

Report of the Head of Planning, Sport and Green Spaces

Address OLD COAL DEPOT TAVISTOCK ROAD YIEWSLEY

Development: Demolition of existing buildings and redevelopment of site to provide a materials recovery and recycling facility and Civic Amenity Site, incorporating a recovery and recycling building, storage bays, administration office/training building, external processing and storage area, two weighbridges, reuse and extension of railway sidings, and Civic Amenity Centre, together with associated car parking, landscaping, fencing and infrastructure.

LBH Ref Nos: 18736/APP/2013/1784

Drawing Nos: pp-004 rev p
pp-010
pp-011 rev p
pp-012 rev p
pp-013 rev p
pp-014 rev p
pp-015 rev p
Environmental Statement Volumes 1, 2 & 3
Planning Statement
Design & Access Statement
17388 L6
pp-016
pp-005 rev p
pp-006 rev p
pp-008 rev p
pp-001 rev p
pp-002 rev p
pp-003 rev p
pp-007 rev p
pp-009 rev p
Addendum to Transport Statement Nov 2013
Trabvel Plan - Nov 2013

Date Plans Received: 27/06/2013 **Date(s) of Amendment(s):**

Date Application Valid: 27/06/2013

1. SUMMARY

The planning application is for the development of a Waste Material Recycling & Recovery Facility (Proposed Development) which would upon completion consist of the following elements: a) A Materials Recovery and Recycling Building (MRF): consisting of one building incorporating three operational areas, for the preliminary separation, treatment and storage of reclaimed or salvaged materials and onward transfer for re-use and energy production; b) Storage Bays: including aggregate and sand for onward sale, general construction materials and materials for energy use for delivery by road or rail to other sites secured by contract; c) An Office Building: to accommodate Powerday Plc's administrative activities ancillary to the operations to be undertaken at the Site and the provision of a Training and Education Centre and the provision of staff accommodation and facilities, staff parking; d) External Processing and Storage Areas: external processing area to include concrete and wood processing and storage areas for

inert materials on the western side of the site boundary; and container storage (in association with the rail operation and maintenance); e) Two Weigh bridges; f) Re-use and extension of railway sidings; g) Civic Amenity site (CA): including 22 parking bays and provision for 8 containers to receive normal waste from households as well as other wastes, which because of its nature or composition is similar to waste from households, from the local community; h) Landscaping and fencing; i) Associated infrastructure: including roads, hardstanding and parking areas.

A total of 974 neighbouring properties were consulted. In addition to this Officers posted Site Notices in 22 locations in the Yiewsley and West Drayton areas including in local supermarkets to inform residents of the proposed development. 204 representations have been received. Of these 1 has been in support, 9 have been general comments and 193 have objected to the scheme. Issues relating to highways and traffic impacts, the scale of the development and air quality have all been raised. In addition, a petition of 3224 signatures objecting to the scheme has been received. Given the scale of the development it is referable to the Mayor of London.

The development would integrate an appropriate level of inclusive design, measures to reduce energy use and other sustainable design features. Furthermore, subject to appropriate conditions the development would not have any adverse impacts on the amenity of residential occupiers by way of noise.

However, the Council's Highways Officer has raised significant concerns about the quality and accuracy of the Transport Assessment. It is considered that the development would have significant adverse impacts on the free flow of the highway network in the Yiewsley & West Drayton Area and on highway or pedestrian safety.

In addition the Council's Air Quality Officer has also raised significant concerns regarding the acceptability, robustness and accuracy of the Air Quality Assessment which is underpinned by the the unacceptable Transport Assessment. The transport assessment needs to be refined using more sufficiently robust and accurate data. In particular, greater clarity and assessment of the amount of HGVs including the presumed impact of the rail. HGVs are considerably more polluting than light vehicles and need to be given appropriate attention in assessment.

The applicant has also failed to enter into a S106 Agreement.

2. **RECOMMENDATION**

That should the Mayor not direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application, delegated powers be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the reasons set out below and any other material planning reasons which might be raised by H.M. Railway Inspectorate:

1 NON2 **Highways**

The proposal involves a significant number of traffic movements, including many by heavy goods vehicles and the application fails to provide an accurate assessment of highways and transportation impacts associated with the proposed development and as such the scheme fails to demonstrate that it would not be detrimental to highway and pedestrian safety and the free flow of traffic contrary to policies AM7 and LE1 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) policies 5.17 and 6.3 of the London Plan (July 2011) and paragraph 32 of the National Planning Policy Framework.

2 NON2 Level Crossing

The proposed development will significantly increase the traffic passing over the level rail crossing, and in the absence of a full risk assessment in respect of the use of the level crossing the application fails to demonstrate that it would be safe for the public and rail operators, contrary to policies AM7 and AM11 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012), policies 2.6, 6.2, 6.3 and 6.4 of the London Plan (July 2011) and paragraph 32 of the National Planning Policy Framework.

3 NON2 Air Quality

The applicant has failed to demonstrate that the air quality impacts of the development would not be unacceptable. The scale and magnitude of the development requires a much greater understanding of the air quality impacts and without this no proper assessment of mitigation can occur. The extent of the impacts is not sufficiently clearly set out in the Air Quality Assessment. Accordingly the proposal is contrary to Policy 7.14 of the London Plan and the Council's Supplementary Planning Guidance on Air Quality and the provisions set out in the National Planning Policy Framework.

4 NON2 Planning Obligations

The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development in respect of construction training, Highways matters, air quality monitoring, environmental mitigation (including but not limited to measures to control impacts of activities that would impact on residential amenity) and project management. The proposal therefore conflicts with Policies AM1, AM11 and R17 of the adopted Hillingdon Local Plan Part 2 Saved Policies (November 2012) and Policies 4.1, 4.12, 6.7 and 7.1 of the London Plan (July 2011) and the London Borough of Hillingdon Planning Obligations Supplementary Planning Document.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE 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 (July 2011) and national guidance.

AM12 Promotion of traffic management measures which give priority to buses

AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
(i) Dial-a-ride and mobility bus services
(ii) Shopmobility schemes
(iii) Convenient parking spaces
(iv) Design of road, footway, parking and pedestrian and street

	furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE25	Modernisation and improvement of industrial and business areas
BE34	Proposals for development adjacent to or having a visual effect on rivers
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
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
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
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
LPP 2.11	(2011) The Central Activities Zone - strategic functions
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions

LPP 5.20	(2011) Aggregates
LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.5	(2011) Decentralised energy networks
LPP 5.7	(2011) Renewable energy
LPP 6.1	(2011) Strategic Approach
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
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LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
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3. CONSIDERATIONS

3.1 Site and Locality

The application site is located off Tavistock Road in West Drayton, and comprises the Old Coal Depot. It is 3km from Junction 4 of the M4 motor way, with the M4 and M25 interchange a further 2km to the west; junction 1 of the M40 is approximately 7km to the north. Heathrow Airport is located approximately 5km to the south, within the Borough, and Central London is approximately 28km to the east. The centre of Slough is approximately 10km to the west.

The Application Site is irregular in shape, comprising approximately 5.57 hectares. Excluding the access track to the east, the Application Site measures approximately 470m x 170m, at its widest points. Vehicular access is gained from Tavistock Road to the east along a narrow two way tarmac carriageway, which measures approximately 215m in

length and truncated by the level rail crossing.

The majority of the Application Site contains a mixture of small scale light industrial and commercial business uses. There is a two storey brick office building, occupied by Euro Storage (UK), located in the south east corner of the main part of the Application Site, plus a number of other temporary units and storage containers scattered throughout.

Given its previous and current uses, the Application Site is wholly covered by hardstanding with no existing vegetation apart from a small area of dense woody scrub in the north western corner, scattered patches of scrub, trees, tall ruderal and ephemeral/short perennial vegetation and some boundary planting.

The land in the vicinity of the Application Site lies within the floodplain of the River Colne and its tributaries, albeit the site itself lies at a man-made higher elevation of approximately 30.0m Above Ordnance Datum (AOD). The relatively flat natural topography characterises the surrounding area of the Application Site to the north, west and south.

To the south, the Application Site is separated from the Great Western Railway West Wales to London Paddington Main Line by a swathe of land currently utilised as a minerals and aggregate storage depot, which contains some existing scrub and tree planting. A further scrub and tree belt lies between the Application Site and the swathe of land mentioned above, directly south of the existing office building towards the south eastern corner of the Application Site.

Residential properties lie further to the south of the Application Site, beyond the Main Line, with the properties in Weirside Gardens, Fairway Avenue, Fairway Close, Humber Close and Colham Mill Road being the closest. The Weirside Gardens, Fairway Avenue and Fairway Close area (and beyond) is designated as an Area of Special Local Character in the adopted Unitary Development Plan (UDP); West Drayton Conservation Area lies further to the south east.

Another railway line, which is used for aggregates traffic, diverges from the Main Line to the east of the Application Site, and follows the northern and western boundaries of the Application Site before continuing directly south past the M4 and M25 interchange.

A railway embankment separates the northern and western boundaries of the Application Site from the railway line. A number of residential properties lie further to the north, beyond the railway line, in Trout Road and Trout Lane, along with further business/industrial uses, mainly comprising storage/haulage type uses, all of which are located within Colne Valley Park. This area is designated Green Belt and includes the Slough Arm section of The Grand Union Canal and Little Britain, Cowley, both of which are Nature Conservation Sites of Metropolitan or Borough Grade I Importance; Cowley Lock Conservation Area lies further north.

Colne Valley Park, is a large north/south linear park that runs from the northern edge of Staines in the south to the southern edge of Rickmansworth in the north, wraps around the Application Site from the north to the west, where the administrative boundary of Hillingdon ends and gives way to South Buckinghamshire District Council; the River Colne runs north south through the park. The Iver Water Treatment Works lies further to the west, inside the M25.

A small copse, which the Fray's River runs through and falls within the Little Britain,

Cowley Nature Conservation Site of Metropolitan Importance, is located immediately adjacent to the site to the east/north east.

Tavistock Road, which lies further to the east/north east, comprises a mix of residential development and industrial, retail and office units. Beyond that lies the Yiewsley Town Centre area, consisting of a number of common High Street services and facilities.

3.2 Proposed Scheme

The planning application is for the development of a Waste Material Recycling & Recovery Facility (Proposed Development) which would upon completion consist of the following elements:-

i) A Materials Recycling Building (MRF): Measuring 192m at its maximum length by 103m and provide 15,581m² gross floorspace with a maximum height of 18.5m which would be located centrally within the Site. This would be a clad steel framed structure with curved roof. Vehicle entrance to the building would be provided on the eastern, western and northern elevations away from residential properties located to the south of the Site. There will be a single opening along the southern elevation for service and maintenance requirements only. The building would be open plan allowing maximum flexibility for the siting of equipment and general operations.

ii) Storage Bays: It is proposed that the storage area would also house materials associated with the construction industry as well as providing storage in association with the wood and concrete processing.

iii) External Processing and Storage Areas (to include concrete and wood processing and inert material storage): To be provided on the western side of the site boundary in proximity to the railway and container storage (in association with the rail operation and maintenance).

iv) Offices and associated car parking for Powerday. The offices would be contained in a newly constructed two-storey building located just to the east of the existing entrance to the Site, which would have a gross floorspace of approximately 480m². The office building would consist of a reception area, meeting rooms and an education/training centre on the ground floor and general office accommodation throughout the remainder of the building. The office car parking would be provided for both employee and visitor use in line with the Council's standards.

v) A platform measuring approximately 220m in length and 4.5 - 12m in width would be constructed to allow for the loading and unloading of material from trains halting at the Site. An existing rail siding would be retained and extended to provide rail access to the Site. A buffer would be required at the western end of the sidings for the purposes of rail safety.

vi) Two weighbridges to be located at the Site entrance. One will weigh vehicles entering the site and the second leaving the site.

vii) A Civic Amenity site (CA): including 22 parking bays and provision for 8 containers to receive normal waste from households as well as other wastes, which because of its nature or composition is similar to waste from households, from the local community.

viii) Landscaping and fencing to include tree planting, the erection of an acoustic barrier fence and palisade fence.

ix) Associated infrastructure: including roads, hardstanding and parking areas.

The proposed development would deal with a wide range of waste types including:-

- i) Inert;
- ii) Non Hazardous;
- iii) Hazardous (Limited to Lower Risk Types).

Inert waste as defined by The Landfill Directive 1999, is waste that does not undergo any significant physical, chemical or biological transformations. It does not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health; and its total leachability and pollutant content and the ecotoxicity of its leachate are insignificant and, in particular, do not endanger the quality of any surface water or groundwater. Such wastes include sand and concrete.

Non-hazardous waste is not specifically defined in the revised Waste Framework Directive (rWFD - Directive 2008/98/EC on waste and repealing certain Directives). "Waste" and "hazardous waste" are defined in that document. Hazardous waste is defined as "waste which displays one or more of the hazardous properties listed in Annex III", Annex III of the rWFD sets out the 15 hazardous properties which can render waste as hazardous. By inference, non-hazardous waste is that waste which is not hazardous.

The rWFD makes reference to "List of waste" at Article 7 and further refers to the Commission Decision that sets out the list of waste referred to as the European Waste Catalogue (EWC). This list, implemented in England by the List of Wastes (England) Regulations 2005, classifies wastes by their source and their type (e.g. soil and stones produced by construction and demolition activities). The EWC code list also identifies hazardous waste by use of an asterisk. The non-asterisked waste is therefore non-hazardous.

All the above waste streams can be found in commercial and industrial (C&I) waste, construction and demolition (C&D) waste and municipal solid waste (MSW) in varying degrees, all of which are proposed to be accepted at the site subject to the Environment Agency permitting. However it is proposed that Hazardous waste types will be limited to lower risk types as identified in the EWC 2002.

The site would also handle aggregate and sand for onward sale and delivery to development sites in the locality. The opportunity would also be taken to convert construction and demolition wastes into recycled aggregate as well as processing wood for use in the energy sector.

The different tonnages of the industrial waste streams and aggregates/sand to be managed on the site would be dependent on the terms of new contracts, market conditions and the physical capacity of the site to manage the material. The amount and proportion of material processed and managed at the site would vary over time in accordance with market conditions.

The capacity of the site is determined by its physical size, the floorspace of the proposed buildings, the processing equipment that can be accommodated, the material being managed, the level of processing that takes place and the capacity of the transport infrastructure to accommodate the import and export of material.

Of these constraints, the capacity of the transport infrastructure to import and export material sets the maximum capacity of the site, and a significant amount of material can be delivered to or exported from the site by rail. The application seeks to price the following capacity of waste (Tonnes per annum):

By Road - 600,000
By Rail - 350,000
TOTAL - 950,000

Materials Recycling Building

The Materials Recycling Building (MRF) would accept commercial/industrial waste, demolition and construction waste and municipal solid waste.

The MRF is a specialised plant, which separates and processes recyclables that have been collected in order to recover secondary materials for onward shipment to recycling plants or for use with further reprocessing. The main components of a MRF include:

- Weighing inbound and outbound materials to record loads;
- Delivery and storage of incoming wastes;
- Processing of wastes; and
- Storage of recovered products and by-products.

All processing of waste would take place within the MRF building with the exception of concrete and wood processing and inert materials storage. These proposed processing activities would be carried out in the western corner of the site on impermeable hardstanding. The MRF building has been sized and designed to accommodate the necessary plant and equipment.

Processed materials, depending on type, would either be baled or stockpiled ready for use, onward reprocessing, transfer for use as Refuse Derived Fuel (RDF) in an offsite Energy from Waste (EFW) facility. The stockpiled and baled material would be stored within the building or in the storage area located within the western section of the Site. It is intended that materials would be exported from the Site to their point of use.

It is proposed to accept a limited range of hazardous waste for a limited range of assessment and treatment. The definitive list of acceptable wastes will be determined through the environmental permitting process and determined and regulated by the Environment Agency. All activities relating to Hazardous waste treatment will take place within the MRF.

Storage Bays and External Processing Areas

The Storage Bays (SB) would provide a storage area for waste materials awaiting processing or onward movement following processing. The SB would deal with residual material from the MRF as well as general waste loads. The material would be stored on Site within the general storage areas located to the west of MRF building. It would subsequently be bulk transferred off Site for re use.

Storage areas would be for general construction material including processed concrete and wood. This activity would be undertaken in the identified storage areas to the west of the site.

The site would accept aggregate, sand and similar bulk construction materials, which would be stockpiled in the storage bays. This material would be sold on or mixed with recycled inerts processed at the MRF to provide a product for the construction industry. The aggregates or product would be exported from the Site to their point of use. Where aggregate would be delivered to the Site by train, the material would be discharged from the wagons by hopper and conveyor to covered bays along the western side of the MRF building. General construction material would be transported to the Site and stockpiled temporarily before being transferred by road or rail.

The two weighbridges would ensure the tonnage of material entering and leaving the site could be measured and recorded for permitting, planning enforcement and commercial reasons.

Civic Amenity Site

The Civic Amenity Site (CAS) would consist of 8 container bays which would accept normal household waste including, but not limited to inert materials, MSW, wood, metals, general waste and garden waste. The containers will then be transferred directly to the MRF building for processing, limiting transport requirements. There will be 22 parking bays available for members of the public to utilise the CAS.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no directly relevant planning history.

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.BE1 (2012) Built Environment
- PT1.E1 (2012) Managing the Supply of Employment Land
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM3 (2012) Blue Ribbon Network
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage
- PT1.T3 (2012) North-South Sustainable Transport Links

Part 2 Policies:

AM12	Promotion of traffic management measures which give priority to buses
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
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AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
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BE34	Proposals for development adjacent to or having a visual effect on rivers
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NPPF

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **25th July 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A total of 974 neighbouring properties were consulted. In addition to this Officers posted Site Notices in 22 locations in the Yiewsley and West Drayton areas including in local supermarkets to inform locals of the proposed development. 204 representations have been received. Of these 1 has been in support, 9 have been general comments and 193 have objected to the scheme.

The objections have been raised on the following grounds:

1. Additional heavy lorry movements 7 days a week.
2. Even greater congestion on already heavily congested roads which often are a standstill already.
3. Proximity of the proposed development to residential areas
4. Pollution from the development. The area is already heavily polluted from the M4, M25 and Heathrow Airport.
5. Poor and limited vehicle access to the site which will force lorries to go through West Drayton & Yiewsley.
6. Poor Access to the site will be hazardous and a danger to road users.
7. The site is to be used 24/7 365 days a year will cause dust and noise problems to local residents.
8. Contravenes Human Rights Act.
9. Raised site means that disturbance from the site would have a detrimental effect on both adjacent housing and properties further away.
10. This highly populated area is unsuitable for a waste facility.
11. Impact on peoples health resulting from air quality impacts of the development.
12. Impact on quality of life for residents.
13. Pollution from the site could be pumped into the air whilst winds would carry the nauseating gasses and smells to homes and businesses.
14. Air Pollution.
15. Noise pollution.
16. Fall out from the development would cause closure of Paddington to East Country mainline.
17. Injuries and possible fatalities due to close proximity and density of the community.
18. Public road transport will suffer due to increased congestion.
19. Planning Guidance (May 2006) states that waste facilities should not impact on the well being of the local community and environment. The Powerday proposals will.
20. The site was removed from the West London Waste Plan as it was found to be inappropriate therefore the proposal cannot be deemed acceptable on this site.
21. The sludge lagoon would be a health hazard.
22. Light Pollution.

In addition 9 petitions in objection to the scheme have been received. These have between 20 and 3244 signatures on them.

The petitioners raise objections on the following grounds:

1. The development would adversely affect the local community and would undermine the quality of life.
2. Access to the site would be severely restricted by a low railway bridge and the adjacent railway and bus stations.
3. The detrimental impact will have on local businesses.
4. Loss of local jobs from the existing site and local shops and businesses
5. Negative environmental impact on residents and all those visiting and doing business in the area.
6. Health and welfare on children
7. Loss of a site which could generate 100's of jobs
8. Loss of job generating rail head
9. Traffic gridlock
10. Loss of benefits to the area arising from Crossrail
11. Pollution, including noise and light generated from the crushing and shredding activities which take outside the main plant.
12. Rats and other vermin will be attracted to the site.

JOHN RANDALL MP

I have been approached by many local residents in addition to local Residents' Association in the proximity of this site.

Before dealing with the application itself I have been asked to obtain from the LBH a list of those properties which have been or will be notified about this application as it is a very substantial proposal with potentially severe consequences for local residents.

I am personally very concerned at the traffic implications in an area that has already had real problems over a lengthy period. There was a similar application a few years ago which I objected to on many ground. Many of those will be repeated here.

I am personally very concerned at the traffic implications in an area that has already had real problems over a lengthy period with very difficult and restricted access from a residential road off the main high road. For northbound traffic the residential road is a sharp left turn immediately after going under a railway bridge where the main road is at its narrowest and is subject to flooding. There is only one way into and out of the site by a narrow ramped access way and therefore there will inevitably be traffic queueing.

The health of local residents, especially children, is already affected by high pollution levels coming from heavy traffic, particularly lorries. All heavy goods traffic would have to come through the town centre where local residents are already saying they only want cars, vans and buses to have access.

Small suburban centres are not suitable for large volumes of heavy goods vehicles. There are already major hold-ups of traffic and peak and other times at this junction. In addition I thoroughly concur with the views of the West Drayton Garden City Residents' Association in the following points:-

The main road is a route to school as there is a primary school on the main road in Yiewsley Centre.

The site is immediately adjacent to a zone 3b Flood Risk Area.

The site is immediately adjacent to the Green Belt.

JOHN McCDONNELL MP

I am writing with regard to the planning application by Powerday for an industrial waste recycling

centre at the old coal depot in Tavistock Road, West Drayton.

As you are aware, the local area is already heavily congested. The majority of the waste material will be coming in by road and will dramatically increase the traffic movements in the area. In addition there is only one way in and out of the site via a residential road off the main high street.

The town centre is not equipped to deal with large volumes of heavy goods vehicles. It is not acceptable to expect small suburban towns to absorb this type of traffic. Up and down the country town centres are closing their roads to lorries in the interest of the residents who are being exposed to traffic fumes and restricted movement.

I share residents' concerns that the access point will be opposite West Drayton bus and train station. Not only will this cause chaos on the High Street and surrounding roads but buses and passengers alike will have to negotiate with huge lorries that will be trying to access the plant. This proposed development is in the heart of a densely populated area. I believe that such a development will have a detrimental impact for those working and living in the vicinity and beyond.

This proposed development does not provide any benefits for the local community and will undoubtedly affect the residents' quality of life as they will be exposed to noise, light and air pollution as well as an increase in traffic 24 hours a day, 7 days a week. I am therefore writing to place my objection to this planning application on record and would strongly urge that this application is rejected.

I would also request that the London Borough of Hillingdon consults as widely as possible as an application such as this will have a huge impact on the wider area and the views of all those who will be affected need to be taken in to account.

GLA STAGE 1

London Plan policies on principle of development, waste, employment, urban design, inclusive access, air quality, noise, sustainable development and transport are relevant to this application.

The application broadly complies with the London Plan, there are some outstanding issues that need to be resolved and these and their potential remedies are set out below.

Principle of development: The development proposals have significant potential to support and capture the benefits of waste recycling, contribute to the Mayor's recycling level targets, while delivering the Mayor's waste policy and therefore, are supported in principle. Further consideration will need to be given to the imminent WLWP (Proposed Submission version) and its general conformity with the London Plan and details of Network Rail requirements for this site.

Employment: The proposals will make a valuable contribution to the generation of jobs and the development is accepted strategically in this regard.

Urban design: The proposed design is generally accepted and in line with policies contained in chapter seven of the London Plan.

Inclusive access: Clarity of how inclusive access has been considered with regards to areas of the public realm is also sought for the scheme to be in line with London Plan policies 7.2.

Air quality: Before the scheme is referred back at stage two, relevant planning conditions will need to be secured by the Council.

Noise: Before the scheme is referred back at stage two, relevant planning conditions will need to be secured by the Council.

Climate change: The scheme fully complies with London Plan policy 5.2.

Transport: In order for the application to comply with the transport policies of the London Plan TfL requires that the applicant provides additional information on how freight will access the site by both road and rail, amend both the impact assessment and DSP, confirm the number of cycle and car spaces proposed, undertake a pedestrian audit and finally provide a Workplace travel plan for assessment.

STOCKLEY PARK ESTATE MANAGEMENT

Garden City Estates Resident's Association has made us aware of the above planning application by Powerday to open an industrial waste recycling plant in Yiewsley. In considering the application, would you please review any potential implications that additional traffic may have on Stockley Park.

We have reported on numerous occasions that traffic on the A408 Stockley Road has caused congestion resulting in delays of more than an hour to residents trying to leave Stockley Park. We would be concerned if additional traffic from the proposed recycling plant were to exacerbate this situation.

NERL

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NERL (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NERL in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

CROSSRAIL

Thank you for your letter dated 2 July 2013 and the accompanying planning application documents relating to the above site, requesting the views of Crossrail Limited on the above application. Again, please accept my apologies for the delay in responding.

Crossrail is a proposed new railway that will link Heathrow and Maidenhead in the west to Shentfield and Abbey Wood in the east using existing Network Rail tracks and new tunnels under Central London.

The Crossrail Bill which was introduced into Parliament by the Secretary of State for Transport in February 2005 was enacted as the Crossrail Act on the 22nd July 2008. The first stage of Crossrail preparatory construction works began in early 2009. Main construction works have started with works to the central tunnel section to finish in 2018, to be followed by a phased opening of services.

Crossrail Limited administers a Direction issued by the Department for Transport on 24th January 2008 for the safeguarding of the proposed alignment of Crossrail. The site of this planning application is identified within the limits of land subject to consultation under the Safeguarding

Direction.

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.

You may inspect and/or purchase copies of Plans, Sections, Environmental Statements, Explanatory Notes and Non-Technical Summaries pertaining to the Crossrail proposals at specified Libraries, Local Authority Offices or directly from Crossrail Limited at "28th Floor, 25 Canada Square, Canary Wharf, London E14 5LQ". In addition, the latest project developments can be found on the Crossrail website www.crossrailco.uk/safeguarding, which is updated on a regular basis.

I hope this information is helpful, but if you require any further assistance then please feel free to contact a member of the Safeguarding Team on 0345 602 3813, or by email to safeguarding@crossrail.co.uk

HEATHROW EDUCATION AND WELFARE ASSOCIATION

I write on behalf of the Heathrow Education and Welfare Association (HEWA) concerning the above planning application submitted by Powerday to develop the Coal Yard site in Tavistock Road Yiewsley for industrial waste recycling. We object in the strongest terms to this application.

As a place of worship, education and welfare based in the area, we believe that the site is unsuitable for the proposed large scale operation. We believe that the facility, if approved, would materially damage both the financial and business environment of Yiewsley and West Drayton as well as our own charitable institution. The sole access to the site via the High Street/Station Road and onto Tavistock Road is already heavily congested for most of the working day and therefore any development which could bring further heavy lorries to this major road artery is viewed with grave concern by our organisation.

Our Centre at 1 Colham Mill Road is just a few metres away from the Tavistock Road entrance to the site, and many of our worshippers and others attending our meetings are already disturbed by the heavy traffic which passes our centre. We are of the opinion that the development on the Coal Yard site for up to 950,000 metric tons of industrial waste per year will bring many additional HGVs and skips to the area, so polluting the area and causing considerable disturbance to those visiting and doing business.

Air quality in Yiewsley and West Drayton is already poor, and the queueing of heavy lorries trying to get in and out of the site will, we believe increase pollution levels even further. We therefore ask the Council to refuse this application when it is considered by the Committee.

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THAMES WATER

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker.

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority Liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

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. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens), Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at

<http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

No documentation containing details of the proposed drainage plan could be located on the local authority website. In order for Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the increased flows from the development, a drainage strategy must be submitted detailing the proposed foul and surface water strategies. Details of any proposed alterations to the connection points to the public system, and calculated increase in discharge rate must be included in the drainage strategy.

If initial investigations conclude that the existing sewer network is unlikely to be able to support the discharge anticipated from this development, it will be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure.

HEATHROW AIRPORT SAFEGUARDING

We refer to your email dated 2nd July 2013, received in this office on the same day.

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached * See para below for information *

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

Information

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not

utilise the roof. Any gulls found nesting; roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We would also make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation%20&%20safety/safeguarding.htm))

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above condition is applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of BAA, or not to attach conditions which BAA has advised, it shall notify BAA, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

NETWORK RAIL

Thank you for your email dated 2nd July, together with the opportunity to comment on this proposal.

After studying the proposals detailed in the application and consultation with our Level Crossing Manager and Drainage Engineer, Network Rail objects to this application as currently proposed.

The proposed development will significantly increase the use of the Level Crossing which we believe will not be suitable for heavy public use which will be the case when it becomes a civic amenity site.

We therefore request the following details from the applicant which we will need to assess prior to submitting our final comments.

The applicant will need to carry out a full risk assessment and safety works on the level crossing; details are to be submitted to Network Rail for review.

We require drainage details at this location due to the size of the proposed facility and car parking area as there is a risk of runoff in the area toward the railway infrastructure. Until we have received the above, our objection to this application remains.

You are also obliged to consult with H.M. Railway Inspectorate at the Office of Rail Regulation on the application (in accordance with the provisions of the Town & Country Planning (General Development Procedure) Order 2010, SI:2010 No.2184 and Paragraph 13, Appendix B of Department of Environment Circular 9/95).

ENVIRONMENT AGENCY

Further to my letter dated 23 July I am writing to confirm that we do not have any additional objections to make with respect to groundwater and contaminated land. Therefore our Flood Risk objection remains our formal response, which I include below for reference.

We object to the application as submitted for the following reasons:

- i) The applicant has not demonstrated that the storage volume required to attenuate surface water run-off from the critical 1 in 100 chance in any year storm event, with an appropriate allowance for climate change, can be provided on site.
- ii) The applicant has not demonstrated that sustainable drainage systems (SuDS) will be used on site to provide storage for surface water generated on site, in line with the National Planning Policy Framework paragraph 103, that requires development to give priority to the use of SuDS.
- iii) The applicant has not demonstrated that the peak discharge rate for all events up to and including the 1 in 100 chance in any year critical storm event, including an appropriate allowance for climate change, will not exceed 50% of the existing run-off rate.

Surface water for up to the 1 in 100 chance in any year storm event, including an allowance for climate change, must be safely contained on site. It is acceptable to partially flood the site during this event, ensuring that buildings are not affected by flooding and the site can be safely navigated by users. Where this flooding will be within roads or pathways, the applicants must ensure that safe access and egress is still available.

The surface water strategy must demonstrate that the use of SuDS has been given priority over more traditional pipe and tank systems, providing justification where it is not considered practicable to utilise SuDS on site. The surface water strategy should be carried out in accordance with the National Planning Policy Framework and PPS25 Practice Guide giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.

The applicant must demonstrate through their surface water strategy that the proposed development will not create an increased risk of flooding from surface water and that the surface water run-off rate has been reduced by at least 50% in line with the London Plan Policy 5.13 and its supplementary Planning Guidance on Sustainable Design and Construction.

Guidance on the preparation of surface water strategies can be found in the Defra/Environment Agency publication "Preliminary rainfall runoff management for developments". Guidance on climate change allowances can be found within the National Planning Policy Framework Technical Guidance.

The applicant should, as part of the surface water strategy, demonstrate that the requirements of any local surface water drainage planning policies have been met and the recommendations of the relevant Strategic Flood Risk Assessment and Surface Water Management Plan have been considered. The strategy should also meet Policy 5.13 of the London Plan (July 2011). Policy 5.13 states that: "developers should aim to achieve greenfield runoff from their site through incorporating rainwater harvesting and sustainable drainage", with a 50% reduction in the runoff rate being the essential standard that must be achieved (London Plan Supplementary Planning Guidance: Sustainable Design and Construction).

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages

over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Further information on SUDS can be found in:

- PPS25 Practice Guide
- CIRIA C522 document Sustainable Drainage Systems - design manual for England and Wales
- CIRIA C697 document SUDS manual

On overcoming the above objection, we will have further comments and conditions to provide with respect to permitting and groundwater and contaminated land issues.

Advice to applicant

Please note that there may be other sources of flooding that affect this site that are not within our direct remit, but nevertheless are important considerations for managing flood risk for this development. Under the Flood and Water Management Act, the Local Authority has the lead role in these matters and consideration of these other sources of flooding may be necessary to inform suitable mitigation measures to reduce the impact of flooding.

OFFICER COMMENT: It should be noted that since the Environment Agency commented on this application, a Framework Agreement has been agreed between the EA and Hillingdon giving the Council's Flood Risk & Water Management Specialist sole responsibility for all Flood Risk related issues thus removing the need to consult the EA on such matters. Given this, it is considered that the Council's Flood Risk & Water Management Specialist's flood risk comments are take precedent. As such no objection has been raised in relation to flood risk subject to a water management condition. The application is therefore considered to be acceptable in this regard.

NATURAL ENGLAND

Protected species Bats

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect bats.

For clarity, this advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the impacts to protected species.

Local wildlife sites

If the proposal site is on or adjacent to a local wildlife site, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local wildlife site, and the importance of this in relation to development plan policies, before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving

biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

SOUTH BUCKS DISTRICT COUNCIL

No objections raised.

TfL

TfL requires that the applicant address the following matters in order for the application to be considered acceptable and compliant with the transport policies of the London Plan:

- i) Provide further information on how the road and rail freight targets will be enforced
- ii) Provide additional information on how the baseline scenario has been established
- iii) Provide additional tracking of vehicles accessing the site in addition to addressing the HGV vehicular conflict when leaving the site heading south
- iv) Provide information on the suitability of HGVs utilising both Horton and Falling Lane
- v) Confirmation is required on the number of car and cycle spaces and how they will be allocated in-between land use
- vi) Provide TfL with a pedestrian audit and confirm that TfL's initial recommended improvements would be undertaken
- vii) Carry out an all by road sensitivity test
- viii) Provide information on the rail operations on site
- ix) Revise the DSP in line with TfL's recommendations in addition to providing a CLP to the Council
- x) Provide a workplace travel plan for review

GARDEN CITY RESIDENTS ASSOCIATION

These are the comments of the Garden City Residents' Association (GCERA) on the further documentation submitted by Powerday (PD) on November 11th 2013 in support of their application to develop a Materials Recycling Facility(MRF) and Civic Amenity Site(CAS) at the Old Coal Yard, Yiewsley.

These comments are in addition to the comments GCERA made earlier, and dated 18th August 2013.

1. These comments are made in light of 3 documents that have become available since the original submission, which are: a) Cannon's document, prepared for PD, Addendum to the Transport Assessment, dated February 2012
b) Letter from Transport for London(TfL) to PD, dated 24/5/2012
c) GLA's comments on this application, sent to London Borough of Hillingdon (LBH), dated: 14/8/2013. Timeliness
2. The first 2 of these documents had been sent to Powerday last year by their authors (Cannon and TfL). It seems a curious oversight that they were not made available with the original application. The remarks by TfL are very relevant to any assessment of the application's merits, to which we return below.

3. The first document (a) has, in fact, been updated this year. It is on those updates that PD rely not only to meet the comments originally made by TFL but also the GLA.

Main points

4. The new material from the applicant is notable for the complete absence of new data, e.g.. on traffic flows, both baseline and proposed. Nor are there any further calculations offered in support of such data as already exists; to rectify the lack of clarity noted in the original submission both by GLA/TfL (and GCERA).

5. The new material only attempts to strengthen the arguments originally made. This approach, and what is said in further support of the application only strengthens our view that Powerday are caught up in two dilemmas.

Rail

6. On the one hand, PD make much use in their application of the potential of the railhead, serving the Old Coal Yard, for the import and export of material; whether original waste or materials from waste - after processing. Further, there is a policy expectation that they should do so. Indeed, more than once in the GLA comments, reference is made to the need for detailed and documented understanding of what contacts PD have made with Network Rail(NR) about their planned use of the network; with requests for commitment to the quantity of expected rail borne tonnage in and out.

7. On the other hand, nowhere either in this material or in the main submission, are PD prepared make such a commitment. Rather, to quote from the submitted Addendum, "it is difficult commercially to commit to a minimum amount of importation by rail as this would constrain the ability to operate the site."

8. The document also says that, in no circumstance could the 600,000 tonnes by road be exceeded. What is not said is that, should PD be unable to enter ' into contracts for materials movement by rail, that would increase the pressure on them to move more waste by road, within the ceiling.

Road

9. PD proposals on road use to/ from the site contain 2 key factors:

i) that the number of traffic journeys generated by their proposed development will not exceed that of the baseline (prior) use of the CoalYard.

ii) that their intent is to maximise the use of larger vehicles. PD's business model is to import waste in quantity e.g.. from Waste Transfer Stations, and to discourage traffic from smaller operations; indeed the tenor of PD's new material is that all traffic to the site, aside from that to the CAS, will be under contract to PD. Further, on materials outwards, the number of road journeys will be reduced by 'backfilling.'

10. But the consequence of this is that, compared with the existing traffic, the average size of the vehicles using the site will increase, compared with the baseline. And those vehicles, on average, will be more heavily loaded. Note: the baseline use of the Coal Yard is for the (overnight) parking of empty vehicles.

11. This traffic will, according to PD, be routed through the West Drayton station mini -roundabout, over the [Grand Union] canal bridge then in their favoured option, along Horton Rd.

12. Larger and heavier waste vehicles have, at least, two drawbacks.

i) they are a manifestly more visually intrusive in a local area that includes small shops, routes to school(s), and much pedestrian traffic. This intrusion will reduce the amenity of the area, and act as a perceived it may be actual, . threat to pedestrians, both local and visiting the area. This threat is not only to amenity, and safety, but also to local businesses. (These movements may well also increase, locally, the level of exhaust, and noise pollution.)

ii) manoeuvring these large vehicles into and out of Tavistock Rd can only add further to the current problems of rapid traffic build up by the railway bridge in both directions. Note: we are aware that PD propose a 'Delivery Management Plan' to spread HGV movements through the day. But, at any time of day, it only takes one wide, large and slow -moving lorry meeting a surge of traffic, e.g. when the lights change by the station (an event which, of its nature, cannot be predicted), for traffic to build up rapidly.

'Pinch points'

13. The concerns of TfL about the potential for conflicts between PD related HGVs and buses on route 350 are analysed in detail: it is for TfL to comment on this analysis.

14. However, nothing is said about the effects of additional, laden, large HGVs on all the other vehicles that uses this junction. Moving the focus from TfL's concerns to those of local residents and businesses, we need to have it on record that, in both directions, these HGVs will have to:

i) enter the High St from Horton Rd, up a noticeable gradient, to turn left; or cross the oncoming south bound traffic to turn right

ii) manoeuvre, in both directions, through the mini roundabout by the station; a station, fairly soon, not only servicing bus and mainline but Crossrail traffic

iii) enter or leave the High St. to/from Tavistock Rd where, in close proximity to the 'yellow box', is a wide zebra crossing.

Traffic tonnage

15. Much is made, in PD's comments, of the 2 journeys per hour in, and 2 out, of the largest HGVs. To put this in context a context not summarised by PD, GCERA do the following calculation.

16. Stated maximum tonnage per annum by road is 600,000 inwards and so 600,000 out; and see paragraph 8 above about use of rail. The maximum annual days of operation, say 360. Maximum hours of road traffic operations, 24.

17. So, assuming even flows of material 24/360, gives $(600,000 \times 2) / (360 \times 24) = 38.9$ tonnes per hour. Again, assuming flows in and out are evenly spread, this equates to near enough 70 tonnes per hour in both directions, _ every hour of the day (nearly) every day of the year.

18. In GCERA's view this puts in context the, in our view, specious argument at the end of para 6.1 in the Addendum, "Therefore there is no net change in vehicle numbers on the network as a result of the development and the impacts are therefore low. " (Our emphasis, with the comment that it not vehicle numbers but vehicle types, and their loads that is the principal issue here. In number terms, the largest HGV and a 'Smart' car both count as one.)

19. Thus, it is GCERA's position that PD have failed to show how this volume of material, however broken down into individual loads, can be got through this route with no additional impact on other traffic; and on pedestrians. Further, it's arguable that any option to handle this annual throughput through increasing traffic in 'quiet hours' would add to the impact on local residents; not least those living in the now -approved development of housing in Tavistock Rd, on the site opposite the entrance to the access road to the Coal Yard.

Rail Sidings and Network Rail

20. (and see Section 8 of Addendum). Para. 21 of the GLA comments, on the original application, says: "applicant needs to set out what discussions it has had with Network Rail and whether Network Rail requires this site for uses other than that proposed by the applicant. Such information is needed to assess whether the application complies with London Plan policy 6.1 (f) facilitating the efficient distribution of freight traffic." The further documents received are silent on both these points.

21. However, para 8.1 of the Cannon document does say: "...the 350,000t of waste import by rail per annum would generate around 9 trains a week." Throughout the submitted documents, PD place much weight on the merits of their planned use of rail, both in terms of this application, and when praying in aid the West London Waste Plan(WLWP). Does '9 trains a week' measure up to the expectations generated?

22. It is GCERA's view that such a valuable railhead could be better utilised than traffic of just over one train a day. Further, the grant of use of this yard to PD would nullify any better use of this railhead for an unknown, but certainly lengthy period of years (Note: we cannot comment on rail traffic - out except to refer again to our remarks, in para 7, where we note that PD will not commit to any rail traffic.)

23. There is a practical means to hand to test this argument. In their case, when dealing with road traffic, PD makes much use of detailed traffic data from their existing site, at 'Old Oak Sidings.' That site is also served by rail. PD should provide details of the actual rail traffic at that site, say in calendar 2012 and 2011, with any caveats re differences between that and their proposed, Coal Yard operations.

West London West Plan

24. In section "Source/destination of waste processed, and West London Waste Plan(WLWP)" of our original comments, we note that PD was told at a pre application meeting with the GLA in 2012 that the Coal Yard site had been removed from the 'WLWP'. In the note of the later pre application meeting with TfL, just sent in by PD, the point is made again: "The planning status of the site will need to be confirmed at the point of any application."

25. Neither the original nor the additional material submitted by PD confirms the status of this application. However, it is in the public domain that the Leader of Hillingdon Council said, at a public meeting in November 2011 that LBH was removing the Coal Yard site from the WLWP. Have PD any evidence that the Coal Yard has been reinstated, in the West London Waste Plan?

Other waste management developments

26. Para 24 of the GLA's comment says "The applicant should set out where it expects the material generated through the MRF process will be used." GCERA raise this matter here for two reasons. Firstly, we have been unable to find, in the new material submitted by PD the answer to this question.

27. More widely, it begs the question to what extent PD have established a need for a facility of the size they propose sited locally in the Coal Yard in Hillingdon, more widely in West London. While PD have been developing their application, other developments in waste management have moved on. (Note: Hillingdon's letter to Barton Willmore, acting for PD, in November 2009 records receipt of PD's original 'Scoping Report' on 17/9/2009.)

28. On 22 August 2013, LBH wrote formally to agents for F M Conway giving permission for: "Redevelopment of the site to provide an aggregate recycling and processing plant, asphalt plant and storage facility, gully waste recycling plant, aggregate storage facility, and term maintenance depot, with ancillary offices, structures and facilities, car and lorry parking, regrading, and

landscaping. {That is at) Former Powergen Site North Hyde Gardens, Hayes."

29. As these comments are being finalised, in the 20th November issue of the Uxbridge Gazette, LBH give details of a 25 -year contract let to SITA UK by West London Waste Authority that "will start in 2014 and provides for up to 300,000 tonnes of waste that west London's 1.6 million residents haven't recycled to be treated each year. " This waste will be sent by rail to a new energy recovery facility. . . " (my emphasis).

30. Lastly, the WLWA in October this year advertised in the Official Journal of the EU for a Transport Service Provider to bid for work whose objective is ".. to harmonise the transport of residual waste between the eight Household Re use and Recycling Centres (HRRC) and the Authority's rail waste transfer stations at Transport Avenue, Brentford and Victoria Road, South Ruislip."

31. It would be helpful if at the initial hearing or should application proceed, at a later stage, PD were able to detail how their plans will fit in with these other developments; not least because of the emphasis throughout their application on the use of rail.

YIEWSLEY & WEST DRAYTON TOWN CENTRE ACTION GROUP

Formal comments are awaited.

Internal Consultees

URBAN DESIGN & CONSERVATION

The site is quite discretely located at the western end of Tavistock Road. It contains a number of what appears to be temporary storage and industrial uses and has an unkept and untidy appearance. It was not developed until the 20th century and comprises made up ground, as the site level was raised by approximately 4m in the 1930s.

The site is bounded by railway tracks to the north, west and south and a wooded area and the Fray's River to the east. Beyond the railway, to the north and west are areas of open space designated as Green Belt and the Garden City, West Drayton Area of Special Local Character (ASLC) lies to the south. Whilst there are three listed buildings to the east and south east of the site and also the West Drayton Green Conservation Area, it is considered that none of these Historic Assets will be affected by the development. The Archaeological Report attached to the application confirms the above and that the likelihood for archaeological finds is low. It also advises that the impact of the new development on the archaeology of the site would be limited to within the depth of the made up ground.

Whilst the development would include one very large new structure, together with smaller buildings and a parking area, it would generally represent an improvement in the overall appearance to the site. The large building would, however, be visible in some views from the Area of Special Local Character, the housing area to the North West and also from the Green Belt. At present a landscaping scheme is proposed for the southern boundary, which should provide additional screening to the ASLC, but further consideration should be given to the planting and bunding on the other site boundaries. In particular, consideration should be given to the creation of an area of "buffer" planting outside of the new boundary walls, to allow planting to soften their appearance-the walls are proposed to be between 4-6m in height. At present views of the site are filtered by off site trees and vegetation that cannot be controlled as part of this application and hence their presence cannot be guaranteed long term.

In addition to the above, if the scheme is recommended for approval details of the colours and finishes of the buildings should be sought, together with details of the design and materials of the boundary walls and railings.

No objection in principle in design and conservation terms, however, further landscaping should be required to improve the appearance of the boundaries of the site and to safeguard views from locally sensitive areas.

FLOODING & DRAINAGE OFFICER

The application for me is acceptable, but please add the following condition:

The application has been extensively discussed between me and the Environment Agency officer and it has been agreed that a condition would address flood risk and surface water drainage issues. The submission demonstrates that a suitable scheme to address our concerns is feasible.

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been 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 and Surface Water Drainage Strategy, produced by Cannon Consulting Engineers dated August 2010, and incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide details of the surface water design including all suds features and how it will be implemented to ensure no increase in flood risk from commencement of construction and during any phased approach to building.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.
- iv. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards.

The scheme shall also demonstrate the use of methods to minimise the use of potable water, and will:

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

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 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

The condition ensures that a final scheme evolves the flood risk assessment and surface water drainage strategy continue to meet our requirements.

EPU - CONTAMINATED LAND

I refer to your consultation of 2 July 2013 regarding the above application. There has been a combined desk study and ground investigation of the land in 2009 as referenced above. The report is summarised in the Environmental Statement and appended in full with the application. The coal yard was the main use with a number of other businesses on the site, some not documented very well. The coal yard was closed in the 1990s and since then the site has had a number of uses such as for lorry haulage and a scrapyard. It has also been used by a train company and I recall that

perhaps some train maintenance was carried out in the sidings. The past historical uses are listed in the report. Therefore there is significant possibility of ground contamination. The report details a borehole investigation (18 boreholes) and chemical testing of the soils and waters. The boreholes show made ground up to 8 metres depth with groundwater standing at 5 to 6 metres. Although some lead and PAH was identified the testing did not show elevated soil contaminants for an industrial commercial use using the guidelines at the time in 2009. The risk to groundwater was not thought to be a problem after some arsenic and mercury in the water were assessed. The advice of the EA would be needed on the controlled waters assessment methodology.

At present the report has not identified soil contamination at a level that is a concern for a commercial use. Some levels of carbon dioxide gas were found and passive gas protection measures (Characteristic 2) were recommended for buildings. I would advise that the site is a significant area and further investigations are necessary to cover the whole site and target specific areas of former contaminative uses. The risk assessment will also need to be updated using current guidelines.

The report would support the planning application however should the development be given a consent a condition is required as more investigation and assessment will be necessary. I would advise applying our standard condition.

EPU AIR QUALITY

Demolition of existing buildings and redevelopment of site to provide a materials recovery and recycling facility and Civic Amenity Site, incorporating a recovery and recycling building, storage bays, administration office/training building, external processing and storage area, two weighbridges, reuse and extension of railway sidings, and Civic Amenity Centre, together with associated car parking, landscaping, fencing and infrastructure.

Air Quality Comments

I object to the proposed development as the air quality assessment fails to adequately consider the impacts from the development.

Previous comments sought confirmation and clarification on a number of air quality matters. Importantly, they required determination of the adequacy of the transport assessment which directly informs the air quality assessment.

The comments on the TA have now been provided. It is therefore necessary to finalise the position on air quality in light of the comments on the TA.

Summary

The main problem with the air quality stems from the inadequacy of the transport assessment (TA). Comments from the Highways Officer detail the main faults with the TA. As there is some dispute about the impacts on transport, it is not possible to determine the impacts on air quality. The primary problem is that the applicant is using data collected from a single day in 2008 to compare the traffic generated from the new development.

The applicant claims that the traffic generation from the new development has been tailored to reflect the 2008 survey count, and is conveniently almost identical with only three vehicle movements different.

This allows the applicant to present a case that the proposed development has a negligible impact. The Council is not in position to agree with this assessment and therefore not able to judge how the traffic movements, particular regarding HGVs, are different before and after the development.

Notwithstanding the problems with the TA, there are some inherent problems with the Air Quality Assessment.

Of particular concern is the modelled baseline data that shows Yiewsley High Street to be significantly failing EU Emissions Objectives. The air quality in this area as a damaging impact with respect to health and must be treated as highly sensitive.

The applicant then presents a case that regardless of whether the development happens or not, there will be nearly a 15% improvement in air quality from 2011 to 2015. The Council queries the starting baseline as being very high and the reduction in 4 years as being highly questionable. Furthermore, the application was submitted in 2013, half way through their suggested period of significant reduction. The data should therefore have been updated with a new projection set for the future years.

With respect to the above, it is not possible to make an informed decision on the air quality impacts from the proposed development. Given the significantly poor air quality presented by the applicant in this area, it is necessary to determine the impacts prior to determination. If the improvements in air quality are not as they have been presented, then the development may need to be altered to be viable.

EPU - NOISE

No objection subject to following conditions:

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise and vibration emanating from all internal and all external operations on the site including but not exclusive to rail and road deliveries, loading, unloading, concrete crushing, timber shredding and timber crushing has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits, and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan part 2.

The rating level of the noise emitted from the site shall be at least 10dB below the existing background noise level. The noise levels shall be determined at 1m from the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'. With all machinery operating together.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan 2.

TREES & LANDSCAPING

The site is occupied by a railway yard, formerly used as a coal depot to the west of Yiewsley Town Centre. It is bounded to the south by the Great Western Main Line Railway with a residential area (Area of Special Local Character) extending southwards from the toe of the railway embankment.

The northern boundary is defined by the wooded slopes of the River Frays on the north east boundary and the West Drayton to Colnebrook Railway Line which loops around to the west before heading south. The whole site is on elevated land which overlooks the Green Belt and a Nature Conservation Site of Metropolitan or Borough Grade 1 Importance to the north and north-west.

Due to the practical and operational use of the site, there are few trees within the site and of particular merit. None of the trees on, or close to, the site are affected by Tree Preservation Order or Conservation Area designation.

That said, the largely self-set trees and woodland along the site edges, both on-site and off, play an

important role in screening / softening views into the site.

The proposal is to demolish the existing buildings and redevelop the site to provide a materials recovery and recycling facility and Civic Amenity Site, incorporating a recovery and recycling building, storage bays, administration office/training building, external processing and storage area, two weighbridges, reuse and extension of railway sidings, and Civic Amenity Centre, together with associated car parking, landscaping, fencing and infrastructure.

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.

Existing trees

a) The tree survey by Forbes-Laird, ref.CC31-1035, dated October 2011, is almost two years old and was carried out in accordance with BS5837:2005 - which has since been superseded by the BS5837:2012. However, due to the nature of the site, many of the trees have been assessed in groups, or as boundary woodland and the comments are still relevant - albeit the trees may require a further review.

b) In addition to the tree survey and accompanying plans, 12No. photographs have been submitted which illustrate the character of the site and its vegetation. An accompanying A4 sheet describes the views - although the description and photos are not quite correlated (for example, photo No. 8 is described by item 10). The tree survey notes the presence of Japanese Knotweed - a non-native very invasive species which will require a programme of eradication using a methodology approved by the Environment Agency. (See T1001 and WG1)

c) The survey identifies and assesses 16No. individual specimens, of which there are no 'A' grade trees, 10No. 'B' grade, 4No.'C' grade and 2No.'R' (T1010 and T1014) which 'should be removed in the interests of sound arboricultural management'.

d) There are 18No. tree groups, with no grade 'A' groups, 2No. grade 'B', 12No. grade 'C' and 2No. grade 'R' (TG1007 and TG1008) - Leyland cypress hedge in poor condition.

e) There is also one woodland group WG1, lining the River Frays corridor in the north-east corner of the site. This is valuable for its landscape and visual contribution. However, it is self-set secondary woodland in poor condition. The area contains past workings and dumped metal debris is present. It is also affected by Japanese Knotweed. - The report recommends that this area should be cleared of Knotweed and either left to develop naturally (excluding public access) or, more radically, it could be clear felled and re-planted / positively managed.

Landscape & Visual Impact Assessment (LVIA)

a) An LVIA has been carried out on 'Guidelines for Landscape and Visual Impact Assessment' Second Edition (Spon Press 2002). This guidance has recently been superseded by the Third Edition, published in March 2013. The Landscape Institute advises that it should be acceptable for LVIA's which commenced prior to the release of the revised guidelines to be based on the Second Edition.

b) The Methodology is described and includes baseline studies, the identification and assessment of landscape and visual effects, sensitivity of receptors and magnitude of change, the significance of effects, effects during construction and mitigation.

c) A summary of the Landscape and Visual likely significant effects of the proposed development is set out in Table 8.3, in Appendix 8.3. The Visual Effects Table includes a brief description of proposed mitigation measures and summarises the residual effects (Year 15, with mitigation) in a range between 'moderate adverse / minor adverse'(at the worst case) to 'slight beneficial / minor beneficial' (at best).

d) At 8.184 the visual effects of the development from sensitive receptors are specified as, and limited to, specific residential properties and the subsequent effect on residential amenity.

e) At 8.185 the report concludes that, given the context of the site, no significant landscape effects are predicted.

Landscape Proposals

- a) The landscape proposals are best indicated on Barton Wilmore's Landscape Strategy Plan, ref. L6.
- B) A range of boundary treatments is proposed including, 4 metre high acoustic fencing, 4 metre high concrete 'push' walls, 4 metre high concrete 'push' walls with 2 metre high acoustic fence on top, 6metre high acoustic fence and 3 metre high metal palisade fencing. Details of the materials and appearance of these boundary features should be carefully considered - including the specification of green / living walls.
- c) The legend on plan lists the planting typologies to be used on the site. This primarily addresses the landscape buffer along the southern boundary and the smaller scale buildings and car parks around the eastern site entrance. The legend indicates a mix selected specimen trees, native woodland and under-storey planting, structural shrub planting, hedges and ornamental shrub planting.
- d) Most of the boundaries appear to rely on the existing off-site trees and woodland for screening purposes, with the new boundary treatment defined by the fences and walls described above.
- e) The Landscape Strategy Plan includes an indicative schedule of plants which includes Ash *Fraxinus excelsior*. Due to the outbreak of Ash Dieback *Chalara fraxinea* an alternative species is required, as Ash should not be planted.

Recommendations

- i) Prior to development a management plan to eradicate the Japanese Knotweed should be prepared and put into action, in accordance with a methodology approved by the Environment Agency.
- ii) The colour and materials used for the cladding of the building, the roof and all ancillary structures should be selected to be as recessive as possible, in order to reduce the apparent bulk and visual impact on the landscape.
- iii) The selection of plants for inclusion in this scheme should be reviewed and amended in the interests of plant health and bio-security. In particular a Ash should not be planted. A suitable substitute is required.
- iv) A belt of tree planting or native woodland should extend around the west boundary to provide some screening from the Green Belt.
- v) If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

No objection subject to the above considerations and conditions COM9 (parts 1,2,3,4,5 and 6), COM26.

S106 PLANNING OBLIGATIONS OFFICER

I have taken a look at the proposal and consider the following to be the likely heads of terms dependent upon the requests of other specialist officers.

1. Highways: either a s278 and or s38 agreement may be required to address any and all highways matters arising from the proposal.
2. Environmental mitigation: depending upon further comments received there may be the need for environmental mitigation measures in the form of a financial contribution or delivery of measures this will be dependent upon comments received from EPU, sustainability and ecology.
3. Air Quality: in line with the SPD and given the location of the proposal it is likely that EPU will seek a contribution towards air quality mitigation. Please liaise with EPU in the first instance.
4. In the event that a s106 agreement is entered into then a financial contribution equal to 5% of the total cash contributions should be secured to enable the management and monitoring of the resulting agreement.

ACCESS OFFICER

The proposal seeks to develop a new state-of-the-art Materials Recovery and Recycling Facility. The Design & Access Statement states that 2 accessible parking bays would be provided or 5% of total capacity, with an additional space provided for every disabled employee. Whilst the proposed number of parking spaces may fall below the 10% requirement prescribed by Local Plan policy AM15, the provision is considered to be acceptable for the development as proposed.

However, the following informative should be attached to any grant of planning permission:

1. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from 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. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

WASTE SERVICES

As the application is for a complex waste management facility I would defer to the opinion of my colleagues in the Planning Section, and in addition recommendations from the Environment Agency with regard to the overall design and compliance with relevant environmental legislation and standards.

I note that the submission incorporates a Civic Amenity site. At present the Council has an arrangement with the site owners, Powerday, to have a temporary Civic Amenity site operation on the last weekend of every month. The Council pay an agreed amount for this. Although a permanent Civic Amenity site would be to the advantage of residents in the South of the Borough a clear basis for the costs and funding of the site would have to be confirmed, before proceeding with such a venture.

LEAD WEST LONDON WASTE PLAN OFFICER

The Regulation 18 consultation on the draft West London Waste Plan took place in February 2011.

Following this consultation work has been ongoing on the plan and has reached an advanced stage. Cabinet authority is being sought in January 2014 to undertake the Regulation 19 consultation on the submission document.

The Old Coal Depot Site on Tavistock Road is not identified within the most recent version of the plan as being required or safeguarded for waste purposes.

The plan identified that there is sufficient capacity to meet all waste stream management needs up to 2013, without waste facilities being provided on this site.

SUSTIANABILITY OFFICER

Proposal

Demolition of existing buildings and redevelopment of site to provide a materials recovery and recycling facility and Civic Amenity Site, incorporating a recovery and recycling building, storage bays, administration office/training building, external processing and storage area, two weighbridges, reuse and extension of railway sidings, and Civic Amenity Centre, together with associated car parking, landscaping, fencing and infrastructure.

I have no objections to the proposed development. However, there are a number of deficiencies within the proposals which need to be addressed through the following:

S106 Contribution for Ecology
Ecology Enhancement condition
Living walls and roof condition
Sustainable water consumption condition
Detailed Energy comments

Ecology Comments

The proposed development is adjacent to a Metropolitan Site of Importance for Nature Conservation. On the site, there are pockets of natural areas that would support the wider SINC. The ecology chapter within the ES reports that approximately 0.25 hectare of woodland and vegetation will be lost.

I believe the loss to be close to 0.4hectares. Regardless of this, there are a number of mature trees as well as ground scrub to be removed to make way for the development. I do not agree that these areas are of low ecological value simply because they do not hold protected species.

I also do not consider that the onsite landscaping adequately considers the loss of trees and vegetation nor their relationship with the wider SINC. In particular, the loss of vegetation near to the Frays River is a concern. The lost areas need to be considered as part of the mitigation strategy. Unfortunately, there is insufficient room on the site to fully integrate a sufficient amount of mitigation. The proposed offer by the applicant is therefore inadequate. The only solution to mitigate for the loss of the onsite vegetation and wildlife areas is to provide an offsite contribution as well as providing the minimal onsite measures.

As a consequence a sum of £30,000 needs to be paid to the Council to help manage and enhance existing areas of Little Britain SINC.

In addition the following condition is necessary:

CONDITION

Prior to commencement of development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the buildings.

These shall include bat and bird boxes, habitat walls and a range of plants to encourage and support wildlife. The scheme shall aim to include an area of land dedicated to wildlife habitat. The development must proceed in accordance with the approved scheme.

REASON

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 (Local Plan) and Policy 7.28 of the London Plan.

Living Walls and Roofs

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.

Water Efficiency

The Council is in a severely water stressed area and is therefore mindful of the additional burdens placed on water consumption by new development. Hotels require significant consumption of water and therefore will place further burden on the diminishing water supplies. The following condition is therefore necessary:

Condition

Prior to the commencement of development a scheme for the reduction in water use including the harvesting and recycling of grey water and rain water, shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing, vehicle washing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

Energy Comments

The energy solution focuses on a large photovoltaic array and predominantly reduces the unregulated energy demand. I have no objections to this approach and support the principle. However, at 1910m² is an exceptionally large area for a building and is costly.

The development must proceed in accordance with the submitted 'Sustainable Energy Statement, Silcock Dawson and Partners, V1.2, April 2013'

Any changes to these proposals will require an amendment to the application.

S106 OFFICER

I have reviewed the proposal and consider the following to be the likely heads of terms dependent upon the requests of other specialist officers.

1. Highways: either a s278 and or s38 agreement may be required to address any and all highways matters arising from the proposal.
2. Environmental mitigation: depending upon further comments received there may be the need for environmental mitigation measures in the form of a financial contribution or delivery of measures this will be dependent upon comments received from EPU, sustainability and ecology.
3. Air Quality: in line with the SPD and given the location of the proposal it is likely that EPU will seek a contribution towards air quality mitigation. Please liaise with EPU in the first instance.
4. In the event that a s106 agreement is entered into then a financial contribution equal to 5% of the total cash contributions should be secured to enable the management and monitoring of the resulting agreement. I trust the above assists in the first instance.

HIGHWAYS OFFICER

The site is located to the south of Tavistock Road in Hayes, close to the junction of Tavistock Road and High Street, which is a priority controlled junction. There is a short right turn lane on the High Street opposite the Tavistock Road approach. A mini-roundabout at the junction of High Street and Station Approach is located in close proximity to the north.

South of the High Street and Station Approach junction, the road slopes down to gain sufficient

head room under the existing railway bridge resulting in a considerable level difference.

The main pedestrian crossings at/in proximity to the aforementioned road junctions are; zebra crossing on Tavistock Road between its junction with the site access and High Street, signalised puffin crossing on High Street north of its junction with Station Approach, and dropped kerbs across Station Approach immediately east of its junction with the High Street.

The site largely falls within a low PTAL rating of 1, however West Drayton rail station is located nearby and there are also 5 bus services nearby. The station forms part of London's Crossrail route, which is planned to be operational in 2018. The station will therefore in future benefit from improved public transport, reduced travel times and improved rail connections with access to central and east London.

The site was historically used as a coal concentration yard and depot, which is reported to be ended in the 1980's. The baseline traffic generation of the site is based on surveys undertaken in 2008, which captured traffic generation of the unauthorised uses at the time. The TA reports that the site is currently occupied by multiple businesses falling within light industrial, manufacturing and distribution/storage uses. It is understood that there are also other types of unauthorised uses operating from the site. An adjacent concrete crushing site is understood to be the only authorised use.

The development will utilise the existing vehicle access, located south of Tavistock Road, some 35m west of the Tavistock Road and High Street junction. The access road is at an acute angle. Vehicles departing the site have poor visibility of vehicles approaching from the west on Tavistock Road and vice versa. Also, sightlines to the west of the access point are difficult. The access road averages approximately 6.5m in width and has a level crossing facility around 150m into the site. A risk assessment should be provided for the level crossing.

There are inadequate pedestrian facilities to cross the site access. To the west there is a narrow strip of footway and to the east there is no footway in front of the commercial units. Moreover, the access road does not have a delineated provision for pedestrians to enable safe movements.

Considering the level of traffic generation, including a significant increase in public use and a relatively high proportion of lorry movements, safe access arrangements should be provided to limit the risks posed to other road users and the rail operations.

Baseline Scenario

The Transport Assessment (TA) submitted with the application is outdated, being prepared in 2011 and is based on outdated surveys and data.

The key assessment to identify the existing baseline traffic generation is based on a survey undertaken on behalf of Eurostorage on Monday 17th March 2008, for a historic submission on Air Quality matters. The survey was a 12 hours Manual Turning Count between 7am and 7pm at the junction arrangement of High Street/Station Road/Tavistock Road/Access Road (referred to in the survey as a 'Slip Road').

The survey was carried out only on one day (Monday) and does not capture the daily/weekly variations in traffic flows during the relevant peak periods. Furthermore, the survey was not undertaken in a neutral month as defined by the Design Manual for Roads and Bridges and referenced in the Communities and Local Government and Department for Transport (2007) Guidance on Transport Assessments. It is likely therefore that the traffic flows collected during March 2008 could be affected by seasonal variations, which can lead to non-representative traffic

flows.

In order to assess a hypothetical scenario of future traffic generation, a sensitivity test is undertaken on the assumption that of the identified total site area of 5.57 hectares, 40% of the land is developable land, which equates to an average GFA of approximately 22,280 sq.m. The TRICS database is interrogated to estimate vehicular trips based on trip rates from the chosen sample sites for B2 Industrial, B8 Warehousing, and B8 Parcel Distribution. These uses are chosen on the basis that the site is allocated as an employment site within the LB Hillingdon's (LBH) Local Plan that could contain industrial and storage uses. It should be noted that the LBH's site allocation identifies the type(s) of uses to be considered acceptable in principle for development purposes within the allocated sites; however, any development would still be required to meet detailed requirements including highway and transport matters. Traffic generation therefore can only be confidently estimated when a scheme is devised.

For B2 General Industrial use, 7 sample sites are chosen from the TRICS database to estimate vehicle traffic generation. The TA does not provide details of the chosen sample sites and their comparison with the application site to justify selection. All of the chosen sites are out of London, where Freight/Delivery/Service operations are generally not entirely comparable with the operations at the site in subject. The TA does not provide a rank order scatterplot, which is needed to determine a reasonable level of reliability for the estimated trip rates. Using TRICS/TRAVL it is possible to produce results in minutes, without necessarily giving sufficient thought to the filter options at the start and the appropriateness of the comparison that has been made. The submitted estimates do not meet the applicant's responsibility to ensure that the reasons behind all selections made are explained in full throughout the report and that the procedures followed in producing the trip rates supplied are sound and do not incorporate any pre-determined preferred trip rate levels.

For Parcel and Distribution use, 4 sample sites are chosen from the TRICS database, of which, 2 are located within Greater London and the other 2 are located in East Anglia and the North. To estimate vehicular trips for the Warehousing use, 10 sample sites are chosen, of which, 2 are located in Greater London and the others are located in South East, South West, East Midlands, West Midlands, North West, and the North. There is insufficient information to validate the comparability of the sample sites and the validity of surveys, which leads to the risk of using unreliable data for estimating trip generation. The information required is the same as commented above under the B2 General Industrial use.

The future estimated baseline scenarios are created by combining various surveys, applying traffic growth factors, and adding committed development flows. There are a number of concerns on the accuracy and robustness of the baseline scenarios as discussed in the following comments.

The baseline traffic is estimated by combining various surveys from difference years, months, and traffic links and database listed below:

- Traffic surveys and flows from a Tesco Planning Application in 2007 (60929/APP/2007/3744) extracted to estimate baseline for the junction of A408 Falling Lane/A408 High Street/Trout Road/Yiewsley High Street. Surveys for the Tesco development were originally undertaken in 2004;
- Traffic flows on A408 Stockley Road, Yiewsley High Street and Horton Road are obtained from the survey undertaken in March 2010;
- Traffic flows on M4 are obtained from TRADS database; and
- Traffic flows at the site access/Tavistock Road/High Street/Station are obtained from a survey undertaken in March 2008 for air quality matters.

Information from the above sources is then combined to create links of traffic flow on the highway network. TEMPRO growth factors are applied to try to establish count data for 2011, which is assessed as a baseline year. The calculated growth factors to be applied to surveys from different

years are not provided. It is important that the calculated growth factors are submitted and that correct allowance is made for the growth in traffic.

There is no information submitted to verify and validate an up-to-date baseline situation, including traffic flows, turning movements, direction of travel, traffic growth factors, vehicle proportions by type, and the traffic peak periods. The accuracy and validity of the baseline scenarios created by combining various surveys and growth factors is very uncertain leading to a high risk of the assessment being flawed.

The AM and PM peaks of 8-9am and 5-6pm are assessed on the assumption that these coincide with the network peak periods. Supporting information at 15 minutes intervals should be provided to validate that the chosen peak times coincide with the highway network peak periods.

A comprehensive set of traffic counts should be undertaken to provide a true baseline of the existing traffic flows and turning movements within the study area, which together with up-to-date growth factors will enable an accurate and robust assessment. The traffic counts and modeling will identify the existing critical links and junctions on the highway network by way of calibrated tests.

Two major developments were granted planning permission in 2013, namely Padcroft Works, and Former Bentley's. These committed developments are not considered in the TA.

It is noted that 2011 is assessed as the baseline year, because the TA was prepared back in Aug 2011 and not updated for the application in subject. It is crucial that an up-to-date TA is prepared to assess up-to-date and accurate baseline and future scenarios. The assessment should include an up-to-date assessment of baseline, opening, and 5 years after the date of registration of the planning application. Due to the uncertainty in accuracy of estimating 10 or more years of traffic growth, a 10 years assessment can only be considered for indicative purposes.

The TA includes an obsolete drawing of the Yiewsley/West Drayton town centre improvement scheme at Appendix-J. The scheme was drafted in 2010 as part of the town centre improvement project and was later amended as a result of detailed considerations.

Accident Analysis

The assessment of the Personal Injury Accidents is also out-of-date. It is imperative to undertake an up-to-date analysis of the Personal Injury Accidents in the surrounding area, to establish any common causes of accidents and related road safety issues.

Proposed Development

The proposed development will deal with a range of different types of commercial and domestic waste. The operations will involve a materials recovery facility (MRF), and processing, recycling and storage. The proposals also include a Civic Amenity site (CAS).

The proposals will generate substantial volumes of traffic including a significant increase in public use. A number of concerns are raised in connection with the safety of the access arrangements and the absence of risk assessment for the level crossing as discussed above under the heading of introduction, which should be addressed by the developer.

The TA suggests that the development will have an imported waste capacity of 950,000 tonnes per annum. The resultant tonnage to be exported per year will be lower, mainly due to reasons relating to processing and storage. As part of the development, it is proposed to refurbish and extend one of the rail sidings for part of the proposed operations. The TA suggests that when the development operations are established, up to 350,000 tonnes of imported material could be transported to and from the site by means of rail.

Due to the uncertainty associated with the rail mode for transporting materials, for robustness, a sensitivity assessment should be undertaken based on a lower or no use of rail.

A Delivery Management Plan (DMP) is proposed to be prepared and implemented to manage the timing and routing of delivery vehicles, which is welcomed. However it is considered that from a practical perspective, strict compliance with delivery arrangements requiring high level of management intervention cannot be relied upon for the life of the development. Notwithstanding the DMP, it is crucial to undertake an accurate and robust assessment of the traffic impacts.

Two HGV routes are identified to/from site, one via Horton Road and the other via Falling Lane. The routes have not been thoroughly assessed in the TA, which is needed to demonstrate suitability for the proposed use. Furthermore, swept paths are provided for only part of the proposed routes, showing turning manoeuvres at the point of access, High Street/Tavistock Road junction, and High Street/Horton Road junction.

Turning manoeuvres at the junction of Tavistock Road/High Street/Station Approach are analysed through swept paths for a 16.5m long articulated vehicle and a 11m long rigid vehicle. There are a number of deficiencies in the swept paths such as the absence of error margins, vehicle positioned too close to the kerblines, vehicles in path of other traffic, and impracticality of driving over land immediately east of the site access that is usually occupied by parked vehicles. Notwithstanding the deficiencies, the swept paths show that the turning movement from the south into Tavistock Road is unsatisfactory due to encroaching into the lane of oncoming traffic in Tavistock Road. Swept paths for turning into Tavistock Road from the north are not drawn properly. The manoeuvre shown can only be performed if there is no northbound traffic. Vehicles should be shown to fully enter the right turning lane and positioned suitably before manoeuvring in the gap in the opposing stream of traffic.

Turning movements at the junction of High Street and Horton Road are analysed through swept paths. Again, there are a number of deficiencies in the swept paths relating to the absence of error margins, vehicles positioned too close to the kerb line, vehicles in path of the opposing traffic, and failure to take account of the up-to-date town centre improvements scheme.

It is proposed to control the movements of larger vehicles to/from the north, which will form part of the DMP. The preferred HGV route to A408 is proposed to be via Horton Road, which is identified as being a route through a partially industrialised area with a few frontage residential properties along its length. Whilst it is accepted that lorry movements associated with the proposed development will be better managed than the existing/historic uses, hence reducing the likelihood of HGVs travelling to/from south at the junction of High Street and Tavistock Road, it is important the residual traffic impacts and the proposed lorry routes are assessed in detail.

Estimated Development Vehicle Trip Generation and Impact

MRF: Vehicle profile of the Old Oak Sidings site in Willesden is used to estimate traffic generation for the proposed MRF. Whilst, there is no objection in principle on this approach, however there are a number of concerns regarding lack of transparency of information. The TA does not provide details of how the traffic data was developed/surveyed and the occupancy level of the site when surveyed.

The vehicle profile at the Old Oak Sidings is based on vehicle profile from October 2009 and March 2010 provided by Powerday, where March is not a neutral month. The information shows a monthly average of 37,926 tonnes of imported waste and 18,027 tonnes of exported waste, which equates to 455,112 tonnes and 216,324 tonnes per annum of imported and exported waste respectively. Whereas in comparison, the development proposes 950,000 tonnes of imported waste, which is considerably higher than the Old Oak site.

Notwithstanding the above issues, the numbers of waste related two-way vehicle movements at the Old Oak Sidings are reported to be 13,308 monthly and 493 daily. The reported vehicle movements demonstrate that MRF of a much smaller size than the one proposed, generates high volumes of traffic. A number of assumptions and adjustments are made in the TA to extrapolate the Old Oak vehicle data to try to fit in with the business case assumptions for Tavistock Road, which questions the validity and compatibility of the data used. The assumptions are based on strict controls over delivery/servicing vehicles, requiring a high level of management intervention, which cannot be relied upon for the life of the development.

Traffic generation is estimated on the basis that the development will import 600,000t per annum by road and 350,000t by rail. No details are provided to show how much (if any) materials were transported by rail at the Old Oak site. As commented above, due to the uncertainty associated with the rail mode for transporting materials, for robustness, a sensitivity assessment should be undertaken based on a lower or no use of rail.

The TA includes an estimation of the development HGV trip generation on the basis of estimated trip generation for the MRF site at Hannah Close in Neasden, London.

Vehicle trip generation for the CAS is based on sample sites from the TRICS database with number of bays being the criterion used for estimating trip rates. TRICS output report is not provided, which is required to evaluate and verify estimated trip generation for the proposed CAS.

A first principles approach is adopted to estimate vehicle trip generation for staff. The anticipated times of trip generation are based on the expectation that the 24 hours operation of the site will be separated into 3 shifts of 06:00-14:00, 14:00-22:00, and 22:00-06:00. It is noted that these are expected and not the proposed/actual shift patterns and therefore the actual trip generation times could be different. The shift patterns should be clarified and covered by way of a suitable planning condition/S106 agreement.

The TA estimates that there will be approximately 60 numbers of staff. All the employees are assumed to arrive or depart within 1 hour of the shift starting or finishing. 67% of the 60 estimated employees are expected to travel by car, resulting in 40 car trips within 1 hour of the shift starting or finishing. This equates to 240 two-way car trips associated with staff. Subject to the shift patterns being confirmed, the estimated staff trip generation is considered acceptable.

Vehicle trip generation for the office element is based on sample sites from the TRICS database with GFA being the criterion used for estimating trip rates. There a number of issues concerning the comparability and validation of the selected sample sites and the associated data. Of the five chosen sample sites, except the one located in Merton, all of the others are located within Inner London, where travelling is known to be less car dependent. The selection criteria used for choosing sample sites has not been justified, however it is noted that it includes larger office sites surveyed between Jan 2002 and Oct 2009.

A comparative vehicle trip generation is provided comparing the development's trip generation with the observed unauthorised uses on site and a hypothetical development scenario under B2 use. In light of the issues discussed in connection with the baseline and development trip generation, the results of the comparative assessment cannot be relied upon.

The proposed scenarios are derived through applying the estimated vehicle trip generation to the base model and replacing the trip generation and directional splits of traffic flow to/from the site with the estimated traffic for the proposed development. Considering that there are fundamental issues with the base models and the estimated vehicle trip generation, the proposed scenarios cannot be confirmed to be accurate and robust.

The development site is opened for CAS use on a monthly basis. Observations were carried on a CAS use weekend on 30th and 31st Oct 2010 to record the distribution of traffic arriving and departing the site. A summary of survey results is shown at tables 7.1 and 7.2 of the TA, however the actual survey data has not been provided. The observed traffic distribution is applied to distribute estimated traffic at the site access, which is then amalgamated with traffic distributed on the wider network based on other surveys. Notwithstanding the absence of information on the CAS sample sites for trip generation purposes and the absence of actual survey data to consider validity of the information reported in the TA, there is a high risk of inaccuracies by combining different sets of data. It should be noted that trip generation from the TRICS database is spread between 7am and 9pm, whereas the opening hours of the proposed CAS are not known. If the CAS will operate on reduced hours, it is likely to give rise to higher vehicle trips within individual time periods.

In light of the concerns raised on the baseline and estimated future scenarios, the results of the traffic models cannot be relied upon. Furthermore, the models have not been validated and the diagrams of geometric measurements used to develop the models have not been provided. This information is crucial to assess the accuracy and validity of the models, which will inform the requirement and impact of any associated mitigation measures.

A weekend assessment has not been undertaken, which is required to evaluate the proposed CAS.

Conclusion

In light of the issues discussed above, the application is not considered to be supported by an accurate, robust and comprehensive TA, which is required to demonstrate the highways and transport aspects of development are acceptable.

Comments on Additional Information

Additional highways and transport information was received on 8th November 2013. It is noted that the addendum to the TA is dated February 2012, which is again out-of-date. The information has been reviewed, however it does not address the main concerns raised in the comments above.

In addition to the issues raised on traffic generation and impact, there are still concerns on inadequate assessment of the proposed lorry routes and inaccuracies of swept paths. The additional swept paths show situations detrimental to highway safety and capable of interfering with the flow of traffic. The road safety concerns raised in relation to the site's access also remain.

It should be noted that reference is made to discussions with LBH on HGV routing via Horton Road. However, the Council's comments are reported out of context and are therefore somewhat misleading.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF sets out the Core Planning Principles which should underpin both plan-making and decision-taking. This includes proactively driving and supporting sustainable economic development and supporting the transition to a low carbon future, and encouraging the reuse of existing resources. The Government also encourages the effective use of land by utilising brownfield land.

With regard to delivering sustainable development, paragraph 21 states that investment in business should not be over burdened by the combined requirements of planning policy expectations. In addition, paragraph 22 goes on to state that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

Chapter 4 on promoting sustainable transport states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Paragraph 32 sets out that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

National Guidance relating to waste planning is contained within Planning Policy Statement 10. This indicates that applications for waste sites which are not allocated in the development plan for waste facilities should be considered favourably when consistent with National Planning Policy and the core strategy (development plan).

Policy 5.17 of the London Plan states that The Mayor supports the need to increase waste processing capacity in London. He will work with London boroughs and waste authorities to identify opportunities for introducing new waste capacity, including strategically important sites for waste management and treatment, and resource recovery parks/consolidation centres, where recycling, recovery and manufacturing activities can co-locate.

B. Proposals for waste management should be evaluated against the following criteria:

- a) locational suitability (see LDF preparation paragraphs F and G below)
- b) proximity to the source of waste
- c) the nature of activity proposed and its scale
- d) a positive carbon outcome of waste treatment methods and technologies (including the transportation of waste, recyclates and waste derived products) resulting in greenhouse gas savings, particularly from treatment of waste derived products to generate energy
- e) the environmental impact on surrounding areas, particularly noise emissions, odour and visual impact and impact on water resources
- f) the full transport and environmental impact of all collection, transfer and disposal movements and, in particular, the scope to maximise the use of rail and water transport using the Blue Ribbon Network.
The following will be supported:
- g) developments that include a range of complementary waste facilities on a single site
- h) developments for manufacturing related to recycled waste
- i) developments that contribute towards renewable energy generation, in particular the use of technologies that produce a renewable gas
- j) developments for producing renewable energy from organic/biomass waste.

C. Wherever possible, opportunities should be taken to provide combined heat and power and combined cooling heat and power.

D. Developments adjacent to waste management sites should be designed to minimise the potential for disturbance and conflicts of use.

E. Suitable waste and recycling storage facilities are required in all new developments.

In terms of point 5.17 B (f) the Council's Highway Officer has raised significant concern that the applicants assessment of highway impacts is seriously flawed. There is not evidence to show that the proposed development would not result in unacceptable impacts on the local road network.

In terms of Local Planning Policy the site is located within a designated Industrial and Business Area (IBA) and Policies LE1 and LE2 of the Hillingdon Unitary Development Plan (September 2007) seek to retain land within these areas for B1, B2, B8 and

appropriate sui generis uses.

Policy LE1 of the Local Plan part 2 states that:

All proposals for industry (B2), warehousing (B8) and business (B1) development will be assessed by taking into account other policies of this plan and, where appropriate, the following considerations:-

- (i) whether the proposal conflicts with the local planning Authority's overall objective of securing the development or regeneration of an area;
- (ii) outstanding unimplemented planning permissions, development under construction and vacant floorspace elsewhere in the plan area;
- (iii) the availability and capacity of public transport facilities to serve proposals for employment intensive uses;
- (iv) the ability of the road system, as existing or taking due Account of committed improvements, to accommodate at normal peak hours the additional traffic generated;
- (v) whether any proposal for major development will create unacceptable demands for other land to be developed (for example, to provide for new housing or community facilities);
- (vi) the provision for access by people with disabilities and other accessible facilities both to and within buildings.

In terms of point iv (ability of road network to accommodate additional traffic at peak hours) it is considered that for the reasons set out in part 7.10 of this report the proposed development would have unacceptable and severe impact on the local road network particularly at peak times which already see high levels of congestion in the West Drayton and Yiewsley area particularly Yiewsley High Street.

Policy LE2 requires that Industrial and Business Areas (IBAs) are designated for Business, Industrial and Warehousing purposes (Use Classes B1 - B8) and for Sui Generis uses appropriate in the an Industrial Area. The proposed uses fall within Use Classes B2 - B8. As such the proposals are considered to comply with Policy LE2.

Policy EM11 of Local Plan Part 1 (Strategic Policies) states that The Council will aim to reduce the amount of waste produced in the Borough and work in conjunction with its partners in West London, to identify and allocate suitable new sites for waste management facilities within the West London Waste Plan to provide sufficient capacity to meet the apportionment requirements of the London Plan which is 382 thousand tonnes per annum for Hillingdon by 2026.

While certain types of waste management facility may be considered appropriate within an IBA, it should be noted that the London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames have prepared the draft West London Waste Plan (WLWP).

The Regulation 18 consultation on the draft West London Waste Plan took place in February 2011. Following this consultation work has been ongoing on the plan and has reached an advanced stage. Cabinet authority is being sought in January 2014 to undertake the Regulation 19 consultation on the submission document.

The Old Coal Depot Site on Tavistock Road is not identified within the most recent version of the plan as being required or safeguarded for waste purposes. The plan identified that there is sufficient capacity to meet all waste stream management needs up to 2013,

without waste facilities being provided on this site. However, this document is not yet adopted, and therefore this document carries less weight than PPS10, which indicates that there would not be an in-principle objection subject to compliance with the development plan.

The assessment of the proposal against the development plan is set out in the subsequent sections of this report.

7.02 Density of the proposed development

This is not applicable to this type of development.

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

The proposal site does not lie in an archaeological priority area, Conservation Area, does not contain any listed buildings and is not in an area of special local character.

7.04 Airport safeguarding

Both NERL and Heathrow Airport Safeguarding have been consulted and raised no Safegauarding concerns. No airport safeguarding issues arise from the proposed development.

7.05 Impact on the green belt

Policy BE36 states that areas sensitive to high buildings or structures will only be permitted if they will not mar the skyline, intrude unacceptably into important local views or interfere with aviation or navigation. The site is adjacent to areas to the east, west and north which are considered sensitive to high buildings. Policy OL5 states that development adjacent or conspicuous from the Green Belt will 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. This is reflected in the NPPF, which advises that the visual amenities of the Green Belt should not be injured by development conspicuous from it of a kind that might be visually detrimental by reason of siting, materials or design.

The site is not located within the green belt. However the majority of the northern boundary is bound by a railway line which is a buffer to Green Belt Land immediately to the north of the site. Land to the north of the site is Green Belt. Green Belt is predominantly open land around built-up areas which has the strategic role of defining the edge of London, limiting urban sprawl, preventing neighbouring towns from merging into one another, safeguarding open countryside from development, assisting in urban regeneration and providing areas for open recreational activity.

The site is quite discretely located at the western end of Tavistock Road. It contains a number of what appears to be temporary storage and industrial uses and has an unkept and untidy appearance. It was not developed until the 20th century and comprises made up ground, as the site level was raised by approximately 4m in the 1930s.

The site is bounded by railway tracks to the north, west and south and a wooded area and the Fray's River to the east. Beyond the railway, to the north and west are areas of open space designated as Green Belt and the Garden City, West Drayton Area of Special Local Character (ASLC) lies to the south.

Whilst the development would include one very large new structure, together with smaller buildings and a parking area, it would generally represent an improvement in the overall appearance to the site. The large building would, however, be visible in some views from the Area of Special Local Character, the housing area to the North West and also from the Green Belt. At present a landscaping scheme is proposed for the southern boundary, which should provide additional screening to the ASLC, but further consideration should

be given to the planting and bunding on the other site boundaries. In particular, consideration should be given to the creation of an area of "buffer" planting outside of the new boundary walls, to allow planting to soften their appearance- the walls are proposed to be between 4-6m in height. At present views of the site are filtered by off site trees and vegetation that cannot be controlled as part of this application and hence their presence cannot be guaranteed long term.

Overall, it is considered that the scheme adequately protects the environment in terms of the landscape and Green Belt subject to some further details of boundary planting. It is considered that a mitigation scheme could be secured by way of an appropriately worded condition sufficient to mitigate any potential harm to the Green Belt. On balance, the proposal therefore complies with Policies BE26, BE38, PR23 and OL5 of the Local Plan.

7.07 Impact on the character & appearance of the area

Policies BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Policy BE38 requires new development proposals to incorporate appropriate landscaping proposals.

The proposed buildings would be set within the site and not visible from the street. It must be remembered that this is an industrial site. The site is bounded by railway tracks to the north, west and south and a wooded area and the Fray's River to the east.

Beyond the railway, to the north and west are areas of open space designated as Green Belt and the Garden City, West Drayton Area of Special Local Character (ASLC) lies to the south. Whilst there are three listed buildings to the east and south east of the site and also the West Drayton Green Conservation Area, it is considered that none of these Historic Assets will be affected by the development. The Archaeological Report attached to the application confirms the above and that the likelihood for archaeological finds is low. It also advises that the impact of the new development on the archaeology of the site would be limited to within the depth of the made up ground.

Whilst the development would include one very large new structure, together with smaller buildings and a parking area, it would generally represent an improvement in the overall appearance to the site. The large building would, however, be visible in some views from the Area of Special Local Character, the housing area to the North West and also from the Green Belt.

At present a landscaping scheme is proposed for the southern boundary, which should provide additional screening to the ASLC, but further consideration should be given to the planting and bunding on the other site boundaries. In particular, consideration should be given to the creation of an area of "buffer" planting outside of the new boundary walls, to allow planting to soften their appearance- the walls are proposed to be between 4-6m in height. At present views of the site are filtered by off site trees and vegetation that cannot be controlled as part of this application and hence their presence cannot be guaranteed long term. This could be secured by condition should the application be approved.

Overall, it is considered that the proposed development would have an acceptable appearance within the area, and having regard to the benefits and location within a Industrial Business Area adjacent to a railway of the proposal the scale of the

development is justified and appropriate.

7.08 Impact on neighbours

Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to prevent developments which would be detrimental to the amenity of nearby occupiers by way of their siting, bulk, proximity or loss of light.

There are no residential properties that directly abut the site. The nearest residential properties are in Tavistock Road, some 60m away from the proposed Civic Amenity section of the site. The closest properties to the Waste Recycling Facility are some 75m away. Properties to the South of the site, on the other side of the Great West Mainline railway are some 100m away from the site. The development would be separated from residential properties by a railway on both sides. This separation is considered adequate to ensure the development does not have adverse impacts on the amenity of residential occupiers in respect of dominance or loss of light.

Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that new developments do not have adverse impacts on the amenity of existing residential properties due to loss of privacy.

The proposed Waste Material & Recycling & Recovery Facility building would be between 70m (to the north) and 110m (to the south) from the nearest residential dwellings and would be separated by a railway line in both instances. This is sufficient to ensure no harm to the residential occupiers by loss of privacy. Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Issues relating to air quality and noise (for example noise generated by activities occurring at the site (inside or outside buildings) are dealt with elsewhere in this report.

7.09 Living conditions for future occupiers

This is not applicable to this type of development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The National Planning Policy Framework (NPPF) at Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 35 of NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

London Plan (July 2011) policy 5.17 states that proposals for waste management should be evaluated against the full traffic impact of all collection, transfer and disposal movements. Policy 6.3 notes that Development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. It also requires that development should not adversely affect safety on the transport network.

Local Plan requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states that the LPA will not grant

permission for developments whose traffic generation is likely to (i) unacceptably increase demand along roads or through junctions which are already used to capacity, especially where such roads or junctions form part of the strategic London road network, or (ii) prejudice the free flow of traffic or conditions of general highway or pedestrian safety.

The applicant has submitted a Transport Assessment (TA) dated August 2011. The Council's Highways Engineer has reviewed the TA and advised that it is out of date and raised are numerous fundamental highways and traffic issues, which are reported in full within the internal consultee section of this report (section 6).

Additional highways and transport information was received on 8th November 2013. It has been reviewed and the Council Highways Engineer has advised that the addendum to the TA is also out of date, being dated February 2012 and does not address the main concerns raised on the 2011 TA. It is not considered that the application demonstrates that the scheme would not cause unacceptable highway impacts. It should be remembered that most of the waste (600,000 tonnes) would be transported by road, no doubt by heavy goods vehicles, which would have the potential to radically disrupt the local highway network. There is an objection to the scheme in terms of traffic impacts.

National Planning Practice Guidance notes that Local planning authorities may wish to consult the relevant bodies on planning applications likely to affect transport infrastructure, such as Rail Network Operators where a development is likely to impact on the operation of level crossings. In this case Network Rail were consulted as there is a level crossing on the site. The comments from Network Rail are reported at section 6 of this report, in essence in the absence of a risk assessment and safety works there is a safety concern over the use of the level crossing. There is an objection to the scheme in this regard.

7.11 Urban design, access and security

It is not considered that the development of the site would directly result in any security issues, safety concerns, or anti-social behaviour. Any of these issues resulting from the proposed use would be controlled and dealt with under legislation outside of planning controls.

Urban design and access are dealt with in other sections of this report.

7.12 Disabled access

The proposal seeks to develop a new state-of-the-art Materials Recovery and Recycling Facility. The Design & Access Statement states that 2 accessible parking bays would be provided or 5% of total capacity, with an additional space provided for every disabled employee. Whilst the proposed number of parking spaces may fall below the 10% requirement prescribed by Local Plan policy AM15, the provision is considered to be acceptable in terms of disabled access for the development as proposed.

Overall, the Access Officer is satisfied with the level of facilities provided and as such the scheme is considered to accord with Policies 3.4 and 7.2 of the London Plan July 2011, the Hillingdon Design and Access Statement (HDAS) Accessible Hillingdon and Policy AM15 of the UDP.

7.13 Provision of affordable & special needs housing

This is not applicable to this type of application.

7.14 Trees, landscaping and Ecology

TREES/LANDSCAPING

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things

that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The Council's Trees and Landscape Officer has made the following recommendations:

- i) Prior to development a management plan to eradicate the Japanese Knotweed should be prepared and put into action, in accordance with a methodology approved by the Environment Agency.
- ii) The colour and materials used for the cladding of the building, the roof and all ancillary structures should be selected to be as recessive as possible, in order to reduce the apparent bulk and visual impact on the landscape.
- iii) The selection of plants for inclusion in this scheme should be reviewed and amended in the interests of plant health and bio-security. In particular a Ash should not be planted. A suitable substitute is required.
- iv) A belt of tree planting or native woodland should extend around the west boundary to provide some screening from the Green Belt.
- v) If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

It is considered that if the scheme was to be approved these matters could all be dealt with by way of appropriately worded conditions. As such no objection is raised in this regard.

ECOLOGY

The proposed development is adjacent to a Metropolitan Site of Importance for Nature Conservation. On the site, there are pockets of natural areas that would support the wider SINC. The ecology chapter within the ES reports that approximately 0.25 hectare of woodland and vegetation will be lost.

The Council's Sustainability officer has calculated the loss to be close to 0.4 hectares (mainly a triangular area of land to the north west of the site. Regardless of this, there are a number of mature trees as well as ground scrub to be removed to make way for the development.

The Council's Sustainability Officer has raised concern that the onsite landscaping adequately considers the loss of trees and vegetation nor their relationship with the wider SINC. In particular, the loss of vegetation near to the Frays River is a concern. The lost areas need to be considered as part of the mitigation strategy. There is however insufficient room on the site to fully integrate a sufficient amount of mitigation. The proposed offer by the applicant is therefore inadequate. The only solution to mitigate for the loss of the onsite vegetation and wildlife areas is to provide an offsite contribution as well as providing the minimal onsite measures.

As a consequence a financial contribution to the sum of £30,000 would need to be secured to enable the Council to help manage and enhance existing areas of Little Britain SINC. An ecological enhancement scheme is also required. This could be secured by condition should the application be approved.

7.15 Sustainable waste management

As discussed in the principle section above, this proposal is considered to accord with policy EM11 in Part One of the Hillingdon Local Plan. It entails the reduction of waste going to landfill by the treatment processes involved and will help the borough and its

West London Waste Plan colleagues meet the London Plan policies regarding waste self-sufficiency and increasing waste management capacity in London.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (July 2011) requires development proposals to make the fullest contribution possible to reducing carbon emissions. Major development schemes must be accompanied by an energy assessment to demonstrate how a 25% target reduction in carbon dioxide emissions will be achieved, where feasible.

In accordance with this policy the applicant has submitted an Energy Statement and a Sustainability Checklist to demonstrate how the London Plan objectives will be met. In addition to energy efficient building measures, photovoltaic panels would be provided to provide a portion of the site's energy needs through the use of a renewable energy. These measures would achieve a 26% reduction in carbon dioxide emissions above Part L of the Building Regulations in compliance with London Plan requirements. The applicant is also to include the capture of waste heat as requested by the GLA.

The energy solution focuses on a large photovoltaic array and predominantly reduces the unregulated energy demand. The council's Sustainability Officer has raised no objections to this approach and supports the principle. The development must proceed in accordance with the submitted 'Sustainable Energy Statement, Silcock Dawson and Partners, V1.2, April 2013'. This could be secured by condition.

London Plan policy 5.11 states that major development proposals should provide green roofs. 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. Whilst the development does not propose any living walls or green roofs it is considered that this could be achieved by way of an appropriately worded condition.

Subject to the imposition of relevant conditions on any consent, the proposed scheme is considered to comply with relevant London Plan policies, and the Council's Sustainability Officer does not raise any objections to the proposal, subject to the scheme being carried out in accordance with the submitted energy statement and details of living walls/roofs being submitted.

7.17 Flooding or Drainage Issues

A very small area of the site access road, (effectively the area covered by level crossing over the railway) lies within flood zones 2 and 3. No other part of the site is within a flood zone. It noted that Network Rail have raised a question in relation to drainage affecting the railway line.

A Flood Risk Assessment was submitted with the application. This was assessed by the Environment Agency, who have raised an objection in relation to surface water drainage. However, the Council's own Flooding and Water Management Specialist has also assessed the Flood Risk Assessment and found it to be acceptable. It should be noted that since the Environment Agency commented on this application, a Framework Agreement has been agreed between the EA and Hillingdon giving the Council's Flood Risk & Water Management Specialist sole responsibility for all Flood Risk related issues thus removing the need to consult the EA on such matters. Given this, it is considered that the Council's Flood Risk & Water Management Specialist's flood risk comments are take precedent.

The Council's Flood Risk & Water Management Specialist is of the view that appropriate

drainage can be secured by conditions application cannot be refused on these grounds. As such no objection has been raised in relation to flood risk subject to a water management condition. The application is therefore considered to be acceptable in this regard.

7.18 Noise or Air Quality Issues

AIR QUALITY

The main problem with the air quality stems from the inadequacy of the transport assessment (TA). Comments from the Highways Officer detail the main faults with the TA. As there is some dispute about the impacts on transport, it is not possible to determine the impacts on air quality. The primary problem is that the applicant is using data collected from a single day in 2008 to compare the traffic generated from the new development.

The applicant claims that the traffic generation from the new development has been tailored to reflect the 2008 survey count, and is conveniently almost identical with only three vehicle movements different.

This allows the applicant to present a case that the proposed development has a negligible impact. The Council is not in position to agree with this assessment and therefore not able to judge how the traffic movements, particular regarding HGVs, are different before and after the development.

Notwithstanding the problems with the TA, there are some inherent problems with the Air Quality Assessment.

Of particular concern is the modelled baseline data that shows Yiewsley High Street to be significantly failing EU Emissions Objectives. The air quality in this area as a damaging impact with respect to health and must be treated as highly sensitive.

The applicant then presents a case that regardless of whether the development happens or not, there will be nearly a 15% improvement in air quality from 2011 to 2015. The Council queries the starting baseline as being very high and the reduction in 4 years as being highly questionable. Furthermore, the application was submitted in 2013, half way through their suggested period of significant reduction. The data should therefore have been updated with a new projection set for the future years.

With respect to the above, it is not possible to make an informed decision on the air quality impacts from the proposed development. Given the significantly poor air quality presented by the applicant in this area, it is necessary to determine the impacts prior to determination. If the improvements in air quality are not as they have been presented, then the development may need to be altered to be viable.

Firstly, the 47.6 2011 figure (as existing) is unusually high. The Council's modelled data has this considerably below this figure. This is an important part of the assessment as it is effectively the starting point. An over inflation of this figure would allow future developments to be presented as improving the situation.

Secondly, the assessment shows that with no intervention or improvements, there would be nearly 12% worth of improvement. Again this is highly unlikely. Regardless of this, what the assessment concludes is that because the proposed transport is the same as existing, there is unlikely to be change in air quality levels.

There is no suitable justification for the significantly high baseline, or the subsequent drop. Nonetheless the modelled data shows that Yiewsley High Street is exceeding minimum air quality standards and cannot be determined as a negligible impact.

The applicant needs to refine the transport assessment using more sufficiently robust and accurate data. In particular, greater clarity and assessment of the amount of HGVs including the presumed impact of the rail. HGVs are considerably more polluting than light vehicles and need to be given appropriate attention in the assessment.

An improved TA will then need to inform a more suitable air quality assessment that accurately reflects the existing situation and adequately qualifies the current air quality problems. The applicant will then need to tailor mitigation, changes to operation and throughput of waste to reflect the impacts on air quality.

NOISE

In order to reduce the adverse noise and vibration impacts at the closest residential properties close to the vicinity of the site, the following measures form part of the proposed scheme:

i) The structural steel frame of the building will have no rigid structural connections to the internal plant. This will reduce the vibrational energy transferred to the structure and thus reduce any noise re-radiated by the cladding. Where structural support of the plant is provided by the concrete push wall, the connection will be made using anti-vibration pads if this is anticipated to provide a benefit in terms of noise impact.

ii) A 4 m high acoustic barrier in addition to that proposed in the scheme may be provided between the freight siding and the Lafage site. This will reduce noise impact on properties to the south of the development site from activity relating to the freight train.

iii) An extension of the 4 m high acoustic barrier which is located along the western site boundary, and an additional 6 m high acoustic barrier may be erected along part of the northern boundary as appropriate. This will reduce predicted noise levels at properties to the north and north-east of the site due to yard activity and the opening of the C&D building when doors are opened to permit access.

It is considered that the proposed measures would likely mitigate any noise and vibration resulting from HGV deliveries, internal loading/unloading and processing of recycling materials. The Council's Noise Officer has reviewed the application. No objections have been raised in this regard. Conditions have been recommended by the EPU Noise Officer in the event that application is approved limiting future noise levels and requiring further details of noise and vibration mitigation measures particularly for all external works, including the loading and unloading of trains and the external recycling works including the concrete crushing and timber shredding.

7.19 Comments on Public Consultations

All the issues raised have been taken into account in the assessment of the proposals and are reflected in the reasons for refusal or this report itself. The concerns raised by residents, politicians, local groups and local businesses into a number of categories. These are Highways concerns (including traffic congestion and safety of road users and pedestrians), health concerns stemming from the perceived pollution impacts of the scheme, noise issues and suitability for the site for a Waste Recycling Facility. These concerns have been taken into account, particularly in the Principle of Development section of the report, the Traffic Impact section, Impact on Neighbours and Noise or Air

Quality Issues sections as well as throughout the remainder of the report.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees, including the Greater London Authority and Transport for London. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development:

1. Highways: either a s278 and or s38 agreement may be required to address any and all highways matters arising from the proposal.
2. Environmental mitigation: depending upon further comments received there may be the need for environmental mitigation measures in the form of a financial contribution or delivery of measures this will be dependent upon comments received from EPU, sustainability and ecology.
3. Air Quality: in line with the SPD and given the location of the proposal it is likely that EPU will seek a contribution towards air quality mitigation. Please liaise with EPU in the first instance.
4. In the event that a s106 agreement is entered into then a financial contribution equal to 5% of the total cash contributions should be secured to enable the management and monitoring of the resulting agreement.

Overall, it is considered that the level of planning benefits sought would be adequate and commensurate with the scale and nature of the proposed development. However the S106 has not been signed and as such the proposal fails to accord with Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.21 Expediency of enforcement action

None.

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

The proposed scheme does not accord with relevant National, Regional and local Plan Policies. Whilst it is generally acceptable in terms of appearance, impact on the visual character of the area and disabled access provisions, it fails to demonstrate that the development would be acceptable in terms of highway and transport impacts as well as air quality.

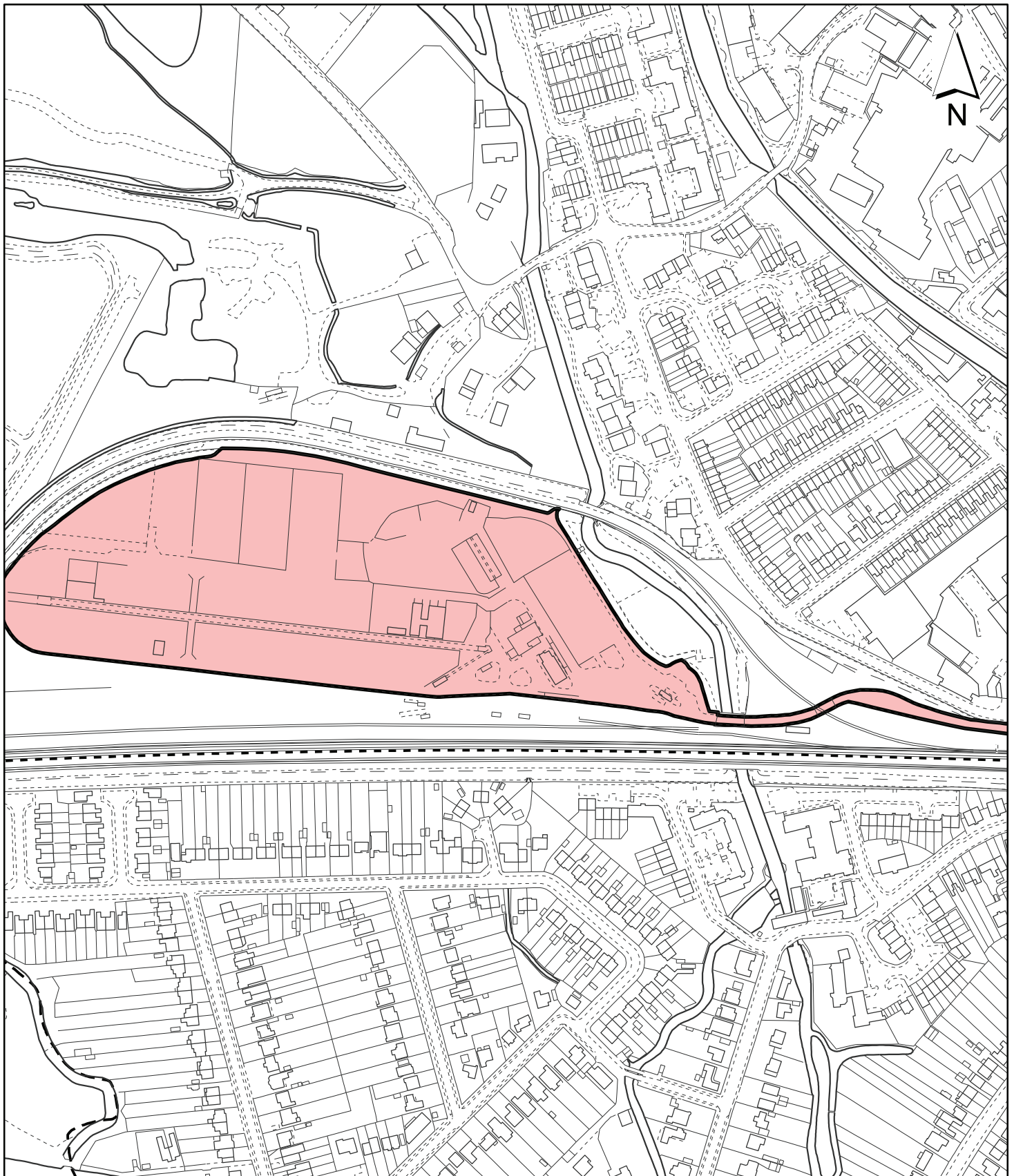
The application is therefore contrary to policies LE1, AM7, AM11 and R17 of the Local Plan Part 2 and policies 2.6, 4.1, 4.12, 6.2, 6.3, 6.4, 6.7, 7.1 and 7.14 of the London Plan (July 2011) and paragraph 32 of the NPPF, and is recommended for refusal.

11. Reference Documents


Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
PPS10: Planning for Sustainable Waste Management
Draft West London Waste Plan
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

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Notes

 Site boundary

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Planning Application Ref:
18736/APP/2013/1784

Scale
1:3,500

Planning Committee
Major Application

Date
**December
2013**



HILLINGDON
LONDON