

## Report of the Head of Planning, Sport and Green Spaces

**Address** 555 STONEFIELD WAY RUISLIP

**Development:** DEMOLITION OF AN EXISTING INDUSTRIAL BUILDING AND THE CONSTRUCTION OF A 3 STOREY INDUSTRIAL UNIT (USE CLASS B1B) AND PEDESTRIAN LINK TO UNIT 4 BRADFIELD ROAD WITH ANCILLARY WAREHOUSE AND OFFICE SPACE AND CAR PARKING.

**LBH Ref Nos:** 70454/APP/2015/383

**Drawing Nos:** P-05 F-Prop 1st 2nd Roof plans-P-05  
1000- 161 - T1  
130115\_Rev A Accessibility Statement  
190115\_Rev B DAS  
20150129 Covering Letter  
270115\_Substation\_with\_GRP\_enclosure  
527P01 B 555 Stonefield Way Ruislip Landscape Layc  
527P02 B 555 Stonefield Way Ruislip Proposed Plant  
J2268-C-100  
P-01 C-Site Location Plan  
P-02 C-Existing site plan-existing site survey  
P-03 C-Existing Elevations-Existing survey elevati  
P-04 G-Site Ground Floor Plan P-04  
P-06 E-Prop Elevations-P-06  
P-07 D-Prop Sections-P-07  
P-08 B-Site levels-P-08

**Date Plans Received:** 02/02/2015                      **Date(s) of Amendment(s):** 10/03/2015  
**Date Application Valid:** 04/02/2015                      02/02/2015

### 1. SUMMARY

The application seeks full planning permission for the redevelopment of the site to provide a three storey industrial building and pedestrian link to the adjacent building of Unit 4 Bradfield Road (Use Class B2b) (total floor area of 4,480sqm together with car parking to the front.

26 local neighbours, businesses and local amenity groups were consulted in February 2015. One letter was received, raising concern regarding the impact that construction may have on the local highway and that a condition should be attached requiring repairs where damage occurs. It is not possible to secure such a condition on the permission but there are provisions within the Highways Act 1980 to deal with such matters. The comment also raises traffic generation as an issue which has been assessed and considered acceptable.

It is considered that the proposed development is acceptable in principle in the Strategic Industrial Location. It is appropriately designed within the context of the industrial location and it is not considered that the development would lead to such a significant increase in traffic that refusal could be justified on highway grounds. The proposal is considered to comply with relevant Local Plan and London Plan policies and, accordingly, approval is recommended subject to the completion of a S106 Legal Agreement.

## **2. RECOMMENDATION**

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

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

**i) Construction Training: in line with the SPD a contribution or in-kind scheme delivered will be required to address training during the construction phase of the development. If the contribution is to be delivered as a financial contribution then it should be in line with the formula which is £2,500 for every £1m build cost + Co-ordinator = £14,600 total contribution.**

**ii) Travel Plan and Bond (£20,000)**

**iii) Project Management & Monitoring Fee = 5% of total cash contributions**

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

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

**D) If the Legal Agreements have not been finalised by 6 May 2015 , delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:**

**'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of employment and Travel Plan). The proposals therefore conflicts with Policies AM2, AM7 and R17 of the adopted Local Plan, London Plan Policy 2.15, the National Planning Policy Framework, the National Planning Practice Guidance and the Councils Planning Obligations SPG.'**

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

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

**1            COM3            Time Limit**

**The development hereby permitted shall be begun before the expiration of three years**

from the date of this permission.

REASON

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

**2 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following plans:

P-05 F-Prop 1st 2nd Roof plans-P-05  
1000- 161 - T1  
270115\_Substation\_with\_GRP\_enclosure  
527P01 B 555 Stonefield Way Ruislip Landscape Layout  
527P02 B 555 Stonefield Way Ruislip Proposed Plant  
J2268-C-100  
P-01 C-Site Location Plan  
P-02 C-Existing site plan-existing site survey  
P-03 C-Existing Elevations-Existing survey elevation  
P-04 G-Site Ground Floor Plan P-04  
P-06 E-Prop Elevations-P-06  
P-07 D-Prop Sections-P-07  
P-08 B-Site levels-P-08

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

**3 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Reduction in energy use and renewable technology installation [Sustainability & Energy Statement Ref: 14-S074-002v3]  
Accessibility measures [130115\_Rev A Accessibility Statement and 190115\_Rev B DAS]  
Waste and refuse arrangements [Waste Management Statement]  
Parking arrangements [Transport Statement SBRuislip.1]  
Landscape and maintenance [Landscape Maintenance/Management Plan]  
Sustainable drainage [Drainage Strategy & Civil Basis of Design Ref: J2268-03 Rev X2]  
Air quality measures [Air Quality Assessment Ref: J2150/1/F1]  
Contaminated land [Phase 1 Desktop Report and Phase 2 Site Investigation Report Ref: 14.837 and Additional Monitoring Letter Ref: 14.8371.1]  
External materials [Samples Board]

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

REASON

To ensure that the development complies with the objectives of Policies of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**4 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995**

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) and Section 55 of the Town and Country Planning Act 1990 (as amended), the building(s) shall be used only for purposes within Use Class B1b of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) nor shall the site be subdivided.

**REASON**

In order to ensure the use and operation of the site are acceptable in terms of transport, servicing, deliveries, refuse, air quality in accordance with Policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5 COM14 No additional internal floorspace**

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

**REASON**

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**6 COM9 Landscaping (car parking & refuse/cycle storage)**

The development shall be carried out in accordance with the approved landscape plans and the following shall be implemented prior to the occupation of the development:

- 1) 32 car parking spaces including 3 disabled and 12 electric charging points (6 active, 6 passive)
- 2) 60 cycle storage spaces
- 3) 2 motorcycle parking spaces

**REASON**

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

**7 COM13 Restrictions - Enlargement of Industrial/Warehouse Buildings**

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

**REASON**

To enable the Local Planning Authority to assess all the implications of the development and in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**8 COM30 Contaminated Land**

- (i) The development hereby permitted shall not commence, except for demolition, 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 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

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

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

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

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

## **9 NONSC Non Standard Condition**

Prior to occupation of the, the following details shall be submitted to and approved in writing by the Local Planning Authority:

Long Term Management and Maintenance of the drainage system.

i. Provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues. Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

ii. Where the maintenance will not be the responsibility of an individual householder, the details of the body legally responsible for the implementation of the management and maintenance plan must be provided.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not

increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

**10            N11            Control of plant/machinery noise**

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

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

**INFORMATIVES**

**1**

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

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

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

**2            I1            Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

**3            I13            Asbestos Removal**

Demolition and removal of any material containing asbestos must be carried out in

accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

**4**            I16                    **Directional Signage**

You are advised that any directional signage on the highway is unlawful. Prior consent from the Council's Street Management Section is required if the developer wishes to erect directional signage on any highway under the control of the Council.

**5**            I18                    **Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

**6**            I23                    **Works affecting the Public Highway - Vehicle Crossover**

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

**7**            I25                    **Consent for the Display of Adverts and Illuminated Signs**

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

**8**            I25A                    **The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

**9**            I3                        **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).

**10**            I34                    **Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

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

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

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

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

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

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

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

**11**            I52                    **Compulsory Informative (1)**



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

## **12 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

LPP 2.17	(2011) Strategic Industrial Locations
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
NPPF	National Planning Policy Framework
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.18	(2011) Construction, excavation and demolition waste
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The site is located within the South Ruislip Industrial Estate to the south of Victoria Road. The application site is approximately 0.6 hectares and bounded by Stonefield Way on the northern side. The site is currently accessed from Stonefield Way.

The site is currently occupied by a two storey building with a floor area of 1,811sqm in B1c use.

### **3.2 Proposed Scheme**

The proposed development comprises the demolition of the existing building and erection of a three storey industrial building and pedestrian link to the adjacent building of Unit 4 Bradfield Road (Use Class B2b) (total floor area of 4,480sqm together with car parking to the front.

### **3.3 Relevant Planning History**

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

There are no relevant decisions.

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

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

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- LPP 2.17 (2011) Strategic Industrial Locations
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- LE1 Proposals for industry, warehousing and business development
- LE2 Development in designated Industrial and Business Areas
- NPPF National Planning Policy Framework
- LPP 4.4 (2011) Managing Industrial Land & Premises
- LPP 5.12 (2011) Flood risk management
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.14 (2011) Water quality and wastewater infrastructure
- LPP 5.18 (2011) Construction, excavation and demolition waste
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.21 (2011) Contaminated land
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.7 (2011) Renewable energy
- LPP 6.13 (2011) Parking

- LPP 6.9 (2011) Cycling
- LPP 7.14 (2011) Improving air quality
- LPP 7.15 (2011) Reducing noise and enhancing soundscapes
- LPP 7.4 (2011) Local character
- LPP 7.6 (2011) Architecture
- LPP 8.2 (2011) Planning obligations
- LPP 8.3 (2011) Community infrastructure levy

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **27th February 2015**

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

## **6. Consultations**

### **External Consultees**

Consultation letters were sent to 26 local owner/occupiers on 4 February 2015. The application was also advertised by way of site and press notices. One letter has been received with the following comments:

Crown owns and occupies the property adjacent to the proposed development. Whilst we have no specific objection to the development itself, we do have concerns re the current poor condition of the road surface of Stonefield Way and the further detrimental impact of large and heavy construction vehicles using this road to access the site, and the incremental volume of HGV's using the road once the development is complete.

We would request that it is a condition of granting planning permission that the developer is required to make good any further damage caused to the road as a result of use by its vehicles during construction.

In addition, we have concerns re additional commercial vehicles using Stonefield Way once the development is completed. This road is congested at times, and we would request that it is a condition of granting planning consent that adequate off-road parking is included on the proposed site to avoid stacking of commercial vehicles on Stonefield Way waiting to load or unload.

### **Network Rail**

We would draw the councils attention to the following Rail Accident Investigation Branch report into 'Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013', which concluded:

5 The intent of this recommendation is to ensure that the planning approval process reduces the risk to railway infrastructure due to adjacent developments.

The Department for Communities and Local Government should introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process (paragraphs 97f and 101).

(1)

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.

Heathrow Aerodrome Safeguarding

No objection.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

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

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

Water Comments

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

#### **Internal Consultees**

Access Officer

No objection.

## Highways

No objection subject to conditions restricting subdivision and change of use.

## Trees and Landscaping

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

- No trees or other landscape features of merit will be affected by the proposal.
- Bradford Smith's drawing No. 527-P-01 Rev B, Landscape Layout Plan, shows hedging and tree planting along the front boundary and the retention of existing shrubby vegetation on the railway boundary to the rear.
- Drawing No. 527-P-02 Rev B, Proposed Planting Plan, provides details of the 4No. trees to be planted together with new hedging and ground cover planting. This is supported by a Planting Schedule, Specification and excellent Tree Pit Detail - all designed to secure the establishment of a high quality landscape scheme, within a small space. This proposal will do much to enhance the visual / environmental quality of the site and surrounding area.
- If the application is recommended for approval, further landscape conditions are not required, provided that the drawings referred to are among the approved drawings.

## Contaminated Land

I refer to your consultation of 9 February 2015. The reports are sufficient to support the planning application. We should require the appendices of the Phase 2 report to fully review the report as these have such matters as the borehole logs and locations, photographs and full chemical testing data. I can make the comments below.

The Desk Top Study lists the potential issues on the site, and past uses on surrounding sites that may have affected the site. It appears the site was used as a 'Works' being marked as an Engineering Works on one map. It may have been used for a soft drinks depot and printing business more recently. A small pond was present on the site in the past which may have been filled. Surrounding and nearby sites include a motor repair works, chemical works, paint works and metallising works. The site walkover noted some nearby tanks and asbestos roofing on site. The report gives a good idea of the site's potential pollutant linkages and provides a conceptual model.

The site investigation based on the desk study provides data from two deep boreholes and six trial pits. Made ground is present as expected to about 1 metre depth above a clay strata. The chemical tests were carried out on 6 soils and are stated to meet the guidelines (commercial use). Only 2 rounds of gas monitoring were undertaken and gas protection was not recommended although some carbon monoxide found required further consideration. I would recommend some further gas monitoring to meet CIRIA 665 guidelines, 4 or 6 rounds are usually recommended for commercial developments unless high risk designation. Two trial pits (no 5 and no 7) had white asbestos present. Some odours were noted in these two trial pits (hydrocarbon odour in no 5 and sweet odour in no 7). Although no onerous contamination issues have been found

The report proposes that a verification report is written following the site works. As this site is an industrial site excavations may reveal further contamination. I would advise applying our standard contaminated land condition, COM30 to ensure that the site is correctly remediated where necessary and a validation report is submitted as proposed in the Phase 2 report.

- (i) The development hereby permitted shall not commence, except for demolition, 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 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
- (b) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

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

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

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

#### Flood and Water Management

Acceptable with the only requirement for a management and maintenance plan which does not need to be pre-commencement.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Policy E1 of the Local Plan: Part 1 states that the council will accommodate growth by protecting Strategic Industrial Locations and the designation of Locally Significant Industrial Sites (LSIS) and Locally Significant Employment Locations (LSEL).

Policy LE2 of the UDP states that IBAs are designated for business, industrial and warehousing purposes (Use Classes B1-B8) and Sui Generis Uses appropriate in an industrial area.

Policy 2.17 of the London Plan states that the Mayor and boroughs should promote, manage and where appropriate protect Strategic Industrial Locations (SILs).

The application site is designated as an Industrial and Business Area (IBA) in the UDP and a Preferred Industrial Local in the London Plan. The proposed development comprises the demolition of the existing building in B1c use and development of a new building for B1b use together with the adjoining site of 4 Bradfield Road. This use is considered to be acceptable in principle with regards to Policy E1 of the Local Plan: Part 1, Policy BE2 of the UDP and Policy 2.17 of the London Plan.

### **7.02 Density of the proposed development**

The proposed development is for a proposed B1b use and as such, the density is not considered to be relevant to the determination of the application.

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

There are no heritage designations on the site and therefore the proposed development is considered acceptable in this regard.

#### **7.04 Airport safeguarding**

No objections have been received regarding airport safeguarding.

#### **7.05 Impact on the green belt**

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

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

Policy BE13 of the UDP seek to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Policy BE38 requires new development proposals to incorporate appropriate landscaping proposals.

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

The proposed development comprises the demolition of the existing two storey building and erection of a new three storey building on the site. The existing building is not of any particular architectural quality and does not contribute in character and appearance to the street scene and surrounding area. The proposed building is considered to be of a good quality and related to the site and surrounding area in terms of use and appearance. Materials have been submitted and are considered appropriate.

Policy BE38 of the UDP requires new development to incorporate landscape proposals. The proposal includes landscaping to the front of the site which is considered to improve the overall street scene. The landscaping proposals have been reviewed by the Council landscape Officer and considered acceptable.

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

Given the industrial location of the application site, there are no immediate residential properties that are considered to be affected by the development proposal. However, plant is proposed at the rear of the site which may impact on residential properties on the other side of the railway corridor. To mitigate this, a condition will be attached which seeks a limit on the noise at these properties.

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

The proposed development is for a proposed B1b use and as such, the standard of residential accommodation is not considered to be relevant to the determination of the application.

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

The National Planning Policy Framework (NPPF) at Paragraph 32 states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport

grounds where the residual cumulative impacts of development are severe. Paragraph 35 of NPPF also refers to developments and states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Local requirements in relation to impacts on traffic demand, safety and congestion are set out in Policy AM7 of the UDP which states:

The LPA will not grant permission for developments whose traffic generation is likely to:

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

The application is accompanied by a Transport Statement which sets out the potential impact of the proposed development on the local highway network. The proposed redevelopment of the site includes a change of use from B1c to B1b use which will operate with the adjacent building of 4 Bradfield Road. The development will have a gross internal floor area of 4,480sqm which represents an increase of 2,669sqm above the existing building. The site has a PTAL of 1b - very low.

The transport Statement sets out that the proposed development will result in a reduction of the total vehicular trips and heavy goods vehicles compared to the existing situation. The Statement is based on evidence of the existing operation at 4 Bradfield Road which is considered acceptable. However, as the Statement has only assessed a specific B1b use it has not been possible to determine whether other B1 uses would have a greater impact. For this reason it is necessary to restrict the use of the building to only a B1b use and permission would be required to change the use of the building. A travel plan has also been submitted which seeks to encourage sustainable travel. Subject to the condition restricting the change of use and securing the Travel Plan through Section 106, the development is not considered to have any material traffic impact on the adjoining highway network.

A total of 32 vehicle parking spaces are proposed at the front of the development which includes 3 disabled bays. The level of parking provision is considered acceptable. A total of 12 electric charging bays will also be provided (6 active and 6 passive).

2 motorcycle spaces will be secured on site by condition. A total of 60 cycle parking spaces in a covered area between the two buildings which will serve both buildings.

Servicing and deliveries to the two units will take place via the existing unit on Bradfield Road. This is considered acceptable but in order to ensure that the alternative servicing arrangements are acceptable in the event that the site is subdivided, a condition will be attached restricting subdivision.

Based on the above assessment there are not considered to be any objections to the proposed development on highway grounds.

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

Issues of design, access and security are covered elsewhere in this report.

#### **7.12 Disabled access**

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and



within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

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

The Council access officer has reviewed the proposals and finds them acceptable in terms of accessibility and disabled access.

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

The proposed development is for a proposed B1b use and as such, the provision of affordable housing is not considered to be relevant to the determination of the application.

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

Policy BE38 of the UDP seeks the provision of new planting and landscaping wherever it is appropriate. Landscaping details and a maintenance plan has been submitted to the council. The council Landscape officer has reviewed the proposals and considers them acceptable.

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

London Plan policies 5.16 and 5.17 requires adequate provision of refuse and recycling facilities for new development and for their location to be appropriate in terms of enabling ease of collection from the site

The application is accompanied by a Waste Management Statement which sets out the likely waste generation and arrangements for collection. The proposed building will utilise the existing arrangements of the adjacent building which is considered acceptable in this instance. If the site was subdivided in the future, waste management details would be required along with details of servicing and deliveries as set out in 7.10 of the report.

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

Policies within Chapter 5 of the London Plan and the London Sustainable Design and Construction SPG require developments to provide for reductions in carbon emissions, including a reduction of 35% in carbon emissions beyond 2013 Building Regulations.

The application is accompanied by an Energy and Sustainability Statement. This sets out that the development will achieve a 35.3% reduction in annual CO2 emissions beyond 2013 Building Regulations through energy efficiency measures and renewable energy through PV cells. The proposal is therefore acceptable with regards to Policy 5.2 of the London Plan and the London Sustainable Design and Construction SPG.

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

The site is less than 1 hectare in size and is within Flood Zone 1 and therefore a Flood Risk Assessment is not required. The applicant has submitted a Drainage Strategy demonstrating that the proposals will control surface water on site. The assessment has been reviewed by the Council's Flood and Water Management Officer who raises no objections to the proposed development subject to a condition requiring further details of the management and maintenance of the sustainable water management system.

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

The site is not located within an Air Quality Management Area (AQMA) but the use has the potential to impact on emissions. An Air Quality Assessment has been submitted to the Council which demonstrates that the development will not impact on emissions. Consequently a contribution of towards air quality monitoring in the locality is not required in this instance. In the event that there is a change of use or subdivision which has the

potential to impact on air quality, this will be assessed in any future application.

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

The one comment received from the public consultation requested that a condition be placed on the permission that any road damage during construction should be repaired by the developer. In this instance it is not considered appropriate to place a condition on the permission as damage to highways is covered in the Highways Act 1980 and therefore such a condition would be considered unreasonable in accordance with Planning Practice Guidance. The traffic issues raised have been addressed in this report.

#### **7.20 Planning obligations**

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

The obligations sought would be as follows:

1. Construction Training: in line with the SPD a contribution or in-kind scheme delivered will be required to address training during the construction phase of the development. If the contribution is to be delivered as a financial contribution then it should be in line with the formula which is £2,500 for every £1m build cost + Co-ordinator = £14,600 total contribution.

2. Travel Plan and Bond (£20,000)

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

The Council has recently adopted its own Community Infrastructure Levy (CIL), however as the proposed development is for a B1b use Sui Generis Use the development is not considered to be liable for the Hillingdon CIL.

The Mayor of London's CIL includes a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail.

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

Contaminated Land

The applicant has submitted a contaminated land assessment which largely demonstrates that the site is free from contamination. The assessment has been reviewed by the Council Contaminated Land Officer and additional survey work has been carried out at their request. It has not been possible to survey the land under the building and therefore a condition will be attached that further work is carried out after demolition and submitted to the council before the remaining development commences. This will be secured through condition.

### **8. Observations of the Borough Solicitor**

## General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

## Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

## Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

## Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

## 9. Observations of the Director of Finance

None

## 10. CONCLUSION

The application seeks full planning permission for the demolition of the existing building and erection of a three storey industrial building and pedestrian link to the adjacent building of Unit 4 Bradfield Road (Use Class B2b) (total floor area of 4,480sqm together with car parking to the front.

The proposed use in the industrial location is considered acceptable in principle and the design is appropriate. The traffic impacts of the development have been assessed and subject to appropriate conditions and Section 106 are considered acceptable.

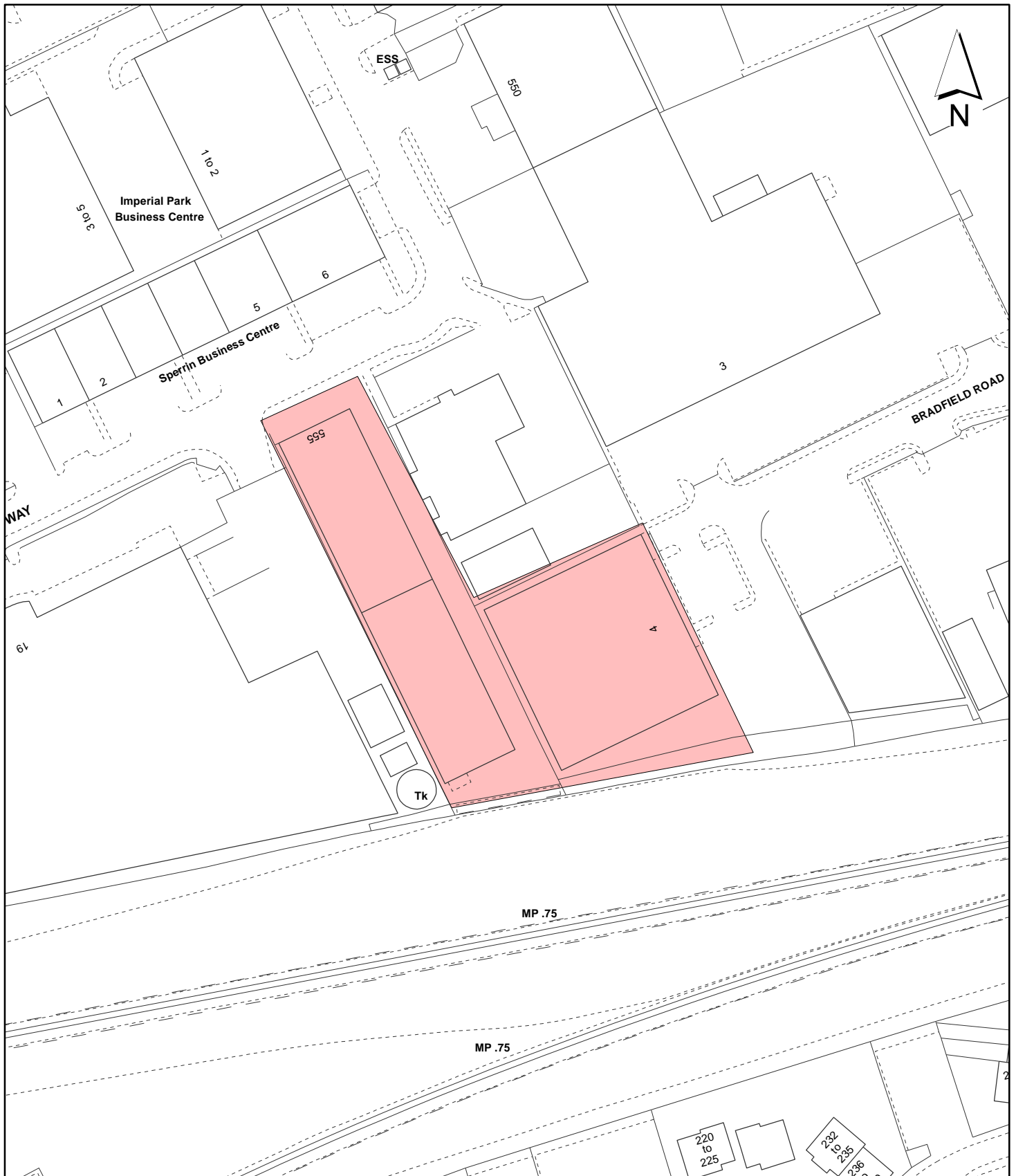
In view of the above, the proposal is considered to comply with relevant national, regional and local planning policy and, as such, approval is recommended, subject to the completion of a S106 Legal Agreement.

## 11. Reference Documents


Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan (July 2011)  
Revised Early Minor Alterations to the London Plan (October 2013)  
National Planning Policy Framework  
Hillingdon Supplementary Planning Document - Accessible Hillingdon  
Hillingdon Supplementary Planning Document - Noise  
Hillingdon Supplementary Planning Document - Planning Obligations July 2014  
Hillingdon Supplementary Planning Guidance - Air Quality  
Hillingdon Supplementary Planning Guidance - Community Safety by Design  
Hillingdon Supplementary Planning Guidance - Land Contamination

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**Notes**

 Site boundary

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**LONDON BOROUGH  
OF HILLINGDON**

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Planning Section**

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Planning Application Ref:  
**70454/APP/2015/383**

Scale  
**1:1,250**

Planning Committee  
**Major**

Date  
**March 2015**



**HILLINGDON**  
LONDON