

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

**Address** WEST LONDON INDUSTRIAL PARK IVER LANE COWLEY

**Development:** Continued use of the site for B8 purposes with new storage and ancillary workshop and office buildings, car parking, external storage area and new access to Wallingford Road

**LBH Ref Nos:** 751/APP/2015/335

**Drawing Nos:** TN01  
P31036.01 Rev B  
P31036-07  
31036 Standard Drawings: Washbay 3  
Planning Noise Impact Assessment  
P31036-09 Rev B  
31036 Typical fuel storage and containment area  
P31036-08  
P31036-04  
P31036-05  
P31036-06  
P31036-02 Rev A  
P31036-03 Rev A  
Design and Access Statement  
Drainage Statement  
Phase one desk top report reference In15241 CL 00  
DW Transportation Technical Note  
Covering Letter

<b>Date Plans Received:</b>	28/01/2015	<b>Date(s) of Amendment(s):</b>	14/04/2015
<b>Date Application Valid:</b>	09/06/2015		28/01/2015
			15/03/2015
			15/06/2015

### 1. SUMMARY

This application seeks consent for the continued use of the site for B8 purposes and the addition of new storage and ancillary workshop and office buildings, car parking, external storage area and new access to Wallingford Road.

Whilst the use of this vacant site for B8 purposes is welcomed in accordance with the Councils employment policies and no objection raised to the addition of new buildings to assist the operations, there are concerns with regards to the proposed new access and egress from the site on the highway network and its impact on the amenity of residential occupiers.

Historically the site access/egress has been from Iver Lane to the south, however this scheme proposes to create a new access point so that all traffic associated with the operator can access the site via Cowley Mill Road/Wallingford Road.

The application has failed to demonstrate that Wallingford Road, and Cowley Mill Road/Wallingford Road and Cowley Mill Road/St John Road junctions and the surrounding road network can satisfactorily accommodate the development traffic. Officers are of the

view that the proposals will unacceptably increase demand along the roads/junctions which are already used to capacity by other industrial and residential users. Overall, the scheme is considered to prejudice the free flow of traffic and conditions of general highway and pedestrian safety.

Furthermore, the proposed use of this new access over a 24 hour period, raises additional concerns with regards to the potential noise disturbance, particularly at night time as a result of the additional HGV traffic. Given that the existing night time noise levels are already above the WHO guidelines, it is considered that the additional noise associated with these vehicle movements would harm the health and quality of life of residents, sufficient to outweigh the commercial needs of the occupier (Speedy Hire). The application would thereby be contrary to policies paragraph 123 of the NPPF, EM8 of the Hillingdon Local Plan: Part One Strategic Policies, saved policies OE1, OE3 and AM7 of the Hillingdon Local Plan: Part Two Saved policies and SPD 'Noise'.

Refusal of the application is therefore recommended.

## 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

### 1 NON2 **Vehicular Noise disturbance**

The proposed night time vehicle movements associated with the new access road via Wallingford Road, would have a significant adverse impact on the health and quality of life of the residents in Cowley Mill Road. The new access point would introduce significant additional vehicular movements, including during unsociable hours, resulting in unacceptable noise and disturbance to nearby residential occupiers. The proposal would therefore be contrary to Policy EM8 of the Hillingdon Local Plan: Part One Strategic Policies (November 2012), Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.15 of the London Plan (2015), the National Planning Policy Framework and the Council's adopted Supplementary Planning Document HDAS: Noise.

### 2 NON2 **Non Standard reason for refusal**

The proposals have failed to demonstrate whether the traffic generated on the roads to the north as a result of the creation of a new access/egress to the site via Wallingford Road, would be acceptable in terms of the capacity and functions of the existing roads. In the absence of this information, the proposals will unacceptably increase demand along the roads/junctions within the local borough highway network, which are already used to capacity by other industrial and residential users. The scheme is therefore considered to prejudice the free flow of traffic and conditions of general highway or pedestrian safety and would be contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Saved policies.

## 3. **CONSIDERATIONS**

### 3.1 **Site and Locality**

The application site is located within West London Industrial Park, on the northern side of Iver Lane. The site is designated as an Industrial and Business Area (IBA) within the Hillingdon Local Plan and the industrial estate has been subdivided into a number of plots which are predominantly used for open storage. The site is rectangular in shape (measuring 1.74 hectares) and is accessed currently from Iver Lane.

The western edge of the site bounds open Green Belt land and the River Colne. To the

north is the proposed access to the site via Wallingford Road and extensive area comprising Uxbridge Industrial Estate. Access to Wallingford Road is from Cowley Mill Road to the north which extends from the cross roads at Frays River to the east of the site, through to the roundabout with the A4007 Slough Road/St Johns Road to the north west. Cowley Mill Road crosses the Grand Union Canal over the narrow humped Swan Bridge, with a 17 tonne weight limit, subject to single lane working controlled by traffic signals.

### 3.2 Proposed Scheme

This application seeks consent for the continued use of the site for B8 purposes and the addition of new storage and ancillary workshop and office buildings, car parking, external storage area and new access to Wallingford Road.

### 3.3 Relevant Planning History

751/APP/2007/3244 Northern Part Of The Former Cape Boards Site Iver Lane Cowley  
PERMANENT ERECTION OF FOUR PORTACABINS FOR ANCILLARY OFFICE AND STAFF WELFARE FACILITIES, CLADDING & NETTING OF THE EXISTING BUILDING, ERECTION OF 7M HIGH CHAIN LINK FENCING (WESTERN AND SOUTHERN BOUNDARY), ASSOCIATED CAR PARKING AND ANCILLARY SITE WORKS INCLUDING THE INSTALLATION OF VARIOUS ASSOCIATED PLANT MACHINERY.  
OPTION 1: ACCESS FROM WALLINGFORD ROAD  
OPTION 2: ACCESS FROM IVER LANE

**Decision:** 22-01-2008 Approved

751/APP/2008/3334 Northern Part Of The Former Cape Boards Site Iver Lane Cowley  
Alteration to depot's lorry parking layout to provide for 16 additional unloading bays (new total of 25) for overnight parking. Amendment to planning permission ref.751/APP/2007/3244 dated 22/01/2008: Permanent erection of four portacabins for ancillary office and staff welfare facilities, cladding and netting of the existing building, erection of 7m high chainlink fencing (western and southern boundary), associated car parking and ancillary site works including the installation of various associated plant machinery.  
option 1: access from Wallingford Road  
option 2: access from Iver Lane (AMENDED SITE PLAN - 1 HECTARE+)

**Decision:** 03-03-2009 Withdrawn

751/APP/2009/2721 Northern Part Of The Former Cape Boards Site Iver Lane Cowley  
Marking out on existing tarmac of 25 lorry parking spaces (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 19-02-2010 Refused **Appeal:** 29-12-2010 Allowed

751/APP/2009/674 Northern Part Of The Former Cape Boards Site Iver Lane Cowley  
ALTERATION TO DEPOT'S EXISTING HEAVY GOOD VEHICLE AND LORRY PARKING LAYOUT TO PROVIDE A TOTAL OF 25 SPACES FOR OVERNIGHT PARKING (AMENDMENT TO PLANNING PERMISSION 751/APP/2007/3244)

**Decision:** 30-06-2009 Approved **Appeal:** 20-04-2010 Allowed

Erection of buildings comprising offices, welfare facilities, maintenance workshops, laying out of car parking and internal security fencing all in conjunction for the use of the site in association with the storage, maintenance and hire of construction plant and machinery.

## Decision:

### Comment on Relevant Planning History

There have been a number of planning applications at the Cape Boards site over the years. Over time these have increased the built up nature of the site and also increased the vehicle movements to and from the site from its state following the closure of the Cape Boards factory, where it was largely vacant hardstanding. There do not appear to be any planning applications that relate directly to this site.

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

Part 2 Policies:

AM2 The following UDP Policies are considered relevant to the application:  
Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

Part 1 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM1, BE1 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE25 Modernisation and improvement of industrial and business areas

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

LPP 7.30 (2015) London's canals and other rivers and waterspaces

LPP 7.4 (2015) Local character

OE1 Protection of the character and amenities of surrounding properties and the local area

OE2 Assessment of environmental impact of proposed development

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OE4 New or improved roads or railways - mitigation measures

OE5 Siting of noise-sensitive developments

OL5 Development proposals adjacent to the Green Belt

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

147 residents were notified of the application and 7 comments were received from residents raising the following objections and support to the scheme:

1. 24 hour industrial traffic will cause disturbance to sleep;
2. Why can the trucks continue to use Iver Lane, using Wallingford Road will disrupt residents;
3. Wallingford and Cowley Mill Road are not suitable for this application and there is no provision for maintenance of Wallingford Road;
4. The increased use of Wallingford Road will increase damage to the road;
5. Wallingford road is already in 24hr use and other industries in the site have to pay for the damage they cause;
6. The junction of Wallingford Road and Cowley Mill Road is unsuitable for articulated lorries, many cannot safely turn into or out of the site and hold up traffic;
7. Single lorry trailers have to go over the footpath to make the turn which is dangerous for pedestrians and other vehicles using the bridge;
8. Cowley Mill Road is a very narrow road also where lorries mount the path to pass oncoming vehicles;
9. The existing noise from lorries passing between 3.30am and midnight is already unbearable, particularly those lorries carrying plant/machinery;
10. The company already operate on the site but use the exit/entrance in Iver Lane, which is already busy with other HGV traffic.

### SUPPORT

11. Would support the scheme if they have the same working hours as others within the site, and would welcome the use of others using the Wallingford Road exit.

### SOUTH BUCKS DISTRICT COUNCIL

South Bucks District Council raises no objections to the proposal provided that there would be no increase in vehicle movements on Iver Lane and then on through Iver Village and Richings Park, which would be contrary to the objectives of the Core Strategy by impacting highway safety and causing additional noise and disturbance to residents during unsociable hours.

### IVER LANE RESIDENTS ASSOCIATION

Wish to make the strongest objection to the section in the application concerning the request for 24/7 working, on the grounds that the noise and disturbance from the loading and unloading, movement of plant and equipment in this company's compound. The noise HGV traffic both Speedy Hire's own and the large number of subcontract hauliers that are generated by this company operating at this location, is placing intolerable noise burden on the rear of local residents properties in Iver Lane. Plus the same effect on the large number of Residential moorings on the Grand Union Canal, all of which are close to this companies compound

### Internal Consultees

#### FLOOD AND WATER MANAGEMENT

The proposed plans have taken into account their increase in discharge with the addition of wash bay facilities and additional office workspace. They have taken appropriate steps with attenuation and separators to minimise any chemical discharge into the two watercourse. The plans also show they have taken into consideration any future capacity increase. I have not been provided with any

information on the management & maintenance of the drainage system. Therefore, I ask for the following condition: 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.

## HIGHWAYS

The site area is 6000 sqm with the proposed building of 557 sqm GFA. The rest of the site is for storage of equipment, cranes etc.

The transport statement provides trip generation from TRICS as well as figures supplied by the applicant based on the anticipated requirements of the applicant. No details of any surveys out carried to determine the applicant's figures have been provided.

Based on TRICS the site has a potential to generate 53 two way trips (34 arrivals and 19 departures) during the AM peak and 46 two way trips (14 arrivals and 32 departures) during the PM peak with predicted daily ( assumed 8hr day) two way movements of 536 vehicles.

The data provided by the applicant is 16 two way movements during AM peak and 16 two way during the PM peak with daily flows of 32 vehicles.

The sites permitted access and egress is off Iver Lane. Due to the weight restriction on the Canal bridge HGVs can only access the site from and to Iver with no HGVs having any impact on the borough's highway network. The current proposal is to have the sole access/egress from Wallingford Road on to Cowley Mill Road. Therefore all traffic from this development would be considered to be new traffic on to the local borough highway network.

The applicant has failed to demonstrate that Wallingford Road, and Cowley Mill Road/Wallingford Road and Cowley Mill Road/St John Road junctions can satisfactorily accommodate the development traffic.

No auto tracks have been provided to demonstrate that HGVs etc turning left out of Wallingford Road are able to do so without encroaching on to the opposite lane.

25 car parking spaces are proposed again based on anticipated requirements of the applicant, with no justification provided. For the proposed uses the Councils maximum parking standards permit 2 spaces plus 1 space per 100 sqm for all floor space in excess of 235 sqm. A robust justification for the level of parking proposed is required following which a Condition would be required limiting the parking provision to the desired number.

Clarification is required on staffing numbers and their mode of travel and whether any of the proposed uses would attract customers to the site. Depending on this a travel plan may be required.

The application as it currently stands cannot be supported on highway grounds.

## ENVIRONMENTAL PROTECTION UNIT

On the application it states that the opening hours for the site are 00:00 to 23:59 - so this site is to be a 24 hour site, moving and delivering large machines along narrow residential roads.

Whilst I understand a need to have such a development, to have 24 hour usage near to sensitive premises, and although they have provided mitigation on site, there is nothing to enable the mitigation of noise from lorries/vehicles entering or leaving the site at any time.

Currently the site is accessed from Iver Lane and does not have a lawful access to Wallingford Road. To allow this development would therefore generate vehicle movements, including at night, above the levels local residents have become accustomed to.

The noise report states that the residential locations are already higher than the WHO guideline criteria for night time noise - approximating this to be 12-16dB higher. If this is the case, then to add further to the noise environment through amending the access arrangements for the site would cause adverse impacts on the health and quality of life of those residents along Waterloo Road and Cowley Mill Road. I find it hard to believe that altering the access arrangements and increasing the number of lorry movements during the night time will not result in an increase in noise levels.

Cowley mill road is exceptionally narrow and has traffic lights where it goes over a single lane bridge, with a 17 Ton weight limit.

Therefore I would object to 24 hour usage on the grounds that the delivery noise would be unacceptable to residents.

## **7. MAIN PLANNING ISSUES**

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

The principle of using this site for industrial purposes has been established through previous uses on the site. Given that this application seeks to retain the land in a B8 (storage or distribution) use, no objection is raised to the proposed retained use of the site.

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

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

### **7.04 Airport safeguarding**

There are no airport safeguarding issues associated with this application.

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

The B8 operation of this site is established through previous consents. A large operational building and portacabins are proposed on the site, which are of a similar design and scale to others within the wider industrial area. Given the location of these buildings on the site and their design, they are not considered to have a detrimental impact on the openness and character of the green belt.

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

Policies BE13 of the Unitary Development Plan Saved Policies seek to ensure that new development will complement and improve the character and amenity of the area. Policy BE25 further states that the Local Planning Authority will seek to ensure modernisation and improvement of industrial and business areas through careful attention to the design and landscaping of buildings and external spaces.

The majority of the yard will be used for the external storage of hire equipment used by the construction industry. Due to the operational requirements of the applicant, small offices and maintenance buildings are required on site. A workshop building measuring 300sqm in floor area with a height of 6 metres is included within the proposals. This building is proposed to the south of the site and will be used to service and maintain the equipment available to hire. A modular unit is proposed for the offices which is approximately 257sqm in area and 3.1 metres in height.

Given the scale and siting of these buildings, their largely industrial appearance, and the character and nature of the surrounding area, the Council does not consider that the

proposed buildings would appear out of character with the surrounding area.

## **7.08 Impact on neighbours**

The National Planning Policy Framework (NPPF) sets out in paragraph 123 the test for noise that needs to be applied to planning applications. The NPPF states that planning policies and decisions should aim to:

1. Avoid noise from giving rise to adverse impacts on health and quality of life;
2. Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising, through the use of conditions;
3. Recognise development will create some noise and existing businesses wanting to develop should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

The Council's Saved Policies are consistent with the policies of the NPPF. Policy OE1 states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan seek to ensure that proposals do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

Policy OE1 seeks to reduce as much as possible the adverse impact of noise from industrial and trade processes which could include the day to day operation of the site, vehicle movements and any other matters that have the potential to cause noise and disturbance to residents.

The site is adjoined to the north, east and south by industrial land with residential to the far west. The site is located a significant distance from the nearest residential dwellings on Iver Lane (approx. 280m away), Cowley Mill Road (approx. 605m away) and the houseboats on the canal (approx. 150 metres away). The siting of the proposed buildings, as detailed on the site plan, is such that at this separation distance, the proposal would meet the HDAS Residential Layouts guidance of being more than 15 metres from any residential property and would ensure no significantly harmful loss of light, loss of outlook or privacy or sense of dominance would occur to any residential occupier in the surrounding area.

No change of use is sought to the land and the operator is continuing an established B8 use on the site. Given such, no objection can be sustained, or is indeed raised to the continued use of the site in terms of noise and disturbance to the surrounding occupants. The main difference between the proposed use of this site and its historic use is in respect of the access point.

Historically, this site has been accessed via Iver Lane to the south, given that at present no permanent through passage exists via Wallingford Road, between the former Cape Boards site in the south and Uxbridge Industrial Estate to the north. The Speedy Hire vehicles would be entering and exiting the site via Wallingford Road and Cowley Mill Road, where given the weight restriction on the adjacent bridge, they would be prohibited from turning right onto Cowley Mill Road to head east. Therefore, much of the site traffic would head west along Cowley Mill Road. In essence, the relevant test that needs to be applied to the application, is whether there would be a significant adverse impact on health and quality of life, as a result of the vehicular movements associated with the use of the site over a 24



hour period.

The former Cape Boards site is allocated as a Strategic Industrial Location (SIL) and Locally Significant Industrial Site (LSIS) in the Local Plan Part One. It is also a designated Industrial and Business Area in saved Policy LE2. The application and wider site area also falls within a Preferred Industrial Location (PIL) in the London Plan and Local Plan Part One.

The London Plan gives strategic protection to SILs because their scale means that they can accommodate activities which may otherwise cause tensions with other land uses. Notwithstanding such, London Plan Policy 7.15, and Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies seeks to ensure noise sensitive and generating developments are only permitted if the noise impacts can be adequately controlled and mitigated.

It is acknowledged within the London Plan that from an economic perspective, the success of many industrial locations, relies on the ability to operate efficiently 24 hours a day and places reliance on the physical separation from housing. In this case, the site has a physical separation from the housing. Currently the site is vacant and when it was previously in use, it is understood that all vehicle movements from this site occurred to the south via Iver Lane. The local residents have become accustomed to there being few lorry movements along the north and west of the site. The letters received from residents, serve to emphasise the noise conditions experienced by them already during the day, and particularly night, from other companies operating within the wider site. Furthermore, the supporting noise report states that the residential locations tested are already higher than the WHO guideline criteria for night time noise, approximating this to be 12-16dB higher. If consent was granted for this operator to use the roads to the north over a 24 hour period, this would add further to the noise environment, and cause adverse impacts on the health and quality of life of these residents. As has been acknowledged within similar applications and appeal decisions relating to other sites within the Former Cape Boards site, no mitigation measures are available to reduce the noise from these passing vehicles.

Given that no information has been received to indicate the number of vehicle movements likely to occur between the night time hours, when there is most concern with regards to the potential noise disturbance, it is considered that the noise associated with these vehicle movements and subsequent harm to the health and quality of life of residents is sufficient to outweigh the commercial needs of Speedy Hire.

Overall, the application is considered unacceptable as set out in the preceding paragraphs and to fail to comply with paragraph 123 of the NPPF, saved policies OE1 and OE3 of the Hillingdon Local Plan: Part Two Saved policies and EM8 of the Hillingdon Local Plan: Part One Strategic Policies.

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

Not applicable to the consideration of this application.

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

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The main difference between the proposed use of this site and its historic use is in respect of the access point. Historically, this site has been accessed via Iver Lane to the south, given that at present no through passage exists via Wallingford Road, between the former Cape Boards site in the south and Uxbridge Industrial Estate to the north. What therefore needs to be assessed with this proposal, is whether the proposed 24 hour site operations utilising the highway network to the north, would have a detrimental impact on the wider highway network to the north.

The vehicles would be entering and exiting the site via Wallingford Road and Cowley Mill Road, where given the weight restriction on the adjacent bridge, they would be prohibited from turning right onto Cowley Mill Road to head east. Therefore, much of the site traffic would head west along Cowley Mill Road.

The transport statement provides trip generation from TRICS as well as figures supplied by the applicant based on the anticipated requirements of the applicant.

Based on TRICS, the site has a potential to generate 53 two way trips (34 arrivals and 19 departures) during the morning peak and 46 two way trips (14 arrivals and 32 departures) during the afternoon peak with predicted daily two way movements of 536 vehicles.

The data provided by the applicant for the operation of the site by Speedy Hire, is for 16 two way movements during the morning peak and 16 two way during the afternoon peak, with daily flows of 132 vehicles to and from the site. When considered in relation to other uses within the area, there are already a significant number of other operators within Uxbridge Industrial Estate to the north, who use the access points from Wallingford and Ashley Roads, some with similar daily flows of vehicles. Of particular concern is the access road immediately to the north which is shared with Severnside Ltd. This operator has consent for a 24 hour use, with a similar number of daily vehicle trips (136) along this road. Furthermore, this access road is often parked with HGVs/other vehicles along one/both sides which further restricts the width of the access. Given that this road is bounded on both sides by other industrial users and no parking restrictions (the roads within Uxbridge Industrial Estate are privately owned, which limits the Councils Parking Enforcement powers), there is significant concern with regards to the increase in the vehicle traffic using this and other roads within the wider industrial area.

Given that traffic associated with this site previously used the road network to the south, all traffic from this site would be considered new traffic on the local Borough highway network. Of consideration, is whether the traffic generated by the proposal is acceptable in terms of the capacity and functions of existing roads. The application has failed to demonstrate that Wallingford Road, and Cowley Mill Road/Wallingford Road and Cowley Mill Road/St John Road junctions and road network can satisfactorily accommodate the development traffic. Officers are of the view that the proposals will unacceptably increase demand along the roads/junctions which are already used to capacity by other industrial and residential users within this part. Overall, the scheme is considered to prejudice the free flow of traffic and conditions of general highway or pedestrian safety. The application would thereby be contrary to policies AM7 of the Hillingdon Local Plan: Part Two - Saved policies.

**7.11 Urban design, access and security**

See section 7.07 of the report.

**7.12 Disabled access**

Not applicable to the consideration of this application.

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

- Not applicable to the consideration of this application.
- 7.14 Trees, landscaping and Ecology**
- There are no trees or landscape features affected by this proposal.
- 7.15 Sustainable waste management**
- Not applicable to the consideration of this application.
- 7.16 Renewable energy / Sustainability**
- Not applicable to the consideration of this application.
- 7.17 Flooding or Drainage Issues**
- The proposed plans have taken into account their increase in discharge with the addition of wash bay facilities and additional office workspace. The application includes appropriate steps with attenuation and separators to minimise any chemical discharge into the two watercourse, and the plans also show they have taken into consideration any future capacity increase.
- Had the scheme been found acceptable, a condition would have been added to any consent to secure a management and maintenance scheme for the drainage system.
- 7.18 Noise or Air Quality Issues**
- See section 7.08 for the assessment of noise associated with the application.
- 7.19 Comments on Public Consultations**
- The comments raised during the public consultation have been addressed within the main body of the report.
- 7.20 Planning obligations**
- Not applicable to the consideration of this application.
- 7.21 Expediency of enforcement action**
- Not applicable to the consideration of this application.
- 7.22 Other Issues**
- There are no other issues for consideration with 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 Probitry 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**

Not applicable to the consideration of this application.

### **10. CONCLUSION**

Whilst the use of this vacant site for B8 purposes is welcomed in accordance with the Councils employment policies and no objection raised to the addition of new buildings to assist the operations, there are concerns with regards to the proposed new access and egress from the site.

Historically the site access/egress has been from Iver Lane to the south, however this scheme proposes to create a new access point so that all traffic associated with the operator can access the site via Cowley Mill Road/Wallingford Road. The application has failed to demonstrate that Wallingford Road, and Cowley Mill Road/Wallingford Road and Cowley Mill Road/St Johns Road junctions and the surrounding road network can satisfactorily accommodate the development traffic. Officers are of the view that the proposals will unacceptably increase demand along the roads/junctions which are already used to capacity by other industrial and residential users within this part. Overall, the scheme is considered to prejudice the free flow of traffic and conditions of general highway

or pedestrian safety.

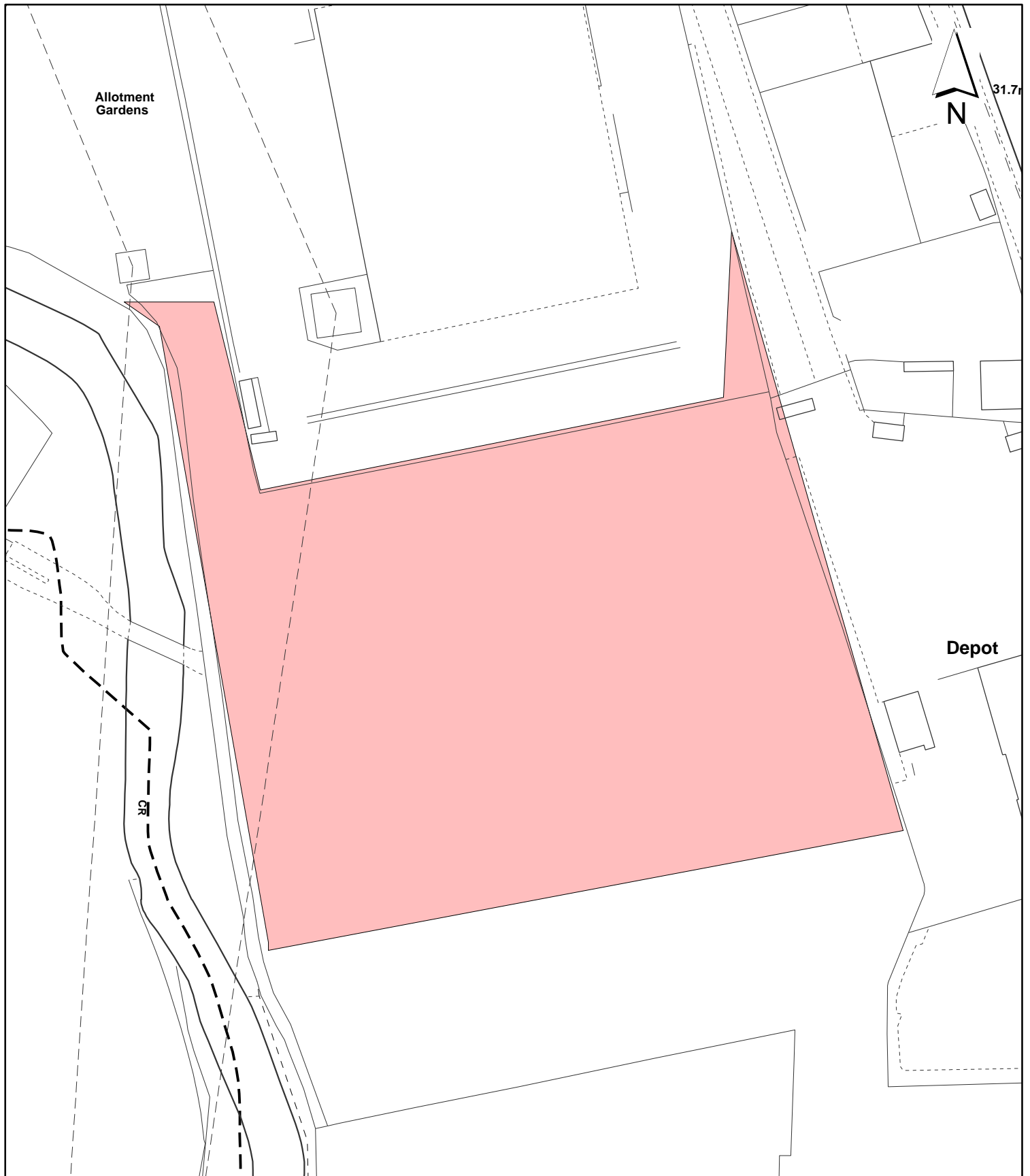
Furthermore, the proposed increased use of this access over a 24 hour period, raises additional concerns with regards to the potential noise disturbance, particularly at night time as a result of the additional HGV traffic. Given that the existing night time noise levels are already above the WHO guidelines, it is considered that the additional noise associated with these vehicle movements would harm the health and quality of life of residents, sufficient to outweigh the commercial needs of the occupier (Speedy Hire). The application would thereby be contrary to policies paragraph 123 of the NPPF, EM8 of the Hillingdon Local Plan: Part One Strategic Policies, saved policies OE1, OE3 and AM7 of the Hillingdon Local Plan: Part Two Saved policies and SPD 'Noise'.

## **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
London Plan 2015  
NPPF  
Supplementary Planning Document (2006) 'Noise'

**Contact Officer:** Charlotte Goff

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**West London Industrial Park  
 Iver Lane  
 Cowley**

**LONDON BOROUGH  
 OF HILLINGDON**

**Residents Services  
 Planning Section**  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**751/APP/2015/335**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**November 2015**

