

Report of the Head of Planning, Sport and Green Spaces

Address FORMER ARLA FOOD DEPOT VICTORIA ROAD RUISLIP

Development: Demolition of existing buildings and redevelopment of site to provide a foodstore with ancillary cafe (total floor area of 8,539sqm) (Class A1) and ancillary petrol filling station, cinema (floor area of 5,937sqm) (Class D2), 5 x restaurant units (total floor area of 2,405sqm) (Class A3), 4 x shop units (total floor area of 382sqm) (Class A1 and/or A2), and residential development consisting of 104 units (21 x 1-bed flats, 67 x 2-bed flats, 12 x 3-bed houses, 4 x 4-bed houses), together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

LBH Ref Nos: 66819/APP/2013/1467

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Date Plans Received:	03/06/2013	Date(s) of Amendment(s):	11/10/2013
Date Application Valid:	03/06/2013		03/06/2013
			21/01/2014

1. SUMMARY

The application seeks full planning permission for the demolition of the existing buildings and redevelopment of the site to provide a foodstore with ancillary cafe (total floor area of 8,539sqm) (Class A1) and ancillary petrol filling station, cinema (floor area of 5,937sqm) (Class D2), 5 x restaurant units (total floor area of 2,405sqm) (Class A3), 4 x shop units (total floor area of 382sqm) (Class A1 and/or A2), and residential development consisting of 104 units (21 x 1-bed flats, 67 x 2-bed flats, 12 x 3-bed houses, 4 x 4-bed houses), together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

The site has an extensive planning history up until 2005 for its use as a dairy factory. The site has been vacant since then.

710 local residents, businesses and local amenity groups were consulted initially in June 2013, and re-consulted on receipt of further information in October 2013. A total 43 individual letters of objection and a petition have been received, objecting to the planning application, primarily on the grounds of increased traffic generation and traffic congestion at the Victoria Road/Long Drive junction and the surrounding road network. Issues relating to the scale of the development, air quality, impact on retail provision and flooding have also been raised. In addition, 121 letters of support and a petition in support of the application have been received. Given the scale of the development, the

application is referable to the Mayor of London.

In terms of retail impact, it is considered that the proposal would be likely to have an unacceptable impact on town centres and committed development within the relevant catchment areas. In addition, the application has not sufficiently demonstrated that the development would not have significant adverse impacts on the free flow of the highway network and on highway or pedestrian safety.

The application would also result in a poor living environment for future occupiers of the residential units by reason of the layout of the site and the proximity of residential units to the late-night commercial uses of the site. Landscaping and tree planting is also not considered to be sufficient for such a comprehensive redevelopment.

As such, it is recommended that the application be refused.

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 following reasons:

1 NON2 Retail Impact

The retail component of the development does not accord with the sequential approach set out in the NPPF, and it is considered that the proposal would be likely to have an unacceptable impact on the borough's hierarchy of town centres, and on committed development within the relevant catchment areas. The proposal is therefore contrary to policies E4 and E5 of the Hillingdon Local Plan Part 1, Policies 2.15, 4.7, 4.8 and 4.9 of the London Plan (July 2011), Policy PR23 of the Hillingdon Local Plan Part 2 and the provisions set out in the National Planning Policy Framework.

2 NON2 Retail Scale

The scale of the development would result in the existing local centre increasing in scale to that of a centre with more retail floorspace than other Major Town Centres within the borough. This would result in impacts on other centres within, and outside the borough (Harrow) in terms of trade draw. The proposal is therefore contrary to policies E4 and E5 of the Hillingdon Local Plan Part 1, Policies 2.15, 4.7, 4.8 and 4.9 of the London Plan (July 2011), Policy PR23 of the Hillingdon Local Plan Part 2 and the provisions set out in the National Planning Policy Framework.

3 NON2 Highways

The application fails to demonstrate that the proposed development would not result in detrimental traffic impacts (in particular the Victoria Road / Long Drive junction). The proposal is therefore contrary to policy AM7 of the Hillingdon Local Plan Part 2 and policies 6.3, 6.11 and 6.12 of the London Plan (July 2011).

4 NON2 Noise Impact - Proposed Properties

The layout of the proposed development, by reason of the proximity of Block D to the restaurant units, and the siting of Blocks B, C, D, F, G and H along the main pedestrian route from the supermarket, cinema and restaurants to the local centre and underground station, would result in an undue noise impact on the occupiers of these residential properties, which would be detrimental to the living conditions of the prospective occupants of the development. The proposal is therefore contrary to policies OE1 and

OE3 of the Hillingdon Local Plan Part 2, and policy 7.15 of the London Plan (2011).

5 NON2 Noise Impact - Existing Properties

In the absence of acceptable screening, enclosures, or mitigation measures regarding the control of noise from the site, in respect of Restaurants 1-3, in relation to the nearby residential properties, the application has failed to demonstrate that the development will safeguard the amenities of those properties. The proposal is therefore contrary to policies OE1 and OE3 of the Hillingdon Local Plan Part 2, and policy 7.15 of the London Plan (2011).

6 NON2 Outlook

The proposed development, by reason of the size, design and position of Restaurants 1-3, would result in an unacceptable overbearing impact upon the rear of Block D, and would result in the loss and outlook and an increased sense of enclosure to the rear windows of Block D, which would adversely affect the amenity of the future occupiers of the Block D. The proposal is therefore contrary to policies BE20, BE21 and BE22 of the Hillingdon Local Plan Part 2.

7 NON2 Trees and Landscaping

The proposed development, by reason of its failure to demonstrate adequate planting and landscaping proposals that would soften the visual impact on those who will live nearby, mitigate the loss of the line of Lombardy Poplars, improve local tree cover, or mitigate the visual impact of the large areas of hardstanding across the site, would result in a development that would be detrimental to the visual amenity and arboreal / character of the area. The proposal is therefore contrary to policy BE38 of the Hillingdon Local Plan Part 2.

8 NON2 Planning Obligations

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of Off site Highways Works, Travel Plans, Public Transport, Employment Training, Construction Training, Public Realm, Open Space, Affordable Housing, Education, Health, Library Facilities, Air Quality and Project Management and Monitoring). The scheme therefore conflicts with policy R17 of the London Borough of Hillingdon Local Plan Part 2, and the adopted Supplementary Planning Document 'Planning Obligations'.

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.

AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
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
AM10	Incorporation in new developments of additions to the proposed cycle network
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
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.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
H4	Mix of housing units
H5	Dwellings suitable for large families
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE6	Major officer and other business proposals in town centres Protection of the character and amenities of surrounding properties

OE1	and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 2.15	(2011) Town Centres
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 4.1	(2011) Developing London's economy
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 4.9	(2011) Small Shops
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure

LPP 6.6	(2011) Aviation
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.12	(2011) Road Network Capacity
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.7	(2011) Location and design of tall and large buildings
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 8.2	(2011) Planning obligations

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NPPF

In this case the Local Planning Authorities has worked proactively with the applicants to try and secure a development that improves the economic, social and environmental conditions of the area.

3. CONSIDERATIONS

3.1 Site and Locality

The application site covers 5.56 hectares. It forms the majority of the former Express Dairies depot which has been disused for a number of years. A number of vacant large industrial buildings are currently located on the site. The balance of the depot, 1.98ha to the rear of the vacant retail warehouses on Victoria Road (known as the 'Aviva' site), has been safeguarded for the potential HS2 project. The application site also includes the existing entrance to the Aviva site which is being 'stopped up', with a new shared access with the dairy proposed.

The site is located adjacent to Victoria Road in South Ruislip and adjoins the South Ruislip Local Centre which contains a range of shops and community facilities including a large Sainsbury's food store. The site lies within a predominantly residential area, with a suburban character of 3 storey residences and local centre shops.

To the south and west of the site is South Ruislip station on the Central Line of the Underground, and the Chiltern Line railway link from Marylebone to Birmingham. To the north of the site lies Victoria Road, a mature tree lined road which provides the main access into the site. The character of the road is residential, with of three storey housing with garages at ground level, slate pitched roofs and cream brickwork, located between the road and the site. The opposite side of Victoria Road is also predominantly residential with brick built 3-storey housing with pitched roofs. The residential areas are interrupted with a petrol filling station, a church and shops.

Beyond the southern boundary of the site lies Long Drive which links Victoria Road to South Ruislip Station. Between the road and the site at the corner of the junction are retail units, with apartments over dating from the 1960s. The Ramada Hotel and the Middlesex Arms Public house have frontage to Long Drive but back onto the site. A pedestrian link is proposed from Long Drive, between the public house and the terrace of retail units.

The north-west boundary is formed by the Aviva site comprising the former Focus and Land of Leather retail units with associated car parking, together with the access from Victoria Road. The application proposals include the remodelling of the access and car parking arrangement to these retail units.

The southwest boundary comprises the railway and industrial buildings. The proposed HS2 link out of London will run in a tunnel parallel in part with the site boundary and the existing railway line. The buildings proposed avoid the safeguarded area of the HS2 route. RAF Northolt lies further to the southwest.

3.2 Proposed Scheme

The application seeks full planning permission for the demolition of the existing buildings and redevelopment of site to provide a foodstore with ancillary cafe (total floor area of 8,539sqm) (Class A1) and ancillary petrol filling station, cinema (floor area of 5,937sqm) (Class D2), 5 x restaurant units (total floor area of 2,405sqm) (Class A3), 4 x shop units (total floor area of 382sqm) (Class A1 and/or A2), and residential development consisting of 104 units (21 x 1-bed flats, 67 x 2-bed flats, 12 x 3-bed houses, 4 x 4-bed houses), together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

The application proposals comprise a comprehensive mixed-use scheme of re-development including specifically:

- Asda Foodstore including ancillary customer cafe (8,539sqm gross /4,554sqm sales area) (Use class A1) together with an associated petrol filling station
- Cineworld- 11 screen multiplex cinema (5,937sqm gross) (Use class D2)
- 5 'family themed' restaurants (total 2,405sq.m) (Use class A3)
- 4 shop units (total 365sqm GEA) (Use class A1 and/or A2)
- 104 dwellings including affordable units.

The associated works proposed as part of the application can be summarised as:

- Demolition of existing dairy related structures (an application for the prior approval of the buildings has been decided by the Council, with prior approval not being required)
- The provision of a new pedestrian access from Long Drive providing a pedestrian route through the site from South Ruislip local centre to the proposed food store, cinema and restaurant uses
- A detailed scheme of hard and soft landscaping including the development of a landscaped seating area outside the proposed cinema and restaurant units (the 'piazza') and the formation of a new public square ('Arla Square') at the pedestrian entrance to the site from Long Drive, around which the proposed 4 shop units will be located
- The creation of a new main vehicular and pedestrian access into the site from Victoria Road to be shared between the Arla site and the adjacent retail warehouses (the 'Aviva' site)
- The stopping up of the existing Aviva access road and the reconfiguration of the car park layout to the retail warehouses
- Provision of 564 Car parking spaces part of which will be predominantly under-croft and

for the use of the customers of the food store, cinema and restaurant.

The commercial elements are proposed to the north-western side of the site, and comprises the supermarket, cinema, and two restaurants in one large building, with a further three restaurant units located across the 'piazza'. The petrol station is proposed to the western corner of the site.

The proposed vehicle access to the main commercial elements of the site is a proposed new access combined with the 'Aviva' site. This provides the access to the main car park and would also provide the access to the petrol station, and the servicing access to the supermarket and cinema.

Four additional, smaller retail units are proposed at ground floor level of the residential block to the southeast of the site.

With regard to the proposed housing, the mix of 104 units is proposed as follows:

21 x 1-bed 2-person flats
6 x 2-bed 3-person flats
61 x 2-bed 4-person flats
12 x 3-bed 5-person houses
2 x 4-bed 6-person houses
2 x 4-bed 7 person houses

22 units (5 x 1-bed, 13 x 2-bed, 3 x 3-bed, 1 x 4-bed) are proposed as Social Rent, and 15 units (4 x 1-bed, 10 x 2-bed, 1 x 3-bed) are proposed as Intermediate units, resulting in a total provision of affordable housing units of 35.6%.

The application provides a total of 4079.19sqm public and private amenity space for the residential units. This comprises private gardens for flats and houses at ground floor level, together with shared amenity space and children's play areas at ground floor level and roof level, and private balconies for flats at upper levels. Car and cycle parking is provided for each residential unit. The residential units are accessed via the existing access to the site which will be retained from Victoria Road.

3.3 Relevant Planning History

Comment on Relevant Planning History

The site has an extensive planning history for its previous use as a dairy. The most recent planning approval on the site was in 2003. The planning history is not specifically relevant to this application.

The site has been vacant since the dairy closed in 2005, although the buildings and structures on the site remain.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Residential Layouts
Hillingdon Supplementary Planning Document - Residential Extensions
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise

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.CI1	(2012) Community Infrastructure Provision
PT1.CI2	(2012) Leisure and Recreation
PT1.E1	(2012) Managing the Supply of Employment Land
PT1.E5	(2012) Town and Local Centres
PT1.E7	(2012) Raising Skills
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM4	(2012) Open Space and Informal Recreation
PT1.EM5	(2012) Sport and Leisure
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.EM11	(2012) Sustainable Waste Management
PT1.H1	(2012) Housing Growth
PT1.H2	(2012) Affordable Housing
PT1.T1	(2012) Accessible Local Destinations
PT1.T3	(2012) North-South Sustainable Transport Links

Part 2 Policies:

AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
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
AM10	Incorporation in new developments of additions to the proposed cycle network

AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
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
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BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC2	Nature conservation considerations and ecological assessments
H4	Mix of housing units
H5	Dwellings suitable for large families
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
LE6	Major office and other business proposals in town centres
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures

R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 2.15	(2011) Town Centres
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.6	(2011) Children and young people's play and informal recreation (strategies) facilities
LPP 3.7	(2011) Large residential developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 3.10	(2011) Definition of affordable housing
LPP 3.11	(2011) Affordable housing targets
LPP 3.12	(2011) Negotiating affordable housing (in) on individual private residential and mixed-use schemes
LPP 4.1	(2011) Developing London's economy
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 4.9	(2011) Small Shops
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.6	(2011) Decentralised Energy in Development Proposals
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.6	(2011) Aviation

LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.12	(2011) Road Network Capacity
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.5	(2011) Public realm
LPP 7.6	(2011) Architecture
LPP 7.7	(2011) Location and design of tall and large buildings
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 8.2	(2011) Planning obligations

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **1st July 2013**

5.2 Site Notice Expiry Date:- **1st July 2013**

6. Consultations

External Consultees

Consultation letters were sent to 710 local owner/occupiers on 10/06/2013. A re-consultation was carried out on 22/10/2013 following the receipt of amended plans. The application was also advertised by way of site and press notices. The applicant also undertook publicity of their own during the course of the application.

At the time of the preparation of this report, 125 letters, and a petition of 52 signatures have been received in support of the application. It should be noted, that a number of the letters of support were subject to traffic and parking issues being satisfactorily addressed.

43 letters of objection, including a letter of objection from a local supermarket, and a petition of 41 signatures, have been received which raise the concerns summarised below:

- i) The proximity of the site to another supermarket (which has permission to be extended)
- ii) Traffic problems, congestion in the area, impact on Victoria Lane / Long Drive junction
- iii) Littering
- iv) No need for a petrol station given the proximity of existing petrol station
- v) Loss of privacy/overlooking
- vi) Disturbance from traffic entering / leaving site past residential properties
- vii) Late hours of operation and resulting disturbance (on both existing and proposed residential units)
- viii) Entrance to site should be from Long Drive
- ix) Noise and pollution from increased traffic

- x) Overcrowding and impact on infrastructure (eg. Schools)
- xi) Impact on safety and security / anti-social behaviour
- xii) Potential parking pressure and on-street parking
- xiii) Construction / demolition nuisance, pests
- xiv) Impact on cycle safety
- xv) No proposed improvement to the local highway network
- xvi) Impact on local centre and residential area from customers drawn from larger catchment
- xvii) Incorrect use of IBA land, and unsuitable replacement use for site
- xviii) Increased noise and impact on amenity
- xix) Development more like a retail park and not suited to a town centre
- xx) No requirement for more housing in area
- xxi) Inadequate car parking numbers
- xxii) Development should include community facilities, sports/gym facilities, health centre, more shops, better restaurants.
- xxiii) Impact on existing town centre, character and local shops
- xxiv) Application fails to demonstrate need / capacity to support the scale of retail floorspace proposed
- xxv) Impact on viability of other supermarket in centre, resulting in loss of investment to town centre
- xxvi) Lack of town centre need / capacity would result in noticeable impacts on existing town centre facilities
- xxvii) A number of objections relating to the assessment of the retail aspects of the proposal.

OTHER CONSULTEES:

GREATER LONDON AUTHORITY:

London Plan policies on retail, leisure, housing, affordable housing, play and informal recreation, urban design/housing quality, access and inclusive design, sustainable energy, and transport are relevant to this application. The application complies with some of these policies, but not with others, for the following reasons:

Retail:

(i) Sequential Test - The approach adopted for the sequential test is of concern given the application grouping the retail store together with the Multiplex cinema and restaurants as the planning unit tested against identified sites. The applicant should separate the retail store from the rest of the development and re-run the sequential assessment. It is requested that Hillingdon Council provide its own local assessment of the site options within the borough and furthermore engage with Harrow Council on sites within the catchment area. This is to provide a clear guide on each of the sequential sites rejected by the applicant and aid the strategic assessment of the development proposals.

(ii) Test of Scale - South Ruislip would have approximately 24,453sqm (gross) of convenience/comparison floorspace, and 10,194sqm (gross) of leisure/services floorspace and a total of 34,647sqm (gross). This would result in floorspace terms would make it the second largest centre in the borough of Hillingdon based on gross floorspace. This raises particular concern in relation to potential impacts of such an increase in centre floorspace on other defined district centres.

The analysis indicates the potential impact of the level of retail/leisure floorspace on the London Plan strategic network. The proposed retail/leisure floorspace, in addition to the existing Sainsbury's supermarket, would require South Ruislip to have district centre status. In this context, it is requested the Hillingdon Council undertake its own analysis based on current data and compare the GLA estimate to the retail profile in table 6.18 retail profile all centre (GEA) in the Convenience Goods Retail Study Update 2012 and also include leisure floorspace in this

assessment.

(iii) Assessment of Impact - The assessment of impact raises concerns over adverse/severe adverse impact on vitality and viability of centres in Hillingdon and Harrow and potential investment in these centres. Hillingdon Council should undertake a thorough review of the findings of the retail impact assessment on retail centres in both Hillingdon and Harrow and engage with Harrow Council in completing this assessment.

Leisure:

It is requested that Hillingdon Council assess the need for such a substantial increase in leisure floorspace within the north of the borough and provide detail of any centres and related proposals that could be potentially impacted upon by the proposed development in South Ruislip. This in particular should relate to the issue of scale of development relative to the size of South Ruislip.

The approach adopted for the sequential test is of concern given the applicant grouping the retail store together with the Multiplex cinema and restaurants as the planning unit test against identified sites. The applicant should separate the cinema and restaurants from the retail store and re-run the sequential assessment. It is requested that Hillingdon Council provide its own local assessment of site options within the borough and furthermore engage with Harrow Council on sites within the catchment area. This is to provide a clear guide on each of the sequential sites rejected by the applicant and aid the strategic assessment of the development proposals.

Housing:

The reduction in housing numbers since the pre-application stage is disappointing in context of the current London wide housing need, and it is requested the applicant explain why such a reduction in housing numbers has occurred, or alternatively the applicant should increase the density and number of residential units.

Affordable Housing:

This proposal includes a total of 38 affordable units of which 17% of the social rented units have three or more bedrooms. The applicant is requested to increase the percentage of three or more bedroom affordable units within its proposals; The finalised level of affordable housing provided by the applicant will need to be justified through a viability assessment using the GLA/Three Dragons Toolkit and Hillingdon Council should have its findings independently assessed.

Play and informal recreation:

The applicant has used the GLA's online tool to calculate the amount of play space required on the site and this is set out in its landscape strategy and this is welcome. The off-site provision which is within 800 metres of the site for the 12+ age group is a reasonable solution, but in accepting this solution the applicant should contribute to the enhancement of available facilities given the constrained nature of the on-site provision.

Urban Design:

Although the development proposals have been substantially revised since the pre-application stage, there are continued concerns over the overall approach to the masterplan layout and in particular how the food store, Multiplex cinema and restaurants integrate with the local centre on Long Drive; the new street proposal is welcome, but there remain issues with the quality of enclosure in particular where the foodstore / cinema car park provides an edge to the street; the final option for the pedestrian linkage to Long Drive needs to be confirmed before Stage 2 referral and this should demonstrate the highest quality solution; the residential design quality requires further work by the applicant as some units are not compliant with GLA space standards and ground floor units should have individual entrances to increase street activation. All residential units should comply with London Plan table 3.3 minimum space standards for new development and this compliance should be secured by condition.

Access and Inclusive Design:

The agreed adoption of Lifetime Homes Standards and 10% wheelchair accessible units should be secured by condition; the applicant should provide additional clarification and amend plans as requested.

Sustainable Energy:

The applicant should provide additional information and clarification as requested.

Transport:

The applicant should provide additional information and clarification as requested. In particular trip rates, mode share, highway and passenger transport assessments, cycle and walking, travel plan, CLP and DSP will need to be resolved before the application can be considered in line with the transport policies set out within the London Plan 2011.

The application does not comply with the London Plan.

TRANSPORT FOR LONDON:

Site Location

The site is bound by residential buildings on the northeast side which front Victoria Road and to the southwest by land adjacent to the rail lines of the Chiltern mainline adjacent to which lies the Central line of the London Underground. Victoria Road meets Long Drive at a four arm signal controlled junction to the east of the site.

The nearest road on the Transport for London Road Network is the A40 which is approximately 1km to the south of the site and there are no roads on the Strategic Road Network close to the site.

South Ruislip Station is located approximately 150m from the southeast corner of the site and is served by the Central Line of the London Underground and by Chiltern rail services to London Marylebone Station.

One local bus service serves the site along Victoria Road, the 114, which runs between Ruislip and Mill Hill Broadway. The E7 runs along West End Road approximately 700m southwest of the site which connects between Ruislip and Ealing Broadway. As such the Public Transport Accessibility Level (PTAL) rating is a moderate 3 on a scale of 1 to 6.

Site Access:

The existing Aviva access road will be stopped up and a new vehicular and pedestrian access into the site from Victoria Road will be created. These works will include the removal of the traffic signals at the Victoria Road / West Mead junction. The West Mead junction would revert to a priority junction with a new pedestrian refuge island on Victoria Road to provide for pedestrians crossing Victoria Road to the bus stop. Furthermore, a new traffic signal junction to serve the new development with wider carriageway and footways and provision for new staggered pedestrian refuge islands will be constructed.

The submitted plan T5 includes swept path analysis of an 18.5 semi-trailer; the worst case scenario. This is welcomed, however TfL have a number of concerns. On two occasions the swept path encroaches upon a cycle lane; once when a HGV is approaching the site from the south, turning left into the site and again when a HGV is exiting the site, turning right and then subsequently travelling south. Also of concern is the turning left movement, out of the site and then travelling northbound as the HGV egresses the right turn only lane.

TfL therefore expects the applicant to amend the junction arrangements in light of the above comments as at no point should HGV movements encroach upon other road users.

Car parking:

It is proposed that there will be 564 commercial car parking spaces on site. The commercial car park will include ten electric vehicle charging points (EVCPs). A further 46 spaces will be provided with passive infrastructure. The applicant should note that these proposals do not meet the London Plan minimum requirements and therefore an additional 46 active and ten passive bays will be required to ensure full conformity.

It is proposed that there would be 120 residential parking spaces which equates to 1.15 spaces per residential unit. This exceeds the London Plan maximum standards and taking into consideration the site's moderate access to public transport and level of congestion in the area TfL requests that the quantum of car parking be reduced to a maximum of 100 spaces. EVCPs will also need to be provided for the residential parking in accordance with the London Plan minimum standards.

The applicant should clarify the number of blue badge spaces proposed to cater for the residential units as this is not evident within the submission material. The applicant should be aware that the London Plan Housing SPG requires one blue badge space per each wheelchair accessible bay.

For the above reasons the proposed parking provision is not in line with London Plan Policy 6.13 'Parking'.

A draft car parking management plan has been included within the Transport Assessment (TA) which is welcomed. TfL are generally satisfied with its content however it is expected that a review mechanism for usage of EVCPs and disabled and wide use spaces is also included. This will allow for an increase of provision should demand dictate.

To accommodate a reduced car parking provision the applicant is recommended to enter into discussion with a local car club operator to determine the viability of providing car club spaces on the site. The applicant should note that the number of units proposed, level of car parking provided and the accessibility to members of the public would be influential factors in determining the viability of any car club vehicles. It would also be expected that residents are offered free membership as part of the suite of travel plan measures.

Trip generation:

All trip rates will need to be provided as each way and not two way as currently presented. Furthermore, evidence of peak hours will also need to be provided.

Commercial:

For the supermarket TRAVL sites, the Sainsbury's site in Uxbridge and the Morrisons in Chingford are too old and should therefore be removed from the assessment. The only site within TRAVL which TfL considers appropriate to use is Sainsbury's in Richmond site '1021'. For the Saturday trip rates it is acceptable if just the ASDA site is used. Should a TRICS site be included, separate TRICS and TRAVL figures will need to be provided. The trip sites for the cinema and restaurant and the primary, diverted, linked and passby trip assumptions are acceptable.

Residential:

The trips rate should be quoted per unit, not per sqm. Furthermore, Yeats Close is not acceptable due to age. It is recommended that Grand Union Village is used as well. It is accepted that there

are no Saturday surveys in TRAVL that can be used to calculate the Saturday trip rate. An acceptable methodology which should have been used is to assess the TRICS database and identify multimodal residential sites which have been surveyed on a weekday and a Saturday. The AM peak to Saturday peak and the PM peak to Saturday peak factors and apply them to AM and PM trip rates from TRAVL and select the highest value.

There is no information on how the mode share has been calculated. The TA should have referred to the 2011 Census data.

For the reasons set out above, the calculation of trip rates and mode share are not in line with London Plan Policy 6.3 'Assessing effects of development on transport capacity'.

Passenger transport:

In order to assess the impact of the development on the public transport network, demand should be predicted by using census data/comparable sites, providing the number of trips for the entire day and the peak hour by direction. This should include origin and destination projections for new travellers to and from the development. The applicant should allocate trips to specific corridors/routes and by directions including and reference to the retail impact study undertaken as part of the application, and associated catchment areas, should be provided.

To promote inclusive accessibility to all users of the proposed development TfL would normally require an audit of the closest bus stops to the site to be undertaken. However, as part of the new traffic signal access to the site two bus stops will need to be moved (H and R on Victoria Road) and re-provided. An audit is therefore not required however in re-providing the bus stop the applicant must ensure that the currently accessibility standards as per TfL Bus Priority Team Technical Advice Note BP1/06.

For the above reasons, the passenger transport assessment is not in Line with London Plan Policy 6.3 'Assessing effects of development on transport capacity'.

As outlined previously upon receipt of additional modal split information TfL will be able to confirm appropriate contributions to be secured within the Section 106 agreement to mitigate this development.

TfL are currently exploring the viability of extending bus route U1 from Ruislip station to South Ruislip station in addition to introducing step-free access at South Ruislip station. As these measures would directly benefit the site and subsequently improve accessibility these should be considered as part of the Section 106 discussions.

High speed 2 (HS2) is proposed to tunnel past the site and the developer has acknowledge the high speed line's proximity to the site which is welcomed. The development does accommodate the HS2 line of route and has also allowed for a tunnel ventilation shaft adjacent to the development and this too is welcomed. Notwithstanding this, the developer should ensure that there is no conflict between the scheme and HS2, particularly with regard to piling and foundations.

Highway impact:

The previous land use has been included in the TA, this is not acceptable as the site has been empty for some time. The application must be assessed against current highway conditions at the date of application.

Evidence of validation of base junction models will need to be provided to TfL and the Council to ensure that the junctions represent current traffic behaviour. Once this information has been

provided TfL may provide further comments.

For the new proposed junction further detail will need to be provided including turning flows, detailed layout and LINSIG output. Stage 1 safety audits of all the proposed highway changes will also need to be supplied.

TfL would have been expected an assessment of the impact of the development on the A40 to be undertaken. This should be done in two stages. The first would be a desktop assessment together with the applicant's professional judgement to the likely impact. This would then need to be submitted and subsequently reviewed by TfL. Dependent on the results TfL may require junction modelling to be undertaken. TfL understands that the Council has requested a VISSIM model to be submitted; this is supported by TfL.

For these reasons the highway impact is not in line with London Plan policy 6.3 'Assessing effects of development on transport capacity'.

Cycle parking:

Commercial:

For the Asda, cinema and adjacent restaurants the cycle parking provision will be a shared facility consisting of 32 Sheffield type cycle stands capable of storing 64 cycles. The stands will be located in the covered area of the site adjacent to the car pedestrian access onto the Piazza. To be in line with London Plan Policy 6.9 'Cycling' a minimum of 101 spaces will need to be provided.

To maximise the staff use of cycle TfL recommends that staff cycle parking is segregated and located in secure, private access only locations with secure storage changing rooms and showers.

Notwithstanding this, an appropriate number of cycle parking spaces will also need to be provided for visitors to the commercial units. TfL is satisfied that these can be located within the public realm subject to confirmation that they will be secure, covered, well lit and covered by CCTV. It is welcomed that the ASDA will in addition provide staff and shower and changing facilities however confirmation is available on what facilities will be provided for other staff employed on site.

Residential:

TfL considers the residential cycle parking provision to be adequate and in conformity with London Plan policy 6.9 'Cycling'. However, to meet the Revised Early Modifications to the London Plan a minimum of 4 cycle spaces will need to be provided for visitors.

Walking:

For an application like this, TfL would have expected a Pedestrian Environment Review System (PERS) audit to have been undertaken. Unfortunately this has not been carried out. Therefore to be in line with London Plan Policy 6.10 'Walking' TfL recommends that a PERS audit is carried out and submitted to the Council for approval. Any improvements suggested by the audit would need to be agreed and secured by the Section 106 agreement with the Council. Further information regarding the PERS audit process can be accessed from TfL's website (<http://www.tfl.gov.uk/assets/downloads/what-is-pers-factsheet.pdf>).

Delivery and servicing:

Commercial:

Service vehicles will access the site from the main Victoria Road entrance. The applicant anticipates twelve deliveries to occur over a typical day with the majority taking place using an articulated HGV. It is understood that the retailer will adopt a delivery and servicing plan (DSP) which is welcomed however a framework DSP would have been expected as part of the submission material.

Restaurant units 1-3 will be serviced from a small loading bay between the new site access and the first roundabout. Plan T10 shows the swept path of a 10m rigid lorry crossing a cycle lane and encroaching onto the footway when entering the loading bay. This should be avoided and therefore the bay arrangement will need to be redesigned. Restaurant units 4-5 will be serviced via a service area on the main car park access road south-west of the cinema lobby and each restaurant will attract approximately one rigid lorry per day in addition to five transit sized deliveries.

The cinema will be serviced via a service area on the main car park access. This service area will have a second function as a site taxi rank outside servicing hours.

The petrol filling station will be serviced via the main car park access road, turning right into the petrol station and carrying out a clockwise manoeuvre before leaving north of the roundabout. A single delivery per day is expected. Before TfL can consider the commercial servicing arrangements acceptable and in accordance with London Plan policy 6.14 'Freight' a framework DSP will need to be provided and TfL's concerns as raised above, addressed. The final DSP document should be secured by condition.

Residential:

Refuse collection, servicing and emergency access will occur from the residential access off Victoria Road. The main estate road and turning heads are sufficiently wide to allow for the passage of large service vehicles and this is demonstrated within plans T12, T13, T14 and T15. TfL considers these arrangements acceptable in principle however as mentioned above a DSP will need to be provided to ensure full accordance with London Plan policy 6.14 'Freight'.

Construction:

The applicant has acknowledged the requirement for a CLP within the TA however a framework has not been included as part of the submission. The final document should be secured by condition and be inclusive of the following; the cumulative impacts of construction traffic, likely construction trips generated, and mitigation proposed and consider site access arrangements, booking systems, construction phasing, vehicular routes and scope for load consolidation or modal shift in order to reduce the number of road trips generated.

To be in line with London Plan Policy 6.14 'Freight' framework DSPs and CLP will need to be submitted to the Council for approval under consultation with TfL.

Travel planning:

The submitted framework Travel Plans have been reviewed in accordance with the ATTrBuTE assessment tool and have both failed. To ensure that the plans pass the assessment, for the ASDA a statement is required for how the Travel Plan will be secured and for the residential Travel Plan information on how it will be secured together with base line mode share as both a percentage and figures is required. Once this information has been included the Council should secure, enforce, monitor, review and ensure the funding of the Travel Plan through the Section 106 agreement to ensure conformity with London Plan policy 6.3. 'Assessing effects of development on transport capacity'.

Community Infrastructure Levy:

In accordance with London Plan policy 8.3, 'Community Infrastructure Levy', the Mayor commenced CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed developments are within the London Borough of Hillingdon, where the Mayoral charge is £35 per square metre Gross Internal Area (GIA).

Summary:

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

- Revise the site access and junction arrangements
- Increase the quantum of EVCPs proposed
- Confirm the number of Blue Badge spaces proposed
- Explore the viability of providing car club on site
- Revise the trip generation methodology
- Provide a PERS audit
- Ensure that the new bus stops are in accordance with TfL guidelines
- Provide a multi-modal trip rate assessment
- Demonstrate that the construction methodology would not have a detrimental impact on the delivery of High Speed 2
- Submit a VISSIM model
- Provide stage 1 safety audits and model validation evidence
- Increase the cycle parking provision
- Revise the servicing arrangements for restaurants 1-3
- Provide a framework DSP and CLP
- Revise the Travel Plan

External Consultees (Additional)

ENVIRONMENT AGENCY:

Further to our letters dated 9 July and 12 August we have now received a revised SuDS strategy from Wayne Hansard at Ward Cole Consulting Engineers.

We are satisfied that the applicant has sufficiently revised the strategy to be in line with the requirements of the London Plan, policy 5.13 and 5.11 and we are now in a position to remove our objection. In particular the applicant now proposes to include green roofs and permeable paving in addition to tanks, with a 96% reduction in run-off rates and increased permeable areas.

The proposed development will only be acceptable if a planning condition is imposed requiring the following drainage details and the additional information detailed above is accepted as part of the planning application. Without the inclusion of this condition we consider the proposed development to pose an unacceptable risk to the environment and would object to the application.

Condition

Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) by Ward Cole Consulting Engineers, dated 24 May 2013, reference 10/4313, and drawing with proposed surface water catchment areas, drawing number 502, dated 25 September 2013 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include a reduction in run-off to 96% and include permeable paving and green roofs on site as outlined in the FRA and proposed surface water catchment area drawing.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Advice to applicant on surface water condition:

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

Officer Comment:

Conditions are recommended on any grant of planning permission with respect to the above advice.

HARROW COUNCIL:

Harrow Council, the Local Planning Authority, OBJECTS to the development set out in the application and submitted plans for the following reasons:

The sequential testing approach of the applicant is considered to be flawed in unjustifiably discounting allocated, deliverable and sequential preferable sites in Harrow Town Centre for the development proposal. The applicant has not provided a satisfactory analysis of impact of the leisure or comparison retail goods of development on the health of Harrow Town Centre, in the absence of which, it is considered that the development would be likely to adversely impact on the health, vitality and vibrancy of Harrow Town Centre and its role within the hierarchy of town centres in the London Plan as a Metropolitan Centre. Accordingly, it is considered that the development proposals conflicts with policies 2.15, 4.6, 4.7 and 4.8 of The London Plan 2013, policy CS1.L of the Harrow Core Strategy 2012 and policy DM41 of the Development Management Policies Local Plan 2013.

NATURAL ENGLAND:

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites - no objection.

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species:

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at consultations@naturalengland.org.uk.

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.

NETWORK RAIL:

Network Rail has the following comments to make on the above proposal.

(1) S106 Contribution or CIL Contribution:

The Framework Travel Plan states that, "The station provides an attractive travel choice for staff, patrons and customers travelling to Arla Development," and the Residential Travel Plan states, "The station provides an attractive travel choice for new residents."

The National Planning Policy Framework states that councils should, "work with... transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development ...or transport investment necessary to support strategies for the growth of ...other major generators of travel demand in their areas." Also, "encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plan, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport."

As the developer has highlighted the proximity to South Ruislip Railway Station, as a travel choice for both shoppers and residents Network Rail believes that it is not unreasonable to request a S106 Contribution towards enhancements at the station as a result of increased footfall.

We would therefore seek the following contributions:

Enhanced waiting accommodation = £100,000

Enhanced Customer Information Screens = £35,000

(2) Asset Protection Measures:

All commercial developments within 10m of the operational railway line and Network Rail land should be flagged up to Network Rail by the applicant. The applicant is to supply a risk assessment and a method statement for the works on site to the Asset Protection Engineer for review and approval. No works are to commence on site without the approval of the Network Rail Asset Protection Engineer.

Condition:

Prior to the commencement of works on site, a method statement and risk assessment are to be submitted to the LPA and the Network Rail's Asset Protection Engineer for approval.

Reason: To ensure that the construction of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway adjacent to the proposal site.

Network Rail recognises that conditions are imposed for a planning purpose (as per Circular 11/95), and that they are fairly and reasonably related to the development and not be manifestly unreasonable. We believe that the comments included in this email are indeed fair and reasonable and relate to Network Rail's need to ameliorate the impacts that might otherwise flow from the development.

Network Rail is required to recover all costs associated with facilitating these works. A Basic Asset Protection Agreement is required to facilitate works on site.

Encroachment:

The developer/applicant must ensure that their proposal, both during construction, and after

completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by a third party that may adversely impact its land and infrastructure.
- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Scaffolding:

Any scaffold which is to be constructed within 10 metres of the Network Rail / railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffold / access for working at height within the footprint of their property boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, should they topple over in the direction of the railway then there must be at least a 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

Demolition:

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing (building), due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence. Network Rail would like to add that the applicant is strongly recommended to employ companies to demolish buildings /structures belonging to the National Federation of Demolition Contractors.

This will ensure that all demolition works are carried out to professional standards and the company itself will also include liability insurance as part of its service and that demolition works on site do not impact the safety and performance of the railway.

Drainage:

All surface water is to be directed away from the railway.

Soakaways, as a means of storm/surface water disposal must not be constructed near/within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property.

- Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.
- Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property.
- Proper provision must be made to accept and continue drainage discharging from Network Rail's property.
- Suitable foul drainage must be provided separate from Network Rail's existing drainage.
- Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway.
- Drainage works could also impact upon culverts on developers land.

Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land causing flooding, water and soil run off onto lineside safety critical equipment or de-stabilisation of land through water saturation.

Full details of the drainage plans are to be submitted for approval to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the approval of the Network Rail Asset Protection Engineer.

We would request that a condition is included in the planning consent as follows:

Condition:

Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to, and approved in writing by the Local Planning Authority and Network Rail.

Reason: To protect the adjacent railway from the risk of flooding and pollution.

2m Gap:

Network Rail requests that the developer ensures there is a minimum 2 metres gap between the buildings and structures on site and our boundary fencing.

- To allow for all construction works on site and any future maintenance to be carried out wholly within the applicant's own land ownership and without encroachment onto Network Rail land and air-space. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949).

- To ensure that should the buildings and structures on site fail or collapse that it will do so without damaging Network Rail's boundary treatment or causing damage to the railway (e.g. any embankments, cuttings, any lineside equipment, signals, overhead lines) and to prevent the materials from the buildings and structures on site falling into the path of trains.

- To ensure that the buildings and structures on site cannot be scaled and thus used as a means of accessing Network Rail land without authorisation.

- To ensure that Network Rail can maintain and renew its boundary treatment, fencing, walls etc

- To ensure that the applicant does not construct their proposal so that any foundations (for walls, buildings etc) do not end up encroaching onto Network Rail land. Any foundations that encroach onto Network Rail land could undermine, de-stabilise or other impact upon the operational railway land, including embankments, cuttings etc.

Noise:

We would remind the council and the applicant of the potential for any noise/ vibration impacts caused by the proximity between the proposed development and the existing railway, which must be assessed in the context of the National Planning Policy Framework (NPPF) and the local planning authority should then use conditions as necessary.

- The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running and heavy freight trains.

- There is also the potential for maintenance works to be carried out on trains, which is undertaken at night and means leaving the trains' motors running which can lead to increased levels of noise.

- Network Rail also often carry out works at night on the operational railway when normal rail traffic is suspended and often these works can be noisy and cause vibration.

- Network Rail may need to conduct emergency works on the railway line and equipment and these would not be notified to residents in advance due to their safety critical nature.

Excavations / Earthworks:

Network Rail will need to review all excavation works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway.

We would request a condition is included in the planning consent as follows:

Condition:

Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority and Network Rail.

Reason: To protect the adjacent railway.

Fencing - Residential:

If not already in place, the Developer must provide, at their own expense, a suitable trespass proof steel palisade fence of at least 1.8m in height adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon or over-sailing of Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Any existing Network Rail fencing at the site has been erected to take account of the risk posed at the time the fencing was erected and not to take into account any presumed future use of the site, where increased numbers of people and minors may be using the areas adjacent to the operational railway. Therefore, any proposed residential development imports a risk of trespass onto the railway, which we would remind the council, is a criminal offence (s55 British Transport Commission Act 1949). As the applicant has chosen to develop a proposal next to the railway, they are requested to provide a suitable trespass proof fence to mitigate any risks imported by the proposal.

Network Rail is a publicly funded organisation with a regulated remit; it would not be reasonable to require Network Rail to fund boundary works, fencing and boundary enhancements necessitated by third party commercial development adjacent to the railway.

Asset Protection Engineer will need to review the fencing to ensure that no works to the foundations undermine or destabilise Network Rail land, or encroach onto Network Rail land.

Condition:

Prior to occupation of the dwellings a trespass proof fence with a height of at least 1.8m shall be installed adjacent to the boundary with the railway.

Reason: To protect the adjacent railway from unauthorised access.

Officer Comment:

Conditions and Informatives are recommended on any grant of planning permission with respect to the above advice.

HS2:

Prior to the planning application being submitted, the applicant held pre-application discussions with HS2 Ltd. Therefore, the applicant and developer were made aware of the draft safeguarding directions, at that time.

Proposed HS2 Works:

The current proposed HS2 alignment will be in tunnel at this location and there will be a tunnel ventilation and access shaft (South Ruislip) at Victoria Road. An access road from Victoria Road to the tunnel ventilation and access shaft is currently proposed to run South from Victoria road along an existing access road to the East of the former Focus Store. Therefore in this location the draft safeguarding direction had both subsoil and surface interests shown. These are replicated on the applicants revised plan 2013-056/G103 Revision G.

As stated previously, the formal safeguarding direction now applies to this site. The formal map showing land subject to the safeguarding direction in this location can be found on Map numbers 13 and 14 at <http://www.hs2.org.uk/content/greater-london-boroughs>

Interaction of Proposed HS2 Works and the Planning Application:

The application site interacts with the proposed HS2 works in the following way:

- Parts of the site are above the proposed tunnel alignment and may be above some sub-surface elements of the Victoria Road tunnel ventilation shaft and access.
- The Victoria Road tunnel ventilation shaft and access compound is adjacent to the site in the South West corner of the site. The application red line specifically excludes this land following pre-application discussions.
- Although the tunnel ventilation shaft and access compound is excluded from the application boundary, access to the compound from Victoria Road will be required. This access will pass over land that is subject to this planning application.

Interaction with sub-surface features:

Along the southern boundary of the site, areas of this development are contained within an area where HS2 Ltd has a sub-surface interest. Therefore HS2 Ltd would be interested in the depth and design of any foundations and hard paved areas in the southern area of the site. HS2 Ltd believes conditions could be placed on the decision notice to suitably allow us to comment on detailed designs of the scheme that are within a location that could be affected by the HS2 tunnel ventilation and access shaft & tunnel construction.

Interaction with site access:

The application proposes an improved access from Victoria Road to the non-residential elements of this application; the access will be straightened and widened with an internal distribution roundabout also being proposed approximately 50 metres to the South of Victoria Road entrance. This roundabout will however maintain a connection to the existing access road which continues to the Victoria Road tunnel ventilation and access shaft compound. HS2 Ltd presently shows in the Draft Environmental Statement that an access will be required from the compound to Victoria road. HS2 may therefore utilise powers in the future to alter or use the improved access described above for the purposes of constructing and operating HS2. Any changes HS2 would need to make to the access could be done under powers that are proposed as a part of the Hybrid Bill.

HS2 Ltd Decision:

Considering the above, HS2 Ltd raises No Objection to the grant of planning permission, but would request that the following conditions and informative is placed on the decision notice:

Conditions:

1. None of the development hereby permitted shall be commenced on:
 - The Petrol Filling Station in the South West Corner of the site

- Any of the Food Store and the Cinema building that lies within a distance of 20 metres of the 'land subject to consultation (safeguarding limits)' as shown on drawing 2013-056/G103 Revision G Titled 'Proposed Master Plan'
- Any of the Access Ramps to the service area or sub-station, as shown on drawing 2013-056/G103 Revision G Titled 'Proposed Master Plan'
- Any other development within the 'commercial site boundary' as shown on drawing 2013-056/G103 Revision G Titled 'Proposed Master Plan' that is also within 20 metres of the 'land subject to consultation (safeguarding limits)' as shown on drawing 2013-056/G103 Revision G Titled 'Proposed Master Plan'

Until detailed design and method statements for all of the ground floor structures, foundations and basements and for any structures below ground level, including piling (temporary and permanent) have been submitted to and approved in writing by the Local Planning Authority which:

- (a) Accommodate the proposed location of the HS2 structures and tunnels.
- (b) Accommodate ground movement and associated effects arising from the construction thereof, and
- (c) Mitigate the effects of noise and vibration arising from the operation of the HS2 railway within the tunnels, ventilation shaft and associated below & above ground structures.

2. The method statements to be submitted under condition 1 shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the HS2 structures and tunnels in or adjacent to the site of that development, the construction of the HS2 structures and tunnels is not impeded. The development shall be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs (a) to (c) of condition 1 shall be completed, in their entirety, before any part of the building(s) hereby permitted is/are occupied.

3. No works below ground level comprised within the development hereby permitted shall be carried out at any time when a tunnel boring machine used for the purposes of boring tunnels for the HS2 Ltd railway is within 100 metres of the land on which the development hereby permitted is situated.

Reasons:

To ensure the proposed development does not impede the delivery of High Speed 2, a project of national importance.

Informatives:

(1) The applicant is advised that the application site falls within land that may be required to construct and/or operate Phase One of a high speed rail line between London and the West Midlands, known as High Speed 2. Powers to construct and operate High Speed 2 are to be sought by promoting a hybrid Bill which is to be deposited by the end of 2013. As a result the application site, or part of it, may be compulsorily purchased. More information can be found at www.hs2.org.uk

(2) With regard to condition 3. The applicant is advised to liaise with HS2 Ltd.

Officer Comment:

Conditions and Informatives are recommended on any grant of planning permission with respect to the above advice.

MINISTRY OF DEFENCE/RAF NORTHOLT:

The MOD has no safeguarding objection to this proposal.

BAA/HEATHROW:

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/s 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'.

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, 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 Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Officer Comment:

Conditions are recommended on any grant of planning permission with respect to the above advice.

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

THAMES WATER:

Waste Comments:

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

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.

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 recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to 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.

Officer Comment:

Informatives are recommended on any grant of planning permission with respect to the above advice.

LONDON FIRE SERVICE:

The issue of water supply within the site has been considered and in order to provide an adequate supply of water for fire fighting, we are recommending the installation of five private fire hydrants.

Officer Comment:

This requirement would be addressed as part of building regulations.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT:

Please consider the following comments with regard to air quality and land contamination. The air quality assessment would need to be reassessed in line with any changes to the transport assessment or changes to CHP. We need the air quality assessment to be consistent with the development to be implemented at the site, and where it may be reassessed could they ensure additional sources identified below are considered. The modelling data should be provided as an isopleth alongside the tabulated data, and should include baseline modelling.

We do not have any specific objections to the development on air quality grounds, as long as adequate clarification is provided for the queries below with regard to NO_x emissions at the site from the energy provision. Mitigation measures to reduce the impact from and on the development is required as the development is likely to worsen air quality.

Air Quality:

The proposed development is adjacent to the declared AQMA and in an area which currently appears to be under the European Union limit value for annual mean nitrogen dioxide (NO₂) based on CERC modelling for 2011.

The air quality assessment indicates it is being conservative with regard to the CHP emissions (assuming the four CHP units with two boilers each are running all the time), although this may not be the case with regard to traffic emissions (based on Sainsbury's application, although it should be noted this assumes the Arla site is operational as a depot). All identified receptors are indicated to be below the EU limit value of 40 mg/m³ at all locations except to the north east at the junction on Long Drive and Victoria Road, where at the ground floor level it was indicated to be 41.0 mg/m³. The assessment does indicate as a consequence of the development 'small and 'medium' change in air quality for the worse, as a consequence of the development at existing receptors, with the impact being 'moderately adverse' at two receptors, 'slight adverse' at 25 receptor locations and 'negligible' at 17 receptor locations.

The assessment did not consider diesel trains on the adjacent railway line, car park emissions in relation to the development, and there is nothing specific to indicate vehicle movements associated with the petrol station were also considered (assumed all store related?). There is also nothing in the assessment to specifically indicate cumulative impacts from the expansion of Sainsbury's, which has planning permission, was included in the modelling. The transport assessment did refer to it. Can they please clarify the contribution from the Sainsbury's development in terms of AADT alongside the application site?

The contribution of NO_x emissions from energy generation at the site could be clearer. Four CHPs and two boilers (a total of 8) have been modelled with the NO_x mass emissions stated in the assessment (which seems to be out by a factor of a 1000 to those provided in the Requirements for Modelling CHP Stack Emissions, dated May 2013 (the information in appendix A and B has not been provided for the residential element of the development)). It was indicated that CHP was not viable for the commercial development.

Further clarification is required for the NO_x emission data and how it was modelled, as they are likely to significantly impact on some of the new residential developments, even without a conservative approach, as the chimney height restriction (on flight path to RAF Northolt) means the emissions cannot adequately disperse. Further details of the CHP engines and boilers is also required to see if the better low NO_x CHPs and boilers are being considered.

The highest increase in NO₂ of 3.1 mg/m³ is indicated at an existing receptor as a consequence of the development. For the new receptors the highest conservative estimate appears to relate to the CHP and is a significant contribution of 7.7 mg/m³ to the annual average NO₂ levels. NO₂ levels at all the new receptor locations modelled are indicated to be below the EU limit value with the highest recorded as 36.9 mg/m³.

There is a possibility, given the location, that these areas are close to the EU limit value, however as there is no monitoring information in this locality, it is difficult to say if they will be above the limit value as a consequence of the development. As the site is located outside the AQMA but adjacent to it, there may be potential implications for reviewing the AQMA, when considered alongside future developments.

As the development is adjacent to the AQMA and will cause increases in an area already suffering poor air quality the following is requested:

Section 106 obligation of £25,000 should be sought for contribution to the air quality monitoring network in the area OR amount calculated based on floor space/car parking, if this is applicable.

Energy Proposals:

The BREEAM pre-assessment indicates two points will be picked up for NO_x emissions, for all parts of the development including the residential element. As indicated above, further clarification is required for the CHP/boiler emissions, especially as it does not appear it can be adequately mitigated against by increasing the flue height. They need to reconsider the location of the CHP/boilers and the flue to minimise impact on future residents. Clarification is also required on if ASHP (air source heat pumps) only are being used for the houses. Will these properties have gas boilers?

Air Quality Condition 1 - Details of Energy Provision (Mixed Use & Residential):

Before the development is commenced, full details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies which needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012.

Reason: To safeguard the amenity of the site and neighbouring properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: This condition relates to the operational phase of residential and commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the assessment of CHPs is available from EPUK at: http://www.iaqm.co.uk/text/guidance/epuk/chp_guidance.pdf. An area up to a distance of 10 times the appropriate stack height needs to be assessed. They should contact the Environmental Protection Unit if they have any queries.

Fleet Management/Travel Plan:

The Transport Statement indicates travel plans, delivery and servicing plan and car park management plan for the site. The application appears to include a total of 569 parking spaces for the commercial elements and 120 parking spaces for the residential element. Draft travel plans have been submitted for the application. This needs to be given due consideration to ensure sustainable modes of transport are available to workers, customers and residents to provide some mitigation. It may be advisable to include an onsite 'no idling' policy in the plans with regard to air quality. A suitable travel plan condition is advised.

This development is within the boundaries of the London Low Emission Zone (LEZ) which sets

strict pollutant emissions criteria for entry of certain types of diesel vehicles into the area within the M25. However, as this development is also on the boundary of a declared AQMA a detailed environmental management plan aimed at reducing emissions from the fleet is required for the operational phase of the development. This should include, for example, selecting a low emission vehicle fleet and delivery companies who can demonstrate their commitment to following best practice such as the Freight Operator Recognition Scheme (FORS). This would need to be submitted for approval prior to the operational phase of the development commencing.

Air Quality Condition 2 - Environmental Fleet Management:

Before any part of the development is occupied an environmental fleet management plan shall be submitted for approval to the Local Planning Authority. The said scheme shall include the use of low emission vehicle technologies (e.g. use of electric and/or hybrid vehicles where appropriate, installation of electric charging points), environmentally aware driver training scheme (e.g. no idling), and fleet servicing and maintenance regime. The said scheme shall be implemented for so long as the development is available for use.

Reason: To safeguard the amenity of neighbouring properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: This condition is used to ensure that the end development use does not increase pollutant emissions in the surrounding area. The environmental management plan should, where relevant, address issues such as environmental fleet management, travel plan etc.

Land Contamination:

Please consider the following comments with regard to land contamination. The report, although a desk study, does include some ground investigation information from previous investigations. Ground conditions information includes demolition rubble on site and other made ground, olfactory evidence of soil contamination within the made ground (recorded as a diesel odour in BH1 in the south east of the site and hydrocarbon odour in BH13 and BH18 in the south west of the site BH13 also recorded a hydrocarbon odour in the natural clay from 0.80 to 0.81m bgl).

Olfactory evidence of contamination was indicated in the water samples from BH1 and BH16 comprising a diesel odour. No soil or water samples were observed to have visible discolouration associated with hydrocarbons. Elevated concentrations of TPH were recorded within groundwater across the site, along with marginally elevated concentrations of ground gas (carbon dioxide) were present across the site and the site has been classified as Characteristic Situation 2 based on the approach detailed within CIRIA C665 and Amber 1 classification based on NHBC guidance. Further gas investigation has been recommended. With regard to groundwater and the proposed petrol filling station, it may be worth consulting the Environment Agency, although this may be a low risk area with regard to controlled waters.

There are a number of former fuel tanks which remain on site and WSP has prepared a draft 'WSP Specification for the Removal of Former Tanks' for the removal of the tanks and validation of these works. This also indicates a watching brief will be maintained during these works. A watching brief is recommended when undertaking all groundworks with regard to unidentified contamination.

The report also refers to a raised area to the west of the site, potentially comprising a backfilled former basement, which requires further assessment to confirm its composition.

The area of future residential properties with private gardens are indicated to have elevated concentrations of benzo(a)pyrene (identified in BH1). It is also noted that elevated TPH (total petroleum hydrocarbons) concentrations were present in this area. Elevated concentrations of TPH in the C21-C35 Aromatic range and PAHs (polycyclic aromatic hydrocarbons) are recorded in this

area.

Where the residential flats are located (residential without plant uptake land use scenario) elevated concentrations of Lead (BH5 and BH8) and Nickel (BH8) was present.

The report recommends supplementary intrusive investigation following the demolition works and removal of the existing structures to delineate contamination of the ground beneath existing floor slabs, in addition to the above works. It is understood that parts of the commercial development will include basement levels, therefore these soils may be removed from the site. No significant contamination was identified in the future commercial areas. Mainly hydrocarbon contamination has been identified in the residential areas.

The standard contaminated land condition is advised for any permission that may be given alongside a separate soil contamination condition for landscaped areas (for any reused and imported soils). The condition would apply to ground gas as well. If you would prefer a separate gas condition, please let me know.

Contaminated Land Condition:

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Condition to minimise risk of contamination from garden and landscaped areas:

Before any part of the development is occupied, site derived soils and imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or

landscaping purposes shall be clean and free of contamination.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Noise:

I have considered the noise report prepared by Sharps Redmore Partnership dated 30th May 2013 (ref. 1213125). The SRP report considers the development covered by (i) detailed application 66819/APP/2013/1467 including the main foodstore.

My comments on noise issues on detailed application 66819/APP/2013/1467 are given below.

The noise assessment in the SRP noise assessment is based on the Government's National Planning Policy Framework (NPPF) of March 2012, which cancelled PPG24 "Planning and noise" giving the Government's previous guidance on noise issues. NPPF paragraph 123 states that planning decisions should (i) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (ii) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions. According to the Government's Noise Policy Statement for England (NPSE) of March 2010, these aims should be achieved within the context of Government policy on sustainable development.

I accept that the policy requirements of the NPPF and NPSE can be met for the various noise issues by the imposition of appropriate planning conditions controlling noise impacts as below:

Condition:

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed residential development from road traffic, rail traffic, air traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. The scheme should ensure that internal LAeq,T and Lmax noise levels meet appropriate noise criteria. All works which form part of the scheme shall be fully implemented before the residential development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

Reason: To ensure that the amenity of the occupiers of the proposed residential development is not adversely affected by road traffic, air traffic and other noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.15

Condition (delivery noise management plan):

The development shall not begin until a delivery noise management plan which specifies the provisions to be made for the control of noise from night-time delivery and service yard operation 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 Unitary Development Plan.

Condition (mechanical plant):

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

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Condition N12 Air extraction system noise and odour:

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

Reason: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

The following informative is also recommended:

INF 20 Control of environmental nuisance from construction work:

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

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

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

Demolition Strategy and Construction management plan:

The application includes a detailed demolition and construction management plan. The proposed environmental mitigation measures contained within these two documents are satisfactory and I have no further comments on these.

The noise assessment is comprehensive and has addressed most of the potential noise issues likely to arise from this development. However, the report does not address the noise impact that are likely to arise from customers leaving the restaurants and the cinema at night and walking past

residential units to get to the South Ruislip station. Also there are no details about what assumptions have been made in terms of expected noise attenuation from the car park.

In terms of the baseline noise survey, I am of the opinion a further survey should have been undertaken near to existing residential units as that location is currently shielded by the industrial units and is further away from the railway. Noise levels in this location is likely to be lower than the measured position.

Officer Comment:

Conditions and Informatives are recommended on any grant of planning permission with respect to the above advice.

HIGHWAYS:

Further to receiving additional information submitted in relation to the above, I would comment as follows.

Non Car Modes of Travel:

Public Transport:

As previously requested, an assessment of the likely impact on public transport associated with the development during the highway peak hours and the entire day should be undertaken. While the Technical Note October 2013 (TN) provides multi model trip estimates, a formal assessment of the impact including assessment of existing and predicted levels of capacity on the public transport network has not been undertaken.

Cycling:

A review of existing cycle facilities within the adjacent area of the site has been undertaken, which notes that there is no specific provision for cyclists along the adjacent highway network. As a result, it is proposed to provide cycling facilities, which include advanced cycle stop lines and leading lanes at the proposed signal controlled junction providing access to the site, advanced cycle stop lines at the signal controlled junction of Victoria Road and Long Drive and shared cycle/footway links into the site from Victoria Road and Long Drive.

Pedestrians:

A Pedestrian Environment Review (PERS) Audit has been undertaken along the highway adjacent to the site. The audit considers pedestrian access at the proposed site access, the signalised junction of Victoria Road and Long Drive, access from the proposed pedestrian link along Long Drive to South Ruislip rail station and the pedestrian/vehicle access serving the residential use within the site to adjacent bus stops.

The audit concludes that the existing pedestrian environment along Victoria Road and Long Drive is generally good. In addition, the audit notes proposed improvements that will be provided as part of the development, including increased pedestrian facilities at the proposed signal controlled junction providing access to the site, an upgraded access to the proposed residential development and alterations to the existing signal controlled junction of Victoria Road and Long Drive.

Notwithstanding the conclusions, it is considered that the audit should have also reviewed pedestrian access between the site and adjacent residential areas to the north and south, particularly as these areas are densely populated.

Traffic Generation:

Historic Use:

It is noted that the traffic generation associated with the historic use (Arla Dairy) at the site has been considered within the TA for information purposes only and has not been used within the analysis of the proposals. However, the associated traffic generation has been based on the total site area and not the gross floor area of existing buildings, which provides an excessive over estimation of the likely traffic generation which cannot be relied upon. In addition, it is considered that some of the sample sites used to determine the traffic generation selected from within the TRICS/TRAVL Databases are not representative due to their location and the size of selected sites.

Committed Developments:

The traffic flows in relation to committed developments have been amended and resubmitted as part of the TN. From reviewing the weekday AM peak hour associated with the redevelopment of the adjacent Sainsbury's supermarket, it is noted that these traffic flows were not provided at part of the TA submitted in support of the proposals and no explanation has been provided as to how the flows have been arrived at. However, it is considered that these traffic flows appear to be representative.

When considering the weekday PM and Saturday peak periods, it is noted that the Sainsbury's committed development flows are higher than those provided within the Sainsbury's TA, and would therefore, provide for a worst case assessment. The traffic flows associated with all other committed developments are accepted.

Vacant Sites:

The TA considers the traffic generation associated with the retail use located within the adjacent Aviva site, which is currently vacant. It is noted that the total GFA associated with both units, including the external sales area associated with unit 1, is 4772 m², instead of 3,809 m² as quoted in the TN to estimate the traffic generation. As a result, the assessment of the traffic generation associated with the adjacent Aviva site is not representative.

In addition, the TN informs that the TRICS data used for this assessment is provided within Appendix 5 of the document. However, only extracts (trip rates) from TRAVAL has been provided, which does not allow for a formal assessment of the predicted traffic generation to be undertaken. Furthermore, the requested scatter plots of trips against chosen trip rate parameters have not been provided.

Nevertheless, based on the assumption that the TRICS data used within the assessment is representative, the difference in traffic generation is low and will not have a material effect.

The TN has considered the traffic generation associated with the former Comet Store located adjacent to the junction of Victoria Road/Stonefield Way, operating as a food store. The assessment considers research undertaken by the Competition Commission (Supermarkets - October 2000), which allegedly, identifies that stores that are less than 1400m² in size would provide a limited range of products and would be more likely to cater for top-up or convenience shopping.

As a result, based on the size of the existing building (1118m²) and the research presented by the Competition Commission, the TN has assumed that only 30% of associated trips would be new on the highway network, with the remaining 70% of trips being made up of pass-by or diverted trips.

However, despite the absence of any information to support the above, when considering the trip rates used within the assessment, it is noted that these have been based on those within the TA submitted in support of the recent Sainsbury's planning application, for the redevelopment of the site, which is likely to generate higher levels of traffic. Therefore, on balance, the traffic generation associated with the former Comet store being brought back into use as food retail, is considered

acceptable.

Food Store Gravity Model:

A gravity model has been produced, which is based on the catchment areas considered within the London Borough of Hillingdon Retail Study 2012, the Experian Business Strategies for postcode areas and proportions the size of population in each area. The distribution of traffic along the highway network when travelling to each site within relevant catchment areas has then been based on a "view" taken by the applicant's highway consultants.

New Trips:

Food Store:

The trip rates that were previously provided by LBH have now been used within the assessment in relation to the proposed food store. As a result, it is considered that the revised food store trip rates are robust and are acceptable.

When considering the nature of vehicle trips, these have been proportioned as 70% primary and 30% non-primary trips. The primary trips are made up of 5% new trips, with the remainder being 45% transfer trips from the adjacent Sainsbury's store and 20% transfer trips from other food stores.

While the level of transferred trips from the Sainsbury's store appears to be high, it is noted that the TA refers to the Retail Study undertaken in relation to the development for this proportion of trade draw from Sainsbury's. Having discussed this with the Councils retail officer, it is understood that there are differences between the trade draw and how this translates into vehicle trips. Notwithstanding this, the trade draw applied for traffic impact purposes is not considered unacceptable subject to the retail study being accepted. However, if there are any changes in the retail study, the traffic assessment would be required to be reassessed.

Cinema:

The original trip rates provided within the TA have been revised using the TRICS database. The selected sample sites are now considered representative based on the size, nature and the level of available car parking and the traffic generation is considered acceptable.

Restaurant:

The trip assessment provided within the TA has been revised using the TRICS and TRAVL databases. However, it is considered that some of the selected sample sites are limited and not representative due to their location and availability of car parking. In addition, it is noted that the previously requested rank order scatter plots have not been provided.

Nevertheless, considering the likely traffic generation during the network peak hours, a proportion of which would be linked trips, no objection is raised in relation to the estimated restaurant traffic generation.

Residential:

The trip assessment provided within the TA has been revised using the TRAVL and TRICS databases for the weekday and Saturday peak periods. 4 No. sample sites have been used in relation to the weekday assessment, which are considered acceptable. As TRAVL did not include surveys for the residential use for a Saturday, the TRICS Database has been used to derive a factor that can be applied to the weekday TRAVL trip rates to produce Saturday trip rates. However, as this method has produced low trip rates for the Saturday, the trip rates have been factored by 50% to provide higher trips.

Notwithstanding the methodology in relation to establishing the traffic generation associated with the Saturday peak hour, no objection is raised in relation to the estimated traffic generation.

Access, Layout and Highway Works:

Road Safety Audit:

A Stage 1 Road Safety Audit has been submitted in support of the development proposals. The Audit has identified a number of minor issues, which the developer, as part of detailed design will address. However, clarification is required as to how the proposed pedestrian and cycle link from Long Drive, as shown on drawing No 3008-130 will operate, as it appears that there would be vehicle/pedestrian/cycle conflicts adjacent to the point of access. Furthermore, clarification is required in relation to how the existing unauthorised car parking along the access road that will serve the residential use at the site will be prevented.

Swept Paths:

Amended swept paths have been submitted, which now include a 300mm margin of error. When reviewing the swept paths of a 16.5m and 18.5m articulated vehicle, it is noted that these do not show vehicles passing side by side along the site access road or at the entrance to the proposed service ramp. While it would appear that two vehicle will be able to pass side by side along the site access additional swept paths are required to demonstrate that two vehicles can enter/exit the service ramp at the same time. Furthermore, it is noted that there are some locations where a vehicle is too close to the kerblines, adjacent to restaurants 4 and 5, with the likelihood of mirrors overhanging the footway, risking pedestrians' safety.

When considering the swept paths of a 15.3m oil tanker it is noted that when turning out of the Petrol Filling Station (PFS), there appears to be encroachment on to the opposite side of the carriageway along the site access road, which may present an issue when large vehicles pass side by side. In addition there are some locations where the vehicle is too close to the kerblines adjacent to restaurants 4 and 5, with the likelihood of mirrors overhanging the footway risking pedestrians' safety.

Swept paths of a 10.5m refuse and a 12.0m rigid vehicle have been provided along the residential access road within the site. From reviewing the swept paths, it is noted that two vehicles are not able to pass side by side along the access road, which may lead to vehicles queuing along Victoria Road when entering and exiting the site and may cause congestion within the site. In addition, swept paths of vehicles turning left out of the site access onto Victoria Road have not been provided.

Swept paths have been provided of a large car circulating the proposed commercial car park within the site. However, the swept paths do not consider all circulatory movements or include the required 300 mm margin of error and some manoeuvres appear difficult to undertake. As a result, it is not possible to fully assess the circulatory requirements of this car park. However, the design of the car park can be amended and secured under a suitably worded planning condition or via a S106 Agreement.

Traffic Impact:

Base Traffic Flows:

The traffic survey data used within the original TA has not been validated in relation to the highway peak hours. The TN has confirmed that the surveys took place between 0730-0930, 1630-1830 on a weekday (Friday) and 1130-1330 on a Saturday, which were the assumed peak hours. In addition, the surveys were undertaken within a non-neutral month (Nov 2011).

However, from spot checks, it appears that the traffic flows are comparable with those used in

relation to the redevelopment of the adjacent Sainsbury site. Consequently, no objection is raised in relation to the traffic surveys submitted within the TA.

Development Traffic Flows:

The development flows have been derived from the trip rates for each use as discussed above. However, the GFA used in determining the traffic generation for the proposed for restaurant use is not the same as that provided within the TA, resulting in lower two way traffic flows.

In addition, it is noted that the traffic generation associated with the proposed cinema use, as shown on the flow diagrams do not match the trip rates provided within the TN. It appears that the flow diagrams show the cinema trips to be 20 and 45 (two way) vehicles trips less in the weekday PM and Saturday peak hours respectively than those calculated from the trip rates.

However, it is noted that the difference in traffic flows are small and it is considered that this would not have a material effect. As a result, it is expected that the proposed development would generate approximately 52 and 238 (two way) trips in the AM and PM weekday peak hours respectively and 313 (two way) trips during the Saturday mid day peak hour.

Distribution:

From spot checks undertaken in relation to traffic distribution along the highway network, there appears to be errors on some of the flow diagrams, with traffic flows not matching the given distribution. However, these errors are not significant and are unlikely to have a material effect on the traffic impact.

Junction Assessment (Static Modelling):

(Note: the results reported below cannot be confirmed until the traffic models are validated and the results of the retail study are confirmed.)

Proposed Site access/Victoria Road Signal Junction:

The proposed site access (commercial use) has been assessed for capacity and delays using the Linsig computer programme for the weekday (Friday AM and PM) and a Saturday peak periods, for the year of opening in 2015 and 5 years after opening in 2020. The assessment scenarios consider development and committed development traffic assigned to the highway network.

From the assessment, it is noted that the number of vehicles queuing along the site access road at the approach to the junction, when turning right out of the site will exceed the available queuing capacity during the weekday PM and Saturday peak hours in both assessment years. The impact of this may lead to blocking back of the roundabout junction within the site. However, in order to mitigate against blocking at the roundabout, it is proposed to provide "keep clear" road markings along the circulatory carriageway at the junction.

Proposed Site access/Victoria Road Priority Junction:

The proposed site access (residential use) has been assessed for capacity and delays using the PICADY computer programme for the weekday (Friday AM and PM) and a Saturday peak periods, for the year of opening in 2015 and 5 years after opening in 2020, with development and committed development traffic assigned to the highway network.

The assessment has shown that the junction will operate within capacity. Nevertheless, it is noted that when considering the signal controlled junction of Victoria Road and Long Drive during the Saturday peak period in 2020, vehicles queuing at this junction are likely to block back past the residential access to the site.

This will impact on traffic turning right out of the residential access onto Victoria Road, who will be required to queue along the access road until gaps are presented. In order to mitigate the impact associated with queuing traffic along Victoria Road, it is proposed to provide "keep clear" road markings along the southbound carriageway opposite the site access, which to provide gaps for right turning vehicles to join queuing traffic.

Station Approach/West End Road Signal Junction:

Assessment of this junction has been undertaken based on the increased number of vehicle trips through the junction. This has shown, there will be a decrease of 7 vehicles during the AM peak hour and increase of 23 vehicles during the PM peak hour at the junction. During the Saturday mid day peak hour, there will be an increase of 36 vehicles. As a result, it is considered that there would be no material impact at this junction within the highway network peak hours.

A4/Polish Memorial Junction:

Assessment of this junction has been undertaken based on the increased number of vehicle trips through the junction. This has shown, at worst, there will be an increase of 28 vehicles travelling through the junction during the Saturday, midday peak hour. As a result, it is considered that there would be no material impact at this junction within the highway network peak hours. In addition, it is noted that this junction is approximately 1.7km from the site and there is likely to be a high level of dilution associated with development trips

Victoria Road/Long Drive Signal Junction:

An assessment of this junction has been undertaken for the year of opening in 2015 and 5 years after opening in 2020 with development and committed development traffic assigned to the highway network (with improvements) using the Linsig3 computer programme.

The assessment of this junction relies upon the Linsig model, which was submitted in support of the recent Sainsbury's planning application (ref 33667/APP/2012/3214), which was for the redevelopment of the store. The TN states that this model was subject to detailed validation and site specific saturation flows have been established and agreed in respect of the existing junction layout.

However, the Linsig model was not agreed nor was it subject to detailed validation. Instead, a further review of the junction is required to be undertaken, including calibration and validation, which forms part of the associated (signed) Section 106 Agreement relation to the Sainsbury application. As a result, the assessment of the Victoria Road/Long Drive signal junction cannot be confirmed unless the base model is validated.

Notwithstanding the above, the results of the Linsig model show that during both the AM and PM weekday peak hours the junction will operate within capacity. However, when considering the Saturday midday peak hours during 2015 and 2020, it is noted that individual arms at the junction are approaching capacity, with the overall junction capacity being exceeded by 1.5% and 5.8% respectively.

In addition, the TN has considered the impact of vehicles queuing on the junction from the pelican crossing located along Long Drive, adjacent to South Ruislip underground station. The assessment has been undertaken based on a snap shot survey of each peak hour and by reviewing subsequent queue lengths. However, in order to identify any required timing changes associated with the junction or pelican crossing, the operation of both the junction and pelican crossing should be modelled.

Victoria Road/ Field End Road Roundabout Junction:

Assessment of this junction has been undertaken based on a reduction of the number of vehicle trips through the junction. The TN has demonstrated that based on the level of transferred, pass-by and diverter/liked trips, there will be a reduction of 62, 18 and 19 vehicles during the weekday AM and PM and Saturday peak hours respectively. As a result, it is considered that there would be no additional impact at this junction as a result of the development.

Long Drive/Field End Road and Long Drive/The Fairway Priority Junctions:

Assessment of this junction has been based on the gravity model in relation to the route direction that customers of the food store would take along the highway network. This considers that customers travelling to the site will do so along main routes rather than via narrower residential streets, which is considered acceptable.

Victoria Road/Pembroke Road Signal Junction:

The signal controlled junction of Victoria Road and Pembroke Road has not been assessed. Instead, the TN considers that based on the distance to travel (approximately 1.9km) from the site and the likely level of dilution of development trips, there would be no material or noticeable impact at this junction. Therefore, it is considered that it is unlikely that the development would not have a material impact at this junction.

Micro simulation Modelling:

In order to assess the impacts associated with development along the wider highway network, a VISSIM model has been prepared and submitted in support of the proposals. The VISSIM model has been reviewed by Parsons Brinckerhoff, appointed by TfL, who have recommended that before the model can be accepted as fit for the purpose, further clarification and/or modifications are required to be provided/undertaken. The results of the VISSIM model therefore cannot be confirmed to be accurate at this stage.

Parking:

Assessment of the proposed parking demand associated with the commercial use at the site has been undertaken, which has been based on the associated trip generation of the proposed restaurant and cinema use and the car parking accumulation assessment undertaken in relation to the adjacent Sainsbury's food store. While this method of assessment is considered acceptable, it is noted that the Sainsbury's assessment was undertaken between 0830 and 1730 hours and as a result, the estimated evening parking demand is not accurate.

Nevertheless, it is considered that the peak parking demand associated with the proposals would be within the daytime and associated with the food store, while the parking demand during the evening would be less. As a result, the proposed car parking provision (564 spaces) is considered acceptable.

When considering the proposed amount of disabled car parking provided for the commercial use, it has not been increased as previously requested and remains at 26 parking spaces (circa. 4.76%). The TN provides justification for this level of car parking on the basis of the provision of other accessible parking spaces that will be provided for the use of mother and child. However, it is considered that 28 disable car parking spaces should be provided specifically for disabled drivers, which represents 5% of the total car parking provision in accordance the Councils requirements.

In relation to the provision of disabled car parking that will serve the residential use within the site, the TN confirms that 12 (1 per accessible dwelling) disabled car parking spaces will be provided. In

addition, 15 car parking spaces will be allocated for the use of visitors to the residential use, which is considered acceptable.

When considering the provision of electric vehicle charging points (EVCPs), 56 (10%) active and 56 (10%) passive points will be provided for the commercial use at the site. In addition, the residential use will include a provision 25 (20%) active and 25 (20%) passive points. As a result, the provision of EVCPs is in accordance with the London Plan.

In terms of motorcycle parking, the TN informs that this will be increased from 10 parking spaces as detailed within the TA, to 25 parking spaces. However, this is still below the council's requirement of 28 motorcycle parking spaces (1 parking space per 20 car parking spaces) as specified within the adopted Hillingdon Local Plan. No motorcycle parking is provided in relation to the residential use at the site.

Cycle parking for the commercial uses at the site will include a minimum of 104 cycle parking spaces, with 20 cycle parking spaces allocated for the use of staff, which will be located within the management suite at the site, with changing and shower facilities provided for staff. In addition, as noted within the original Transport Assessment submitted in support of the development, a total of 162 cycle parking spaces will be provided for the proposed residential use at the site. As a result, the proposed level of cycle parking is considered acceptable.

A Car Parking Management Plan (CPMP) has been submitted, which provides the proposals for managing the car parking demand associated with the commercial and residential uses within the site.

The document states that car parking for the proposed commercial uses will be permitted for up to a maximum of 4 hours, allowing for linked trips within the site and South Ruislip Local Centre shops, with car parking controlled by an attendant who will enforce the maximum duration of stay via a penalty system.

In addition, the document informs that no colleague or staff parking will be provided within the site. However, the landlord wishes to reserve the right to allow some colleague or staff car parking to take place. Therefore, the amount of potentially reserved car parking is required to be confirmed.

When considering the residential use within the site, the CPMP informs that car parking for the proposed houses will be included within the freehold of the property and only available to occupants or visitors. A permit system will be operated in relation to the proposed apartments at the site, whereby a single parking permit will be issued to each apartment on an annual basis, with the management company reserving the right to withdraw individual permits. However, while it is considered appropriate to control car parking associated with the apartments based on a permit system, the allocated car parking is required to be available at all times. As a result, the right to withdraw individual permits is not acceptable.

Travel Plans:

The travel plans submitted in relation to the proposals have been reviewed by the Councils Travel Plan Officer and it is considered that based on the substantial nature of the development, the documents should provide for more robust measures. Nevertheless, it is considered that the details of the Travel Plan can be secured under a Section 106 Agreement.

Conclusions:

In the absence of the traffic models being validated and that further information is required in relation to the VISSIM model, the application fails to demonstrate the acceptability of the predicted

traffic impacts and the proposed junction improvement works. As such, it is not possible to determine the extent of the impacts of the proposal, and whether the proposed mitigation measures would successfully reduce the impact on the highway network.

Internal Consultees (Additional)

URBAN DESIGN:

There are fundamental design problems with this scheme, which include:

Layout:

The poor linkage between the site and the existing commercial frontage along Long Lane means that the proposed retail units to the south of the site are likely to be isolated from the existing commercial centre and also from the new commercial units to the north of the site. It is difficult to see how the parking and servicing would work for these units; it is assumed that spaces 37-42 are for the shops. Further thought also need to be given to the design of the pedestrian and bike link to the main frontage, at present it looks like this runs either through, or next to, the rear service area of the shops and the car park of the pub - making this an attractive route will be a challenge.

The retail units would also sit within the proposed residential area, making the creation of a coherent residential "enclave" more difficult. We are also not convinced that placing a play space next to the shops is necessarily a good idea, ideally the play areas should be placed within the residential streets where they can be seen and "policed" from the houses. The second play space, adjacent to the car park, currently looks rather like an after thought. In the circumstances, it would probably be better to move the retail units north to where the proposed new commercial activities are grouped and where they could be located opposite the large retail unit and its undercroft parking. With these moved, the residential area could be remodelled around a central open space, or different sized spaces, creating distinct areas with an obvious focus. These could be designed to incorporate play spaces. The second play space, adjacent to the car park, currently looks rather like an after thought.

The 2 residential blocks opposite the supermarket would have a poor outlook onto the undercroft parking and the side of what will be a very large shop unit. The 3 smaller blocks to the south, would neither screen the back of the supermarket nor create a consistent street frontage. Their positioning adjacent to the car park is also not ideal in terms of amenity or outlook. A terrace, or larger blocks in this location would better screen the rear of the supermarket/car park.

It is not clear where the disabled parking bays for the housing blocks are located; they should be close to the accessible housing units. The parallel parking bays outside of some of the residential units (B-D) should be relocated to the shared parking areas, or to the opposite side of the road. In these locations, they would be adjacent to the undercroft parking or housing blocks with larger front gardens, rather than in front of bedrooms with only 80cm or so of private space in front of them. Ideally, these "buffer" zones should be much deeper to protect the privacy of the rooms facing the street.

At present, car parking would dominate the residential side streets, including the long runs of parking in front of the terraced houses. These areas of hard surfacing need to be broken up and "greened" with the incorporation of more landscape/ planting to lessen the impact of what would be quite large areas of tarmac.

The building lines of the existing residential blocks on Victoria Road need to be considered re the positioning of the new blocks at the southern site entrance. At present, block B steps forward of this, if it were set back in line with the existing block this would create a better transition between the areas. Ideally, a feature building should be positioned to terminate the view into the site along this road.

Scale:

The existing surrounding blocks are up to 3 storeys in height, with traditional pitched roof forms. The new residential blocks units, however, would be predominantly 4 sheer storeys, and the cinema and new store are in part taller still with a very large footprint. Given the secondary nature of the site, the scale of development should drop behind the principal frontages, rather than increase. Hence, the height of all of the proposed structures needs to be reconsidered. The modelling of the elevations of all of the new buildings does little if anything to breakdown their overall bulk and massing, in particular, what would be the potentially monumental appearance of the store and cinema.

It would make sense if the taller built elements were at the north of the site to mark main entrance; it is difficult to see why there are single storey buildings in this location.

Design:

The design of the cinema, ASDA and restaurant units is such that they have a "retail park" appearance, incorporating aluminium curtain walling and black metal cladding. It would be preferable to have a design approach that reflected the town centre location, using materials and incorporating features that are characteristic, or in this case, reinforce and enhance the character of the area.

The housing blocks would be rather boxy and repetitive in appearance, with little variety and interest in terms of elevational detailing, or roof line. Similarly, the terraces would have a rather regimented appearance and would be devoid of any particular features that would make them distinctive. Block F would appear overly long and needs to be broken into shorter terraces.

Landscape:

More areas of soft landscape need to be incorporated into the scheme and the loss of a number of mature trees on the boundaries of the site needs to be addressed.

Conclusion: Needs significant revision in terms of layout and design.

TREES/LANDSCAPING:

Saved Policy BE38 of the UDP seeks the retention and utilisation of topographical and landscape features of merit and also the provision of new planting and landscaping where it is appropriate. Currently, this site does not retain any significant trees (because the line of mature Lombardy Poplars at the entrance to the site is due to be removed to facilitate the enlarged entrance) and therefore there a requirement to provide new tree planting within the site to mitigate the loss of the Poplars and to improve tree cover. The need for tree planting is supported by the London Mayor's Street Tree Initiative, which found that South Ruislip has a 'very low' cover of trees

There is a line of semi-mature Lombardy Poplars at the proposed main entrance to the site. The trees are a significant landscape feature and are highly visible to the surrounding areas. The focal value of these trees is further enhanced being at the main entrance to the proposed site and close to the top of a hill. The trees have a very high amenity value.

The supporting tree report has correctly classified the majority of these trees (T73 to T79) as category A trees (T78 is not in a good condition and has been classified as a C category tree). However, despite the trees' high value, the proposed scheme aims to remove them to make way for the main entrance. The tree planting strategy (part of the supporting landscape strategy) proposes to plant 'park' trees to mitigate the loss of these Poplars, and suggests Wild Cherry, Rowan, Ornamental Pear or Ornamental Apple. None of these species of tree would replace the high amenity currently provided by the Lombardy Poplars.

It is recommended that the Lombardy Poplars should be retained and incorporated into the scheme. If this is not considered to be possible due to other issues (such as Highways, or Access issues), then the Trees & Woodlands Team should be re-consulted to determine whether or not an alternative solution can be found.

Secondly, four 'types' of tree planting have been proposed (feature, avenue, park and structural) and for each of these four types, several species have been suggested, however, the majority of the proposed species are not suitable for purpose. For example a Goat Willow cannot be described as a 'structural tree' and a list of potential 'park' trees should include large species of tree such as Oak, Ash, Horse Chestnut and Cedar. An Arboriculturalist should be consulted on this matter and these four tree planting 'types' and their recommended species should be re-considered so that more suitable and more interesting species of trees are proposed.

The remainder of the trees on this site that are earmarked for removal are not valuable and the Council has no objection to their removal, subject to the submission of a suitable re-planting proposal to increase and improve tree cover.

Some other points to consider are as follows:

The Landscape strategy provides two options for the Long Drive entrance into the site. Judging by the two artist impressions that have been provided, option 2 appears to be more inviting and open. Option 1 should be discounted at this stage.

With regards to the remainder of the landscape strategy, although some interesting ideas have been shown, it is ambiguous and does not provide precise details that will relate to the final scheme. It is possible to deal with the final landscaping scheme by condition however it would be preferable to see a stronger master plan with relevant illustrative details which can be used to assess final details at this stage. It would also be helpful to provide section diagrams (through the buildings and open spaces) to show how the proposed tree and landscape features will contribute to the quality of the open spaces.

Lastly, South Ruislip has been shown to have low air quality and therefore a Section 106 agreement, that will provide funding to provide off-site planting around the local area, should be agreed.

Further to the need to provide tree planting to improve canopy cover in this area, there is also a requirement to screen the view of the proposed complex from those living in the proposed dwellings to the south-east of it. It would be straight-forward to incorporate a line of about six new trees within the exposed part of the car park and there are several species of tree that would be suitable candidates. However, this part of the proposed scheme is devoid of trees.

Conclusion: As it stands, this scheme is unacceptable because it fails to demonstrate adequate planting and landscaping proposals that would: soften the visual impact of those who will live nearby; to mitigate the loss of the line of Lombardy Poplars; and to improve local tree cover. The proposal would therefore be detrimental to the visual amenity and arboreal / character of the area, contrary to policy BE38 of the adopted Unitary Development Plan for the London Borough of Hillingdon.

SUSTAINABILITY:

Energy:

The energy strategy does not fully justify how the 'be lean' savings are going to be achieved. Normally, development's achieve about 7-10% reduction from 'be lean' measures. The saving in

this case is nearly 20%. This performance is made even more exceptional by the results from the Millington Road Asda store achieving just a 1.6% reduction from 'be lean' measures.

Much clearer information needs to be presented on how each of the improvements, particularly heating and lighting have managed to make such huge savings.

The applicant will also need to fully explain why the development cannot achieve the 25% reduction from Building Regulations.

Green Roofs:

The Council finds it wholly unacceptable to rule out green roofs because of the presence of RAF Northolt. No communication from the RAF base has been submitted and it is strange that gardens and green spaces can be proposed, as can bird boxes, but green roofs cannot.

The applicant should be mindful that the largest green roof in Europe is situated at Frankfurt Airport and includes a main terminal building - the airport has remained fully operational. To suggest green roofs are not appropriate for this development is somewhat outdated.

The applicant must include proposals for green roofs on some or all of the development, and should also include living walls on some elevations.

Water Efficiency:

The commentary on water efficiency is inadequate. The applicant must show proposals to reduce potable water demand through the inclusion of recycling and reuse measures. This means the superstore and the cinema should include measures to capture rainwater and/or greywater to be reused in washrooms and for washing facilities.

HS2:

The transport assessment must be mindful of the emerging information on HS2. This must be fed into the transport assessment to ensure the cumulative impacts have been adequately considered.

Officer Comment:

Green roofs are now proposed as part of the scheme. The remaining issues could be dealt with via conditions on any grant of permission.

S106 OFFICER:

Would like to advise of the likely planning obligations should the application be recommended for approval.

Residential Component:

Market component:

- 11 x 1-bed flats (3hrms)
- 22 x 2-bed flats (4hrms)
- 8 x 3-bed houses (6hrms)
- 3 x 4-bed houses (7hrms)

Affordable Component:

Intermediate/ Shared Ownership

- 4 x 1-bed flats (3hrms)
- 10 x 2-bed flats (4hrs)

- 1 x 3-bed house (6hbrms)

Affordable Rented

- 6 x 1-bed flats (3hbrms)
- 13 x 2-bed flats (4hbrms)
- 3 x 3-bed houses (6hbrms)
- 1 x 4-bed house (7hbrms)

Total number of units - 104

Total resulting population - 217.94

Proposed Heads of Terms:

1. Transport: In line with the SPD a s278 and/or s38 agreement will be required to be entered into to address any and all highways matters arising from the proposal. There will also be a requirement for travel plans to be provided and adhered to for the commercial and residential elements. There may also be a need for some form of public transport contribution but this will be dependant upon the consultation response that is received from TfL.

2. Affordable Housing: The proposal meets the affordable housing policy requirement of 35%. I am seeking confirmation or otherwise that the housing mix is acceptable to the housing department.

3. Education: In line with the SPD a contribution towards education will be sought as a result of this proposal. Based on the above, a contribution in the sum of £426,580 should be secured.

4. Health: In line with the SPD a contribution towards health care provision is likely to be sought in line with the policy which requires £216.67 per person. Based on the above a contribution in the sum of £47,221.06 should be secured.

5. Libraries: In line with the SPD a contribution towards libraries is likely to be sought in line with the policy which requires £23 per person. Based on the above a contribution in the sum of £4,983.41 should be secured.

6. Recreational Open Space: In line with the SPD a contribution towards off-site open space may be sought as a result of this proposal. However further more detailed analysis on this obligation is required.

7. Public Realm: In line with the SPD a contribution towards the public realm may be sought as a result of this proposal. However further more detailed analysis on this obligation is required.

8. Construction Training: In line with the SPD a contribution or in-kind scheme delivered will be required to address training during the construction phase of the development. If the contribution is to be delivered as a financial contribution then it should be in line with the formula which is £2,500 for every £1m build cost + $104/160 \times £71,675$ = total contribution.

9. Employment Training: In line with the SPD and for the store operation an employment training initiative will be required to address employment training matters as a result of the proposal if approved. It is our preference to deliver in-kind employment training schemes over a financial contribution.

10. Air Quality: In line with the SPD, it is likely that EPU will seek a contribution in the region of £25-50,000 as a result of this proposal.

11. Project Management and Monitoring Fee: In line with the SPD a contribution equal to 5% of the

total cash contributions will be sought to enable the management and monitoring of the resulting agreement.

Please also note that this scheme will also have a Mayoral CIL liability on the net increase in GIA for all parts of the scheme apart from the Affordable Housing element.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

RETAIL POLICY:

The strategic policy planning context for development of the site is provided by the London Plan (2011) and Local Plan Part 1 Policy E5.

London Plan Policies 2.15 (town centres), 4.7 (retail and town centre development) and 4.8 (Supporting a successful and diverse retail sector) collectively seek to ensure that retail developments:

- Relate to the size, role and function of the centre
- Sustain and enhance the vitality and viability of the centre
- Follow the sequential approach to site selection
- Accommodate economic and housing growth
- Support and enhance competitiveness, quality and diversity of town centres
- Promote public transport and sustainable modes of travel
- Contribute towards an enhanced environment.

Local Plan Part 1 Policy PT1.E5 (Town and Local centres) affirms the Council's commitment to improve town and neighbourhood centres across the Borough and improve public transport, walking and cycling connections whilst ensuring an appropriate level of parking is provided. In each case, the planning guidance advocates a comprehensive mixed-use development on the site, which respects the scale and function of the existing Local Centre. This is supported by the Council's draft Site Allocations SPD, which states 'this site represents a significant development opportunity to deliver regeneration in South Ruislip. The Council will support mixed use development proposals that do not have a significant adverse impact on South Ruislip or the wider area.' Key assessments of such developments include:

- Development proposals should have a positive affect on South Ruislip;
- The scale of development should not affect the hierarchy of the centres in the borough;
- The addition of leisure based uses will be supported subject to the above;
- As a minimum, 20% of the site should accommodate residential uses;
- The Council will support some retail development on the site that does not adversely impact on surrounding centres;
- Transportation issues are key to the development of this site. In particular the capacity of the junction between Long Drive and Victoria Road should be addressed; and
- Development proposals should meet the requirements of policies in other parts of the Local Plan.

The application site adjoins the area identified in the Local Plan: Part 2 - Saved UDP Policies (November 2012) as the South Ruislip Local Centre. Table 8.1 of the Local Plan: Part 2 - Saved UDP Policies defines local centres as providing local shops and services for people who do not live or work near a town centre. Accordingly, they are in principle an appropriate location for a supermarket, for people who would otherwise make longer trips to their nearest town centre.

The National Planning Policy Framework (NPPF) replaces PPS4. However, the PPS4

Practice Guidance remains a material planning consideration. Paragraph 23 of the NPPF requires Local Planning Authorities when drawing up local plans to define a network and hierarchy of centres that is resilient to anticipated future economic changes and set policies for consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres. Paragraphs 24 to 27 of the NPPF set out the matters to be considered in the determination of planning applications for main town centre uses, including retail. Paragraph 27 provides that where applications do not satisfy the sequential and impact tests, they should be refused.

Policies 4.7 to 4.9 of the London Plan address retail matters, at strategic, planning decision and LDF preparation levels. Policy 2.15 (Town Centres) requires that development proposals in town centres should comply with Policies 4.7 and 4.8, and additionally:

- a. sustain and enhance the vitality and viability of the centre
- b. accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
- c. support and enhance the competitiveness, quality and diversity of town centre retail, leisure, arts and cultural, other consumer services and public services
- d. be in scale with the centre
- e. promote access by public transport, walking and cycling
- f. promote safety, security and lifetime neighbourhoods
- g. contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure
- h. reduce delivery, servicing and road user conflict.

Policy 4.7 (Retail and Town Centre Development) directs that the following principles should be applied in determining applications for proposed retail and town centre development:

- a. the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment
- b. retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport
- c. proposals for new, or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

Policy 4.8 (Supporting a Successful and Diverse Retail Sector) provides that LDFs should take a proactive approach to planning for retail through a number of measures, including (inter alia):

- b. support convenience retail particularly in District, Neighbourhood, and more local centres, to secure a sustainable pattern of provision and strong, lifetime neighbourhoods
- c. provide a policy framework for maintaining, managing and enhancing local and neighbourhood shopping and facilities to provide local goods and services, and develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping
- d. identify areas under-served in local convenience shopping and services provision and support additional facilities at an appropriate scale in locations accessible by walking, cycling and public transport to serve existing or new residential communities

Policy 4.9 (Small Shops) sets out that the Mayor will and that boroughs should consider imposing conditions or seeking contributions through planning obligations where appropriate, feasible and viable, to provide or support affordable shop units suitable for small or independent retailers and service outlets and/or to strengthen and promote the

retail offer, attractiveness and competitiveness of centres.

SITE SETTING:

The application seeks planning permission for mixed use development, including retail, cinema, restaurants, and residential dwellings. The retail portion comprises:

- Asda foodstore, including ancillary customer cafe (8539sqm gross / 4554sqm net) and petrol filling station; and
- Four unit shops (382sqm gross).

As acknowledged by the applicant, the application site is not located within a defined centre. The applicant identifies that entrances to the proposed foodstore / cinema / restaurants is located approximately 250 metres from the core shopping frontage of South Ruislip local centre. Therefore, whilst the application site represents an edge-of-centre location, it is located at the upper end of the distance threshold distinguishing edge-of-centre and out-of-centre sites (i.e. up to 300 metres).

However, the entrance to the Asda store and importantly the customer car park is located further from the core shopping frontage of the local centre. Given the scale of the car park proposed (564 spaces), Asda are expecting that a significant numbers of shoppers will visit the store by car. In this respect, the opportunity for these customers to undertake a linked trip to the local centre would mean a walk from the store car park either before or after undertaking their food shop rather than the store entrance. This distance is greater than the 250 metres identified by the applicant. The fact that for a number of shoppers the distance to travel by foot is beyond 250 metres is an important consideration when assessing the application proposal, particularly in terms of the benefits of the proposal on the wider vitality and viability of South Ruislip local centre.

SCALE:

Policy 2.15 of the London Plan notes that Development proposals in town centres should be in scale with the centre. The London Plan provides descriptions of Local Centres, which is set out below:

'Neighbourhood and more local centres typically serve a localised catchment often most accessible by walking and cycling and include local parades and small clusters of shops, mostly for convenience goods and other services. They may include a small supermarket (typically up to around 500sq.m), sub-post office, pharmacy, laundrette and other useful local services.

Together with District centres they can play a key role in addressing areas deficient in local retail and other services.'

London Plan Policy 4.7 requires to the scale or retail and leisure proposals to be related to the size, role and function of the centre and its catchment.

The applicant has assessed whether the application proposal is appropriate in scale and relies heavily on the recent approval for an extension to a nearby supermarket. This application was for the enlargement of an existing store through a knock down and rebuild within the local centre. The driving rationale for the replacement store was to address overtrading within the existing store rather than increasing the overall attraction of the local centre and fundamentally changing its role and function within the hierarchy.

This is not considered to be an applicable justification for the current proposal. This proposal seeks to introduce an additional large format foodstore in excess of 8500sqm at the edge of South Ruislip local centre together with providing a number of other main town centre uses including a cinema of over 5000sqm and restaurants of over 2400sqm. As such, it is considered that the role and function of South Ruislip will not be the same.

The key issue in assessing whether the proposal at the Arla site is appropriate in scale is whether the proposal will have such an affect to alter the role and function of existing centres. Should planning permission be granted at the Arla site, the placement of two large format foodstores together with the wider town centre uses proposed will significantly change the role and function of the local centre.

On its own, whilst it would clearly affect the scale and function of the centre (which currently contains a supermarket), it is important to establish if this change in scale would result in unacceptable harm to other centres. In this case officers consider that there is evidence to demonstrate that it would cause unacceptable impacts, as in it would disrupt the function, viability and vitality of other centres, as a result of its scale.

NEED AND TRADE DRAW:

Although the demonstration of 'need' no longer forms a specific policy requirement of the NPPF, consideration of retail need / capacity for additional floorspace is still an important factor when applying the sequential approach and assessing impact, which remain policy requirements. This is acknowledged by the applicant.

In terms of the need for the proposal, again the applicant relies heavily upon the assessment of the recent Sainsbury's application in South Ruislip. Based on this assessment the applicant concludes that there remains a need over and above the extended Sainsbury's store to support the application proposal. It is not considered that the assessment undertaken in support of the Sainsbury's application demonstrates that there is a need for an additional foodstore on the Arla site, over and above the redevelopment of the existing Sainsbury's as suggested by the applicant.

The Councils retail evidence base does not identify retail capacity for additional floorspace. Whilst it did identify a qualitative need for further convenience floorspace, this should only be for new development that would 'anchor' and 'complement' the role of existing centres. It is considered that the design and location of the proposal will not strengthen an in centre anchor facility. By likely drawing trade from Sainsbury's and other facilities in the local centre, the proposal will draw significant trade from in-centre facilities which is considered to be contrary to planning policy. The existing Sainsbury's store within the local centre plays an important role in anchoring the local centre therefore any adverse impact on this store is an important consideration in determining this application.

In addition, the assessment of capacity undertaken in support of the Sainsbury's proposal (which has been relied upon by the applicant) identified convenience capacity of approximately £14 million. Much of this capacity (£10 million, or 74%) will be met by the Sainsbury's development. Consequently, there is limited capacity to support further convenience floorspace within the catchment area (approximately £3 million). Importantly, this 'capacity' is for the catchment area as a whole (which includes higher order centres such as Ruislip district centre) and not just South Ruislip.

Whilst it is acknowledged that this capacity is based on current market shares, there is considered to be limited scope to improve the market share of South Ruislip and wider

catchment area. This was acknowledged in the Councils Retail Study (paragraph 4.17), which states:

'We consider that this is a reasonably high retention rate bearing in mind the study area boundary includes centres and urban areas outside of the Borough boundary.'

Likewise, within the Northern Catchment Area (which includes South Ruislip), although the Council's Retail Study identifies that the Borough retains a lower market share than the South Catchment Area, much of the expenditure being directed to centres outside the Borough is still retained in the Northern Catchment Area (such as Rickmansworth and Pinner) and therefore does not represent genuine 'leakage' that could be clawed back.

Given this, together with the fact that a number of new stores are permitted or have recently opened in the wider area, including Morrisons in Harrow, Sainsbury's extension in Uxbridge and Asda in Hayes, the scope for attracting more expenditure to South Ruislip is significantly constrained. This has implications in the assessing the impact of the proposal and where the proposal is expected to draw its trade.

The assessment undertaken by the applicant assumes that almost £34 million of additional retail expenditure will be attracted to South Ruislip as a consequence of the proposal at the Aria site. By also taking into account the Sainsbury's extension, the additional retail turnover directed to South Ruislip local centre increases to approximately £60 million (£29 million convenience goods and £31 million comparison goods). This equates to an approximate doubling of the retail turnover of South Ruislip local centre. This further demonstrates that the scale of the proposal is inappropriate to the role and function of the local centre and the concerns raised by the Council / GLA of new development altering the role and function of South Ruislip local centre will clearly be realised should the Aria site proposal come forward.

In addition, should the high levels of clawback not be achieved, the effect on existing centres within South Ruislip will be much higher than that estimated by the applicant. We consider this issue later.

The applicant also places significant emphasis on there being a qualitative need for improved provision in order to address overtrading of the existing Sainsbury's store in South Ruislip. Whilst we acknowledge that the existing Sainsbury's store is overtrading, as noted by the applicant, planning permission exists to redevelop this store and address the overtrading. Therefore, the overtrading of this in-centre store will be addressed without the need to permit a new store outside the local centre (as proposed), that will have adverse impacts on future investment and the vitality and viability of neighbouring centres.

Whilst Sainsbury's anticipate that this store will continue to trade above company average level, the store is located in London where typically expenditure per capita and population density is greater than other parts of the UK. Furthermore, it is too simplistic to state that because a store is trading above company average level that it is overtrading. As acknowledged by the Practice Guidance, claims on overtrading should be backed up by corroborating evidence such as overcrowding and congestion rather than simply a comparison with a retailer's company average turnover. No such evidence has been presented.

In this context, the redevelopment of the existing Sainsbury's store within the local centre will address the qualitative issues highlighted by the applicant. There will be no need for further provision to address overtrading as suggested by the applicant and therefore this

issue has clearly been overstated and should not be used to justify the proposal.

Overall, reflecting the findings of the Council's evidence base, there is no capacity to support the application proposal (over and above the Sainsbury's redevelopment) and the qualitative need identified has been significantly overstated. Whilst the Council's Retail Study identified some qualitative need to improve existing provision this should be focused in improving 'in centre' anchor facilities rather than permitting schemes outside defined centres (as proposed on the Arla site) that will have the effect of drawing significant trade from a defined centre.

SEQUENTIAL TEST:

Paragraph 24 of the NPPF sets out the principles of the sequential test. In effect, this direction carries over the guidance set out in PPS4 Policy EC15. Furthermore, Paragraph 24 provides further advice to local authorities that when considering applications on out of-centre sites, preference should be given to accessible sites that are well connected to the town centre. Paragraph 24 adds that LPAs should apply sequential testing to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. They should require applications for main town centre uses to be located in town centres, then edge of centre locations and only if suitable sites are not available should out of centre uses be considered. In- and edge-of-centre sites have been considered in terms of whether they are suitable and available, having regard to the requirement for flexibility on issues of format and scale.

In applying the sequential approach, the applicant (paragraph 5.46, Retail & Leisure Report) states that it is: 'clear that 'need' is an important consideration informing the sequential approach to site selection.'

The importance of retail capacity need is also evidenced in the Practice Guidance where it outlines a checklist to adopt when applying the sequential approach (page 46), which includes:

- Is the need location specific or even site specific or is it more generalised?
- Have they been thoroughly tested, having regard to their suitability, viability and availability having regard to the identified need/demand and the timescale over which it arises?

As we have demonstrated we do not believe that a need for the scale of retail floorspace proposed has been demonstrated. The Council has accepted that there is a need to address overtrading. However, the Practice Guidance (paragraph 6.1) confirms that a key part of positive planning is: 'to identify those sites to be most appropriate to meet any identified need.'

It is our view that the redevelopment of the 'in-centre' Sainsbury's store will satisfactorily meet the need identified in a sequentially preferable location. This means that the development of an edge-of / out-of- centre site (as proposed) is not necessary. There is no pressing need in South Ruislip that justifies the application proposal on the Aria site.

In applying the sequential approach the Practice Guidance (paragraph 6.42) states that: 'It is not necessary to demonstrate that a potential town centre or edge-of-centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make, either individually or collectively, to meeting the same requirements.'

The limited need identified by the applicant (which focuses on the overtrading of Sainsburys) will be met by the proposed redevelopment of the existing Sainsbury's store in South Ruislip.

Furthermore, national planning policy requires applicants to apply the sequential approach for all 'main town centre uses'. This includes the cinema, restaurants and smaller shop units together with the proposed foodstore. The Practice Guidance highlights the need to adopt a flexible approach and consider the scope for disaggregation. A flexible approach has not been undertaken by the applicant and very limited evidence has been presented in terms of commercial viability to demonstrate why elements of the scheme cannot be disaggregated and accommodating alternative sites. If a flexible approach is adopted that considers alternative sites for disaggregated elements of the scheme (including the foodstore) it is likely that sequentially preferable sites exist.

Likewise, the approach undertaken by the applicant has not considered alternative sites for the smaller retail units proposed. As well as providing an extension to the existing store, the permitted Sainsbury's scheme also includes commercial units (357 sq m gross) that could accommodate the unit shops proposed at the Aria site.

In this context, it is considered that the application fails the sequential approach. It should be noted that both the London Borough of Harrow and the Greater London Authority share these significant concerns with regard to the adequacy of the sequential assessment which has been provided.

RETAIL IMPACT ASSESSMENT:

In reviewing the impact assessment undertaken by the applicant the Council has a number of concerns with regard to the assumptions adopted, which are summarised as follows:

The applicant has failed to assess the potential impact of the unit shops and therefore the full turnover of the retail element of the proposal has not been considered.

The anticipated trade draw of the proposal is unrealistic and seeks to underestimate the potential turnover from the existing Sainsbury's and subsequently on the long-term vitality and viability of South Ruislip local centre. For example, the applicant has assumed that the bulk of the proposals turnover will be derived from facilities further a field and outside South Ruislip.

Whilst it is accepted that there is some scope to clawback back expenditure from further a field, the scale of clawback identified to support both the Sainsbury's redevelopment and the new Asda is unrealistic. There is a limit to the level of retail expenditure that can be attracted to South Ruislip local centre (reflecting its role and position as a local centre in the hierarchy). The applicant has assumed that the proposal and the redeveloped Sainsbury's will draw approximately £50 million of additional expenditure to the local centre. Such a level of expenditure is considered unrealistic and inappropriate for a local centre. This includes the application proposal drawing almost £17 million of retail expenditure from outside the Study Area in addition to identifying that the Sainsbury's extension will draw £10 million from outside the Study Area. Not only is such a collective level of trade draw inappropriate for a local centre, it is unlikely that this level of expenditure from outside the Study Area will be achieved given the strength and proximity of competing provision. This includes new stores in Harrow (now open), Hayes (to be operated by Asda) and two new foodstores are proposed in North Hillingdon. Should this

level of expenditure derived from the Study Area not be achieved, the effect will be that a greater level of trade diversion will be derived from local facilities (namely the Sainsbury's at South Ruislip) than identified by the applicant.

The applicant recognises that the application proposal will compete with the Sainsbury's store, however this is not reflected in the anticipated trade draw. For example, whilst the applicant has assumed that 45% of the convenience goods turnover of the proposal will be derived from the extended Sainsbury's, only 8% of the comparison goods turnover is identified to be derived from the extended Sainsbury's store. This level of trade diversion is identified to be comparable to the Argos store on Victoria Road Retail Park (7%). This is despite the fact that a number of comparison purchases from the Asda store will be ancillary to a food shop, the comparison goods turnover of the Asda (£17 million) will be comparable to the extended Sainsbury's store (£20 million), and that the comparison turnover of the Sainsbury's store (as extended) is identified by the applicant to be almost three times greater than Argos. Against this background it is considered inappropriate to assume that the proposal will draw such a low turnover from Sainsbury's when compared to that identified for Argos.

The above factors have the effect on underestimating the impact on South Ruislip and importantly on the existing supermarket that anchors the local centre.

IMPACT ON EXISTING, COMMITTED AND PLANNED INVESTMENT:

Notwithstanding the concerns with regard to the trade diversion from the Sainsbury's store, it is considered that the proposal will have a significant adverse impact on future investment to carry out the planning permission improve the existing supermarket. One of the key policy requirements of the NPPF is to assess the likely effects of new development on existing, committed and planned public and private sector investment in a centre (paragraph 26). Despite this, the applicant has failed to assess the implications of the proposal on future investment as part of their assessment (i.e. the effect of the application on Sainsbury's commitment to extend the existing in-centre store).

If permitted, the proposal at the Arla store is likely to undermine Sainsbury's planned investment for the existing store. Based on the applicant's trade draw figures, the effect of the proposal is for the turnover of the convenience goods element of the Sainsbury's store by 2017 to be less than currently achieved. Whilst it is accepted that the comparison goods offer of the Sainsbury's store will be improved, this element of the store relies on the footfall created by the convenience goods element in order for it to be successful. Furthermore, it is anticipated that the comparison goods element of the extended Sainsbury's store will trade at a much lower level than that identified by the applicant for the reasons outlined above.

As a consequence of the proposal at the Arla site, the proposed investment by Sainsbury's to strengthen an important anchor in South Ruislip local centre will be significantly undermined. It is likely that this significant and costly investment to redevelop the existing store will not arise if the outcome is that the store will trade at a comparable (or lower) level to that which they currently achieve.

When measuring the effect on planned investment in nearby centres, the Practice Guidance (page 54) states that an important consideration is: 'Whether there is sufficient need for both.' As previously highlighted, there is considered to be an insufficient need / capacity to support both the redevelopment of the existing Sainsbury's store in South Ruislip local centre and the development at the Arla site.

Against this background, the application at the Arla site, if permitted, is considered to result in the undermining of the future in-centre investment that will ensure the long-term vitality and viability of the local centre, which would be contrary to both national and local planning policies.

IMPACT ON TOWN CENTRE VITALITY AND VIABILITY:

Whilst the application has the potential to lead to a significant adverse impact on planned in-centre investment (which will assist in strengthening the vitality and viability of the local centre), it is also considered that it would lead to a significant adverse impact on the vitality and viability of South Ruislip local centre.

It is estimated that the proposal will have an impact on South Ruislip local centre of 17.5%. The applicant themselves suggest that this level of impact as being 'high'. Furthermore, should the redevelopment of the existing Sainsbury's store not come forward (due to the significant implications of the proposal) the impact on South Ruislip local centre is even higher at 21.2%. The impact figure identified by the applicant of 16.4% is incorrect and has been miscalculated. In this context, the applicant themselves identify that the retail turnover of South Ruislip local centre will reduce by over a fifth should the Arla site come forward.

The applicant seeks to justify that the proposal will have no adverse impact on the centre as a whole due to the Sainsbury's store (post Asda) continuing to trade at above benchmark levels. It is not considered that due to a store continuing to trade above expected levels that new development outside a centre would mean that the proposal will not have a significant adverse impact, as suggested by the applicant. The application proposal is likely to draw significant trade from in-centre facilities to a destination outside the local centre where the propensity for linked trips will be much less. The Arla site proposal includes small unit shops and A3 uses. Consequently, the reason to visit the local centre may be lost. This reduction in trade will have knock on effect in terms of reduced footfall and spin off benefits for existing businesses that over time will undermine the long-term vitality and viability of the centre, which is contrary to planning policy.

In addition, whilst the applicant's assessment identifies a significant impact on the retail turnover of South Ruislip local centre, for the reasons outlined above, it is considered that this impact could be underestimated. Based on an assumption that the proposal will draw 50% of its convenience turnover and 40% of its comparison turnover (to reflect the fact that a significant proportion of comparison purchases will be undertaken as part of a food shop) from the redeveloped Sainsbury's in South Ruislip, the application proposal is anticipated to reduce the overall retail turnover of South Ruislip local centre by more than a quarter.

It should also be noted that the proposal could result in significant impacts on centres outside the catchment area as a result of the trade draw of the application. The retail impact assessment only considers convenience trade draws and only on large scale retailers. Harrow Council considered that the proposal, in association with the extant permission for the redevelopment of Sainsbury's, would result in significant trade draws from the town centres of Harrow. Based on the information provided with the application, it is not clear how wide and severe the impact of the development would be on centres outside the catchment area. As such, the application fails to demonstrate the full extent of potential impacts.

As such, a level of impact on the turnover of the local centre such as that potentially

expected, is considered significant. Also, by applying more realistic assumptions with regard to trade diversion, it is also considered that the application could lead to the redeveloped Sainsbury's store trading below expected levels. This provides further evidence that that planned in-centre investment will be undermined by the application at the Arla site.

The proposal would result in the creation of a commercial focal point to the north of the site, in the form of the piazza, featuring the entrance to the supermarket, the cinema, and the restaurant uses. Given the distance and separation from South Ruislip local centre proper, it is considered that the proposal would result in the creation of a second town centre. This would be added to further by the likelihood of visitors driving to the proposed development, and not utilising the railway station, bypassing the existing town centre. This would result in the disaggregation of South Ruislip local centre to the detriment of the viability and vitality of the existing centre.

RETAIL CONCLUSION:

There are a number of concerns with the retail impact assessment which undermine its reliability. Officers consider that the Retail Impact Assessment would underestimate the impact. Given the potential harm to in centre committed development and disruption to the hierarchy of centres an underestimate of impacts is particularly problematic and little weight can be placed on the retail impact assessment.

Officers are mindful of the weighting which must be placed on Government pro-growth policies of recent years, such as the NPPF which encourage competitiveness between retailers. This was also taken into account when taking an overall view on retail impact. However, on balance, officers consider, that the scheme would cause harm to the South Ruislip local centre, committed development within this centre and other centres, and refusal is recommended on these grounds.

7.02 Density of the proposed development

London Plan Policy 3.4 seeks to maximise the potential of sites, compatible with local context and design principles in Policy 7.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in the Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

The London Plan requirements for this site (1.41ha), which is considered to be an suburban site with a PTAL of 3, would be 50-95 u/ha and 150-250 hr/ha. The scheme proposes 104 units with 327 habitable rooms. This equates to a density of 74 u/ha and 230 hr/ha. As such the proposed density is within the guidelines of the London Plan, and the proposed quantum of residential units is considered to be acceptable in this location. Accordingly, no objection is raised to the proposed density in this instance.

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

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

7.04 Airport safeguarding

With regards to the height of the development proposed, BAA/Heathrow Safeguarding raises no concerns against the proposed development, subject to a number of conditions being imposed on any grant planning permission.

The MoD and RAF Northolt were consulted on the development and raised no objections.

7.05 Impact on the green belt

The site is not located within or near to the Green Belt. As such, it is considered that the scheme would not impact on the Green Belt.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek 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. Policy BE26 states that within town centres the design, layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

Several design related policies have been saved within the UDP. Policy BE13 seeks for the layout and appearance of the development to harmonise with the existing street scene and features of an area. The design should take account of the need to ensure that windows overlook pedestrian spaces to enhance pedestrian safety (Policy BE18). In addition, Saved Policy OE1 prohibits proposals that are to the detriment of the character and appearance of the surrounding properties or area.

Policy BE19 seeks to ensure that proposals compliment or improve the amenity and character of the area. Policy BE20 furthers that residential layout should facilitate adequate daylight and sunlight penetration into and between them. Should any buildings result in a significant loss of residential amenity by means of their siting, bulk and proximity, planning permission will be refused under Policy BE21.

Policy BE26 relates to town centres, stating that the design; layout and landscaping of new buildings will be expected to reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

In relation to the design of the development itself, this has been designed having regard to the constraints of the site. The applicant states that South Ruislip currently lacks any focus which would identify a centre for the town, with many local people citing the Sainsbury's and the tube station as the only landmarks in the area. Through their site analysis they have broken down the site into key design areas comprising "Dairy Avenue", "The Piazza", "The Square", with a series of active frontage and integrated landscaped features.

These comprise a hard landscaped pedestrian entrance area alongside The Middlesex Arms from Long Drive leading to 'The Square' with shops at ground floor and residential above which will provide a degree of passive surveillance. The pedestrian route 'Dairy Avenue' then leads past a children's play space and residential apartments to 'The Piazza' which comprises a hard landscaped area with outside seating and a wall of water providing a focus within the space. Family restaurants enclose 'The Piazza' providing a focal point for local residents and a space for social interaction; the creation of a centre for South Ruislip.

It should be noted, that the applicant states they aim to create a new centre focus for the area. As discussed earlier in the report, officers have serious reservations with regard to this layout, and its impact on the existing South Ruislip local centre.

The existing surrounding blocks are up to 3 storeys in height, with traditional pitched roof forms. The new residential blocks units, however, would be predominantly 4 sheer storeys, and the cinema and new store are in part taller still with a very large footprint. The Council's Urban Design Officer considers that given the secondary nature of the site, the scale of development should drop behind the principal frontages, rather than increase.

The Council's Urban Design Officer also considers that the design of the cinema, ASDA and restaurant units is such that they have a "retail park" appearance, incorporating aluminium curtain walling and black metal cladding. It would be preferable to have a design approach that reflected the town centre location, using materials and incorporating features that are characteristic, or in this case, reinforce and enhance the character of the area.

The housing blocks would be rather boxy and repetitive in appearance, with little variety and interest in terms of elevational detailing, or roof line. Similarly, the terraces would have a rather regimented appearance and would be devoid of any particular features that would make them distinctive. Block F would appear overly long and needs to be broken into shorter terraces.

It is considered that given the withdrawn location from the town centre, the commercial portion of the scheme is acceptable in design terms. The appearance of the residential element could be controlled via a condition, should permission be granted. It is also noted that design can be a subjective issue and that individual persons may have differing views on this matter, however the National Planning Policy Framework makes clear at paragraph 60 that:

'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.'

It is acknowledged that the present degraded site, together with the vacant adjoining 'Aviva' site to the north detract from South Ruislip's function as a local shopping centre. This is made worse by the presence of highway infrastructure and the domination by road traffic. The site is clearly in need of an appropriate scheme of redevelopment, bringing regeneration, vibrancy and improvements to the townscape of North Hillingdon. However these need to be integrated in a way that brings improvements to the whole environment of the area and not merely the site itself.

Overall, having regard to all of the above factors it is considered that the development has been designed in a way which appropriately addressed its surroundings. While the internal layout of the site raises concerns addressed elsewhere in this report, and taking into account that the individual design of the scheme may not be to everyone's taste, it is not considered that the scheme would overall be harmful with regard to the character and appearance of the area.

7.08 Impact on neighbours

Restaurant units 1-3 back onto the rear of properties in Victoria Way. The rear of these restaurants serves as the servicing points for the premises. This service area includes bin store access with access ramps, in an uncovered alley to the rear of the building, less than 15 metres from the rear of the existing properties in Victoria Way. No mitigation measures are shown to limit noise transition from the rear of this building to the adjoining properties. As such it is considered that the development would result in a noise impact to the existing neighbouring properties, contrary to policy OE1 of the Hillingdon Local Plan:

Part 2 - Saved UDP Policies (November 2012).

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.

The nearest residential properties are in Victoria Road adjacent to the site. The development would be separated from these residential properties by the rear gardens to the rear of the properties. Restaurant units 1-3 would be 15 metres from the rear of these properties, and the residential blocks would be 21 metres from the rear of these properties. This separation is adequate to ensure the development does not have adverse impacts on the amenity of residential occupiers in respect of dominance or loss of light. It should be noted that the existing buildings on the site are closer to the rear of the neighbouring properties than those proposed.

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 residential buildings would be over 21m from the nearest residential property in Victoria Road and would be separated by rear gardens. 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).

7.09 Living conditions for future occupiers

NOISE AND DISTURBANCE

The layout of the site is such that restaurant units 1-3 are located in close proximity to residential Block D. Given the likely late night usage that would occur at a restaurant, and in addition to this the servicing of the premises which would usually occur out of hours, it is considered that noise and disturbance resulting from the restaurant use would unduly impact upon the residential amenity of the occupiers of this block.

In addition, the majority of the proposed residential blocks all front onto the pedestrian link from the supermarket, cinema and restaurants to the local centre, and to South Ruislip Underground/Railway Station. Again, given the late night activity that would be expected to occur at such facilities, a large number of patrons could be expected to use this pedestrian route. Again, it is considered that noise and disturbance resulting from the use of the pedestrian link would unduly impact upon the residential amenity of the occupiers of the residential blocks. This is considered to be especially likely with the large number of ground floor units that front onto the pedestrian route.

As such, it is considered that the proposed development, by reason of the proximity of Block D to the restaurant units, and the siting of Blocks B, C, D, F, G and H along the main pedestrian route from the supermarket, cinema and restaurants to the local centre and underground station, would result in an undue noise impact on the occupiers of these residential properties, which would be detrimental to the living conditions of the prospective occupants of the development. The proposal is therefore considered to be contrary to policies OE1 and OE3 of the Hillingdon Local Plan Part 2, and policy 7.15 of

the London Plan (2011).

AMENITY SPACE

Policy BE23 of the UDP requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, suggests that the following shared amenity space for residential units is provided:

1 bedroom flat - 20sqm
2 bedroom flat - 25sqm
3+ bedroom flat - 30sqm
2/3 bedroom house - 60sqm
4+ bedroom house - 100sqm

Based on the current accommodation schedule the required amenity space provision for 104 dwellings would be as follows:

21 x 1-bed flat x 20 = 420sqm
67 x 2-bed flat x 25 = 1675sqm
12 x 3-bed house x 60 = 720sqm
4 x 4-bed house x 100 = 400sqm
Total = 3215sqm

The current development proposal provides 4079.19sqm of amenity space in the form of private gardens at ground floor level, shared amenity space at ground floor and roof level, together with private balconies for flats on upper floors. This is broken down per block as follows:

Block A (flats) - 469.22sqm
Block B (flats) - 481.75sqm
Block C (flats) - 477.71sqm
Block D (flats) - 530.51sqm
Block E (houses) - 319.54sqm
Block F (houses) - 607.04sqm
Block G (houses) - 379.14sqm
Block F & G (flats) - 495.31sqm
Block H (flats) - 318.97sqm

Total = 4079.19sqm

The amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the Local Plan.

Each of the proposed houses will have their own private rear garden whilst residents of the flats will have access to a private balcony, as well as an area of shared amenity. All gardens are in line with the requirements of the HDAS, therefore achieving an appropriate form of development.

The proposals seek to positively respond to the site characteristics by proposing amenity in a variety of forms, both shared and private space that will fulfil a number of functions. In addition, an area of doorstep play space and local play area would also be provided.

Overall, it is considered that the scheme would provide for sufficient amenity space of a satisfactory quality. As such the provision of amenity space is considered to accord with Policy BE23 (which requires sufficient provision of amenity space for future occupiers in the interest of residential amenity).

INTERNAL LAYOUT

In terms of internal space standards and the quality of accommodation provided, the Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided in the London Housing SPG on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standards for residential units are:

- 1-bed 2-person flat - 50sqm
- 2-bed 3-person flat - 61sqm
- 2-bed 4-person flat - 70sqm
- 3-bed 5-person house - 102sqm
- 4-bed 6-person house - 113sqm

The floor space information provided by the applicant indicates that the majority of the proposed units within the development exceed the London Housing SPG recommended floor space standards, with the exception of two of the 4-bed dwellings. These are only 4sqm below the guideline of 113sqm. The layout of these two units is considered to provide a satisfactory internal living environment, given the layout and size of rooms. In addition, each of these units is provided with a good size garden, and is located close to the local play area in the centre of the site. As such, the marginal shortfall in unit size is not considered to justify a reason for refusal in this instance.

The applicant has confirmed that Lifetime Home standards will be met for all the units, and this could be secured via a condition on any grant of permission.

The majority of the proposed flat sizes and the internal room sizes and layouts meet the requirements of the Mayor of London's Housing SPG. Overall, it is considered that the proposals meet with the aims and objectives of the Council's policies and guidance and the London Plan.

OUTLOOK

Policies BE20, BE21, BE22, BE23 and BE24 seek to protect the amenity of new residents by requiring adequate daylight, access, external amenity space and the protection of resident's privacy. In terms of outlook for future residents, Policy BE21 of the Unitary Development Plan Saved Policies seek to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

Restaurant block 1-3 is of a size, design and position which results in a 6.3m high wall very close to the boundary of the garden of the adjoining property on Block D to the

southeast for a depth of 8m. Given the length of this projection, and as it intersects a 45 degree line from the rear windows of Block D, it is considered that the rear windows are likely to be impacted on, in terms of loss of light, from the restaurant. In light of this it is considered that the development is obtrusive and results in an overbearing impact upon the adjoining property to the south. On this basis the proposal is considered to be unacceptable in amenity terms, in that the ground and first floor units of Block D adjacent to Restaurants 1-3 would be unduly impacted on by the projection of the restaurant.

In addition, it should be noted that the two residential blocks opposite the supermarket would have a poor outlook onto the undercroft parking and the side of what will be a very large shop unit.

The majority of the other blocks on the site are laid out in a way that would provide a high standard of amenity for the majority of future occupiers. The layout will result in a satisfactory outlook from the most proposed units in the buildings and reduce the potential for nuisance and disturbance to the future occupiers. However, given the impact on Block D, the development is not considered to be consistent with relevant design guidance and policies BE20, BE21, BE22 and OE1 of the UDP.

PRIVACY

The Council's HDAS provides further guidance in respect of privacy, in particular, that the distance between habitable room windows should not be less than 21m. In this regard, the proposed unit windows are separated from existing dwelling windows by more than 21 metres, which is consistent with the Council's Supplementary Planning Guidance.

Whilst the scheme has been designed to ensure separation distances of at least 21m to existing neighbouring properties, there are some minor concerns about separation distances between units within the proposed scheme with regard to the 45 degree outlook from windows.

Some windows the rear of Block F and G are closer than 21m within a line of 45 degrees. However, these are not facing windows, and the arrangement is therefore not contrary to the Council's SPD. Furthermore, it is considered that there is only a small number of windows that would be affected, it is considered that any issues could be overcome using measures such as fins and screens, to prevent overlooking between the affected units. In this regard, this could be dealt with sufficiently via conditions that could be imposed on any grant of planning permission. As such, officers are satisfied that there would be no detrimental overlooking as to justify a refusal within the proposal.

DAYLIGHT/SUNLIGHT

The applicant has submitted a daylight/sunlight assessment which indicates that the proposed development would receive appropriate levels of sunlight. Officers have considered the layout of the development in detail and consider that all of the proposed residential accommodation would receive appropriate levels of light. All of the units would benefit from an acceptable level of privacy and light, in compliance with the Council's standards given in The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts'.

As such the development is considered to provide an acceptable level of accommodation in accordance with Policies BE20, BE23 and BE24 of the Local Plan Part 2.

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.

Local requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states:

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

It is recognised that traffic in the area is heavy during peak times, causing congestion at the Victoria Road/Long Drive junction. Members will note that local residents have raised concerns regarding increased traffic generation and congestion at Victoria Road/Long Drive junction.

Objections had initially been raised to the scheme on highways grounds. The concerns related to traffic modelling, trip rates, traffic surveys, and car parking standards. The applicant subsequently submitted additional information to address concerns. This information was referred to the relevant specialists and consultants who now advise that most of the concerns have been resolved, but that there remains an objection in terms of the mitigation of highway impacts.

In the absence of the traffic models being validated and that further information is required in relation to the VISSIM model, the application fails to demonstrate the acceptability of the predicted traffic impacts and the proposed junction improvement works. As such, it is not possible to determine the extent of the impacts of the proposal, and whether the proposed mitigation measures would successfully in reducing the impact on the highway network.

Overall, while a considerable amount of work has been done by the applicant in an attempt to remove the objection, it is still considered that the application fails to demonstrate that the proposed development would not cause unacceptable highway impacts, and objection is made to the scheme in this regard. Consequently it is considered that the scheme would have a severe detrimental impact on highway safety and the free flow of traffic contrary to Policies 6.11 and 6.12 of the London Plan (July 2011) and policies AM7 of the Hillingdon Local Plan Part 2 (November 2012).

The proposed car parking provision for the commercial element (564 spaces) is considered acceptable. The number of disabled spaces is below the required 10%, however, this could be addressed via a condition if permission were granted. The proposed parking provision for the residential element is acceptable. In addition, sufficient electric vehicle charging points are provided, and the cycle parking provision is acceptable.

7.11 Urban design, access and security

Issues of design and accessibility are addressed elsewhere within the body of the report.

In respect of security, the submitted design and access statement details various areas where security has been taken into account in the design of the proposals including:

- (i) Natural Surveillance;
- (ii) Appropriate Levels of Lighting;
- (iii) Provision of internal and external CCTV;
- (iv) Provision of appropriate boundary treatments.

It is considered that the submitted documentation demonstrates that security and safety considerations have formed a fundamental part of the design process and have been appropriately integrated into the scheme. The implementation of specific measures such as lighting, boundary treatments and CCTV could be secured by way of appropriate conditions in the event the application was approved.

7.12 Disabled access

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

Policies 7.2 and 3.8 of the London Plan provide that developments should seek to provide the highest standards of inclusive design and this advice is supported by the Council's Supplementary Planning Document - Accessible Hillingdon.

The application is supported by a design and access statement and incorporates a number of measures to incorporate the requirements of inclusive design including appropriate gradients and flush kerbs within car parking areas for the retail store and hotel and full compliance with Part M of the Building Regulations and the Disability Discrimination Act, including but not limited to the provision of flush thresholds, wheelchair accessible lifts, disabled toilets and baby change facilities. However the Design and Access Statement does not explain in detail how the principles of access and inclusion have been applied.

It is considered that should the application be approved, detailed matters could be dealt with by way of suitably worded conditions and an informative. Subject to such conditions to ensure the provision of facilities designed for people with disabilities are provided prior to commencement of use, the scheme is considered to comply with Policy R16 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan policies 7.1 and 7.2 and the Council's Supplementary Planning Document 'Accessible Hillingdon'.

7.13 Provision of affordable & special needs housing

35 percent of the units proposed are to be affordable housing, which is in line with policy. With regard to the mix of units, some scope should be retained, should permission be granted, to allow for the provision of affordable units to be adjusted to suit the requirements of an RSL.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

There is a line of semi-mature Lombardy Poplars at the proposed main entrance to the site. The trees are a significant landscape feature and are highly visible to the surrounding areas. The focal value of these trees is further enhanced being at the main entrance to

the proposed site and close to the top of a hill. The trees have a very high amenity value. The supporting tree report has correctly classified the majority of these trees as category A trees. However, despite the trees' high value, the proposed scheme aims to remove them to make way for the main entrance. The tree planting strategy (part of the supporting landscape strategy) proposes to plant 'park' trees to mitigate the loss of these Poplars, and suggests Wild Cherry, Rowan, Ornamental Pear or Ornamental Apple. None of these species of tree would replace the high amenity currently provided by the Lombardy Poplars. The Council's Tree Officer recommends that the Lombardy Poplars should be retained and incorporated into the scheme.

The remainder of the trees on this site that are earmarked for removal are not valuable and the Council has no objection to their removal, subject to the submission of a suitable re-planting proposal to increase and improve tree cover.

Four 'types' of tree planting have been proposed (feature, avenue, park and structural) and for each of these four types, several species have been suggested, however, the Council's Tree Officer considers that the majority of the proposed species are not suitable for purpose. An Arboriculturalist should be consulted on this matter and these four tree planting 'types' and their recommended species should be re-considered so that more suitable and more interesting species of trees are proposed.

Further to the need to provide tree planting to improve canopy cover in this area, there is also a requirement to screen the view of the proposed complex from those living in the proposed dwellings to the south-east of it. It would be straight-forward to incorporate a line of about six new trees within the exposed part of the car park and there are several species of tree that would be suitable candidates. However, this part of the proposed scheme is devoid of trees.

At present, car parking would dominate the residential side streets, including the long runs of parking in front of the terraced houses. It would also dominate the southern end of the supermarket building where the car parking extends out from under the building. These areas of hard surfacing should be broken up and "greened" with the incorporation of more landscaping and tree planting to lesson the impact of what would be quite large areas of tarmac.

As it stands, this scheme is considered to be unacceptable in landscape terms because it fails to demonstrate adequate planting and landscaping proposals that would soften the visual impact of those who will live nearby, mitigate the loss of the line of Lombardy Poplars, or improve local tree cover. The proposal would therefore be detrimental to the visual amenity and arboreal / character of the area, contrary to policy BE38 of the adopted Unitary Development Plan for the London Borough of Hillingdon.

7.15 Sustainable waste management

The plans indicate that refuse storage facilities will be provided for the commercial properties and the residential properties at ground floor level. The proposed facilities are considered to be acceptable in this instance, and would be controlled via a condition if permission were granted.

7.16 Renewable energy / Sustainability

Policies within Chapter 5 of the London Plan require developments to provide for reductions in carbon emissions, including a reduction of 25% in carbon emissions, in line with Code for Sustainable Homes Level 4.

The application is accompanied by both an Energy Strategy and Sustainability Statement.

These confirm that the development will be achieving a 20% reduction in annual CO2 emissions and will achieve Code for Sustainable Homes Level 3.

The Council's Energy Officer has reviewed the submission and raised concerns regarding the amount of carbon reduction and the proposed water efficiency measures on the site. However, it is considered that these issues could be dealt with satisfactorily via to the provision of conditions on any grant of planning permission to ensure further details are submitted and the details contained within these being secured. As such the application is considered acceptable in this regard.

7.17 Flooding or Drainage Issues

The site does not fall within a flood zone and no issues relating to flooding have been identified.

London Plan policy 5.13 states that development proposals should use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. In addition, given the scale of the development, it is considered that additional water efficiency measures should be incorporated into the scheme, in accordance with London Plan policy. These would be required by way of a condition, should permission be granted.

7.18 Noise or Air Quality Issues

NOISE

A Noise Assessment Report has been submitted by the applicant. The Council's Environmental Protection Unit has reviewed the submission and raises no objections with regard to the existing properties outside the site, subject to conditions on any grant of permission ensuring mitigation measures outlined in the Noise Assessment are carried out. However, as discussed earlier in the report, concerns are raised with regard to noise within the site impacting on the proposed residential units.

AIR QUALITY

An Air Quality Impact Assessment Report has been submitted as part of the application. The Report has been considered by the Council's EPU. They state that the proposed development is outside the declared AQMA, however, there is a possibility, given the location, that these areas are close to the EU limit value, however as there is no monitoring information in this locality, it is difficult to say if they will be above the limit value as a consequence of the development. As the site is located outside the AQMA but adjacent to it, there may be potential implications for reviewing the AQMA, when considered alongside future developments.

The air quality assessment indicates it is being conservative with regard to the CHP emissions (assuming the four CHP units with two boilers each are running all the time), although this may not be the case with regard to traffic emissions (based on Sainsbury's application, although it should be noted this assumes the Arla site is operational as a depot). All identified receptors are indicated to be below the EU limit value of 40 mg/m³ at all locations except to the north east at the junction on Long Drive and Victoria Road, where at the ground floor level it was indicated to be 41.0 mg/m³. The assessment does indicate as a consequence of the development 'small and 'medium' change in air quality for the worse, as a consequence of the development at existing receptors, with the impact being 'moderately adverse' at two receptors, 'slight adverse' at 25 receptor locations and 'negligible' at 17 receptor locations.

The Council's EPU state that they do not have any specific objections to the development

on air quality grounds, as long as adequate clarification is provided with regard to NOx emissions at the site from the energy provision. Mitigation measures to reduce the impact from and on the development are required as the development is likely to worsen air quality. A number of mitigation measures are proposed to reduce the air quality impact of the scheme, including traffic management, travel planning, fleet management, and air quality mitigation measures. The Council's EPU states that as the development is in and will cause increases in an area already suffering poor air quality, and a number of mitigation measures are not sufficiently detailed, a number of conditions relating to air quality are recommended for inclusion should permission be granted.

A contribution towards air quality monitoring is also recommended as part of any S106 Legal Agreement to ensure the scheme does not cause unacceptable increases to pollutant levels in the surrounding AQMA.

7.19 Comments on Public Consultations

The issues and concerns raised during the public consultation are addressed in the report above.

7.20 Planning obligations

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

The obligations sought would be as follows:

1. Transport: In line with the SPD a s278 and/or s38 agreement will be required to be entered into to address any and all highways matters arising from the proposal.
2. The provision of Travel Plans for the commercial and residential aspects of the proposal.
3. Affordable Housing: Provision of at least 35% affordable housing.
4. Education: In line with the SPD a contribution towards education will be sought as a result of this proposal.
5. Health: In line with the SPD a contribution towards health care provision will be sought as a result of this proposal.
6. Libraries: In line with the SPD a contribution towards libraries will be sought as a result of this proposal.
7. Recreational Open Space: In line with the SPD a contribution towards off-site open space will be sought as a result of this proposal.
8. Public Realm: In line with the SPD a contribution towards the public realm will be sought as a result of this proposal.
9. The provision of a new pedestrian link into the site from Long Drive.
10. Construction Training: In line with the SPD a contribution or in-kind scheme delivered will be required to address training during the construction phase of the development.
11. Employment Training: In line with the SPD and for the store operation an employment

training initiative will be required to address employment training matters as a result of the proposal if approved. It is our preference to deliver in-kind employment training schemes over a financial contribution.

12. Air Quality: In line with the SPD, it is likely that EPU will seek a contribution in the region of £50,000 as a result of this proposal.

13. A contribution of £135,000 towards enhancements (including enhanced waiting accommodation, and enhanced Customer Information Screens) at South Ruislip Railway Station.

14. Project Management and Monitoring Fee: In line with the SPD a contribution equal to 5% of the total cash contributions will be sought 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, whilst the applicant has agreed to the Heads of Terms, 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).

In addition to S106 contributions and other requirements, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail, should the application be approved.

7.21 Expediency of enforcement action

Not applicable in this instance.

7.22 Other Issues

CONTAMINATION:

The applicant has submitted a contamination report in support of the application. This confirms that testing has been carried out and that some levels of contamination have been identified due to the previous use of the site. Officers in the Council's Environmental Protection Unit have recommended a condition be imposed on any permission, with regard to land contamination for the new development, that a full investigation be carried out with detailed steps for any remediation required.

In addition, it is considered that a condition should be imposed ensuring any imported soils are free from contamination. Whilst no objections have been raised, it is recommended that conditions should be attached, should approval be granted, to ensure these recommendations are carried out.

NATIONAL PLANNING POLICY FRAMEWORK:

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. A positive planning system is essential because, without growth, a sustainable future cannot be achieved.

In this case the Local Planning Authorities has worked proactively with the applicants to try and secure a development that improves the economic, social and environmental conditions of the area. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, which should be seen as a golden

thread running through decision-taking.

The NPPF notes that Planning Authorities should approve development proposals that accord with the development plan. That is granting unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In assessing and determining the development proposal, the local planning authority has applied the presumption in favour of sustainable development. However regard needs to be had to the fact that the governments definition of sustainable development is that which complies with an up to date development plan. In this case there are significant adverse impacts that would arise. Accordingly, it is not considered that there are any overriding factors or that the proposed development would better meet the requirements of the up to date development plan in force.

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 application seeks full planning permission for the demolition of the existing buildings and redevelopment of site to provide a foodstore with ancillary cafe (total floor area of 8,539sqm) (Class A1) and ancillary petrol filling station, cinema (floor area of 5,937sqm) (Class D2), 5 x restaurant units (total floor area of 2,405sqm) (Class A3), 4 x shop units (total floor area of 382sqm) (Class A1 and/or A2), and residential development consisting of 104 units (21 x 1-bed flats, 67 x 2-bed flats, 12 x 3-bed houses, 4 x 4-bed houses), together with new vehicle and pedestrian accesses, car parking, servicing areas, landscaping arrangements, and other associated works.

In terms of retail impact, it is considered that the proposal would be likely to have an unacceptable impact on town centres and committed development within the relevant catchment areas. In addition, the application has not sufficiently demonstrated that the development would not have significant adverse impacts on the free flow of the highway network and on highway or pedestrian safety.

The application would also result in a poor living environment for future occupiers of the residential units by reason of the layout of the site and the proximity of residential units to the late-night commercial uses of the site. Landscaping and tree planting is also not considered to be sufficient for such a comprehensive redevelopment.

A number of other issues have been raised with the application, however, it is recognised that a number of these could be dealt with via conditions should consent be granted. However, it is not considered that the issues relating to retail impact, highways, noise, outlook and landscaping could be satisfactorily mitigated via condition. As such, the application is recommended for refusal on these grounds.

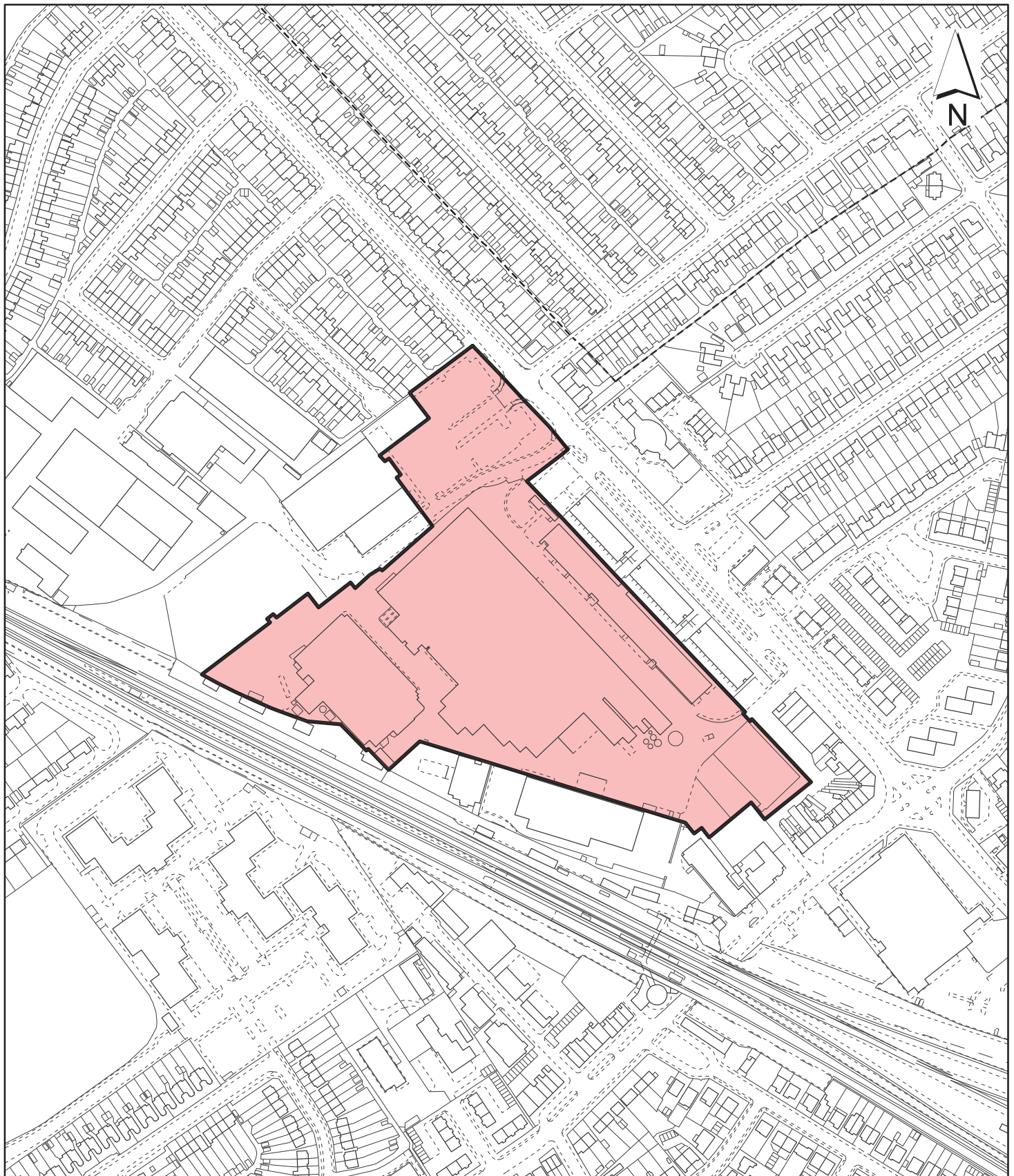
11. Reference Documents

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

Hillingdon Supplementary Planning Document - Residential Layouts
Hillingdon Supplementary Planning Document - Residential Extensions
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations; and Revised
Chapter 4, Education Facilities: September 2010
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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Site Address

Former Arla Foods Depot

Planning Application Ref:

66819/APP/2013/1467

Planning Committee

Major Application

Scale

1:3,500

Date

February 2014

LONDON BOROUGH OF HILLINGDON

Residents Services

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