

Report of the Head of Planning, Sport and Green Spaces

Address SAINSBURY'S SUPERSTORE LONG DRIVE RUISLIP

Development: Erection of a temporary replacement supermarket (Class A1) and associated temporary customer access, car parking and plant, refurbishment of an existing petrol filling station and provision of permanent vehicular access, permanent service egress and permanent re-location of an electricity sub-station in connection with planning permission granted on 22/4/13, ref. 33667/APP/2012/3214 for the re-development of the wider site for a new retail superstore and ancillary commercial units

LBH Ref Nos: 33667/APP/2014/2824

Drawing Nos: 10034 01 AP 0110 001
10034 01 AP 0120 002
Arboricultural Impact Assessment (inc. Arboricultural Method Statement), Rev. A, July 2014
Tree Survey Schedule
1143-01
1143-02
10034 01 AP 0010 001 Rev. P02
10034 01 AP 0010 002 Rev. P02
10034 01 AP 0010 003
10034 01 AP 0010 004
10034 01 AP 0020 001 Rev. P01
10034 01 AP 0020 002 Rev. P01
10034 01 AP 0020 003
10034 01 AP 0030 001 Rev. P01
10034 01 AP 0100 001 Rev. P01
7021/ SEC EX1 Rev. P1
Transport Statement, August 2014
Agent's covering letter dated 8/8/14
Energy Strategy, Issue 2 - 31st July 2014
Agent's email dated 14/10/14
1143-03
Flood Risk Assessment, dated December 2012
Design & Access Statement, July 2014

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

Date Application Valid: 15/08/2014

1. SUMMARY

The proposal is for a temporary Sainsbury's supermarket, with associated temporary customer access, car parking and plant on part of the existing surface car park to allow continuity of trade and service for customers whilst a permanent new store, granted permission on 22/4/13 (App. No. 33667/APP/2012/3214 refers) is built. The proposal also includes the refurbishment of the existing petrol filling station and provision of permanent vehicular access, permanent service egress and permanent re-location of an electricity sub-station which were also included and approved as part of the proposals for the re-development of the wider site.

There is no objection to the provision of a temporary store to allow Sainsbury's to continue trading on this site, whilst their new store is constructed. Although the temporary store is not as well located in terms of connectivity with the South Ruislip local centre as the existing store, it does represent a reasonable compromise in terms of accessibility, given the construction constraints on site.

There are no residential properties nearby that would be affected by the location of the temporary store or its servicing and delivery arrangements. The level of customer parking, its layout and the temporary access arrangements are also acceptable on highway safety grounds.

Conditions are recommended to ensure the scheme makes an appropriate contribution towards energy efficiency, adequate disabled parking spaces are provided and is acceptable in terms of flood risk. Replacement trees would also be secured by condition to compensate for the additional trees lost.

The refurbishment work to the petrol filling station and other permanent alterations to the access arrangements have already been approved as part of App. No. 33667/APP/2012/3214. It will be important to ensure that the design and construction details of the highway works, together with their detailed phasing are acceptable, which would be controlled through a S106/S278 Agreement.

The works are not Mayoral or Council CIL liable.

The application is recommended for approval.

2. RECOMMENDATION

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

A) That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:

1. Highways: A s278/s38 Agreement will need to be entered into to secure the highway works and their phasing within the construction process.

B) That the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

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

D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before the 13th November 2014, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

'The applicant has failed to ensure that the necessary highway works would be undertaken in a timely manner and to an appropriate standard. The scheme therefore conflicts with Policies AM2 and AM7 of the Hillingdon Local Plan: Part

Two - Saved UDP Policies (November 2012).'

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 the 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 attached:-

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 NONSC Written notice and removal of Temporary Store

The applicant shall give the Local Planning Authority prior written notice of no less than 21 days of the intended first use of the temporary retail store hereby permitted. The temporary retail store shall be removed within a period of no more than 11 calendar months from the date of being brought into first use unless otherwise agreed in writing by the Local Planning Authority.

REASON

To accord with the terms of the application and to ensure that temporary store is removed in a timely manner to ensure adequate access, servicing and parking arrangements are in place to serve the re-developed site, in accordance with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3 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 10034 01 AP 0110 001, 10034 01 AP 0120 002, 10034 01 AP 0010 001 Rev. P02, 10034 01 AP 0010 002 Rev. P02, 10034 01 AP 0010 003, 10034 01 AP 0010 004, 10034 01 AP 0020 001 Rev. P01, 10034 01 AP 0020 002 Rev. P01, 10034 01 AP 0020 003, 10034 01 AP 0030 001 Rev. P01 and 10034 01 AP 0100 001 Rev. P01 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).

4 NONSC Replacement Tree Planting Scheme

Prior to the commencement of works on site, a scheme of replacement tree planting, based upon Drw. No. 1143-03 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON

To ensure that appropriate tree replacement planting is carried out, in accordance with Policy BE38 of the of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

5 COM22 Operating Hours

The premises shall not be open for customers outside the following hours:-

0700 to 2300, Mondays - Fridays
0600 to 2200, Saturdays
1000 to 1600, Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

6 NONSC Cycle Parking

Prior to the commencement of works on site, details of the secure and covered provision to be made for the storage of 18 cycles shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided on site before the temporary store is brought into use and shall thereafter be retained for so long as the temporary store remains on site.

REASON

To ensure that adequate provision is made for bicycles, in accordance with Policy AM9 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

7 NONSC Disabled Parking

Notwithstanding the detail shown on Drawing No. 13031 01 AP 0010 001 Rev. P02, a revised car parking layout shall be submitted to and approved by the Local Planning Authority showing a minimum of 10% of the parking spaces being designated for blue badge holders and 5% being designated for brown badge holders. The bays should be marked in accordance with BS 8300:2009.

The development should be implemented in accordance with the revised details and the spaces should thereafter be retained for so long as the temporary store remains in existence.

REASON

To ensure that suitable provision is made in accordance with Policy AM15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Accessible Hillingdon SPD, May 2013.

8 COM17 Control of site noise rating level

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 boundary of the nearest residential premises. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

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

9 NONSC Flood Risk

Unless otherwise agreed in writing by the Local Planning Authority, the development permitted by this planning permission shall only be carried out in accordance with the

flood risk information provided in the covering letter Ref. SAIL 2054-01 dated 8th August by Turley and the following mitigation measures detailed:

- i) Finished floor levels are set at a minimum of 35.953 m which is 300mm above the 1 in 100 year plus climate change flood level.
- ii) The void space beneath the building to be kept clear during the lifetime of the temporary structure.

REASON

To minimise the impact of flooding on the proposed development and future occupants and the impact of the proposed development on the surrounding area in accordance with Policy 5.13 of the London Plan (July 2011) and to ensure the development does not increase the risk of flooding in compliance with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012 and Policy 5.12 of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

10 NONSC Contamination

(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 off site receptors in accordance with policy OE11

of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

11 NONSC Energy Statement

Prior to the commencement of development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority.

The assessment shall clearly set out the baseline energy performance of the development (to 2013 building regulations), and the detailed measures to reduce CO2 emissions by 35% from this baseline, unless otherwise agreed by the Local Planning Authority. The assessment shall provide detailed specifications of the measures and technology that will be used to reach the 35% target or any other target agreed by the Local Planning Authority. The assessment shall include the impacts of each energy efficiency measure and/or form(s) of technology on the baseline emissions. The assessment shall include plans including elevations where necessary showing the inclusion of the relevant technology to reduce the CO2 emissions.

Finally, the assessment must include appropriate measuring and monitoring proposals and how the information will be submitted to the Local Planning Authority to demonstrate CO2 reductions are being met.

The development must proceed in accordance with the approved scheme.

REASON

To ensure appropriate carbon savings are delivered in accordance with Policy 5.2 of the London Plan (July 2011).

INFORMATIVES

1 152 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).

2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

NPPF1	NPPF - Delivering sustainable development
NPPF2	NPPF - Ensuring the vitality of town centres
NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
LPP 2.15	(2011) Town Centres
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
LPP 4.12	(2011) Improving opportunities for all
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions

LPP 5.3	(2011) Sustainable design and construction
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 5.15	(2011) Water use and supplies
LPP 5.21	(2011) Contaminated land
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
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 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.21	(2011) Trees and woodland
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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.
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
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
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
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
AM16	Availability for public use of parking spaces in commercial developments in town centres and other areas
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

4 16 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

5 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

6 125 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

7

You are advised to contact the electricity operator in terms of re-siting the electricity sub-station on site.

8

The Applicant is advised that part of the application site falls within land that may potentially 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 Two (HS2). Powers to construct and operate HS2 are to be sought by the promotion of a hybrid Bill deposited in Parliament on 25th November 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."

3. CONSIDERATIONS

3.1 Site and Locality

The 0.82 hectare application site forms part of a larger 2.26 hectare site in use as a Sainsbury's supermarket, located on the southern corner of the traffic lighted junction of Long Drive and Victoria Road within South Ruislip town centre. The application site is located to the rear of the existing superstore which fronts Long Drive and provides part of the store's service yard, surface level customer car park and associated petrol filling station.

The raised embankment of the Central Underground and Chiltern Main line railways forms the south western boundary of the site with the South Ruislip Station on the northern side of Long Drive, to the north east on the opposite side of Victoria Road is a new three storey building comprising the South Ruislip library on the ground floor, with an adult education centre and flats above, a vacant plot which has planning permission for flatted re-development and a youth centre. To the east of the site is an unmade access leading to an electricity sub-station beyond which is a storage warehouse and the Victoria Retail

Park.

The supermarket was constructed in 1987 and now appears somewhat dated due to the heavy brick walls, large expanses of clay-tiled pitched roofs and style of fenestration. The majority of the building is single storey, although it increases in height towards the corner of Long Drive and along the length of Victoria Road. Planning permission has been granted for the re-development and enlargement of the supermarket, of which this proposed temporary store would form part of the works.

The existing supermarket has a net sales area of 3,553 sqm with ancillary servicing and storage areas giving a gross external area of 6,260 sqm. The main customer entrance is on the south eastern elevation, facing the customer car park. A secondary access is located on the south west elevation, connecting via a walkway to Long Drive. The customer car park currently provides 336 spaces, including 20 disabled and 15 parent/child spaces with vehicular access taken from a mini roundabout on Victoria Road at the eastern end of the site. The access wraps around the filling station to gain entry to the car park. The goods yard to the rear of the supermarket building is accessed separately from Victoria Road. The supermarket currently opens between 0700 and 2300 hours Monday to Friday, 0600 and 2200 hours on Saturday and 1000 to 1600 hours on Sunday.

Most of the larger supermarket site forms part of the South Ruislip Local Centre, with only the eastern end of the car park and petrol filling station being excluded, with the existing store itself forming part of the centre's core area. Long Drive and Victoria Road are local distributor roads and the site has a Public Transport Accessibility Level of 2 to 3 on a scale of 1 to 6 where 1 represents the lowest level of public transport availability. The western part of the site is covered by Tree Preservation Order 193 and the eastern end of the site is located within Flood Zone 2 and forms part of a Critical Drainage Area. The site is also on the edge of an Air Quality Management Area.

3.2 Proposed Scheme

The proposal is for a temporary Sainsbury's supermarket with a GIA of 1,640 sqm (1,035sqm net sales area (excluding checkouts)) with associated temporary customer access, car parking and plant to ensure local shopping provision is maintained and trade disruption is minimised whilst the existing store is demolished and the permanent new store is built; refurbishment of an existing petrol filling station and provision of permanent vehicular access; permanent service egress and permanent re-location of an electricity sub-station in connection with planning permission granted on 22/4/13, ref. 33667/APP/2012/3214 for the re-development of the wider site for a new retail superstore and smaller commercial units.

The temporary store would be single storey in height, with a flat roof that includes a small louvred plant deck area at roof top level on the south-east corner of the building. The main bulk of the temporary store would be approximately 57.2m x 28.5m, with the building supported on posts with an overall height of 5.2m high (8.1m to the top of the louvred screens to the roof top plant area). It would be sited at the eastern end of the site, adjacent to the existing petrol filling station and the building would have a modular framed construction with rigid infill panels, including white cladding panels and glazed curtain walling. The modular units would be prefabricated off-site, transported to and assembled on site and be capable of being re-furbished for re-use elsewhere. The temporary store would be on site for approximately 48 weeks (11 months).

The main customer entrance would be provided on the western side of the building, with

pedestrian access provided from Victoria Road. A total of 100 car parking spaces, including 6 disabled spaces and 4 parent and child spaces would be provided within the existing surface car park to the west of the temporary store with service deliveries taking place on the eastern side of the building. Cycle storage would also be provided adjacent to the entrance.

The proposed works to the petrol filling station involving the construction of a new 14.85m x 9.54m and 5.2m high flat roofed sales kiosk on the eastern side of the sales forecourt (increasing existing sales area by 34sqm from 107sqm to 141sqm) and increasing the number of pumps from 4 to 9 (18 filling points) under a new 5.15m high canopy was approved as part of the previous permission for the permanent store (App. No. 33667/APP/2012/3214 refers). The only difference in terms of the petrol filling station works with this application from that of the approved scheme is that the number of pumps would only increase to 6, and potentially only part of the canopy above would be erected to allow for the construction and servicing of the temporary store. This initial phase would be followed by a second stage when the remaining three pumps and the residual part of the canopy nearest to the temporary store would be installed once the temporary store is dismantled.

Access works included within this application involve a new tanker exit on the western side of the petrol filling station which would be used for exiting delivery vehicles serving the temporary store, temporary entrance/exit to the temporary customer car park and upgrading of permanent access to enable these works to take place ahead of the construction of the new permanent store to prevent disruption to the finished permanent store operations. Delivery and service vehicles to the temporary store will then be able to share this improved access with PFS tankers delivering fuel.

The submitted Design & Access Statement identifies the following development phases in conjunction with the overall re-development of the wider site:-

Phase 1 (circa 15 weeks) - refurbishment of the PFS and new tanker exit being completed/constructed, when PFS would be closed;

Phase 2 (circa 8 weeks) - temporary store erected adjacent to the refurbished PFS, utilising the tanker egress for servicing, during which period the existing amount of car parking would be reduced and the existing store and service yard would close. Customer access would be to the south side of the temporary store;

Phase 3 (circa 3 weeks) - the temporary store would now be open and the existing store would be demolished, during which time the existing car park would be further reduced. The electrical sub-station would be moved and customer access would be to the south of the temporary store;

Phase 4 (circa 34 weeks) - construction of the new store would then commence. Once constructed to store level, the basement level below could become available for customer parking. The construction of the ramp would block customer access so access could be temporarily redirected through either the existing service yard's junction or the proposed car park exit only junction.

Phase 5 (circa 11 weeks) - Once the service yard is functional and the new store fitted out, the temporary store would be removed and the car park re-surfaced. The proposed deck would be constructed in phases, with customers being diverted around and below deck construction; and

Phase 6 (circa 6 weeks) - Once the new store is fully operational, the Council car park would be re-furnished to LPAs requirements.

The application is supported by the following documents:-

Design & Access Statement:

Design and Access Statement:

This provides an introduction to the proposal, describes the site and its physical and planning context. The assessment then considers urban scale, land use, site constraints and opportunities before discussing the design concept, development phasing and manufacturing, assembly and disassembly techniques. The impact of the building is then assessed and the proposed petrol filling station refurbishment works described. The statement then considers various aspects of the development, namely sustainability, including the re-use of the building and its plant, security and access.

Transport Statement:

This provides an introduction to the study, describes the site and its accessibility. The development proposals are described and relevant national, regional and local planning policy is reviewed. The statement advises that given the permission for the permanent store, the only transport impacts that require consideration as part of this application are the suitability of the new site access junction on Victoria Drive and the adequacy of the car parking provision.

The report advises that as the proposed temporary supermarket is considerably smaller than the existing supermarket (with a net sales area (exc. checkouts) of 1,035 sq m as compared to 3,252 sq m of the existing supermarket), there would be less traffic and car parking demand as the more limited retail offer would result in many customers choosing to undertake their main shop elsewhere and only use the temporary supermarket as a top-up.

The statement assesses trip generation to the temporary store by taking the results of the traffic accumulation data surveyed in 2012 as part of the previous application for the new permanent store and factoring this down by 68% to take account of the reduced floor space.

The study concludes that although the 100 space provision for the temporary store exceeds London Plan policy, it is at broadly the same ratio that car parking is currently provided at the existing supermarket and the proposed 18 cycle parking spaces will also exceed the requirements of the London Plan. The new junction on Victoria Road has been modelled and it is predicted to operate within capacity and the assessment of the likely demand for car parking at the temporary supermarket suggests that the car park has sufficient capacity to accommodate the maximum demand. The statement concludes that the proposed development is acceptable in traffic and transport terms.

Energy Strategy:

This provides an introduction to the study and describes the sustainable design and construction principles, together with the energy efficiency measures that would be employed on the scheme. The report then models the building emissions and describes the assumptions that have been made. The report concludes that the temporary store will meet the criteria of the 2010 Building Regulations even though not strictly necessary for a temporary building.

Arboricultural Impact Assessment:

This describes the site, the development proposals and working practices to be employed

on site and the tree removal and tree works that would be required to accommodate the temporary store. A detailed methodology is provided for the various stages and elements of the development, including tree protection, work within and outside root protection areas, landscaping works and long term tree retention.

Flood Risk Assessment:

This was prepared in connection with the permanent store and provides the background to the study, describes the site and the previous permanent development proposals. It sets out the national, regional and local planning policies in relation to flood risks along with sources of flooding. Assessments of the existing and proposed surface water drainage and flood mitigation measures are provided and conclusions and recommendations are made.

Agent's covering letter dated 6/8/14:

This provides the background and describes the proposals, assesses relevant planning policy and up-dates the flood risk assessment.

3.3 Relevant Planning History

Comment on Relevant Planning History

Planning permission for the demolition of the existing store and erection of a new larger retail superstore, creation of ancillary commercial units (Use Class A1, A2, A3, and D1), refurbishment of existing petrol station, creation of new service yard and decked car park, alterations to existing public car park with associated landscaping and public realm works was granted on 22/4/13 (App. No. 33667/APP/2012/3214 refers). Although the proposal did not include a temporary store, the application did advise that Sainsbury's were considering their options in terms of store strategy during the construction phase, including the option of providing a temporary store on site.

The site also lies adjacent to the proposed route of HS2 which in this location, follows the route of the adjoining railway lines. Currently, it is proposed to tunnel this section of line and it is not anticipated that this site would be directly affected by construction work.

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.E5 (2012) Town and Local Centres
- PT1.E7 (2012) Raising Skills
- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

- PT1.T1 (2012) Accessible Local Destinations
- PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

- NPPF1 NPPF - Delivering sustainable development
- NPPF2 NPPF - Ensuring the vitality of town centres
- NPPF4 NPPF - Promoting sustainable transport
- NPPF7 NPPF - Requiring good design
- NPPF10 NPPF - Meeting challenge of climate change flooding coastal
- LPP 2.15 (2011) Town Centres
- LPP 4.7 (2011) Retail and town centre development
- LPP 4.8 (2011) Supporting a Successful and Diverse Retail Sector
- LPP 4.12 (2011) Improving opportunities for all
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- 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 5.15 (2011) Water use and supplies
- LPP 5.21 (2011) Contaminated land
- LPP 6.3 (2011) Assessing effects of development on transport capacity
- LPP 6.5 (2011) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.9 (2011) Cycling
- LPP 6.10 (2011) Walking
- 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 7.13 (2011) Safety, security and resilience to emergency
- LPP 7.14 (2011) Improving air quality
- LPP 7.15 (2011) Reducing noise and enhancing soundscapes
- LPP 7.21 (2011) Trees and woodland

BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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.
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
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
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
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.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
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
AM16	Availability for public use of parking spaces in commercial developments in town centres and other areas
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-NO	Noise Supplementary Planning Document, adopted April 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **2nd October 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

590 neighbouring properties have been consulted on this application, the application was advertised in the local paper on 17/9/14 and a site notice was displayed on site on 2 responses have been received, 1 objecting and 1 in support of the proposals.

Objection comments:-

(i) I live opposite the delivery gate and I can not see from the plans what is going to happen to the gate which is currently in use 24 hours a day, 7 days a week. Gate makes so much noise all day and night long that I can not leave my windows open due to the noise disruption. A larger store will mean more deliveries and more noise. If gate can not be moved from opposite my flat then electric gates should be fitted.

Support comments:-

(ii) I live close by and I support these plans.

ENVIRONMENT AGENCY:

There is no need to consult the EA on this scheme as you should be using our standing advice.

LONDON UNDERGROUND LTD:

London Underground Infrastructure Protection has no comment to make on this planning application.

NETWORK RAIL:

As the proposal is adjacent to the Network Rail boundary we would very strongly recommend that the developer action the following.

(1) RAMS

Network Rail requests that the developer submit a risk assessment and method statement (RAMS) for the proposal to Network Rail Asset Protection, once the proposal has entered the development and construction phase. The RAMS should consider all works to be undertaken within 10m of the operational railway. We require reviewing the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at AssetProtectionLNWSouth@networkrail.co.uk to discuss the proposal and RAMS requirements in more detail.

(2) Fencing

In view of the nature of the development, i.e. commercial, the developer should provide (at their

own expense) and thereafter maintain a substantial, trespass proof steel palisade fence along the railway boundary to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land or air-space. 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 may be using the proposal area. Therefore, any proposed commercial development imports a risk of trespass onto the operational railway, which we would remind the council, is a criminal offence (s23, s55 British Transport Commission Act 1949). As the applicant has chosen to develop a proposal next to the operational railway they are requested to provide a suitable trespass proof fence to mitigate any risks they will import. As Network Rail is a publicly funded organisation with a regulated remit it would not be reasonable to require Network Rail to fund boundary works and enhancements necessitated by third party commercial development.

Network Rail's 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.

(3) 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.

(4) 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.

This is to ensure that the safety of the railway is preserved and that scaffolding does not:

- Fall into the path of on-coming trains
- Fall onto and damage critical and safety related lineside equipment
- Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

The applicant is requested to submit details of proposed scaffolding works to the Network Rail Asset Protection Engineer for review and approval.

(5) Vibro-Impact

If vibro-impact equipment is to be used we would request a condition is added to the planning consent as follows:

Before any vibro-impact works are undertaken on the site, a risk assessment and method statement shall be completed and the results submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail.

Reason - to prevent any piling works and vibration from de-stabilising or impacting the railway.

(6) 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.

No infiltration of surface water drainage into the ground is permitted other than where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

If the developer and the LPA insists on a sustainable drainage and flooding system then the issue and responsibility of flooding and water saturation should not be passed onto Network Rail and our land. The NPPF states that, "103. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere," We recognise that councils are looking to proposals that are sustainable, however, we would remind the council in regards to this proposal in relation to the flooding, drainage, surface and foul water management risk that it should

not increase the risk of flooding, water saturation, pollution and drainage issues 'elsewhere', i.e. on to Network Rail land.

(7) Excavation

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.

The NPPF states:

120. To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

(8) 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.
- That the proposal will not be impacted by overhead electrified lines. Induced voltage can affect structures or individuals up to 20m from the overhead line. AC lines have overhead cables, DC lines are third rail.
- There are no Party Wall issues for which the applicant would be liable for all costs.
- 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. Under Building Regulations the depth and width of foundations will be dependant upon the size of the structure, therefore foundations may impact upon Network Rail land by undermining or de-stabilising soil or boundary treatments.

The NPPF at Section 17, bullet 4 states:

"Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"

We believe this comment supports our position on the location of buildings close to the railway boundary.

Officer's response:

Network Rail comments were forwarded to the agent and they respond as follows:-

(1) RAMS - The temporary proposal lies approximately 9m from operational land and approximately 30m from operational railway. The applicant will undertake works in accordance with established good practice in liaison with Network Rail Asset Protection.

(2) Fencing - The shared boundary between the existing store car park and railway is unaffected by the temporary store proposals and will be retained.

(3) Encroachment - The applicant will ensure that the proposal does not affect safety, operation or integrity of operational railway, Network Rail land and infrastructure or undermine or damage or adversely affect any railway land and structure.

(4) Scaffolding - No scaffolding will be needed for the temporary store in light of its prefabricated nature.

(5) Vibro-Impact - No vibro-impact equipment will be used. The temporary store will stand on the existing store car park.

(6) Drainage - Proposal will connect to existing drainage. No further action required. Require details of excavation.

(7) Excavation - No excavation proposed - temporary store is prefabricated.

(8) 2m Gap - Proposal is located in excess of 2m from Network Rail boundary fencing.

Therefore, it is not considered that the recommended conditions are necessary.

HS2 LTD:

The site is partially located within sub-surface safeguarding limits and although the line of route of HS2 is within a tunnel at this point, land could potentially be required for construction.

Accordingly whilst HS2 Ltd has no objections to the proposed temporary development it is advised that the following informative is attached to the decision notice in the event that you are minded to grant planning consent:

"Informative:

The Applicant is advised that part of the application site falls within land that may potentially 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 Two (HS2). Powers to construct and operate HS2 are to be sought by the promotion of a hybrid Bill deposited in Parliament on 25th November 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."

Internal Consultees

URBAN DESIGN/ CONSERVATION OFFICER:

No objections to this proposal, but suggest that it would be preferable for the structure to be clad in light grey panels as opposed to white.

HIGHWAY ENGINEER:

The car park for the temporary store will provide 100 spaces. The level of car parking and the layout are considered to be acceptable. Of the 100 spaces, 6 will be designated for disabled use and 4 for Parent & Child use. In addition, 10 spaces will incorporate electric vehicle charging points. 4 car parking spaces should be designated for brown badge holders.

18 cycle parking spaces will be provided for the temporary store, which should be covered and secured.

The phasing details are not fully acceptable, as there is little detail regarding impacts on the access and parking during the construction phase of the permanent store. Further details with plans will be required clearly showing the impact construction phase(s) will have on the access and parking for the temporary store.

The existing service access for retail store should be closed and the footway reinstated. Design of the proposed accesses along Victoria Road is not satisfactory in terms of width, turning radius, pedestrian refuge/crossing, and vehicles entering and exiting. However detailed design matters can be dealt with as part of S106 and S278 agreements.

Subject to the above issues being covered by way of suitable planning conditions and/or legal agreement (as appropriate); there is no objection on the proposals from the highways viewpoint.

TREE AND LANDSCAPE OFFICER:

Landscape Character/ Context:

Site description:

- The site is occupied by the car park and petrol station situated to the rear of the Sainsbury superstore. The existing surface level car park extends behind the store to the south-east, with vehicular access off Victoria Road. The petrol station is situated at the far end of the car park, adjacent to the Victoria Road entrance.
- The southern boundary is defined by the dense wooded edge of the railway embankment (Chiltern Railway and Central Line).
- The Victoria Road (north-east) boundary features an attractive line of London Plane trees, some of which are backed by Hornbeam and under-planted with hedging, which partly screen the car park and form a significant landscape feature in the local streetscape.

Landscape Planning designations:

- Tree Preservation Order No. 193 protects selected trees around the superstore on the Long Drive frontage and the Victoria Road boundary.
- The protected trees are not affected by this application.

Landscape constraints/ opportunities:

- The dominant line of Plane trees on Victoria Road is not protected by TPO or Conservation Area designation. However, the trees constitute a significant feature in the landscape and should be retained if at all possible.
- A previous application (33667/APP/2012/3214) was granted permission to redevelop the superstore. The removal of specific selected trees formed a part of the approved proposal.

Proposal:

The proposal is to erect a temporary replacement supermarket (Class A1) and associated

temporary customer access, car parking and plant, refurbishment of an existing petrol filling station and provision of permanent vehicular access, permanent service egress and permanent re-location of an electricity sub-station in connection with planning permission granted on 22/4/13, ref. 33667/APP/2012/3214 for the re-development of the wider site for a new retail superstore and ancillary commercial units.

Landscape Considerations:

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.

- A Tree Survey by Arthur Amos, dated July 2014 assesses the condition and value of 71No. trees and hedges on the site. This has been compared to the survey in September 2012 (also by Arthur Amos).
- In the intervening period all of the trees have retained their classification with the exception of T49, a sycamore, which has improved from a 'C' to a 'B' grade and T55, an ash, which has declined to a 'U' (previously a 'C').
- The approved masterplan (2012/3214) for the new superstore necessitated selected tree loss to facilitate the development.
- Tree removal included T1-11 and T13-17 at the eastern end of the site, near the garage. Further west (towards the existing superstore) T25 and T28-30 were to be removed to facilitate the development.
- Within this area, T12, a street tree will be retained, unaffected by the development. Two of the trees identified for removal, T10 and T25, are 'U' grade tree - whose removal is justified due to their poor quality and short useful life expectancy.
- The previously approved Arboricultural Impact Assessment (AIA) - including tree removal strategy - has been compared with the current tree removal schedule required to facilitate the temporary structure.
- According to Arthur Amos's AIA, dated July 2014, the trees approved for removal as part of the superstore proposal will be removed to accommodate the temporary store.
- In addition, it is proposed to remove a further 4No. trees from the Victoria Road frontage to accommodate the temporary store and access associated parking arrangements.
- The Trees to be removed schedule (AIA, Table 1) lists 2No. 'B' grade planes (T20 and T33) and 2No. 'C' grade planes (T23 and T24).
- The effect of this will be detrimental to the character and appearance of this significant landscape feature (the dominant line of roadside trees) for the sake of a temporary structure.
- No mitigation or landscape enhancement has been proposed - and none would be of value unless it becomes a permanent benefit which would survive the main development following on from the temporary enabling work.
- The impact of the tree loss associated with the approved development was not insignificant. In my view the temporary structure and the associated external spaces should be arranged around the previously approved tree removal strategy to ensure that no additional trees are removed for short term gain.
- 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:

The temporary site arrangement should be designed around the previously (long term) tree removal/ retention strategy.

Further comments:-

With regard to the amended drawing, ref. 1143-03, Replacement tree planting proposals plan, the offer to provide 6No. Platanus x hispanica @ 18-20cm girth is very welcome albeit one, at least, of

the proposed locations may be overshadowed by the canopy of the existing trees.

I also note that once the 'temporary arrangement' is superseded by the final layout, there will be a further opportunity for replacement planting to re-establish the line of boundary trees - under the terms of the landscape condition 10, attached to the planning consent for the redevelopment of the main store.

It is considered that this is an acceptable compromise.

ACCESS OFFICER:

The proposal is for a temporary, demountable store whilst the main supermarket is being built. The site is understood to be nearby to bus stops and South Ruislip rail and underground stations.

Of the 100 car parking spaces, 6 will be allocated for accessible parking. Ramps would provide suitable access to the store. A fully accessible WC would also be provided.

The following provision should be secured by way of a suitable planning condition:

1. A minimum of 10% of parking should be accessible to older and disabled people. The bays should be marked in accordance with BS 8300:2009, and should be made available to both Blue Badge holders and Brown Badge holders.

Conclusion: acceptable, subject to a suitable planning condition that secures the above provision.

Officer's comment

Although the officer states that 10% of the parking should be provided for brown and blue badge holders' design guidance states that 10% of the spaces should be available for blue badge holders with a further 5% should be available for brown badge holders. There appears to be no reason to relax standards in this case.

WATER AND FLOOD MANAGEMENT OFFICER:

The FRA dates back from 2012 and does not mention the temporary store so makes no assessment of it or how flood risk has been considered in the temporary design. Information on the interpretation of the FRA is only held on the covering letter which is not available on the external website for the EA to review. However in summary the finished floor level (ffl) is raised above the appropriate flood level, and underneath will be left voided to allow water underneath. Although it is not clear of the depth of the modular structure beneath the ffl and therefore the potential impact on flood storage, this should be made clear to demonstrate that there will be the void space assumed. If that is made clear then my following recommendations would apply.

This modular structure minimises the impact on flooding from the proposed development and is acceptable for a temporary structure. However appropriate conditions would have to be placed on any permission to ensure that the voids are maintained appropriately.

Condition

Unless otherwise agreed in writing by the Local Planning Authority, the development permitted by this planning permission shall only be carried out in accordance with the flood risk information provided in the covering letter Ref. SAIL 2054-01 dated 8th August by Turley and the following mitigation measures detailed:

i) Finished floor levels are set at a minimum of 35.953 m which is 300mm above the 1 in 100 year

plus climate change flood level.

ii) The void space beneath the building to be kept clear during the lifetime of the temporary structure.

Reason

To minimise the impact of flooding on the proposed development and future occupants and the impact of the proposed development on the surrounding area in accordance with Policy 5.13 of the London Plan (July 2011) and to ensure the development does not increase the risk of flooding in compliance with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012 and Policy 5.12 of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014).

ENVIRONMENTAL PROTECTION OFFICER (LAND CONTAMINATION):

Regarding the temporary store application, could you please ensure the standard contaminated land condition is included in any permission given. I think there were references to hydrocarbon contamination in the car parking area next to the petrol station. I'm assuming there is no soft landscaping so am leaving this condition out. They can submit any site investigation reports they have to date for the supermarket redevelopment and clarify the hydrocarbon contamination issue and provide a watching brief to get the pre-commencement part of the condition discharged.

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

off site receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

SUSTAINABILITY OFFICER:

A condition is required to ensure that the scheme makes its 'best endeavours' to reduce carbon emissions.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF (March 2012), the London Plan (July 2012) and the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) place great emphasis on ensuring that town centres provide the are the main focus for commercial and retail development. Although the majority of the proposed store would be sited outside the eastern boundary of the South Ruislip local centre, this scheme is for a temporary store to allow Sainsbury's to continue trading from the site whilst the new permanent store within the core area of the town centre is being built. Given the construction constraints on site, the proposed siting of the temporary store is considered to be acceptable. As such, there are no in principle objections to the proposal.

7.02 Density of the proposed development

Not applicable to this development.

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

The application site is not located within an Archaeological Priority Area or has any other archaeological designation. The previous application for the new permanent store (App. No. 33667/APP/2012/3214 refers) was supported by an Archaeological Desk-based Assessment which advised that there are no recorded archaeological remains from any period within the area and that the initial development of the supermarket and associated petrol filling station would have disturbed any remains in the unlikely event that they were present in these areas. The assessment concluded by stating that the potential for the presence of any archaeological remains appears very low. Although the temporary store would mainly be sited within the car park where the development of the existing supermarket would have resulted in less disturbance to the ground, given that remains are unlikely on this site, the potential for disturbance of any archaeology remains very low due to the minimal disturbance resulting from the temporary store's footings.

The application site is not located within the vicinity of a listed building, nor sited within or close to the boundary of a conservation area or an area of special local character.

As such, it is considered that the proposals would not harm any known heritage assets.

7.04 Airport safeguarding

No airport safeguarding objections have been raised.

7.05 Impact on the green belt

The site is not located within the Green Belt or sited close to its boundary. As such, no Green Belt issues are raised by this application.

7.07 Impact on the character & appearance of the area

The proposed single storey temporary store would be of an appropriate scale and be sufficiently set back from the Victoria Road frontage so that it would not appear unduly dominant and allow for the retention of boundary planting in this area. Furthermore, the north western corner of the building would be predominantly glazed to present active frontages facing Victoria Road and the customer car park. The Council's Urban Design/ Conservation Officer raises no objections to the proposal but did suggest that light grey panels may be preferable to white panels. This suggestion was put to the applicant but

they advise that this is a prefabricated temporary store that is being re-used from another site. As the store would be temporary, no objection is raised to the white panels.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to protect the amenities of surrounding residential properties from new development in relation to loss of sunlight, dominance and loss of privacy respectively.

The nearest residential properties to the proposed temporary store are the upper floor flats in the recently constructed three storey block which houses South Ruislip library sited to the north west of the application site on the opposite side of Victoria Road. As the nearest part of the temporary store would be sited over 220m from these properties, these units would not be materially affected by the proposals in terms of overshadowing, undue dominance or loss of privacy. Planning permission has been granted for flatted development immediately to the north of the application site on the opposite side of the road on 8/3/12 (App. No. 67080/APP/2010/1420 refers), but the store would be sited over 60m from the front elevation of this block so that these units would not be unduly affected by the single storey store. Also, although the site has been cleared and boarded up for a number of months, buildings works have yet to commence in earnest so that the possibility exists that there will not be any residents opposite during the lifetime of the temporary store.

Noise issues are considered below.

7.09 Living conditions for future occupiers

Not applicable to this development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advise respectively that proposals for development will be assessed against their contribution to traffic generation and impact on congestion, having regard to the present and potential capacity of public transport and that the traffic generated by proposed developments would need to be accommodated on principal roads without increasing demand along roads or at junctions already used to capacity, not prejudice the free flow of traffic, nor diminish environmental benefits brought about by other road improvement schemes or infiltrate local roads. Policy AM9 supports cycle provision, including the need for cycle storage provision within development schemes and Policy AM14 advises that development should accord with adopted car parking standards.

A Transport Statement has been submitted with the application. This advises that although the retail offer at the temporary supermarket will be sufficient to allow customers to undertake a basic weekly shop, it will be greatly reduced compared to the existing supermarket. As a result, many customers are likely to choose to undertake their main shop elsewhere and only use the temporary supermarket to top-up. As a result, the temporary supermarket would attract much less traffic than the existing supermarket and hence the demand for car parking would also be much reduced.

It goes on to advise that the proposed 100 space car park for the temporary supermarket equates to a ratio of 1 space per 16.4 sqm which although above the recommended 1 space per 20-30 sqm range in the London Plan (July 2011), would be almost identical to the 1 space per 16.9 sqm parking ratio at the existing supermarket. The Council's Highway Engineer raises no objections to the proposed level of car parking for the temporary store or its layout.

Of the 100 spaces, 6 will be designated for disabled use and 4 for parent & child use. In addition, 10 spaces will incorporate electric vehicle charging points. The Council's Highway Engineer does not raise objection to this provision, although advises that 4 car parking spaces should be designated for brown badge holders. This has been conditioned.

Servicing of the supermarket will involve service and delivery vehicles entering the site via the existing up-graded mini-roundabout on Victoria Drive, manoeuvre on the forecourt area between the petrol filling station and temporary supermarket to access the service area of the eastern side of the supermarket and exit via the tanker exit, a separate egress granted permission as part of the proposals for the permanent supermarket and refurbished petrol filling station. The Highway Engineer raises no objection to this arrangement.

The proposed petrol filling station, with the exception of 3 fewer pumps initially being provided to allow greater access by delivery vehicles, is the same scheme as the permitted replacement petrol filling station. As such, the operation of the petrol filling station does not give rise to any additional transport impacts that have not already been considered and have been found to be acceptable.

The Highway Engineer does consider that the phasing details have not been fully worked up and are not therefore currently acceptable. In particular, there is little detail regarding impacts on the access and parking during the construction phase of the permanent store and that further details including plans will be required that clearly show the impact of the construction phase(s) on the access and parking for the temporary store. This would be dealt with by the S106/ S278 agreements.

The Highway Engineer further advises that the existing service access for the existing supermarket will need to be closed and the footway reinstated. The design of the proposed accesses along Victoria Road is also not satisfactory in terms of width, turning radius, pedestrian refuge/crossing and vehicles entering and exiting. However, detailed design matters can be dealt with as part of S106/ S278 agreements.

The Highway Engineer concludes that subject to the above issues being covered by way of suitable planning conditions and/or legal agreement (as appropriate), there is no objection to the proposals from a highway viewpoint and the scheme is considered to comply with Policies AM2, AM7, AM9 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

- Security

A secure by design condition is recommended.

7.12 Disabled access

The proposal includes an access ramp to the store's entrance and a separate access ramp at the front of the store for staff. A fully accessible WC is also provided. The submitted plans include 6 disabled spaces on the southern side of the temporary car park. The Access Officer is only concerned about the parking provision, advising that 10% of the spaces should be provided for blue and brown badge holders. However, the Council's Accessible Hillingdon SPD advises that 10% of parking should be for blue badge holders with a further 5% designated for brown badge holders. It is considered that in this instance, there are no grounds to deviate from adopted guidance. A condition is recommended seeking revised parking details.

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, landscaping and Ecology

Trees and Landscaping

Saved policy BE38 of the Hillingdon Local Plan advises that new development should retain topographical and landscape features of merit and that new planting and landscaping should be provided wherever it is appropriate.

The Council's Tree/Landscaping Officer initially advised that the boundary trees and vegetation along this part of Victoria Road, whilst not protected by a TPO, does constitute a landscape feature of merit and should be retained as far as possible. The proposed temporary store would involve additional tree loss along this frontage over and above that approved to accommodate the permanent scheme and that this proposal should be re-considered to minimise further tree loss.

The applicant's tree consultant advises that this issue has been discussed with the design team but the current site layout does appear to be the optimum solution given the competing needs of locating a temporary store, a workable access solution and retaining as many trees as possible. They therefore suggest a strategy of replacement tree planting to mitigate for tree loss, which have been indicated on Drw. No. 1143-03 and advise that Sainsburys would be willing to accept a condition regarding replacement tree planting attached to a consent for the temporary store, either in the location shown or otherwise in agreement with London Borough of Hillingdon.

Also, the tree consultant advises that while the access / egress arrangement is required for the temporary store, this arrangement is itself temporary. Further replacement planting opportunities will be available when this "gap" is closed, any such planting being covered via condition 10 of permission 2012/3214 for the main store redevelopment.

On this basis, the Council's Tree Officer advises that the compromise is acceptable.

Ecology

The proposed temporary store and refurbishment works to the petrol filling station would not impact on the ecological value of the site.

7.15 Sustainable waste management

Sainsbury's would be responsible for their own waste management with a licensed waste carrier. On this basis, no objections are raised to the scheme.

7.16 Renewable energy / Sustainability

An energy statement has been submitted with the application which advises that the scheme would satisfy the 2010 Building Regulations. The Council's Sustainability Officer advises that the scheme should aim to satisfy the 40% carbon reduction requirements in the London Plan (July 2011) but given that this is a temporary building, there is scope to be flexible. A condition has been attached.

The temporary store would use a modular frame construction that would allow flexibility and the building to be used elsewhere.

7.17 Flooding or Drainage Issues

The majority of the site, including the temporary store is located within Flood Zone 2, and it also forms part of a Critical Drainage Area. The application is supported by the Flood Risk Assessment submitted as part of the permanent which has been up-dated by the

agent's covering letter.

The Council's Water and Flood Management Officer advises that subject to confirmation concerning the void space below the store, the scheme is acceptable, subject to condition. This has been attached.

7.18 Noise or Air Quality Issues

Noise

On the previous application, the Council's Environmental Health Officer advised that a condition was required to ensure that noise levels at the nearest residential properties are kept 5dB below background levels. The condition is recommended to safeguard the residential properties from the temporary store and refurbished petrol filling station.

Air Quality

Although the application site lies adjacent to an Air Quality Management Area, the temporary store, being served by 100 car parking spaces represents a significant reduction on the current number of customer car parking spaces on site so that it is unlikely that the proposal would have any adverse impact upon air quality.

7.19 Comments on Public Consultations

As regards the comment received regarding the noise from the delivery gate, this relates to deliveries to the existing store and the service area immediately to the rear of the store which fronts Victoria Road. The temporary store would be serviced from its eastern side, involving deliveries being made further along Victoria Road to the east, away from the existing residential occupiers opposite. Servicing and delivery arrangements with the new permanent store should also result in an improvement with servicing and delivery vehicles accessing the site from the mini-roundabout and using a ramp to gain access to the service yard at the rear of the new store at deck level which would be sited further into the site.

The comment in support is noted.

7.20 Planning obligations

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

A S106 Agreement would be needed to secure the following:-

1. Highways: A s278/s38 Agreement will need to be entered into to secure the highway works and their phasing within the construction process.

The proposal is not Mayoral or Council CIL liable.

7.21 Expediency of enforcement action

No enforcement issues are raised by this application.

7.22 Other Issues

There are no other planning issues raised by this application.

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

This scheme mainly seeks permission to provide a small temporary store on site whilst the existing store is demolished and its larger replacement is being constructed.

The store would allow Sainburys to maintain a presence within the local centre whilst construction works are on-going, reducing the disruption for surrounding residents. The scheme is also acceptable on highway grounds, subject to the details of the highway works and their phasing being finalised.

There are no residential properties nearby that would be affected by the location of the temporary store or its servicing and delivery arrangements and the level of customer parking, its layout and the temporary access arrangements are also acceptable on highway safety grounds.

The scheme has been conditioned to ensure it makes an appropriate contribution towards energy efficiency. Conditions are also recommended to ensure that adequate disabled parking spaces are provided and the scheme is acceptable in terms of flood risk. Replacement trees will also be secured by condition to compensate for the additional trees lost.

The refurbishment work to the petrol filling station and other permanent alterations to the access arrangements have already been approved as part of App. No. 33667/APP/2012/3214.

The works are not Mayoral or Council CIL liable.

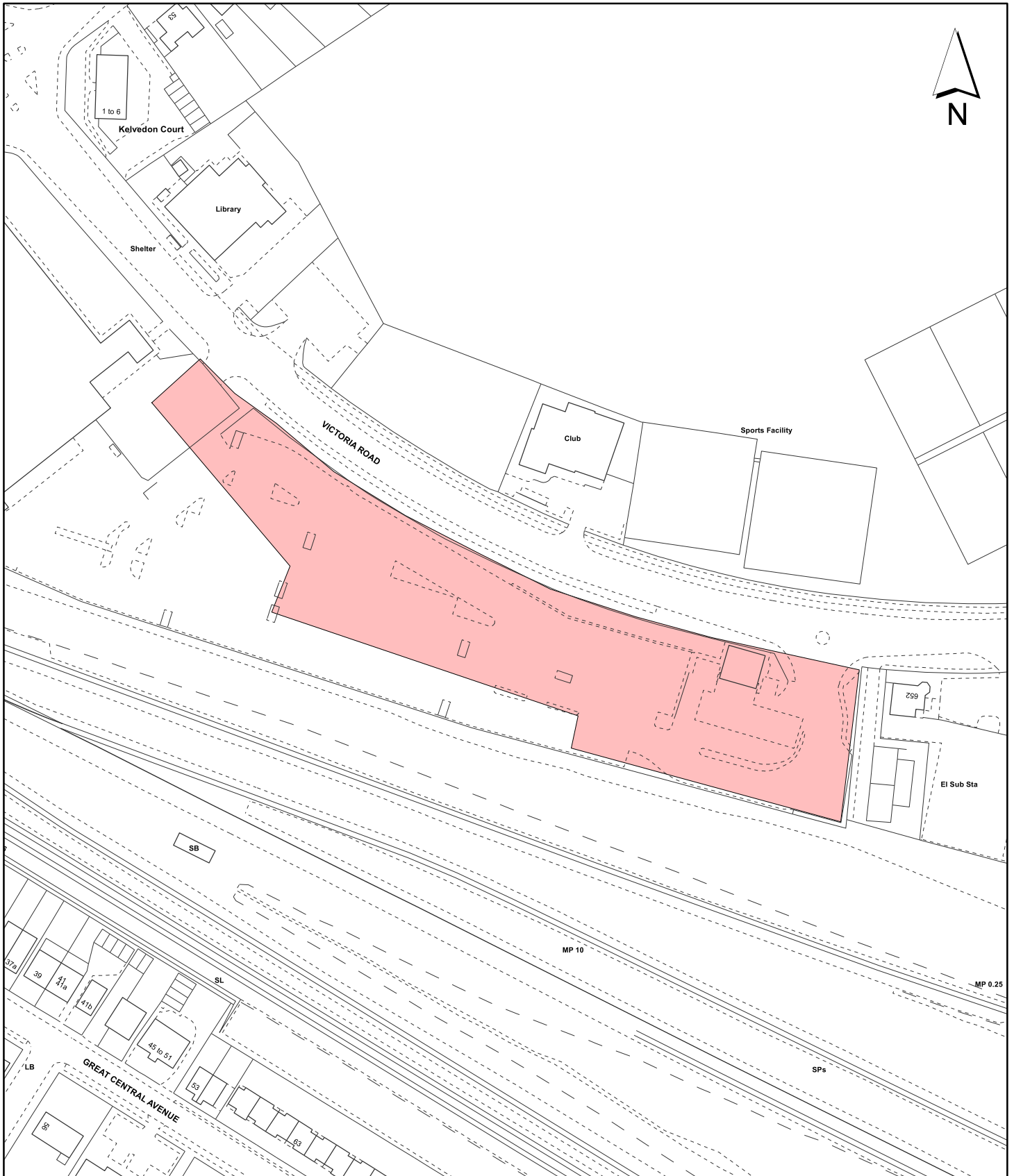
The application is recommended accordingly.


11. Reference Documents

National Planning Policy Framework (March 2012)
Planning Practice Guidance (March 2014)
London Plan (July 2011)
Hillingdon Local Plan (November 2012)
HDAS: 'Accessible Hillingdon'
Consultation responses

Contact Officer: Richard Phillips

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center">Sainsbury's Superstore Long Drive Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p align="center">Residents Services Planning Section</p> <p align="center">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center">33667/APP/2014/2824</p>	<p>Scale</p> <p align="center">1:1,500</p>	 <p align="center">HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p align="center">Major</p>	<p>Date</p> <p align="center">October 2014</p>	