

Report of the Head of Planning, Sport and Green Spaces

Address E C HOUSE SWALLOWFIELD WAY HAYES

Development: Re-development of the site to provide 5 industrial units (Use Class B1(c), B2 and B8) with associated parking, servicing and landscaping (Involving demolition and refurbishment of existing units)

LBH Ref Nos: 38065/APP/2014/2143

Drawing Nos: 1620-TP-N-02
LP-01-A
1620-TP-N-01
1620-TP-N-03
1620-TP-N-04
1620-TP-N-05

Date Plans Received: 18/06/2014 **Date(s) of Amendment(s):** 27/08/2014

Date Application Valid: 18/06/2014

1. SUMMARY

This application seeks full planning permission for the re-development of the site to provide 5 industrial units (Use Class B1(c), B2 and B8) with associated parking, servicing and landscaping (Involving demolition and refurbishment of existing units).

The site is located within the Rigby Lane/Swallowfield Way Industrial and Business Area as allocated on the Proposals Map of the Unitary Development Plan. The site designation is retained within the Local Plan Part 1 (2012). The existing site is currently vacant with the buildings showing signs of decay and dereliction.

The proposed industrial units will utilise the same vehicular access as the existing industrial units off Swallowfield Way but will incorporate a modern design which will be in-keeping with other industrial units located within this industrial estate. The siting, design and external appearance of the resulting buildings are considered to be acceptable and there are no highways objections to the proposal, subject to the implementation of a Green Travel Plan at the site. The scheme is therefore recommended for approval subject to appropriate conditions.

The development proposals accord with the saved Unitary Development Plan policies, the Local Plan Part 1 policies, the London Plan and the NPPF.

2. RECOMMENDATION

1. That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to:

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

- i) Air Quality Management contribution £12,500;**
- ii) Construction Training: £2500 per £1m of building costs + £9600 per phase of development for coordinator costs or an in kind scheme.**
- iii) Travel Plan including a £20,000.00 bond;**

iv) **Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution;**

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

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

D)If the Legal Agreements have not been finalised by 17th September 2014, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of employment, air quality management and Travel Plan). The proposals therefore conflicts with Policy AM2, AM7 and R17 of the adopted Local Plan and the Councils Planning Obligations SPG.'

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

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

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers LP-01-A, 1620-TP-N-01, 1620-TP-N-02, 1620-TP-N-03, 1620-TP-N-04, 1620-TP-N-05 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:
Inclusive Access Measures/ Security Design/ Waste Strategy (Design & Access

Statement dated June 2014),
Air Quality Mitigation (Air Quality Assessment - dated June 2014),
Sustainable Design Measures (Energy and Sustainability Statement dated 10 June 2014),
Noise Mitigation Measures (Noise Impact Assessment June 2014)
Soft Landscaping (Soft Landscape Specification in Planting Layout 647.19.04 June 2014)

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

REASON

To ensure that the development complies with the provisions in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011).

4 COM13 Restrictions - Enlargement of Industrial/Warehouse Buildings

Notwithstanding the provisions of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the building(s) shall not be extended without the prior written consent of the Local Planning Authority.

REASON

To enable the Local Planning Authority to assess all the implications of the development and in accordance with policy BE25 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 NONSC Use Restrictions

Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the units shall not be used as a data centre.

REASON

To ensure compliance with the energy and sustainability details hereby approved and to accord with policies 4.4, 5.2, 5.7 and 5.9, of the London Plan 2011.

6 COM14 No additional internal floorspace

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created in excess of that area expressly authorised by this permission.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policies BE25 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

7 NONSC No External Storage Above 2 Metres

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), external storage associated with the use of any part of the site shall not exceed 2 metres in height within any part of the development hereby approved.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure the development does not detrimentally impact upon the streetscene.

8 COM9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping

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

2. Details of Hard Landscaping

- 2.a Means of enclosure/boundary treatments
- 2.b Car Parking Layouts (including five disabled parking spaces and demonstration that 4 parking spaces are served by electrical charging points)
- 2.c Hard Surfacing Materials
- 2.d External Lighting
- 2.e Other structures (such as play equipment and furniture)

3. Details of Landscape Maintenance

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Other

- 4.a Existing and proposed functional services above and below ground
- 4.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

9 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme

which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

10 NONSC Sustainable Energy

Prior to occupation, documentary evidence should be submitted to the Local Planning Authority and approved in writing to demonstrate that each element of the development has been carried out in accordance with the approved details. If the development as a whole is unable to meet the required development plan 40% reduction in CO2 emissions through the approved energy strategy, then any shortfall should be made up through the application of further sustainability measures unless otherwise approved by the LPA in writing.

REASON

To ensure that the development complies with the provisions in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011).

11 NONSC Sustainable Urban Drainage

The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the submitted Drainage Statement, by Brad Brook Consulting, reference number 14-030R_001, dated June 2014, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site and permeable paving. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity and to accord with policy 5.12, 5.13 and 5.14 of the London Plan 2011.

12 OM11 Floodlighting

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

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London

Plan (July 2011) Policy 7.1

13 COM31 Secured by Design

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

14 NONSC Imported Soils

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.

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 Local Plan: Part Two Saved UDP Policies (November 2012).

15 COM30 Contaminated Land

(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 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.

(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.

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

(iii) All works which form part of the remediation scheme shall be completed and a verification report 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

16 NONSC Archaeological Investigation

A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition shall take place other that in accordance with the Written Scheme of Investigation approved under Part (B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON

Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

17 NONSC Noise Levels

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the nearest noise sensitive residential window. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

18 NONSC Air Quality

Before the development is commenced details of any plant, machinery and fuel burnt, as part of the energy provision and the location of the flue(s) for the development shall be submitted to the LPA for approval. This shall include pollutant emission rates at the flue(s) with or without mitigation technologies and needs to be considered as part of a

wider air quality assessment, as set out in the EPUK CHP Guidance 2012, if applicable. The use of ultra low NOx emission gas CHPs and boilers is recommended. The development should as a minimum be 'air quality neutral' and demonstrably below the relevant building emissions benchmarks.

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

19 NONSC Existing Access Closure

The development shall not be occupied until the eastern most existing access from the site to Swallowfield Way has been permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority; and only the approved details shall be implemented.

REASON

To restrict access onto the public highway where it is necessary in the interest of highway safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE2	Development in designated Industrial and Business Areas
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 7.3	(2011) Designing out crime
OE3	Buildings or uses likely to cause noise annoyance - mitigation

may create a statutory nuisance (a useful reference is the Best Practice Guidance- The control of dust and emissions from construction and demolition, GLA, November 2006)

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a 1.1 hectare corner plot located on the southern side of the junction of Swallowfield Way and Dawley Road, Hayes, some 70 metres to the south of the Grand Union Canal. It currently accommodates six industrial units providing 7,551m² (GIA) total area floor space, including a large 1930's part two, part three storey industrial building with some 1980's additions. The site is currently vacant but was formerly used as a logistics depot with permission for a flexible use comprising primary functions such as light industrial (Use Classes B1(C)), general industry (Use Class B2) and/or uses warehouse (B8 storage & distribution).

The site is bounded to the north by Swallowfield Way, and predominantly surrounded by industrial units. The only exception to this is a row of cottages which front Dawley Road and immediately adjoin the south eastern corner of the application site. To the north of the canal, beyond The Woolpack PH on the eastern side of Dawley Road is the Lake Farm Country Park.

The site is located within the Rigby Lane/Swallowfield Way Industrial and Business Area.

3.2 Proposed Scheme

Full planning permission is sought for the re-development of the site to provide 5 industrial units (Use Class B1(c), B2 and B8) with associated parking, servicing and landscaping (involving demolition and refurbishment of existing units).

The proposal would see the demolition of unit six, the re-erection of units 1 and 2, the part refurbishment and part extension of units 3 and 4 and part demolition of unit 5. All units will share a refurbished common facade and mezzanine floor to provide B1(c), B2 or B8 uses.

The units are self contained and provide a combined gross floor area of 6,540m² (GIA), with some ancillary office accommodation contained within each unit. Unit 1 will have a floor area of 670m² GIA, Unit 2 will have a floor are of 1,901m², Unit 3 will have a floor area of 1,041m² GIA, Unit 4 will have a floor area with 1,053m² GIA and Unit 5 will have a floor area with 1,546m² GIA. The ancillary office accommodation in each unit will be provided at mezzanine level.

The parking and loading areas for the industrial units would be located in the front yard of the buildings and all units would share the existing access from Swallowfield Way. A total of 6 lorry parking bays and 65 car parking spaces are proposed on-site, which include 5 disabled parking spaces (one per unit) and four electrical charging points. The disabled parking spaces will be designed in accordance with Part M of the building regulations

3.3 Relevant Planning History

Comment on Relevant Planning History

The site is currently vacant but was formerly used as a logistics depot with a primary function as a warehouse (B8 storage & distribution).

Planning permission reference no. 38065/APP/2013/2245 granted permission on 13 November 2013 for the change of the use of the premises from Class B8 (storage and distribution) to a more flexible use, comprising Use Classes B1(C) (light industrial), B2 (general industry) and/or B8 (storage or distribution).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.
AM15 Provision of reserved parking spaces for disabled persons
AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13 New development must harmonise with the existing street scene.
BE20 Daylight and sunlight considerations.
BE21 Siting, bulk and proximity of new buildings/extensions.
BE24 Requires new development to ensure adequate levels of privacy to neighbours.
BE25 Modernisation and improvement of industrial and business areas
BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE2 Development in designated Industrial and Business Areas
LPP 5.11 (2011) Green roofs and development site environs
LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
LPP 7.3 (2011) Designing out crime
OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th July 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised as a major development under Article 8 of the Town and Country

Planning (General Development Procedure) Order 1995. A press notice was placed in the local newspaper, a site notice was displayed at the application site. In addition 20 neighbouring residents were consulted individually in writing and no responses have been received.

DEFENCE ESTATES

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development. However, we would like to make the following observation: Cranes Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, Cranes and Other Construction Issues (available at <http://www.aoa.org.uk/policysafeguarding.htm>) Regards Simon Vince Bsc(Hons)

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE

The application site lies in an area known for evidence of early human (Lower and Middle Palaeolithic) occupation in the form of flint tools recovered from the natural gravels and their interface with the brickearth above. In-situ sites of this period are very rare and hard to locate but could occur here if the gravel/brickearth interface survives.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition as follows:

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

Condition: A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition shall take place other that in accordance with the Written Scheme of Investigation approved under Part (B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Informative: Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

It is recommended that the archaeological fieldwork should comprise of the following:

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

Bearing in mind the existing buildings on the site trial trenching is recommended after demolition to establish the site's potential with further investigation if significant remains are found.

CANAL AND RIVER TRUST

After due consideration of the application details, the Canal & River Trust has the following general comments to make:

The proposed development would not directly abut the Grand Union Canal, so would not have a direct impact on its setting or character. However, we note that the parking provision will be increased from the existing site. The transport assessment also indicates cycling provision in the area, with reference to Appendix D - cycling routes in the borough - which highlights the nearby towpath. It would be feasible to suggest that employees from the site may reach it by bike from either West Drayton or Hayes and Harlington Rail Station, or from further afield. We would therefore consider it appropriate for the development to provide a contribution towards improvements to the canal environment, particularly towpath and access improvements. We would suggest a contribution of £20,000 towards towpath improvements from the development.

Subsequent comments: We support the development's use of the towpath for pedestrian and cycle movements. Whilst ideally we would like to secure a contribution to maintain and upgrade this route we acknowledge the reasons put forward by the applicant for not making a contribution. If we do not have the support of the LPA to secure a contribution we would not wish to take the matter further.

Officer Comments: The applicant for this application does not consider that the scheme meets the relevant tests to trigger a monetary contribution as originally requested by the Canal and River Trust. As the development exists and the scheme seeks permission for what is in effect a refurbishment of this estate, which will result in a benefit to the locality, there are no externalities or additional impacts that would require mitigation. As such, it is not considered appropriate to seek a monetary contribution in this instance.

Internal Consultees

ACCESSABILITY

Should the building be used solely for the purposes of employment, with no admittance of the public or visitors to an establishment, the need to provide lift access to the proposed ancillary offices on the 1st floor would be a requirement if/when a disabled person is offered employment.

N.B. it may be a requirement under the building regulations to provide lift access at the time of constructing a first or mezzanine floor, and an accessible wheelchair accessible toilet would likely be required.

An accessible parking bay is shown on plan for each of the units, and the proposal is otherwise deemed to meet the minimum requirements to result in acceptable levels of accessibility.

Conclusion: acceptable

TREE AND LANDSCAPING

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

- No tree survey has been submitted. As noted above, some trees have recently been removed and the remaining trees are of an age and condition that they could be removed to make way for replacement planting with more appropriate species.
- According to the Design & Access Statement, 'perimeter planting is proposed compatible with the adjoining buildings. Further detailed information is contained in a separate Landscape architect's plan'. - Some of the neighbouring sites in Swallowfield Way have well landscaped frontages
- No landscape details appear to have been submitted at this stage. However, Ian C King's drawing No. 1620-TP-N-01 Proposed Site Plan shows a site layout with a green edge along the frontage and part of the east boundary. 3No. trees are indicated. It is not clear whether these trees are existing (to be retained) or new specimens.
- In order to create a robust landscape buffer around the perimeter, the landscape strip should be at least 1.5metres wide in order to establish 'structure planting' - that is to say hedges / trees. The three trees indicated on plan will have a limited effect on the screening, appearance or character of the area. Additional trees should be incorporated within the boundary planting.
- If there is an over-provision of parking, trees / soft landscape could usefully be incorporated within the parking bays.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS: No objection, subject to the above observations and COM9 (parts 1,2,4,5, and 6).

S106

The Heads of Terms sought in this case are:

1. S278/S38 - Highways Works (this depends on highways comments)
2. Construction Training: £2500 per £1m of building costs + £9600 per phase of development for coordinator costs or an in kind scheme.
3. Travel Plan including a £20k Bond.
4. Air Quality: £12,500
5. Project Management & Monitoring Fee: 5% of total cash contributions

ENVIRONMENTAL PROTECTION UNIT

NOISE

Given that the site is in a predominantly commercial/industrial area, the proposals are fine. However, there are 6 small houses that are approx 15m away from the proposed development. To ensure they will protect these occupants from noise from the everyday activities within the warehouses the following condition should be added:

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the nearest noise sensitive residential window. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

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

Plan: Part Two Saved UDP Policies (November 2012)

AIR QUALITY

The new layout would make deliveries more efficient than the current layout.

The Energy and Sustainability Statement indicated CHP would not have sufficient base load and that biomass is not viable. But they have not clarified what would be used. The following conditions are recommended with regard to air quality.

Air Quality Condition 1 - Details of Energy Provision

Before the development is commenced details of any plant, machinery and fuel burnt, as part of the energy provision and the location of the flue(s) for the development shall be submitted to the LPA for approval. This shall include pollutant emission rates at the flue(s) with or without mitigation technologies and needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012, if applicable. The use of ultra low NOx emission gas CHPs and boilers is recommended. The development should as a minimum be 'air quality neutral' and demonstrably below the relevant building emissions benchmarks.

REASON: To safeguard the amenity of 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. Guidance on air quality neutral is available at: <https://www.london.gov.uk/priorities/planning/consultations/draft-sustainable-design-and-construction>. They should contact Planning Specialists if they have any queries.

LAND CONTAMINATION

No information appears to have been submitted with regard to land contamination. The site has a long industrial history including a brickfield and then unidentified industrial use which indicated a number of railway sidings at the site leading to a building. The current use also indicates tanks on site and an electricity substation.

The proposed use is likely to be low risk for direct contact with contamination, however any gas or vapour contamination risk also needs to be considered. The standard contaminated land condition is recommended along with the imported soils condition for landscaped areas.

(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).

HIGHWAYS

The site's previous use was B8 (storage) and associated B1 (office) with 40 car parking spaces. The existing GFA is 6661 sq.m B8 and 890 sq.m B1.

The proposal is for a reduced floor area of 6540 sq.m but for a flexible use B1(c)/B2/B8 with 65 car parking spaces.

Based on the floor area the maximum car parking that can be permitted under our standards is 67.

Cycle parking - 31 spaces are being provided. In accordance with the Council's cycle parking standards a sole B8 use would warrant a minimum of 26 spaces and similarly with no B8 use the site would warrant 87 spaces.

As the application is for a flexible use the GFA per use has not been determined.

Bus service 350 with a weekday frequency of 12 minutes is available from a bus stops on Dawley Road approx. 100 m from the site.

Two slight personal injury accidents (PIAs) have been reported at the Dawley Road/Swallowfield Way roundabout, one involving a vehicle hitting the rear of a stationary vehicle at the roundabout, with snow and driving too fast listed as contributory factors. The second accident involved a vehicle from Swallowfield Way failing to give way at the roundabout. These figures are considered low for the volume of traffic on Dawley Road.

The peak hour surveyed traffic flows in Dawley Road during the AM peak hour are 908 southbound and 585 northbound and during the PM peak are 657 southbound and 868 northbound.

The modelling assessment of the Dawley Road/Swallowfield Way, which also allows for committed developments, for year 2015 indicates an increase in RFC (ratio of flow to capacity) by 2%. A delay of 7.6 seconds per vehicle can be expected on the most congested arm of Dawley Road. In the PM peak the RFC does not increase and the delay increases by less than a second. The roundabout is reaching its operational capacity.

A sensitivity test for 2020 indicates an RFC increase by 1% with the development, with the queue length on the most congested arm (Dawley Road southbound) increasing by 2.4 vehicles. The 2020 modelling shows the roundabout to function significantly over its operating capacity especially in the PM peak hour with demand exceeding capacity. However the additional development traffic will not have a significant effect on the junction.

A framework travel plan is submitted to reduce peak hour vehicle trips to promote sustainable means of travel.

Auto tracks shows satisfactory manoeuvring of HGVs into the 6 lorry parking bays.

No objections are raised on highway grounds.

ECOLOGY & SUSTAINABILITY

The energy strategy submitted in support of this application is considered acceptable and the standard energy condition for 40% reduction is recommended.

DRAINAGE

Although the site is just over a hectare and would normally require a Flood Risk Assessment, the applicant has submitted a drainage assessment which is considered to address the requirements of managing and controlling surface water early in the development process.

I support the consideration of Sustainable Drainage Techniques and the proposed run off rates, and therefore am happy to recommend a condition. However it should be noted to discharge the condition, rather resorting to below ground tanks, further consideration of the need to meet National Standards for quality and the benefits for example permeable paving can provide. In addition a reduction of 50% is the minimum reduction recommended in the London Plan and it is expected that developers aim to meet reduction to green field run off rates, to contribute to the management of flooding in the face of climate change.

In addition, consideration of at source techniques must be included within the drainage design such as rainwater harvesting or greywater recycling as Hillingdon is in an area of over abstraction and water is considered an important resource.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within the designated Rigby Lane/Swallowfield Way Industrial and Business Area (IBA) on the Proposals Map of the Unitary Development Plan. Policy LE2 of the Local Plan: Part Two Saved UDP Policies (Nov 2012) states that IBAs are designated for business, industrial and warehousing purposes (Use classes B1c-B8) and for sui generis uses appropriate in an industrial area.

The application proposes the comprehensive refurbishment of the site involving the demolition of units 2 and 6, the refurbishment of units 3 and 4 and erection of modern

business premises to cater for business, industrial and warehousing purposes (Use classes B1c, B2 and/or B8) with ancillary office facilities at mezzanine level. As such, the proposal is acceptable in principle in land use terms and accords with Local and Regional planning policies.

The submitted application proposes an open use which could comprise B8 uses. Data Centres can be interpreted to fall within the B8 use class but are considered to be an inappropriate use at this site as the proposals have not considered the additional noise and energy requirements which are associated with a Data Centre. As such, it is proposed to exclude the use of these premises from Data Centre use by virtue of a planning condition. Subject to such a condition and other policies in the Development Plan there is no objection to the principle of development, in land use terms.

7.02 Density of the proposed development

The application does not comprise any residential floorspace, as such density is not considered relevant to the proposal.

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

Although the site does not fall within a Conservation Area or Area of Special Character the Greater London Archaeological Advisory Service (GLAAS) stated that the application site lies in an area known for evidence of early human (Lower and Middle Palaeolithic) occupation.

A condition is therefore recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

Subject to such a condition the proposals raises no heritage issues.

7.04 Airport safeguarding

The proposal does not conflict with aircraft safeguarding criteria.

7.05 Impact on the green belt

The site does not fall within land designated as Green Belt and therefore raises no Green Belt issues.

7.07 Impact on the character & appearance of the area

Saved policy BE25 of the Local Plan: Part Two seeks to ensure the modernisation and improvement of Industrial and Business Areas through careful attention to the design and landscaping of buildings and external spaces. Where appropriate, the policy seeks to improve vehicular and pedestrian access and circulation routes through the area and environmental improvements.

The site is located within a designated IBA and therefore the buildings surrounding the site comprise other industrial and warehousing units. The only exception to this is a row of cottages which front Dawley Road and immediately adjoin the south eastern corner of the application site. The northern boundary of the site comprises Swallowfield Way.

The application proposes the comprehensive re-development of the site comprising demolition, refurbishment and erection of modern industrial buildings. All buildings are proposed to be arranged to the rear of the site and set away from the site northern boundary to allow for a front servicing yard with car parking and servicing bays to serve all units proposed. In terms of appearance the units will share a common modern facade with offices provided at mezzanine level.

The existing buildings on site comprise six industrial units providing 7,551m² (GIA) total

area floor space, including a large 1930's part two, part three storey industrial building with some 1980's additions. Part of the buildings, including the larger 1930's industrial building, are proposed to be demolished and replaced with single storey industrial warehouse buildings which measure 10 metres to the eaves and 11.5 metres in height to the top of the ridge. However, as the ridge is centrally located with a shallow roof profile, this additional height will have limited visibility from the site and surrounding area. The industrial building identified as unit 5, which is the tallest building within the site, is retained with the front office addition to be removed to provide a larger front yard for vehicle parking and manoeuvring. An internal mezzanine is provided within all units to accommodate a small area of office floorspace at first floor level.

The elevational treatment of the buildings comprise a mixture of materials, profiles and colours, which will assist in providing the site and buildings with a common identity. The facades are proposed with an ocean blue finish and the entrances and first floor offices are provided with a glazed treatment to emphasise the entrances into the proposed units and general site legibility. The general design of the proposed units is similar to that of the existing buildings within the Rigby Lane/ Swallowfield Way Estate and therefore the proposed scheme provides a complementary refurbishment development within the estate.

The proposals include the provision of perimeter landscaping treatments, which includes additional tree planting, to the northern and part of the north eastern boundary. The soft landscape proposals are considered to enhance the site and surrounding area and would enhance the local streetscene and help soften the views of the proposed development from Swallowfield Way itself.

The proposal is considered to have design integrity and provides an improvement to the local streetscene. The proposed external finishing materials comprising Ocean Blue fascias to front elevations, Prisma Metallic Silver cladding to side elevations with additional horizontal Grey Aluminium Cladding to side elevation of unit 2, high level translucent panels and aluminium framed windows are considered appropriate for the site and adequate in the context of the surrounding area.

The overall design of the scheme and layout is considered to enhance the visual amenities of the surrounding area and, as such, the development is considered to comply with Policy BE25 of the Local Plan and Policy 7.6 of the London Plan (July 2011).

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) seeks to ensure that new buildings protect the privacy of residential neighbours and do not have a detrimental impact on local residential amenity including, loss of light and dominance. The Council's Supplementary Planning Document HDAS: Residential Layouts provides further clarification in that it advises that buildings of two or more storeys should maintain at least a 15 metres separation distance from adjoining properties to avoid appearing overdominant and a 21 metres distance between windows and private amenity space to safeguard privacy.

The closest residential properties to the application site are located within the row of cottages which immediately adjoin the south eastern corner of the application site and front Dawley Road which is itself a busy classified road.

The minimum separation distance between the main two storey bulk of these properties and the nearest industrial units (rear elevation of unit 1 and side elevation of unit 2) is 15

metres, which is a sufficient distance to ensure that the proposed units would not cause unreasonable amenity impacts such as loss of light and over-dominance. Furthermore, there are no windows proposed that could overlook any of these properties and therefore the application is considered acceptable in terms of privacy and overlooking.

In addition, the elevational treatment on the side elevation of unit 2, which faces the rear of the residential properties in Dawley Road, comprise a mixture of materials, profiles and colours, this assists in breaking down the facade of this industrial building and therefore improves the outlook for these residents.

7.09 Living conditions for future occupiers

The proposal is for an industrial building and accordingly there will be no future residential occupiers. The internal layout is suitable for future users of the industrial and warehousing buildings.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

There are currently 2 vehicle entrances to the site. The eastern entrance is onto Swallowfield Way, 50 metres west of the Dawley Road roundabout. The second site access is also onto Swallowfield Way, to the west of the site. This access is located 90 metres west of the Dawley Road roundabout. It is proposed to close off the eastern access and use the existing, western entrance as the main access to the site.

CAR PARKING

Car Parking will be in line with the maximum standards from the London Borough of Hillingdon UDP Saved Policies September 2007. A maximum of 1 space per 100 sqm is allowed plus 2 spaces for B1(b)/B1(c)/B2/B8. The total GFA the proposed development is 6,540 which means a maximum of 67 spaces is allowed. The 65 spaces that are therefore proposed are in line with the standards.

Policy AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) states that new development will only be permitted where it is in accordance with the Councils adopted car parking standards. The scheme would provide 65 car parking spaces to serve all five industrial units. Of these car parking spaces, five would be dedicated disabled parking bays and four will be equipped with electric charging points. The Highways Officer has reviewed this proposal and the accompanying Transport Statement and considers this provision to be consistent with Policy AM14 of the Local Plan and the London Plan policy requirements.

CYCLE PARKING

Policy AM9 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) requires cyclist facilities to be provided for the development. The development seeks to provide 31 cycle parking spaces which are clearly indicated on the submitted documents to be provided within the units and accord with policy requirements.

Minimum Cycle parking is more difficult to calculate. The standards state that for B1(b), B1(c) and B2 it is 1 space per 75 sqm while for B8 it is 1 space per 250 sqm. As the design for the re-development is flexible and GFA per use has not been determined, minimum cycle parking is between 26 and 87 spaces. It is therefore proposed to provide an average 31 spaces.

TRAFFIC IMPACT

The Highways Officer has reviewed the proposals and concurs with the submitted Transport Statement. The proposed development will result in a slight increase of two-way trips throughout the day. The change in trip generation will result in an overall increase in

vehicle movements, however this is not considered unduly significant and accordingly, based on the analysis provided it is considered the scheme is acceptable subject to securing the submitted travel plan within the legal agreement.

7.11 Urban design, access and security

URBAN DESIGN

This issue is addressed in Section 7.07 of the report.

ACCESS

This issue is addressed in Section 7.12 of the report.

SECURITY

The scheme has been designed with regard to Secure By Design principles including access and movement which provides perimeter paladin fencing, secured yards with sliding gates, CCTV and external lighting.

Should approval be granted, a condition would be imposed to ensure security measures meet the Metropolitan Police 'Secure By Design' criteria.

7.12 Disabled access

Policy 7.2 of the London Plan and guidance within the HDAS- Accessible Hillingdon requires developments to be designed to be fully accessible for wheelchair users. The applicant has confirmed that the development would accord with provisions for inclusive access and fully comply with the requirements of British Standards BS8300, Access for Disabled People.

Level access is proposed to the entrances to the building and disabled car parking is located close to the building entrances. The proposals are therefore considered to accord with the aims of policy 7.2 of the London Plan 2011, the HDAS Accessible Hillingdon SPD and policy AM15 of the Hillingdon Local Plan Part Two Saved UDP Policies (2012).

7.13 Provision of affordable & special needs housing

Not applicable.

7.14 Trees, landscaping and Ecology

A proposed site layout plan accompanies the application with a green edge along the frontage and part of the east boundary. The Landscape Officer has confirmed no trees of high merit will be lost. However, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment. The proposals are therefore considered to be acceptable in respect of landscaping and local ecology.

7.15 Sustainable waste management

The scheme provides for internal refuse enclosures which will be provided separately for each industrial unit. The proposals are therefore considered to be acceptable and in accordance with local policy.

7.16 Renewable energy / Sustainability

Policy 5.7 of the London Plan advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions of 40% from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible. Policy 5.4 of the London Plan requires submission of an assessment of the energy demand and carbon dioxide

emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development.

The development seeks to meet the 40% energy reduction target of the London Plan 2011 and therefore the proposals fully accord with the London Plan policy requirements. Notwithstanding this, it is considered appropriate to secure a condition which require the applicant to implement the approved energy strategy.

7.17 Flooding or Drainage Issues

Policy OE7 of the Saved Policies UDP seeks to prevent developments in areas liable to flooding unless appropriate flood protection measures are proposed. Policy OE8 seeks to resist developments that would result in an increased risk of flooding elsewhere.

The application is supported by a drainage strategy, which demonstrates that surface water will be controlled on site reducing the flood risk from the site, and it shows the site is not at risk and the occupants will have a suitable safe access.

The Council's Flood and Drainage officer has reviewed the submission and consider that, subject to the imposition of conditions, the development would have an acceptable impact with regard to flood risk and the environment in general.

Overall, it is consider that flood risk has been adequately taken into account within the development proposals and that the development would not give rise to increased risk of flooding elsewhere or result in unacceptable risks for future employees. Subject to conditions the proposal would comply with Policies OE7 and OE8 of the Saved Policies UDP.

7.18 Noise or Air Quality Issues

NOISE

Given that the site sits in a predominantly industrial location the dominant noise source in this area will be vehicular traffic on Dawley Road and Swallowfield Way. The application is accompanied by a detailed noise report and having regard to this information, it is therefore considered that the operations being undertaken by industrial/ warehouse occupiers will not have a detrimental impact on the residential amenity of Dawley Road residents. Although, no objection has been raised by the Councils Environmental Protection Unit a condition has been recommended to ensure that noise levels generated from within the site at the nearest residential window fall below general background noise levels.

In view of this, it is not considered that these properties would be likely to suffer any undue noise and disturbance as a result of the proposals.

AIR QUALITY

The application site lies within the South of the Borough where Air Quality is of significant concern and the application has been supported by an Air Quality Assessment, as such the applicants have agreed to provide a financial contribution of £12,500 towards air quality improvements in the borough.

7.19 Comments on Public Consultations

No objections or comments have been received or raised which relate to material planning considerations.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) states that the Local Planning Authority will, where appropriate, seek to supplement the provision of

recreation open space, facilities to support art, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

The Heads of Terms are as follows:

- i) Air Quality Management contribution £12,500;
- ii) Construction Training: £2500 per £1m of building costs + £9600 per phase of development for coordinator costs or an in kind scheme.
- iii) Travel Plan including a £20,000.00 bond;
- iv) Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution;

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

There are no other issues for consideration.

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

10. CONCLUSION

The site is located within an Industrial and Business Area as allocated on the Proposals Map of the Unitary Development Plan and forms part of a larger industrial estate comprising B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution) uses. The development is therefore acceptable in principle.

The development will not result in unacceptable impacts on the amenities of neighbouring properties and the siting, design and external appearance of the proposed buildings are considered acceptable. There are no highway objections to the proposal.

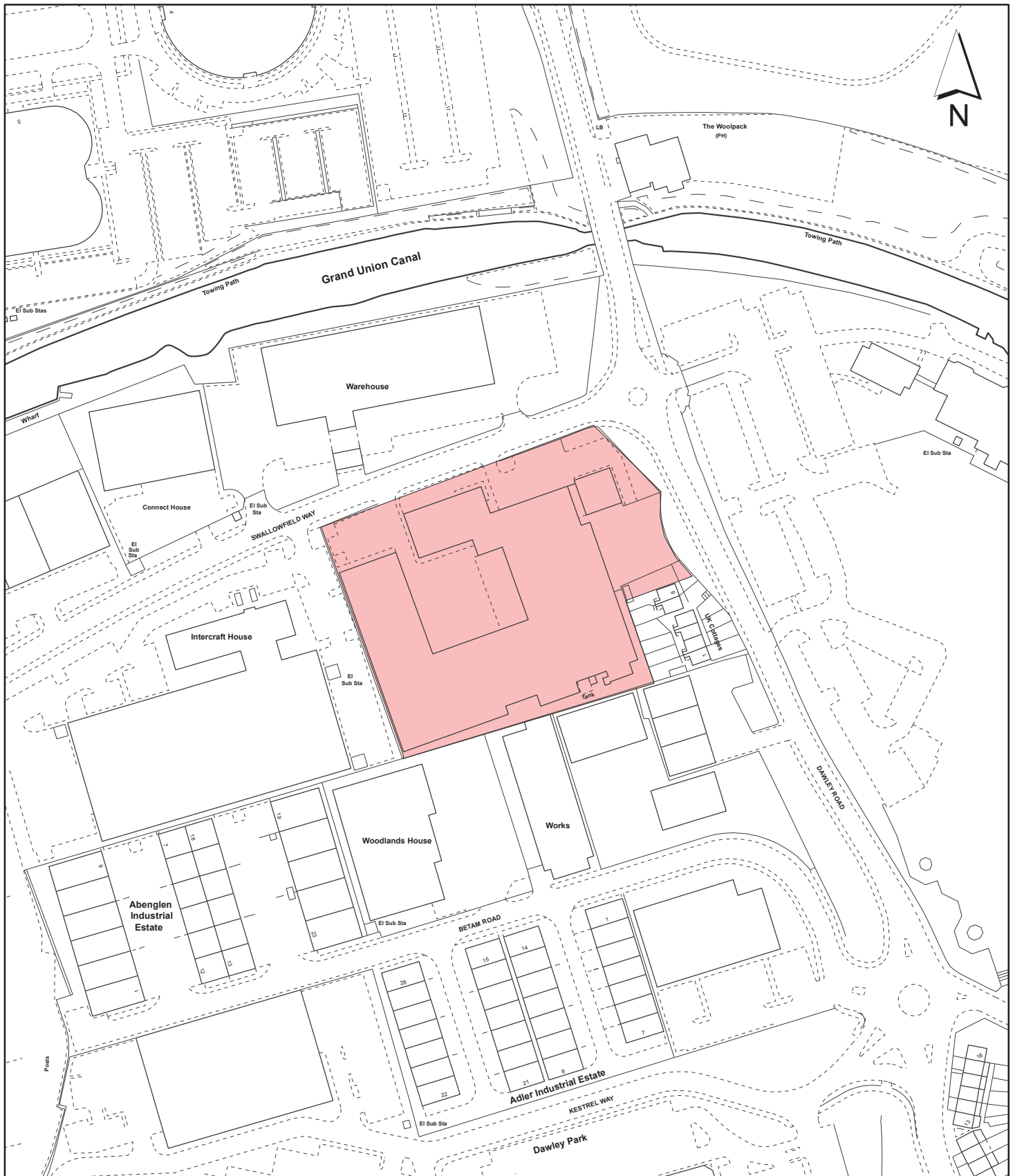
As such, the scheme is recommended for approval subject to appropriate conditions.

11. Reference Documents

Hillingdon Local Plan: Part One (November 2012)
Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)
London Borough of Hillingdon's HDAS 'Accessible Hillingdon' Supplementary Planning Document (May 2013)
Planning Obligations Supplementary Planning Document (July 2008)
Revised Chapter 4: Education Facilities of the Planning Obligations SPD (adopted 23 September 2010)
London Plan (July 2011)
National Planning Policy Framework (March 2012)

Contact Officer: Tiago Jorge

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Notes

 Site boundary

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 Hayes**

**LONDON BOROUGH
 OF HILLINGDON**

**Residents Services
 Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

38065/APP/2014/2143

Scale

1:2,000

Planning Committee

Major

Date

September 2014



HILLINGDON
 LONDON