 3 months of the date of this permission a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

**REASON**

To protect controlled waters from pollution and to ensure that any necessary remediation work is carried out appropriately.

**9        NONSC    Non Standard Condition**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**REASON**

To protect groundwater and the River Colne. The historic and proposed use of the site has the potential to cause contamination. Infiltration of surface water through soakaways (or similar) has the potential to provide a pathway for contaminants to the groundwater.

**10       NONSC    Non Standard Condition**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 1526 by Ambiental dated April 2011 and the following mitigation measures detailed within the FRA:  
Finished floor levels are set no lower than 29.068m above Ordnance Datum (AOD).

**REASON**

To reduce the risk of flooding to the proposed development and future occupants.

**11       NONSC    Non Standard Condition**

Within 3 months of the date of this permission a scheme for the control of vehicle noise and emissions shall be submitted to, and approved in writing by the Local Planning Authority. The said scheme shall include the following:

The number of heavy goods vehicles entering and leaving the site during the night shall not be more than four vehicles. The operator shall keep a register log of those vehicles on site at anytime. Night time hours shall be regarded as 23:00 - 07:00 on any day.

All heavy goods vehicles entering and leaving the site shall conform to recent Euro noise and emission standards.

A 'considerate neighbour' package shall be produced and distributed to all drivers, advising them of the site location, route to/from the site (if possible speed limits) and to drive in such a manner that respects the amenities neighbouring residential properties.

**REASON**

To safeguard the amenities of the occupiers of the neighbouring residential properties.

**12       SUS2       Energy Efficiency Major Applications (outline where energy s**

Within 6 months of the date of this permission an energy efficiency report shall be submitted to, and approved in writing by the Local Planning Authority. The energy efficiency report shall demonstrate how the Mayors Energy Hierarchy will be integrated into the development, including a full assessment of the site's energy demand and carbon dioxide emissions, measures to reduce this demand and the provision of 20% of the sites energy needs through on site renewable energy generation. The methods identified within the approved report shall be integrated within the development and thereafter permanently retained and maintained.

#### REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 5.1, 5.3, 5.4, 5.5, 5.7, and 5.9 of the London Plan (July 2011).

#### INFORMATIVES

##### 1 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).

##### 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 (July 2011) and national guidance.

BE13	New development must harmonise with the existing street scene.
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
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
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
OL5	Development proposals adjacent to the Green Belt
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
OE4	New or improved roads or railways - mitigation measures

##### 3 I1 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.

#### **4 I14C Compliance with Building Regulations Access to and use of**

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice.

AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

#### **5 I15 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.

#### **6 I25 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).

#### **7 I45 Discharge of Conditions**

Your attention is drawn to conditions 3, 4, 6, 7 and 8 which must be discharged within 3 months of the date of this permission and condition 11 which must be discharged within 6 months of the date of this permission. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

#### **8 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 (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

#### **9**

Construction Site Informative Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

- (i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of:
  - 0800 and 1800 on Monday to Friday
  - 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays.

All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance. A useful reference is the Best Practice Guidance - The control of dust and emissions from construction and demolition, Greater London Authority, November 2006);

No bonfires on the site shall be allowed to take place at any time.

## **10**

Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws, 1981, prior written consent is required from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Colne, designated a 'main river'.

## **11**

There is a possibility there may be some contaminating substances present in the ground under the hard standing. We have some information on the ground conditions (see below). We would advise persons working on site to take precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

### **REASON**

You are advised this development is on a former Cape Board site based on records held by the Environmental Protection Unit, which historically produced asbestos containing products. We have a number of site investigation reports for the site from 2002 which suggests localised areas of metal, hydrocarbon and asbestos contamination at the site. There is also evidence of some areas of elevated carbon dioxide at the site. There are both natural ground conditions, and conditions as a result of organic contamination which could result in the generation of ground gas. At the time of the 2002 investigation a number of shallow concrete obstructions were also noted. The exact nature of the ground conditions in the area covered by the application is unknown. The advice is provided primarily on the grounds of Health and Safety of the workers on site and to ensure the appropriate restoration of the site once works are complete to minimise risk to the site users. Due consideration also needs to be given to the potential affects of contamination during construction on neighbouring sites. The suitability of building materials and building techniques may also need to be considered under the Building Regulations, due to both contamination and natural ground conditions and the potential at the site for gas generation.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The site is an area of 0.89ha formerly occupied by industrial sheds and warehouses and forms part of the larger former Cape Boards site that is currently divided into a number of enterprises used for light industrial buildings, storage and airport car parking.

Iver Lane is located at the western boundary of Hillingdon with Bucks County Council and the access to the site is via High Street, Cowley which is an unclassified road and benefits from a 5.5m wide carriageway and 2.0m wide footway.

The western boundary is defined by a belt of offsite trees between the palisade fence on the site boundary and the River Colne. There are no Tree Preservation Orders on, or

close to, the site.

There are residential properties with open land located to the west on the opposite side of River Colne with more residential to the south opposite Iver Lane with access off Old Mill Lane. the larger site is currently subject to a mixture of uses.

The site is located between River Colne and Grand Union Canal. The river Colne and the area to the south of the site is designated as Green Belt. The site is designated as an Industrial and Business Area on the Proposals Map of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **3.2 Proposed Scheme**

Proposal is to construct a single storey detached building for B2 light industrial use and an ancillary office building with a total of 28 car parking spaces including one disabled space.

The light industrial building would measure 15m by 48.5m with a maximum height of 7.5 metres to the ride and would be set back between 3-5 metres from the boundary fence. The smaller office building would measure 12m by 18m with a maximum height of 3.1m.

Operating hours for the premises is from 8am till 6pm Mondays to Saturdays.

### **3.3 Relevant Planning History**

751/APP/2008/2853      Former Cape Boards Site Iver Lane Cowley

Use of land for the parking (storage) of heavy/light goods vehicles for a truck rental firm (not visited by customers) and siting of operations portacabin (retrospective application).

**Decision:**

751/APP/2008/3412      Former Cape Boards Site Iver Lane Cowley

Change of use from Class B2/B8 to motor cycle test centre.

**Decision:** 10-12-2008      Withdrawn

751/APP/2008/3435      Former Cape Boards Site Iver Lane Cowley

Temporary change of use to provide a driving test centre for motorcycles and cars (Sui Generis), together with ancillary Portacabin for training and associated office facilities.

**Decision:** 29-01-2009      Withdrawn

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

None of the planning history is relevant to this application.

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

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

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

Part 1 Policies:

PT1.23 To encourage industry and warehousing to located within existing Industrial and Business Areas and offices and other business uses, shops and public buildings employing or attracting large numbers of people to located within Town Centres or other areas identified for such purposes.

PT1.24 To reserve designated Industrial and Business Areas as the preferred locations for industry and warehousing.

PT1.25 To encourage the provision of small industrial, warehousing and business units within designated Industrial and Business Areas.

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

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

LE1 Proposals for industry, warehousing and business development

LE2 Development in designated Industrial and Business Areas

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

OL5 Development proposals adjacent to the Green Belt

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

OE4 New or improved roads or railways - mitigation measures

**5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

**6. Consultations**

**External Consultees**

SOUTH BUCKS DISTRICT COUNCIL

South Bucks District Council wishes to raise objections to the proposed development for the

following reasons:

The proposal would result in an increase in vehicle movements on the B470 Iver Lane and the adjacent highway network, including Iver Village, as this would be the main route HGV's will take to use the site. These roads would be unable to deal with the additional traffic which would be generated by this proposal thereby adversely affecting road safety. In addition such heavy goods vehicle trips would adversely affect the character and amenity of properties in the locality through noise, vibration, disturbance and visual intrusion. The roads of South Bucks are not considered suitable for significant increase in large goods vehicle movements since such traffic would have an adverse impact on the quality and character of these roads. Given the weight restriction on the bridge to the east of the site the traffic generated by the proposed use would be forced to travel into South Bucks District where lorry traffic already has a severe affect on the local environment. In these circumstances it is essential that the London Borough of Hillingdon seek the views of Transport for Buckinghamshire as Highway Authority.

#### BUCKINGHAMSHIRE COUNTY COUNCIL

The site is currently a cleared plot of land and there is no information submitted regarding the previous use of the application site although it is stated that the site is undeveloped. Therefore it is clear any use on this site would generate 'new' vehicle trips. The proposed industrial unit and office would generate additional vehicles using Iver Lane and Buckinghamshire County Council has always raised concerns with any intensification of large goods vehicles using Iver Lane and driving via Richings Park. This is also supported by the recently published Local Transport Plan 3 and the South Bucks District Council's Core Strategy.

The adjacent Highway Authority is recommending refusal of the application for the following reason:

The proposal would result in an increase in vehicular movements on the B470 Iver Lane and the adjacent highway network, including Iver Village, as this will be the main route HGV's will take to use the site. These rural roads would be adversely affected by the additional heavy traffic which would be generated by this proposal. The roads of South Bucks District are not considered suitable for significant increases in large goods vehicle movements since such traffic would have an adverse impact on highway safety. Given the weight restriction on the bridge to the east of the site, the traffic generated would be forced to travel into South Bucks District where lorry movements already have a serve impact on the Local Highway Network. It would be contrary to Local Transport Policies to support such a proposal which would severely impact on Iver and the Local Highway Network within Buckinghamshire County Council.

#### ENVIRONMENT AGENCY

We consider that planning permission should only be granted to the proposed development if the planning conditions are imposed as stipulated. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

It appears from the plans submitted that the red line boundary for this site is further than 8 metres from the bank of the River Colne. However, the applicant should be aware that Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws, 1981, our prior written consent is required for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Colne, designated a main river.

No objection subject to conditions relating to contamination, remediation, surface water drainage and flooding.

## THAMES WATER

### Waste Comments

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

### Surface Water Drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

**REASON:** To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### Water Comments

With regard to water supply, this comes within the area covered by the Veolia Water Company.

## Internal Consultees

### HIGHWAY OFFICER

The principal issue of traffic generation on public highway had carefully been considered within the application site, and I do not believe that the proposed site will have detrimental effect on existing highway, considering applicants proposed use of the land in relation to the site in its entirety.

Submitted plans indicates that there will be a maximum of eight workshops, eleven staff desks and perhaps 16 mechanical engineers in total, with total of 28 parking spaces proposed. Proposed arrangement will have a trip generation of 56 a day plus odd number of lorries/ light goods vehicle entering /exiting the site, which I still believe that proposal will not have detrimental effect on existing highway. Estimated trip generation by the applicant will probably be useful, but in this instance I do not anticipate much difference to that of my estimate.

The applicant has failed to indicate proposed number and location of secured cycle parking spaces, location and type of refuse bins. Policy AM9 (ii) refers to the needs of cyclist and policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The London Borough of Hillingdon UDP (adopted 1998) saved policies, 27th September 2007, requires minimum of twenty covered and secured cycle parking spaces in addition to the twelve vehicle parking spaces for similar use.

Considering location of site and total number of twenty eight vehicle parking spaces proposed by applicant, the suggested vehicle parking spaces deemed to comply with the Council's vehicle parking standard contained in Annex 1, and proposal is therefore not considered to be prejudicial to highway and pedestrian safety.

Consequently no objection is raised on the highways aspect of the proposals subject to conditions requesting cycle and refuse storage.

### ENVIRONMENT PROTECTION UNIT

It has come to light that potential impact exists by reason of noise disturbance emanating from 'heavy goods vehicle' movements entering and leaving the site. It has been noted that there appears to be vehicle weight restrictions on Cowley Bridge over the Grand Union Canal by Iver Lane. This will mean that all lorries entering and leaving the proposed site will be via the existing demarcated Roadway on to Iver Lane where a number of residential properties has been identified.

EPU advises that should the proposal be considered for approval perhaps, due to other overriding reasons, conditions relating to the movements of Heavy Goods Vehicles should be applied accordingly if the applicant proposes to use the facility daily 24hrs a day.

## TREE & LANDSCAPE

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

(i) No trees or other landscape features will be affected by the development. In the summer, at least, the offsite trees on the river corridor will largely screen the buildings from views from the west. The degree of exposure when viewed from the west will be greater in the winter months. No additional landscaping is proposed.

(ii) In other respects the proposed building is set back well within this extensive site and is not considered to have a significant impact from public vantage points, or Iver Lane to the south.

No objection and, in this case, no need for landscape conditions.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

Policy LE1 of the UDP Saved Policies assesses the criteria for industrial, business and warehouse uses; in this case whether the proposal conflicts with the Local Planning Authority's overall objective of securing the development or regeneration of the area. The proposed works represent a redevelopment of part of a site located within a designated Industrial and Business Area. The proposed works would be in keeping with the Council's objective of maintaining a supply of accessible premises for employment in order to ensure a high level of inward investment by companies across all sectors of employment. The principle of the development is therefore supported.

### 7.02 Density of the proposed development

The application seeks permission for a light industrial warehouse and offices. As such, residential density is not considered relevant to the proposal.

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

The site does not fall within an Archaeological Priority Area, Conservation Area or Area of Special Character. As such the proposal raises no archaeological issues.

### 7.04 Airport safeguarding

The development would not conflict with aircraft safeguarding criteria.

### 7.05 Impact on the green belt

Policy OL5 of the UDP Saved Policies states that proposals for development adjacent to or conspicuous from the Green Belt will normally only be permitted if it would not injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

River Colne and the area to the south of the application site is designated green belt. The offsite trees on the river corridor will partly screen the buildings from views from the west and south. Given the scale and location of the proposed development plus the boundary treatment it is considered that the proposal would not have any impact on the openness of the green belt.

The application is therefore considered to comply with Policy OL5 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

Policies BE13 of the Unitary Development Plan Saved Policies seek to ensure that new development will complement and improve the character and amenity of the area. Policy BE25 further states that the Local Planning Authority will seek to ensure modernisation and improvement of industrial and business areas through careful attention to the design and landscaping of buildings and external spaces.

The overall height of the larger building is consistent with the height and design of existing buildings within the wider industrial and business area. The office building is parallel to Iver Lane and single storey with a flat roof set well within the site. It is therefore considered that the development would not result in a dominant feature detrimental to the appearance of the site or the general street scene.

The application is therefore considered to comply with Policies BE13 and BE25 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

Policies BE20, BE21 and BE24 of the Unitary Development Plan Saved Policies seek to ensure that new developments do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

The site is adjoined to the north and south by industrial land with residential to the south and west. The proposed buildings would be set back well within this extensive site. The offsite trees on the river corridor will largely screen the buildings from views from the west. Given the scale of the buildings, setback within the site and the boundary treatment it is considered that the buildings would not result in any undue loss of light, outlook or privacy to the adjoining commercial units or residential properties.

Policy OE1 states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated. The Environmental Health Protection Officer has raised no objection to the development subject to conditions relating to the control of vehicle noise and emissions in order to safeguard the amenities of occupiers of the neighbouring residential properties.

Therefore, it is considered that the development would not result in detrimental harm to residential amenities of nearby residential properties through noise and disturbance and overlooking and loss of privacy, in accordance with policies BE24 and OE1 of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

The application seeks permission for an industrial building and ancillary offices, accordingly there will be no future residential occupiers.

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

Policies AM2 and AM7 of the Unitary Development Plan Saved Policies are concerned with traffic generation, and access to public transport.

Iver Lane is located at the western boundary of Hillingdon with Bucks County Council and the access to the site is via High street, Cowley which is an unclassified road. Submitted plans indicate that there will be 16 mechanical engineers in total. The development will

have a trip generation of 56 standard vehicles a day (outwards and return journeys) plus the applicant has confirmed that the expected level of lorry/light goods vehicle movements from the proposed operation will be 10 per day (5 outward and 5 return journeys). The Council's Environmental Health Protection Officer has been consulted on the application and recommended that a condition be attached to any approval requiring four lorry movements only (that is inwards and outward) to be permitted during the night time 23.00 - 07.00 hrs.

The Council's Highway Officer has also been consulted on the application and has carefully considered the principal issue of traffic generation on the public highway and has raised no objection stating that the proposed development will not have a detrimental effect on the existing highway in accordance with the aims of Policies AM2 and AM7 Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

Policies AM14 and AM15 are concerned with on-site parking. The site falls within an area with a Public Transport Accessibility Level (PTAL) of 1b, which is deemed to have poor transport links. The London Borough of Hillingdon UDP (Saved policies September 2007), requires a minimum of twelve vehicle parking spaces. The scheme provides 28 car parking spaces including one space for disabled use. Considering the location of the site the suggested vehicle parking spaces are deemed to comply with the Council's vehicle parking standard contained in Annex 1. An existing vehicular access off Iver Lane would be utilised by the proposal. As such, the proposal would comply with the aforementioned policies.

Policy AM9 refers to the needs of cyclist requiring a minimum of twenty covered and secured cycle parking spaces. No cycle storage has been indicated on the plans submitted. A condition should be attached to any approval requiring details of the cycle store to ensure it is secure in accordance with Policy AM9 of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

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

Issues of design and access are addressed elsewhere within this report.

The application relates to an existing industrial site, which benefits from appropriate boundary treatments and security measures in the existing situation. It is therefore not considered that the proposal would give rise to any concerns in relation to security.

#### **7.12 Disabled access**

Policies R16 and AM13 of the Saved Policies UDP seek to ensure that developments of this type incorporate inclusive design, as do Policies 7.1 and 7.2 of the London Plan. Further detailed guidance is provided within the Accessible Hillingdon SPD.

The layout as proposed incorporates an acceptable number of disabled parking spaces, direct access from the car park for disabled users, and acceptable corridor width and acceptable widths for all internal doors.

Subject to an appropriate condition it is considered that the proposal would provide an inclusive environment for future users in accordance with Policies R16 and AM13 of the Saved Policies UDP and Policies 7.1 and 7.2 of the London Plan.

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

The proposal seeks permission for an industrial building and ancillary offices, accordingly considerations relating to affordable or special needs housing are not relevant to the application.

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

Policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

The Council's Trees and Landscape Officer has been consulted on the application and raised no objection and stated that there is no need for landscape conditions.

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

No refuse storage has been indicated on the plans submitted. A condition should be attached to any approval requiring details of waste management in accordance with the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

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

Policy 5.7 of the London Plan advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible. Policy 5.4 of the London Plan requires submission of an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development.

Subject to conditions to secure the installation of measures in accordance with the London Plan requirements the scheme would comply with London Plan Policies 5.3, 5.4 and 5.7.

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

The Environment Agency has been consulted on the application and raised no objection subject to conditions relating to water pollution, land contamination and flooding.

Subject to conditions, the proposal is considered to comply with the intentions of the Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

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

The Council's Environmental Protection Unit has been consulted on the application and raised no objection but recommended a condition relating to the mitigation of possible noise.

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

The comments have been addressed within the body of the report, by way of planning condition or are not material planning considerations.

#### **7.20 Planning obligations**

The proposal would not necessitate any planning obligations to mitigate its impact.

#### **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**

Not applicable to this application.

#### **10. CONCLUSION**

Planning permission is sought to construct a single storey detached building for B2 light industrial use and an ancillary office building with a total of 28 car parking spaces.

The works represent a redevelopment of part of the currently vacant industrial area located within a designated Industrial and Business Area and the principle of the development is therefore supported.

It is not considered that the development would have a detrimental impact on the appearance of the site or the general street scene.

Careful consideration has been given to the principal issue of traffic generation on the public highway and it is considered that the proposal would not have a detrimental effect on the existing highway given the level of vehicular movements expected. Conditions will be attached to any approval mitigating any potential for noise and disturbance. The development would therefore not be detrimental to the character or amenities of surrounding properties.

It is not considered that the buildings would result in any undue loss of light, outlook or privacy to the adjoining commercial units or residential properties.

Approval is therefore recommended subject to appropriate conditions.

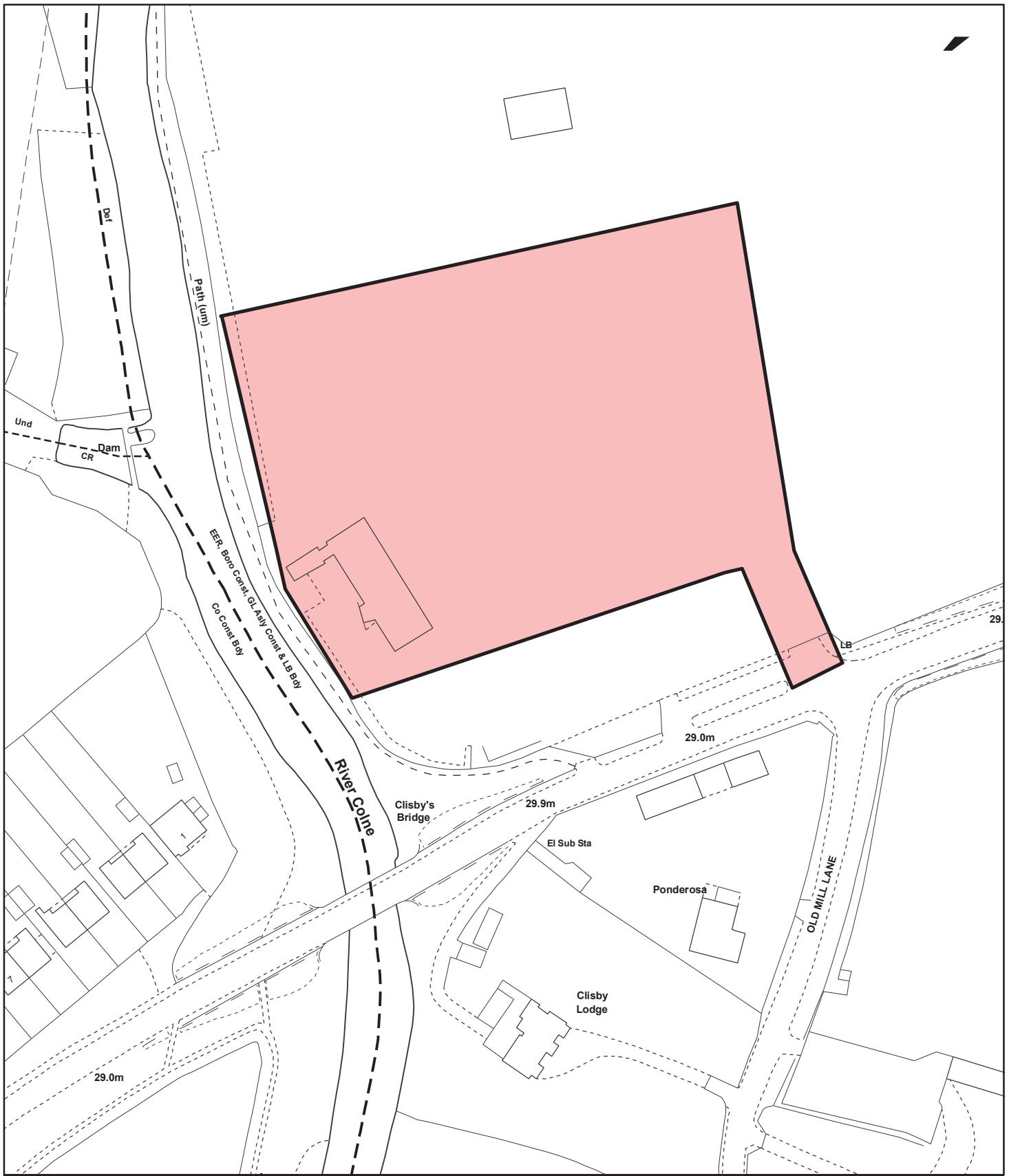
#### **11. Reference Documents**

Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement Planning and Climate Change  
Planning Policy Guidance Note 13 (Transport)  
The London Plan (July 2011)

Hillingdon Unitary Development Plan Saved Policies September 2007.  
Accessible Hillingdon Supplementary Planning Document

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#### Notes

 Site boundary

For identification purposes only.

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#### Site Address

**Former Cape Boards Site,  
Iver Lane.**

**LONDON BOROUGH  
OF HILLINGDON**

Planning,  
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& Community Services  
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Telephone No.: Uxbridge 250111

Planning Application Ref:

**751/APP/2011/272**

Scale

**1:1,250**

Planning Committee

**Central and South**

Date

**October  
2011**



**HILLINGDON**  
LONDON