

Report of the Head of Planning, Sport and Green Spaces

Address OLD COAL DEPOT TAVISTOCK ROAD YIEWSLEY

Development: Demolition of existing buildings and redevelopment of site to provide a materials recovery and recycling facility and Civic Amenity Site, incorporating a recovery and recycling building, storage bays, administration office/training building, external processing and storage area, two weighbridges, reuse and extension of railway sidings, and Civic Amenity Centre, together with associated car parking, landscaping, fencing and infrastructure.

LBH Ref Nos: 18736/APP/2015/4457

Drawing Nos: Sustainability and Energy Statement
Planning Statement
Environmental Statement: Figures, Appendices and Non-Technical Summary
Design & Access Statement
Alternative Sites Assessment
Assessment of Waste Need and Treatment Capacity
Tree Survey
pp-004 rev p
pp-011 rev p
pp-012 rev p
pp-013 rev p
pp-014 rev p
pp-015 rev p
17388 L6
pp-016
pp-005 rev p
pp-006 rev p
pp-008 rev p
pp-001 rev p
pp-002 rev p
pp-003 rev p
pp-007 rev p
pp-009 rev p
pp-010
Additional Information (Appendix 1
Additional Information (Appendix 2) to Noise Surve
Response to Consultee comments dated 7th March 2016

Date Plans Received: 04/12/2015

Date(s) of Amendment(s):

Date Application Valid: 04/12/2015

1. SUMMARY

The planning application is for the development of a Waste Material Recycling & Recovery Facility (Proposed Development) which would upon completion consist of the following elements: a) A Materials Recovery and Recycling Building (MRF): consisting of one building incorporating three operational areas, for the preliminary separation, treatment and storage of reclaimed or salvaged materials and onward transfer for re-use and energy

production; b) Storage Bays: including aggregate and sand for onward sale, general construction materials and materials for energy use for delivery by road or rail to other sites secured by contract; c) An Office Building: to accommodate Powerday Plc's administrative activities ancillary to the operations to be undertaken at the Site and the provision of a Training and Education Centre and the provision of staff accommodation and facilities, staff parking; d) External Processing and Storage Areas: external processing area to include concrete and wood processing and storage areas for inert materials on the western side of the site boundary; and container storage (in association with the rail operation and maintenance); e) Two Weigh bridges; f) Re-use and extension of railway sidings; g) Civic Amenity site (CA): including 22 parking bays and provision for 8 containers to receive normal waste from households as well as other wastes, which because of its nature or composition is similar to waste from households, from the local community; h) Landscaping and fencing; i) Associated infrastructure: including roads, hardstanding and parking areas.

The sole difference from the previously refused scheme ref: 18736/APP/2013/178 is a reduction in the proposed capacity of the development from 950,000 tonnes per annum (600,000 tonnes by road and 350,000 tonnes by rail) to 450,000 tonnes per annum (330,000 tonnes by road and 120,000 tonnes by rail).

A total of 974 neighbouring properties were consulted. In addition to this Officers posted Site Notices in 22 locations in the Yiewsley and West Drayton areas including in local supermarkets to inform residents of the proposed development. 239 representations have been received. Of these 2 have been in support, 6 have been general comments and 231 have objected to the scheme. Issues relating to highways and traffic impacts, the scale of the development and air quality have all been raised. In addition, 9 petitions with a total of 3137 signatures objecting to the scheme have been received. Given the scale of the development it is referable to the Mayor of London.

The development would integrate an appropriate level of inclusive design, measures to reduce energy use and other sustainable design features. Furthermore, subject to appropriate conditions the development could be controlled to prevent any adverse impacts on the amenity of residential occupiers by way of noise.

However, The West London Waste Plan (WLWP) does not identify this site as a site suitable for waste related development, and as such there is an in principle objection to the proposed development.

The Council's Highways Officer has raised significant concerns about the quality and accuracy of the Transport Assessment. It is considered that the development would have significant adverse impacts on the free flow of the highway network in the Yiewsley & West Drayton Area and on highway and pedestrian safety.

In addition the Council's Air Quality Officer has also raised significant concerns regarding the acceptability, robustness and accuracy of the Air Quality Assessment which is underpinned by the the unacceptable Transport Assessment. The transport assessment needs to be refined using more sufficiently robust and accurate data. In particular, greater clarity and assessment of the amount of HGVs including the presumed impact of the rail. HGVs are considerably more polluting than light vehicles and need to be given appropriate attention in assessment.

The applicant has also failed to enter into a S106 Agreement.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 In Principle

The application has failed to demonstrate that the development cannot be delivered at any available and suitable existing waste management site within the Borough or OPDC area where the development is proposed listed in Table 5-1 and 5-2 of the West London Waste Plan contrary to Policy WLWP1 of the West London Waste Plan July 2015.

2 NON2 Highways

The proposal involves a significant number of traffic movements, including many by heavy goods vehicles and the application fails to provide an accurate assessment of highways and transportation impacts associated with the proposed development and as such the scheme fails to demonstrate that it would not be detrimental to highway and pedestrian safety and the free flow of traffic contrary to policies AM2, AM7 and LE1 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) policies 5.17 and 6.3 of the London Plan (March 2015) and paragraph 32 of the National Planning Policy Framework.

3 NON2 Air Quality

The applicant has failed to demonstrate that the air quality impacts of the development would not be unacceptable. The scale and magnitude of the development requires a much greater understanding of the air quality impacts and without this no proper assessment of mitigation can occur. The extent of the impacts is not sufficiently clearly set out in the Air Quality Assessment. Accordingly the proposal is contrary to Policy 7.14 of the London Plan and the Council's Supplementary Planning Guidance on Air Quality and the provisions set out in the National Planning Policy Framework.

4 NON2 S106

The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development in respect of construction training, Highways matters, air quality monitoring, environmental mitigation (including but not limited to measures to control impacts of activities that would impact on residential amenity) and project management. The proposal therefore conflicts with Policies AM1, AM11 and R17 of the adopted Hillingdon Local Plan Part 2 Saved Policies (November 2012) and policies 4.1, 4.12, 6.7 and 7.1 of the London Plan (March 2015) and the London Borough of Hillingdon Planning Obligations Supplementary Planning Document July 2014.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

including the London Plan (2015) and national guidance.

AM12	Promotion of traffic management measures which give priority to buses
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE25	Modernisation and improvement of industrial and business areas
BE34	Proposals for development adjacent to or having a visual effect on rivers
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
LPP 2.11	(2015) The Central Activities Zone - strategic functions
LPP 2.7	(2015) Outer London: economy
LPP 2.8	(2015) Outer London: Transport
LPP 4.1	(2015) Developing London's economy
LPP 4.8	(2015) Supporting a Successful and Diverse Retail Sector and related facilities and services

LPP 5.1	(2015) Climate Change Mitigation
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 5.15	(2015) Water use and supplies
LPP 5.16	(2015) Waste self-sufficiency
LPP 5.17	(2015) Waste capacity
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions
LPP 5.3	(2015) Sustainable design and construction
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LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 6.5	(2015) Funding Crossrail and other strategically important transport infrastructure
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.7	(2015) Location and design of tall and large buildings
LPP 7.8	(2015) Heritage assets and archaeology
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
LPP 6.2	(2015) Providing public transport capacity and safeguarding land for transport
LPP 6.4	(2015) Enhancing London's Transport Connectivity
NPPF	National Planning Policy Framework

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The applicant is advised that has the Council approved the scheme conditions would have been added requiring significant amendments to the submitted FRA and as well as details of SUDS and water management and maintenance.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located off Tavistock Road in West Drayton, and comprises the Old Coal Depot. It is 3km from Junction 4 of the M4 motor way, with the M4 and M25 interchange a further 2km to the west; junction 1 of the M40 is approximately 7km to the north. Heathrow Airport is located approximately 5km to the south, within the Borough, and

Central London is approximately 28km to the east. The centre of Slough is approximately 10km to the west.

The Application Site is irregular in shape, comprising approximately 5.57 hectares. Excluding the access track to the east, the Application Site measures approximately 470m x 170m, at its widest points. Vehicular access is gained from Tavistock Road to the east along a narrow two way tarmac carriageway, which measures approximately 215m in length and truncated by the level rail crossing.

The application Site is vacant save for a small area of land within the site that is currently subject to an enforcement appeal. There is a vacant two storey brick office building located in the south east corner of the main part of the Application Site.

Given its previous and current uses, the Application Site is wholly covered by hardstanding with no existing vegetation apart from a small area of dense woody scrub in the north western corner, scattered patches of scrub, trees, tall ruderal and ephemeral/short perennial vegetation and some boundary planting.

The land in the vicinity of the Application Site lies within the floodplain of the River Colne and its tributaries, albeit the site itself lies at a man-made higher elevation of approximately 30.0m Above Ordnance Datum (AOD). The relatively flat natural topography characterises the surrounding area of the Application Site to the north, west and south.

To the south, the Application Site is separated from the Great Western Railway West Wales to London Paddington Main Line by a swathe of land currently utilised as a minerals and aggregate storage depot, which contains some existing scrub and tree planting. A further scrub and tree belt lies between the Application Site and the swathe of land mentioned above, directly south of the existing office building towards the south eastern corner of the Application Site.

Residential properties lie further to the south of the Application Site, beyond the Main Line, with the properties in Weirside Gardens, Fairway Avenue, Fairway Close, Humber Close and Colham Mill Road being the closest. The Weirside Gardens, Fairway Avenue and Fairway Close area (and beyond) is designated as an Area of Special Local Character in the adopted Unitary Development Plan (UDP); West Drayton Conservation Area lies further to the south east.

Another railway line, which is used for aggregates traffic, diverges from the Main Line to the east of the Application Site, and follows the northern and western boundaries of the Application Site before continuing directly south past the M4 and M25 interchange.

A railway embankment separates the northern and western boundaries of the Application Site from the railway line. A number of residential properties lie further to the north, beyond the railway line, in Trout Road and Trout Lane, along with further business/industrial uses, mainly comprising storage/haulage type uses, all of which are located within Colne Valley Park. This area is designated Green Belt and includes the Slough Arm section of The Grand Union Canal and Little Britain, Cowley, both of which are Nature Conservation Sites of Metropolitan or Borough Grade I Importance; Cowley Lock Conservation Area lies further north.

Colne Valley Park, is a large north/south linear park that runs from the northern edge of Staines in the south to the southern edge of Rickmansworth in the north, wraps around the Application Site from the north to the west, where the administrative boundary of Hillingdon

ends and gives way to South Buckinghamshire District Council; the River Colne runs north south through the park. The Iver Water Treatment Works lies further to the west, inside the M25.

A small copse, which the Fray's River runs through and falls within the Little Britain, Cowley Nature Conservation Site of Metropolitan Importance, is located immediately adjacent to the site to the east/north east.

Tavistock Road, which lies further to the east/north east, comprises a mix of residential development and industrial, retail and office units. Beyond that lies the Yiewsley Town Centre area, consisting of a number of common High Street services and facilities.

3.2 Proposed Scheme

The planning application is for the development of a Waste Material Recycling & Recovery Facility (Proposed Development) which would upon completion consist of the following elements:-

i) A Materials Recycling Building (MRF): Measuring 192m at its maximum length by 103m and provide 15,581m² gross floorspace with a maximum height of 18.5m which would be located centrally within the Site. This would be a clad steel framed structure with curved roof. Vehicle entrance to the building would be provided on the eastern, western and northern elevations away from residential properties located to the south of the Site. There will be a single opening along the southern elevation for service and maintenance requirements only. The building would be open plan allowing maximum flexibility for the siting of equipment and general operations.

ii) Storage Bays: It is proposed that the storage area would also house materials associated with the construction industry as well as providing storage in association with the wood and concrete processing.

iii) External Processing and Storage Areas (to include concrete and wood processing and inert material storage): To be provided on the western side of the site boundary in proximity to the railway and container storage (in association with the rail operation and maintenance).

iv) Offices and associated car parking for Powerday. The offices would be contained in a newly constructed two-storey building located just to the east of the existing entrance to the Site, which would have a gross floorspace of approximately 480m². The office building would consist of a reception area, meeting rooms and an education/training centre on the ground floor and general office accommodation throughout the remainder of the building. The office car parking would be provided for both employee and visitor use in line with the Council's standards.

v) A platform measuring approximately 220m in length and 4.5 - 12m in width would be constructed to allow for the loading and unloading of material from trains halting at the Site. An existing rail siding would be retained and extended to provide rail access to the Site. A buffer would be required at the western end of the sidings for the purposes of rail safety.

vi) Two weighbridges to be located at the Site entrance. One will weigh vehicles entering the site and the second leaving the site.

vii) A Civic Amenity site (CA): including 22 parking bays and provision for 8 containers to

receive normal waste from households as well as other wastes, which because of its nature or composition is similar to waste from households, from the local community.

viii) Landscaping and fencing to include tree planting, the erection of an acoustic barrier fence and palisade fence.

ix) Associated infrastructure: including roads, hardstanding and parking areas.

The proposed development would deal with a wide range of waste types including:-

- i) Inert;
- ii) Non Hazardous;
- iii) Hazardous (Limited to Lower Risk Types).

Inert waste as defined by The Landfill Directive 1999, is waste that does not undergo any significant physical, chemical or biological transformations. It does not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm to human health; and its total leachability and pollutant content and the ecotoxicity of its leachate are insignificant and, in particular, do not endanger the quality of any surface water or groundwater. Such wastes include sand and concrete.

Non-hazardous waste is not specifically defined in the revised Waste Framework Directive (rWFD - Directive 2008/98/EC on waste and repealing certain Directives). "Waste" and "hazardous waste" are defined in that document. Hazardous waste is defined as "waste which displays one or more of the hazardous properties listed in Annex III", Annex III of the rWFD sets out the 15 hazardous properties which can render waste as hazardous. By inference, non-hazardous waste is that waste which is not hazardous.

The rWFD makes reference to "List of waste" at Article 7 and further refers to the Commission Decision that sets out the list of waste referred to as the European Waste Catalogue (EWC). This list, implemented in England by the List of Wastes (England) Regulations 2005, classifies wastes by their source and their type (e.g. soil and stones produced by construction and demolition activities). The EWC code list also identifies hazardous waste by use of an asterisk. The non-asterisked waste is therefore non-hazardous.

All the above waste streams can be found in commercial and industrial (C&I) waste, construction and demolition (C&D) waste and municipal solid waste (MSW) in varying degrees, all of which are proposed to be accepted at the site subject to the Environment Agency permitting. However it is proposed that Hazardous waste types will be limited to lower risk types as identified in the EWC 2002.

The site would also handle aggregate and sand for onward sale and delivery to development sites in the locality. The opportunity would also be taken to convert construction and demolition wastes into recycled aggregate as well as processing wood for use in the energy sector.

The different tonnages of the industrial waste streams and aggregates/sand to be managed on the site would be dependent on the terms of new contracts, market conditions and the physical capacity of the site to manage the material. The amount and proportion of material processed and managed at the site would vary over time in accordance with market conditions.

The capacity of the site is determined by its physical size, the floorspace of the proposed buildings, the processing equipment that can be accommodated, the material being managed, the level of processing that takes place and the capacity of the transport infrastructure to accommodate the import and export of material.

Of these constraints, the capacity of the transport infrastructure to import and export material sets the maximum capacity of the site, and a significant amount of material can be delivered to or exported from the site by rail. The application seeks to price the following capacity of waste (Tonnes per annum):

By Road - 330,000

By Rail - 120,000

TOTAL - 450,000

Materials Recycling Building

The Materials Recycling Building (MRF) would accept commercial/industrial waste, demolition and construction waste and municipal solid waste.

The MRF is a specialised plant, which separates and processes recyclables that have been collected in order to recover secondary materials for onward shipment to recycling plants or for use with further reprocessing. The main components of a MRF include:

- Weighing inbound and outbound materials to record loads;
- Delivery and storage of incoming wastes;
- Processing of wastes; and
- Storage of recovered products and by-products.

All processing of waste would take place within the MRF building with the exception of concrete and wood processing and inert materials storage. These proposed processing activities would be carried out in the western corner of the site on impermeable hardstanding. The MRF building has been sized and designed to accommodate the necessary plant and equipment.

Processed materials, depending on type, would either be baled or stockpiled ready for use, onward reprocessing, transfer for use as Refuse Derived Fuel (RDF) in an offsite Energy from Waste (EFW) facility. The stockpiled and baled material would be stored within the building or in the storage area located within the western section of the Site. It is intended that materials would be exported from the Site to their point of use.

It is proposed to accept a limited range of hazardous waste for a limited range of assessment and treatment. The definitive list of acceptable wastes will be determined through the environmental permitting process and determined and regulated by the Environment Agency. All activities relating to Hazardous waste treatment will take place within the MRF.

Storage Bays and External Processing Areas

The Storage Bays (SB) would provide a storage area for waste materials awaiting processing or onward movement following processing. The SB would deal with residual material from the MRF as well as general waste loads. The material would be stored on Site within the general storage areas located to the west of MRF building. It would

subsequently be bulk transferred off Site for re use.

Storage areas would be for general construction material including processed concrete and wood. This activity would be undertaken in the identified storage areas to the west of the site.

The site would accept aggregate, sand and similar bulk construction materials, which would be stockpiled in the storage bays. This material would be sold on or mixed with recycled inerts processed at the MRF to provide a product for the construction industry. The aggregates or product would be exported from the Site to their point of use. Where aggregate would be delivered to the Site by train, the material would be discharged from the wagons by hopper and conveyor to covered bays along the western side of the MRF building. General construction material would be transported to the Site and stockpiled temporarily before being transferred by road or rail.

The two weighbridges would ensure the tonnage of material entering and leaving the site could be measured and recorded for permitting, planning enforcement and commercial reasons.

Civic Amenity Site

The Civic Amenity Site (CAS) would consist of 8 container bays which would accept normal household waste including, but not limited to inert materials, MSW, wood, metals, general waste and garden waste. The containers will then be transferred directly to the MRF building for processing, limiting transport requirements. There will be 22 parking bays available for members of the public to utilise the CAS.

3.3 Relevant Planning History

Comment on Relevant Planning History

Planning Application ref: 18736/APP/2013/178 was refused planning permission on 19/03/2014 for the following reasons:

1. The proposal involves a significant number of traffic movements, including many by heavy goods vehicles and the application fails to provide an accurate assessment of highways and transportation impacts associated with the proposed development and as such the scheme fails to demonstrate that it would not be detrimental to highway and pedestrian safety and the free flow of traffic contrary to policies AM2, AM7 and LE1 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) policies 5.17 and 6.3 of the London Plan (July 2011) and paragraph 32 of the National Planning Policy Framework.
2. The proposed development will significantly increase the traffic passing over the level rail crossing, and in the absence of a full risk assessment in respect of the use of the level crossing the application fails to demonstrate that it would be safe for the public and rail operators, contrary to policies AM7 and AM11 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012), policies 2.6, 6.2, 6.3 and 6.4 of the London Plan (July 2011) and paragraph 32 of the National Planning Policy Framework.
3. The applicant has failed to demonstrate that the air quality impacts of the development would not be unacceptable. The scale and magnitude of the development requires a much greater understanding of the air quality impacts and without this no proper assessment of mitigation can occur. The extent of the impacts is not sufficiently clearly set out in the Air Quality Assessment. Accordingly the proposal is contrary to Policy 7.14 of the London Plan and the Council's Supplementary Planning Guidance on Air Quality and the provisions

set out in the National Planning Policy Framework.

4. The applicant has failed to provide a contribution towards the improvement of services and facilities as a consequence of demands created by the proposed development in respect of construction training, Highways matters, air quality monitoring, environmental mitigation (including but not limited to measures to control impacts of activities that would impacts on residential amenity) and project management. The proposal therefore conflicts with Policies AM1, AM11 and R17 of the adopted Hillingdon Local Plan Part 2 Saved Policies (November 2012) and Policies 4.1, 4.12, 6.7 and 7.1 of the London Plan (July 2011) and the London Borough of Hillingdon Planning Obligations Supplementary Planning Document.

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.E1 (2012) Managing the Supply of Employment Land
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM3 (2012) Blue Ribbon Network
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- AM12 Promotion of traffic management measures which give priority to buses
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
 - (i) Dial-a-ride and mobility bus services
 - (ii) Shopmobility schemes
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NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **8th January 2016**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A total of 974 neighbouring properties were consulted. In addition to this Officers posted Site Notices in 22 locations in the Yiewsley and West Drayton areas including in local supermarkets to inform locals of the proposed development. 239 representations have been received. Of these 2 have been in support, 6 have been general comments and 231 have objected to the scheme.

The objections have been raised on the following grounds:

1. Additional heavy lorry movements 7 days a week.
2. Even greater congestion on already heavily congested roads which often are a standstill already.
3. Proximity of the proposed development to residential areas
4. Pollution from the development. The area is already heavily polluted from the M4, M25 and Heathrow Airport.
5. Poor and limited vehicle access to the site which will force lorries to go through West Drayton & Yiewsley.
6. Poor Access to the site will be hazardous and a danger to road users.
7. The site is to be used 24/7 365 days a year will cause dust and noise problems to local residents.

8. Contravenes Human Rights Act.
9. Raised site means that disturbance from the site would have a detrimental effect on both adjacent housing and properties further away.
10. This highly populated area is unsuitable for a waste facility.
11. Impact on peoples health resulting form air quality impacts of the development.
12. Impact on quality of life for residents.
13. Pollution form the site old be pumped into the air whilst winds would carry the nauseating gasses and smells to homes and businesses.
14. Air Pollution.
15. Noise pollution.
16. Fall out from the development would cause closure of Paddington to est Country mainline.
17. Injuries and possible fatalities due to close proximity and density of the community.
18. Public road transport will suffer due to increased congestion.
19. Planning Guidance (May 2006) states that waste facilities should not impact on the well being of the local community and environment. The Powerday proposals will.
20. The site was removed from the West London Waste Plan as it was found to be inappropriate therefore the proposal cannot be deemed acceptable on this site.
21. The sludge lagoon would be a health hazard.
22. Light Pollution.

In addition 9 petitions in objection to the scheme have been received. These have between 20 and 3244 signatures on them.

The petitioners raise objections on the following grounds:

1. The development would adversely affect the local community and would undermine the quality of life.
2. Access to the site would be severely restricted by a low railway bridge and the adjacent railway and bus stations.
3. The detrimental impact will have on local businesses.
4. Loss of local jobs from the existing site and local shops and businesses
5. Negative environmental impact on residents and all those visiting and doing business in the area.
6. Health and welfare on children
7. Loss of a site which could generate 100's of jobs
8. Loss of job generating rail head
9. Traffic gridlock
10. Loss of benefits to the area arising from Crossrail
11. Pollution, including noise and light generated from the crushing and shredding activities which take outside the main plant.
12. Rats and other vermin will be attracted to the site.

LOCAL COUNCILLOR REPRESENTATION

I am a resident of the Garden City West Drayton, Secretary of the Garden City Estate Residents' Association and local Councillor for West Drayton Ward and object to the above planning application.

The grounds of my statement of objection are as follows:

The site of some 25 acres lies in the middle of 3 very substantial residential areas. Some residences lie within 50 metres of the site and activities on the site are already creating significant noise, creating a very poor environment for the continuance of Family Life, so contravening the Human Rights Act. The site's development as an industrial waste recycling plant of capacity at least 450,000 tonnes would create significantly more disturbance than present activities as it would bring a continuous stream of heavy lorries to the site, the number of which can only be an estimate as it

would be dependent on the size of the lorries, an exact calculation as to how much of the waste materials would be coming in and going out by rail, the number of vehicles using the proposed Civic Amenity site and any further increased capacity which could be delivered at a plant where the building is of equal size to that when the company wished to process some 950,000 tonnes of waste.

The site has only recently been removed from the West London Waste Plan as being totally unsuitable for such a use. It is therefore still unsuitable for the parallel use as described within the planning application. The comments by the Inspector where the West London Waste Plan was being examined in public are particularly relevant here. Some of the comments made by the Inspector are as follows: "It is considered the benefits of developing this brownfield site do not outweigh the impacts off site or the lack of suitable access arrangements." Also, "the access to the site, at the junction of Tavistock Road is totally inadequate." Also, "I am concerned that the nature of the traffic would be damaging to the environment and the local communities the allocation of the site within the WLWP would not be appropriate." Therefore, this site has already been through a statutory process which involved Powerday putting the case to the Government Inspector that the site should be used as a recycling facility. They were not successful in proving this point then and the circumstances have not changed since. The site is not an appropriate site for heavy industrial recycling activities and never will be.

Powerday has not been able to show any valid business case for such a facility to be built in such a "totally inappropriate site." Even the application recognizes this with the statement that, "there is not currently the need for additional capacity to meet apportionment." The evidence of the London Plan where estimates of waste are listed confirms the assessment that this site is not needed for such purposes. It is also obvious that Powerday have not been successful in getting this unlisted site added as a site in the West London Waste Plan. The applicant has not made a formal approach under WLWP Policy 3 as they would have included this in their application. The statement that "no site in the WLWP could accommodate such activity as that of the Coal Yard," is failing to mention how the site was completely dismissed by the Government Inspector in the EIP as well as failing to mention that the capacity which the site would accommodate was not necessary under the London Plan. In essence the site is unsuitable and not required for recycling purposes.

Hillingdon Council as well as the London Plan also together recognize that there is a much better plan for the future use of the site. In the Council's recent consultation on the Local Plan Part 2 the site has been re-designated from an Industrial Business Area to one for Mixed Use with the emphasis on much needed housing to help solve London's acute housing crisis well documented in the election literature of both of the leading candidates for London Mayor. In the London Plan it recognizes that the "Redevelopment of surplus industrial land should address strategic and local objectives particularly for housing, and for social infrastructure such as education, emergency services and community activities. Release of surplus industrial land should, as far as possible, be concentrated around public transport nodes, to enable high density redevelopment, especially for housing. In locations within or on the edges of town centres, surplus industrial land could be released to support wider town centre objectives." Therefore, the site if developed for industrial waste would be lost to all of the benefits so well described within the London Plan. Instead of being used for much needed housing and for business and community use, it would have a future as a site bringing excessive noise, traffic disruption and increased pollution to an area which at last has a better future under the umbrella of an area regenerated due to Crossrail.

The applicant also says that it will bring 130 jobs to the area. We should look at the bare facts here. Powerday have actually reduced local jobs in the area by moving out all existing occupiers of the site who have taken in the most part, their jobs elsewhere. The 130 jobs which are listed are likely therefore to merely replace what has already been lost. Also who is to say that these jobs will indeed be for local people as Powerday may indeed bring their workforce from their other sites around London. In addition, the Council needs to take into consideration the additional jobs and

business rates which will accrue from the site if it is developed for Mixed Use. This will bring many small companies into the site, a site within walking distance of a Crossrail station, a site which could bring in workers from London and beyond by way of the speedy Crossrail facility. Remember, it will be only 24 minutes from West Drayton station to Tottenham Court Road when Crossrail is completed in 2019. It is far more likely that Business Rates from this site will be more lucrative when it becomes Mixed Use than from the heavy industrial use which would come from the Powerday development.

In addition many local businesses and shops say that they may move out of the area if Powerday brings their business to the area. Many are concerned that business will be impacted negatively as, as one very old established local company has stated, it would impact on an up and coming area. There is significant concern from the businesses along Horton Road which will be the main route of Powerday lorries. The petition from local companies and shops, as well as letters of objection from these companies, along Horton Road and elsewhere shows that local businesses and shops are fearful of the Powerday impact to their businesses and their livelihoods. So what Hillingdon Council may get from the Powerday Business rate may well be offset by reductions in Business rates elsewhere and the fact that the site is likely to be much more lucrative to the Council if it becomes a Mixed use site. I need not mention the benefits which additional housing may bring to the Council's Council Tax coffers! The businesses who have signed the business petition are not only those small local traders but include significant local business such as BMW and Whitely Estate Agents.

One of the main concerns of West Drayton and Yiewsley residents as well as local road users who use this main north south crossing point of the borough is the effect which such a development would have to the local road network, the levels of pollutants coming from the heavy diesel vehicles accessing and exiting the site and the effect which large numbers of heavy vehicles using suburban roads would have on the life of these two towns and the people who live and do work here. The capacity of the site at 450,000 tonnes is huge, as what goes into the site needs to come out, and it is no means certain what use the company will make of the railhead. Indeed it would seem there is evidence to show at other Powerday plants where rail is an option, that this method of transport is rarely if ever used. The Council may wish to confirm this for itself. In addition, traffic from the site will not be confined to the Powerday recycling plant as it will also include traffic of all sorts coming into and out of the proposed Civic Amenity site. The area is already one which has high levels of pollutants registered. A plant of this type will only see this increasing.

When the site was used by many individual companies, the vehicle profile was not predominately heavy vehicles. It consisted as a majority, small vans and cars. The business of Powerday generates almost in its entirety, heavy vehicle movement. Even when the site was used for the movement of coal, it was only very small vehicles which came out and all of the inward movement to the site came from the railway. So we are not talking of equality in vehicle types nor equality in vehicle movements. A Powerday operation would bring a constant stream of heavy lorries which the site in all of its history would not have encountered. It would produce vastly different noise, pollution and traffic profile than that ever experienced in this area. Residents will notice the difference as they already are!

Recent changes to the area around the site should also be considered as part of the planning process. The site will be within metres of new housing which is either in the process of being built, has been built in recent years or has achieved planning permission and will be developed shortly. Over 2,000 new properties, mainly flats have been built in West Drayton in recent years with well over a thousand built in Yiewsley. This number will increase still further with the Dairy site in Tavistock development of over 300 flats planned for the near future. This development's traffic will access all of its properties from Tavistock Road, directly opposite the entrance to the Coal Yard site. Already this junction is extremely busy and gridlocked for significant periods as it is also opposite the turning into West Drayton station where hundreds of buses a day turn into this very busy transport hub. With Crossrail becoming a magnet for computer traffic it is hard to see how

increased commuter traffic will sit well with the constant stream of heavy lorries spilling out of the site. The phrase, "a perfect traffic storm" may come to describe the resulting traffic mess in the years to come if the Powerday development proceeds. The thousands of additional properties in the West Drayton and Yiewsley wards have increased local traffic considerably and Powerday will add to this. So even if the same number of vehicles will indeed access the site, which I vigorously dispute, the vehicles will be spilling onto a road where traffic has and will continue to increase so if the road is like a glass with water in it, it is already full for long periods of the day and extra water is draining into an already filled glass. Powerday's extra traffic is likely to make it overflow for very long periods of the day, disrupting commuter traffic considerably and likely to cause business to lose trade as well as disturbing the well being and health of local residents who will have to put up with noise and pollution on a daily and possibly a nightly basis.

The site will process crushing and shredding activities outside the 15,581m² building. These activities will be close to residential areas to the south. Not only will this create noise, but there will also be the resultant dust and light pollution coming from these external activities. The analysis provided by the company that the residents living nearby already cope with high noise levels is not borne out by auditing the noise profile around the site. True there is the main Western Region railway line nearby. However, Crossrail with its electrification will indeed bring quieter trains. In addition trains go speedily through and do not create continual noise as this plant would do. In addition trains do not at present run 24/7 which is the likely requirement which Powerday would have for the site. Therefore, there can be no comparison as to current and future noise profiles. I also make mention of the crow scaring procedures which would be required to boom out so scaring away birds attracted to recycling activities. These would be required to blast out continuously in order to keep seagulls and other birds and vermin at bay. This activity so close to residential areas is likely to change the lives of thousands of West Drayton and Yiewsley residents for the worst.

Residents have every right to expect to live in an area which allows them adequate rest at night. The noise profile coming from this site is already causing major disturbance of residents. When the plant is up and running for industrial waste processes, how much more noisy is it likely to be? The fact that the site is an elevated one is likely to mean that noise will travel much further than one where the site is bounded by high walls or embankments. There will therefore be a constant noise presence affecting a very large area and a very large number of people.

Using evidence of other similar sites it would appear that plants of this nature expel noxious smells and dust. So much so that mechanical means are used to try to mask the problems. These methods of masking unpleasant smells are used by the company on other plants, not altogether successfully based on the complaints of local residents. As this site is in the midst of thousands of properties the residents of which have never had to put up with such major problems it should be accepted that such a facility should never be placed in such close proximity to residential properties. I mention again the nearest of these which is just a few metres away.

Family life would be seriously affected when all of us wish to have the ability of opening windows on a Summer day/night. This simple pleasure is likely to be denied many thousands of residents in the area of this site if this development is allowed to proceed.

I would also like to emphasize that this facility is just not needed in the area as there are ample recycling facilities nearby and the recently approved West London Waste Plan states that there is indeed sufficient facilities to deal with the requirements of the area as well as the requirements of the London Plan.

The plant if approved would have a very negative effect of the Council's plans for regeneration of the area, and would negate the benefits to the area coming from Crossrail. The area would lose out on the regeneration which Crossrail is already bringing with it. Its future and the future development of new business would be seriously compromised.

In conclusion there is a high level of dismay by local people, businesses, shops, places of worship

and schools that Powerday is yet again wishing to develop the site for industrial waste recycling which would bring heavy and polluting lorries to the streets of Yiewsley and West Drayton. The company released a Press Statement on 20th January 2015 saying that they would not be developing the site for waste recycling purposes and would be consulting with local residents and local groups concerning any future plans which the company had for the site.

Unfortunately the company has seen fit to go back on both of these statements. They have put in plans to develop the site in exactly the same way as before, although at the EIP of the West London Waste Plan confirmed the site's unsuitability for such a purpose, they have not changed the capacity of the facility they wished to build, it being the same meterage as when they put in a planning application to processes 950,000 tonnes, this means that capacity is there to develop further than the 450,000 tonnes outlined in the current planning application. In addition, they have not sought in any way to consult with local residents or groups before putting in the present application. I will say no more about current activities they are conducting on site without any planning permission and on the back of the monthly temporary Amenity Site facility they provide.

I ask therefore that the Major Applications Planning Committee refuse the current planning application submitted for the site and hope that the site will indeed be confirmed as a Mixed Use site which would bring additional much needed housing, small businesses and community facilities to the area and stop once and for all the possibility of this site being used for industrial waste recycling purposes.

GLA - STAGE 1

London Plan policies on principle of development, waste, employment, urban design, inclusive access, air quality, noise, sustainable development and transport are relevant to this application. In general the scheme is supported in strategic planning terms. However, further information and discussion, as stated below, is required to ensure the proposal complies with the London Plan:

- Principle of development: The development proposals have significant potential to support and capture the benefits of waste recycling, contribute to the Mayor's recycling level targets, while delivering the Mayor's waste policy, and therefore, are supported in principle. The Council should confirm that the location of the site is appropriate given that it is not identified in the WLWP as an additional site for waste management. The applicant is asked to clearly identify any waste going for landfill, including tonnage, and ensure that the receiving area is aware and accepts this. Further details should also be supplied regarding the Network Rail requirements for the site.
- Employment: The application is compliant with London Plan policies and the increased employment on the development site is supported.
- Urban design: The proposed design is generally accepted and in line with policies contained in Chapter 7 of the London Plan.
- Inclusive access: Further details of how inclusive access has been considered with regards to the areas of public realm should be provided to ensure compliance with London Plan Policy 7.2.
- Air quality: Prior to the application being referred back to the Mayor, relevant planning conditions will need to be secured to ensure the proposal complies with London Plan Policy 7.14.
- Noise: Prior to the application being referred back to the Mayor, relevant planning conditions will need to be secured to ensure the proposal complies with London Plan Policy 7.15.
- Sustainable development: The proposals in the energy assessment are acceptable and no further information is required. The proposals are acceptable in terms of London Plan Policy 5.12 'Flood risk management'. Further justification is required regarding the sustainable drainage strategy prior to the application being referred back to the Mayor. Hillingdon Council should secure through planning condition that the application responds to strategic policies regarding climate change adaptation.
- Transport: Further information and discussion, outlined in the body of this report, is required before the proposal can be considered acceptable and this should be addressed prior to the application being referred back to the Mayor.

GLA - FOLLOW UP COMMENTS

At the consultation stage, it was noted that the site is designated by the Strategic Rail Authority as a 'Site with Medium Rail Potential which should be retained for rail use on basis of 'precautionary principles'. Furthermore, the site is designated by Network Rail as a 'Nominated Location' within the Track Access Contract agreed between landlord and tenant(s). The applicant was asked to provide further details regarding discussions with Network Rail and whether Network Rail requires the site for uses other than that proposed by the applicant.

The applicant has outlined in their response that Powerday has an agreement with Network Rail which provides a 30 year lease following the grant of planning permission. The response letter states that 'By agreeing the lease, Network Rail has effectively confirmed it does not have a strategic operational need for the site.' The applicant acknowledges that while the rail pathways, they are expecting the confirmation imminently. Additionally, Network Rail have been notified of the planning application and have raised no objections and the Council should be supplied with a letter of support shortly. This letter of support from Network Rail should be supplied to GLA officers prior to the application being referred back to the Mayor.

As was requested at the previous stage 1 report, the applicant has confirmed that the import/export by rail is deliverable and viable. The applicant has noted that for many years the site has been successfully operated for strategic freight purposes. Additionally, the applicant has stated that transportation of materials by rail is a key component of the applicant's business case as the unit price per tonne of moving bulk freight by rail is less than by road. The applicant has agreed to a planning condition to limit the amount of waste entering the site via road to 330,000 per annum.

At the consultation stage the applicant was asked to clearly identify any waste going for landfill, including tonnage, and to ensure that the receiving area was aware and accepts this. The applicant has stated that their core business is to recover/recycle the maximum possible volume of waste and as such the export of material to landfill is expected to be minimal. The applicant has indicated that the only material to require disposal to landfill is 'fines', a by-product of the recovery/recycling process for construction and demolition materials. The disposal of this material will be a relatively small percentage of the overall tonnage exported from the operation, and there are currently no contracts in place to export such material. In order to minimise transport costs, the applicant is proposing to utilise EA permitted landfill sites as close as possible to the point of the arising.

Whilst this additional information is welcomed by GLA officers, it does not address concerns raised in the previous stage 1 report. The applicant is asked to clearly identify any waste going for landfill, including tonnage, and ensure that the receiving area is aware and accepts this. The applicant is advised to take measures now to secure contracts to receive this waste.

At the consultation stage it was noted that the applicant had provided limited information about the inclusive access principles of the proposal. The applicant has reiterated that two blue badge parking bays will be provided close to the entrance of the office/welfare block with step free access. Whilst this is welcome, as was requested in the stage 1 consultation report, the applicant is asked to provide information on how the specific needs of disabled people have been incorporated into the proposed development and how inclusion will be maintained and managed for future workers. Additionally, the applicant was asked to provide details of levels, gradients, widths and surface materials of the paths and how they are segregated from traffic and turning vehicles, and how any level change on routes will be addressed. This information should still be provided and included in the design and access statement.

TfL appreciates further explanation from the applicant on the viability of the proposed use of railhead, and TfL supports the transportation of materials by rail. TfL asks that Hillingdon Council impose a Grampian condition that the proposed development shall not be occupied until the railhead is ready for use.

TfL supports the condition to restrict the maximum of 330,000 tonnes of materials to be imported/exported by road.

TfL welcomes the applicant's proposal to provide a dedicated pedestrian way, Hillingdon Council should secure the submission and approval of detailed design by planning condition.

Potential risk of conflicts with bus movements along with local traffic/pedestrian/cyclists
While the applicant anticipates that there will be only two HGV per hour passing the local highway network in the off peak period, TfL remain concerned about the risk of conflicts between other vehicles and other vulnerable road users such as pedestrians and cyclists in particular. TfL request that Hillingdon Council seriously consider the need for mitigation measures to address these issues.

TfL asks that conditions/obligations are imposed to restrict HGV movements from peak hours to minimise risk as part of the Delivery Management Plan.

While the congestion on local routes between West Drayton and Uxbridge is a pre-existing condition; TfL considers it is reasonable to request that vehicles attending the site to use other routes to minimise further impact to this route. TfL requests that a planning condition/obligation shall be imposed by Hillingdon Council for the use of a less congested route in particular during the peak hours; this may be embedded into the Delivery Management Plan.

Construction logistics plan - TfL expects that the final submission of CLP be secured by planning condition.

Workplace travel plan - TfL expects that the work place travel plan be secured by s106 agreement. A full mode share assessment, including number of workers expected to travel on each modes and % should also be included in the travel plan, not just in the transport assessment.

ENVIRONMENT AGENCY

Groundwater and Contaminated Land

The proposed development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters. We are however unable to provide detailed site-specific advice relating to land contamination issues at this site and recommend that you consult with your Environmental Health / Environmental Protection Department for further advice. Where necessary we would advise that you seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the contaminated land pages on GOV.UK for more information.

Environmental Permitting

The site already benefits from an Environmental Permit for a small scale civic amenity site, allowing local residents to recycle their waste. The permit number for this site is 124296.docx2EAWML/104761.

The applicant has previously approached us about developing this site and we have had numerous site visits with the applicant to make them aware of our requirements. In order to allow such a development we would expect to vary the existing Environmental Permit to allow the activities proposed by the applicant - in addition to the required planning application.

The applicant is advised to contact 03708 506 506 for further advice and to discuss the issues likely to be raised.

Building Enclosure- The proposals will include an escalation in the volumes and types of waste that are currently accepted and we have made clear that this will need associated infrastructure to successfully control and minimise the potential impacts that the facility may pose. We have provided advice to the applicant and made clear that the most effective abatement for all waste handling areas would be fully enclosed on six sides with small access and egress points for pedestrians and vehicles. Such a requirement would serve as abatement infrastructure for any odour, noise and dust pollution and significantly reduce the site's potential to have off site impacts. Consequently we would wish to see any external processing and storage areas to be fully enclosed.

Drainage -We have also made clear an expectation that waste handling activities are carried out on concrete impermeable pavement that drains to either a sealed tank which is drained regularly or connected to the foul sewer network. This includes loading and unloading areas as they are particularly high risk areas.

Suitable Utility Provision -In our experience it is important that adequate water is available on the site for dust suppression and fire fighting and we would look to ensure that adequate supplies are in place before activities commence. Consideration of rain water harvesting schemes are not only financially advantageous but also reduce the dependence of the applicant on main water which can have limited availability. In addition the availability of mains electricity should be of a suitable scale to supply the demands of the recycling equipment proposed to avoid the noise and air quality impacts that on site generators can pose if the mains supply is not appropriate. Advice to applicant Under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Frays River or River Colne, designated a 'main river'.

CROSSRAIL

No objection subject a Construction Method Statement condition.

THAMES WATER

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker.

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority Liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.

Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens), Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water 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 - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

No documentation containing details of the proposed drainage plan could be located on the local authority website. In order for Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the increased flows from the development, a drainage strategy must be submitted detailing the proposed foul and surface water strategies. Details of any proposed alterations to the connection points to the public system, and calculated increase in discharge rate must be included in the drainage strategy.

If initial investigations conclude that the existing sewer network is unlikely to be able to support the discharge anticipated from this development, it will be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure.

HEATHROW AIRPORT SAFEGUARDING

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached * See para below for information *

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the flat roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

Information

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting; roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We would also make the following observation:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation&safety/safeguarding.htm))

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above condition is applied to any planning permission.

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of BAA, or not to attach conditions which BAA has advised, it shall notify BAA, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

NETWORK RAIL

I write with regard to the statutory consultation received in relation to the above mentioned planning application.

In accordance with 'The Town and Country Planning (Development Management Procedure (England) Order 2010 Schedule 5: Consultations before the grant of permission, Paragraph (f)(ii)' the determining authority have a statutory responsibility to consult the rail network operator where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway. In summary we believe the proposals are acceptable. This view has been formed having consulted internally with the relevant highways, planning and level crossing specialists.

Network Rail had previously objected to a similar proposal in 2013 at the site (ref. 18736/APP/2013/1784) on the basis that not enough information was supplied to enable a thorough assessment of the impact on the level crossing to take place. It would appear that LB Hillingdon did not provide the applicant with the opportunity to provide a further assessment and refused the application, citing the level crossing reason for refusal.

It should be noted that Network Rail bought out the long lease of the previous owner, DB Schenker, in November 2014 and inherited Powerday as a tenant. Previously we were the freeholder with no direct contractual relationship with Powerday. Network Rail also inherited the development agreement between the two parties and is contractually bound by reasonable endeavours to support the planning application. This obligation does not compromise our standing as a statutory consultee and the views provided here are solely based on a judgement of whether or not this application increases the safety and / or operational risks presented by the crossing and whether appropriate mitigations are needed.

In terms of the current application:-

The baseline conditions at the application site, with regards to existing operations and vehicle trips, have been established from first principles and a Manual Classified Turning Count which was first undertaken in 2008 and updated in 2014. In the absence of any particular extant permission at the site this starting point of assessment is considered acceptable, given that the site can continue to operate in its current form without the requirement for planning permission. This assumption is further supported by the fact that in the absence of any extant permissions it can also be assumed that the site still benefits from development permitted by Class A of Part 8 of the General Permitted Development Order (2015) which permits development by railway undertakers (and their lessees in the form of Freight Operating Companies) on their operational land. It is noted that the site does not currently utilise the rail connection which is available and the proposal seeks to introduce this facility to the current operation.

The 2008 survey established daily vehicle trips over 12 hour period from 07:00 - 19:00 which recorded a total of 49 arrivals and 41 departures in the AM peak and 39 arrivals and 45 departures in the PM peak. Total daily arrivals and departures were 530 and 536 respectively. The 2014 survey used the same survey method and recorded a total of 22 arrivals and 31 departures in the AM peak and 27 arrivals and 22 departures in the PM peak. Total daily arrivals and departures were 333 and 358 respectively. The reduction in existing site traffic can be attributed to all non Powerday operators vacating the site in the intervening period. In both surveys the HGV component represents approximately 30% of total traffic generated.

The proposed development seeks to limit the extent of material imported by road to 330,000t, and the amount imported by rail to 120,000t. A Grampian condition limiting each method of

transport to its respective tonnage will ensure that vehicle trips (which will impact the level crossing) are limited. In comparison with the baseline conditions the proposed development creates 1 additional vehicle in the morning peak period, with a reduction of 6 HGVs; and a 32 vehicle reduction in the PM peak with a reduction of 12 HGVs. Daily traffic (over the 12 period) shows there to be an overall vehicle increase of 6 vehicles and a decrease of 16 HGVs.

Safety at level crossings is a key priority for Network Rail with extensive information provided by website.

The crossing currently has a "K7" risk rating which is mid-range on the scale i.e. it is not considered a high risk site. We understand that the crossing was recently resurfaced and decked by the Crossrail project to support their transfer of materials from their compound on part of the Old Coalyard site.

Historically there have been some operational issues impacting train movements caused by the gates not properly functioning but these appear to have been addressed and there have been no recent incidents.

Had the applicant proposed a significant increase in vehicle movements then the crossing would require upgrading, primarily in the form of widening. If the applicant had wanted to provide public access to the site, to a domestic waste facility for example, then the crossing would require a major upgrade. This would likely include widening, connection into signalling, and installation of CCTV and automatic gates all of which would present a major cost to the applicant.

The applicant has instead presented what appears to be a robust traffic management case demonstrating there will not be a significant increase in traffic and we understand there no plans to introduce public access.

The residual cumulative impacts of the development cannot be considered 'severe' in the context of Paragraph 32 of the NPPF and the proposal represents a negligible impact in terms of an increase in vehicle trips over the level crossing.

Having assessed the safety implications which would be likely to occur at the level crossing as a result of the proposed development, Network Rail recommend that no rail network operator objection be raised subject to a suitably worded condition being attached to any permission being granted which explicitly restricts the amount of material which is imported by road to 330,000t.

NATURAL ENGLAND

Planning consultation: Demolition of existing buildings and redevelopment of site to provide a materials recovery and recycling facility and Civic Amenity Site, incorporating a recovery and recycling building, storage bays, administration office/training building, external processing and storage area, two weighbridges, reuse and extension of railway sidings, and Civic Amenity Centre, together with associated car parking, landscaping, fencing and infrastructure.

Thank you for your consultation dated and received by Natural England on 17 December 2015. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 17 July 2013 (Our ref: 90969).

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

SOUTH BUCKS DISTRICT COUNCIL

No objections raised.

TFL

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

- Review the suitability of HGVs utilising both Horton and Falling Lane in light of comments;
- Provide details on suitable contingency/ alternative route in light of comments;
- Develop proposal to improve pedestrian access to site;
- Secure the provision of disabled parking, electric vehicle charging points and cycle parking by conditions;
- Secure parking management plan by conditions;
- Carry out sensitivity test assuming all traffic are to be undertaken by road;
- Secure Grampion Condition for the completion of rail facility;
- Secure condition to cap the maximum volume of materials to be transported by road, and secure funding toward monitoring;
- Secure DSP and CLP by conditions; &
- Revise the travel plan in light of comments

YIEWSLEY & WEST DRAYTON ACTION GROUP

On Behalf of the Yiewsley & West Drayton Town Centre Action Group, we are totally against all aspects of this application as the impact it would have on the whole area would be completely detrimental to all surrounding residents and Businesses. Our objections have remained the same as they were for the last application by Powerday PLC, and the total distain they have shown following a recent enforcement regarding their working out of permitted hours, by continuing to work at the Coal Yard throughout the night, simply enhances the community feeling that they would be appalling neighbours, and when this is added to the impact of the heavy traffic, the air pollution in this Low Emission Zone, and the Noise disturbance this development would bring, we urge the Council to reject this application.

In 2009, we asked about the possibility of re-aligning the Junction of Tavistock Road with Station Road West Drayton, and TFL said it was not possible in any way, and since then, the pending development of Tavistock Gardens on the former dairy site adjacent to that junction involving 308 apartments has happened, making any further traffic impact on the junction by Powerday a non - starter, and as it is, large lorries wishing to turn into Tavistock Road from West Drayton, have to first turn around in Station Approach opposite as the angle is often too acute for them to turn directly.

There are of course new developments in the High Street, and Trout Road, which also adds to the traffic already in the area, so once again we urge you not to grant the Powerday application.

TARMAC

Objections raised on the grounds that the Transport Assessment underestimates the background traffic situation as Tarmac are able to use their site to great degree, but do not do so currently owing to the expansion of Crossrail works. This will result in congestion at the Tavistock Road entrance

and surrounding highway network.

Furthermore should the rail head be used by the applicant, this will have an impact on Tarmac's operations as they will be unable to enter/leave the site whilst the trains are in the rail head as the access into the Tarmac site will have to be closed at these times for safety reasons. The information with the application is inadequate.

METROPOLITAN POLICE CRIME PREVENTION DESIGN ADVISER

I have no objections to this as long as it achieves the principles of Commercial 2015, as detailed on the SBD (Secured by Design) website. I have attached a copy of the guide.

The general principles of SBD set out the following:

Good boundary treatment for the development.

Good lighting to BS 5489:2013

Proper demarcation for pedestrian and vehicular routes.

Bollards to protect shutters where necessary.

CCTV system with VMD (Video Motion Detection)

Central station alarm system.

Accessible doors and windows to achieve PAS 24:2012.

Access control vehicle gate / pedestrian gate.

Landscaping to complement the CCTV and should not obstruct natural surveillance.

The above is not an exhaustive list and there will be further site specific details that are unknown at present.

GARDEN CITY RESIDENTS ASSOCIATION

Raised objection to the scheme for a wide range of issues. Concerns have been raised in the following regard:

- The accuracy of the Statement of Community Involvement.
- How Powerday's Business actually operates.
- No demonstration of need has been put forward by the applicant.
- Inadequacy of Transport Assessment
- The proposals would result in a significant increase in traffic and congestion in the area.

Internal Consultees

DESIGN & CONSERVATION

The site is fairly discretely located at the western end of Tavistock Road. It contains a number of what appears to be temporary storage and industrial uses and has an unkept and untidy appearance. It was not developed until the 20th century and comprises made up ground, as the site level was raised by approximately 4m in the 1930s.

The site is bounded by railway tracks to the north, west and south and a wooded area and the Fray's River to the east. Beyond the railway, to the north and west are areas of open space designated as Green Belt and the Garden City, West Drayton Area of Special Local Character (ASLC) lies to the south. Whilst there are three listed buildings to the east and south east of the site and also the West Drayton Green Conservation Area, in terms of visual impact it is considered that none of these Historic Assets will be significantly adversely affected by the development. The Archaeological Report attached to the application confirms that the likelihood for archaeological finds is low. It also advises that the impact of the new development on the archaeology of the site would be limited to within the depth of the made up ground. However, the site now lies within the proposed Heathrow Archaeological Priority Zone and the advice of GLAAS should be sought on this application.

The external appearance of this development is largely as previously considered and would include

one very large new structure, together with smaller buildings and a parking area. The large building would, however, be visible in some views from the Area of Special Local Character, the housing area to the North West and also from the Green Belt. At present a landscaping scheme is proposed for the southern boundary, which should provide additional screening to the ASLC, but as noted previously, further consideration should be given to the planting and bunding on the other site boundaries. In particular, consideration should be given to the creation of an area of "buffer" planting outside of the new boundary walls, to allow planting to soften their appearance- the walls are proposed to be between 4-6m in height. At present views of the site are filtered by off site trees and vegetation that cannot be controlled as part of this application and hence their presence cannot be guaranteed long term.

In addition to the above, if the scheme is recommended for approval details of the colours and finishes of the buildings should be sought, together with details of the design and materials of the boundary walls and railings.

No objection in principle in design and conservation terms, however, further landscaping should be required to improve the appearance of the boundaries of the site and to safeguard views from locally sensitive areas.

HIGHWAYS

The site is located to the south of Tavistock Road in Hayes, close to the junction of Tavistock Road and High Street, which is a priority controlled junction. There is a short right turn lane on the High Street opposite the Tavistock Road approach. A mini-roundabout at the junction of High Street and Station Approach is located in close proximity to the north.

South of the High Street and Station Approach junction, the road slopes down to gain sufficient head room under the existing railway bridge resulting in a considerable level difference.

The main pedestrian in close proximity to the aforementioned road junctions are; zebra crossing on Tavistock Road between its junction with the site access and High Street, signalised puffin crossing on High Street north of its junction with Station Approach, and dropped kerbs across Station Approach immediately east of its junction with the High Street.

The site largely falls within a low PTAL rating of 1, however West Drayton rail station is located nearby and there are also 5 bus services nearby. The station forms part of London's Crossrail route, which is planned to be operational in 2018. The station will therefore in future benefit from improved public transport, reduced travel times and improved rail connections with access to central and east London.

The site was historically used as a coal concentration yard and depot, which is reported to be ended in the 1980's. The baseline traffic generation of the site is based on surveys undertaken in 2008 and subsequently in 2014, which captured traffic generation of the unauthorised uses at the time. The TA reports that the site has been occupied by multiple businesses falling within light industrial, manufacturing and distribution/storage uses. It is understood that there are also other types of unauthorised uses operating from the site. An adjacent concrete crushing site is understood to be the only authorised use. The site has now been cleared of buildings and there is a pending enforcement case on part of the site.

The proposed development will utilise the existing vehicle access to the site, located south of Tavistock Road, some 35m west of the Tavistock Road and High Street junction. The access road is at an acute angle. Vehicles departing the site have poor visibility of vehicles approaching from the west on Tavistock Road and vice versa. Also, sightlines to the west of the access point are difficult. The access road averages approximately 6.5m in width and has a railway level crossing facility around 150m into the site.

There are inadequate pedestrian facilities to cross the site access. To the west there is a narrow strip of footway and to the east there is no footway at all. Moreover, the access road does not have a delineated provision for pedestrians to enable safe movements. Considering the level of traffic generation proposed and a relatively high proportion of lorry movements associated with the proposed development safe access arrangements should be provided to limit the risks posed to other road users.

From the above comments it is clear that the site access is poor and the nearby junctions have poor geometry to deal with significant volumes of traffic. Pedestrian facilities in and around the site are also poor.

In traffic terms the existing junction of the Tavistock Road/High Street junction has a history of congestion and recently local development sites have been approved which means that any spare capacity has been used during peak hours.

West London Waste Plan

The previous West London Waste Plan identified the Old Coal Depot site as a potential waste site. The Inspector suggested that the site was unsuitable on highway and traffic grounds.

The Examination in Public of the West London Waste Plan culminated in the Inspector's report that found the existing site access junction with Tavistock Road to be totally inadequate and that heavy goods vehicles accessing the site would have to pass through areas and along highways that are unsuited to the volumes likely to be generated with a major waste use.

Highway and Traffic Issues of the current application.

The applicant (Powerday) provided a Transport Assessment by Cannon in support of the application and it is this document that has provided the information on which these comments are founded and they are:

1 a. The application is essentially the same as that submitted in 2012 but with a reduced amount of waste material proposed to be processed on site. The transport assessment is based on there being no net increase in traffic movements to / from the site relative to the 2014 baseline survey of traffic flows corresponding to Powerday's operating a skip and wheelie bin transfer / storage facility from the site. However, the use of the site by Powerday is subject of an enforcement appeal and the site is presently vacant. Consequently, the baseline position is not considered acceptable.

b. The proposed capacity of the Material recycling facility and Civic Amenity site has been calculated (330,000t) from the tonnage that could be processed without increasing traffic above the 2014 Baseline survey on local highway network . In addition, the site would allow for the import of a further 120,000t of material via rail and resulting in 6/7 trains per week to the rail head within the site .

c. Combined (MRF and CAS) Two way traffic generation has been assessed using data (averaged of March 2010 and October 2009 figures) from the Powerdays Old Oak sidings MRF together with use of TRICS database for the CAS traffic generation as follows:

am peak =54 veh/hr.

pm peak = 18 veh/hr.

daily = 696 veh/12 hrs.

d. The Site has a single vehicular access from Tavistock Road via Station Road in Yiewsley. The proposed routing strategy anticipates that all HGV's will travel north to/from Tavistock Road/High Street to reach A408 (Stockley Road) via Falling Lane / Horton Road to access M4 at junction 4. This strategy has been adopted to avoid the difficult and hazardous left turn manoeuvre by large HGV's into Tavistock Road approaching from Station Road (South). See comments above relating to the Inspector's comments regarding the site access junction with Tavistock Road to be totally inadequate and that heavy goods vehicles would have to pass through areas and along highways

that are unsuited to the volumes likely to be generated with a major waste use.

e. The site has very poor public transport accessibility (PTAL= 0 - 2), but this will improve marginally following start of Crossrail services.

f. The results of traffic modelling for the Tavistock Road / High Street junction indicates that it will operate at over capacity during the morning peak periods in 2020 with both the existing and proposed uses on the site.

g. Car parking provision for 33 cars is proposed for the 71 staff (60 per shift plus 11 office staff) envisaged to be on site at any one time. This equates to 47 % provision of car parking / staff. "0% active and 10 % passive provision for electric vehicles will be provided. In addition 22 car parking spaces are proposed for the Civic Amenity Site with 8 operational bays. The assessment of overlap of parking demand during shift change periods has not been adequately considered.

2. The results of the transport assessment are considered unreliable for the following reasons:

a. The traffic generation for the MRF is considered to be unacceptably under estimated - by the use of average figures (from Old Oak Site) of March 2010 and October 2009, that respectively ranges between:

- i.) Import 1415 and 549 for vehicles between 1-3 tonne,
- ii) Import 2805--2228 for vehicles between 3-25+ tonnes
- iii) Import 2590-1771 for skips
- iv) 1038-912 for export waste in vehicles between 0-25+ tonne.

b. The underestimation of traffic generation has been compounded by assumptions regarding:

- i) The reduction in of 60% in vehicular traffic movements with loads of less than 6 tonne, 25% reduction in skips and 90% reduction in outgoing vehicles (20-25 tonne) movements to allow for the intended double use of vehicles (for import and export).
- ii) The inconsistent use of 27 days / month and 25 days/month for determination of daily tonnage of import and export material at Old Oak Sidings and Tavistock sites respectively.
- iii) The modification of traffic generation profile to reflect an even distribution of HGV throughout the course of the day.
- iv) The application of average factor (0.804) to vehicle movements at Old Oak Sidings to determine the vehicle movements from Tavistock Road site.

These variations brings into question the validity of using data from a single MRF site (Old Oak Sidings Site) as a basis for preparing a transport assessment report for the current proposals. It has not been demonstrated that the March and October traffic figures are representative and suitable for preparing a robust generic transport assessment - ie. a worst case generic transport assessment is required.

c. Traffic modelling is unacceptably limited in scope to the junction of Tavistock Road / High Street junction. Modelling for the base year has not been provided and has not demonstrated acceptable calibration and validation. The reliance on modelling submitted in support of a previous application is not acceptable. It should be noted that different geometric parameters have been used in the current and previous modelling without any supporting explanation. Given that the results of future year modelling indicate that the Tavistock Road / Station Road junction will be over-capacity (based on what is considered as underestimated traffic generation), then there is a high risk that a more robust assessment the proposed development will indicate significant and unacceptable increase in traffic congestion that will also adversely affect performance of bus services across the wider higher network.

d. The transport assessment has not undertaken a multi-modal assessment. A PERS and CERS audit is required together with an assessment of capacity of bus services.

e. The transport assessment has allowed for some committed developments but does not provide details of traffic generation for individual sites. However, the traffic information sourced from the Transport Assessment for Stockley Park Phase 3 development was not accepted as reliable and does not allow for unoccupied / under-occupied floor space within Stockley Park or for the consented development at Prologis Park (Stockley Close) or for the consented OCADO development at Units 1623 & 1685, Stockley Close. These and related matters are all part of a pending traffic study, the scope of which also has yet to be agreed. The Stockley Park Roundabout / A408 Stockley Road presently experiences severe traffic congestion for southbound traffic during the evening peak periods. However, the traffic routing strategy for the current proposed development envisages use of Horton Road to access onto the A408 Stockley Road and the M4 motorway. This routing strategy is therefore considered impractical without corresponding improvement in network capacity. The scope of the submitted transport assessment is considered inadequate and should be increased to assess the impact of the proposed HGV routing strategy on the wider road network in context of the existing and future base conditions described above. The transport assessment report has also failed to undertake a traffic assessment for weekend peak periods when the local network is also congested and when the traffic generated by the CAS would be highest.

f. The application of TEMPRO growth factors in the transport assessment should also include a sensitivity test allowing for high growth to allow for economic recovery and corresponding higher traffic demands.

g. All vehicular swept paths should include 300mm margins for error. The scope of this analysis should be extended to include the highway network corresponding to the proposed HGV routing strategy.

h. Safe provision for pedestrian footways should be provided within the proposed development.

3. The transport assessment refers to matters that will require planning conditions and they are as follows:

i) HGV movements from the site to be capped at observed 2014 levels and corresponding monitoring reports should be submitted annually.

ii) Staff shift changeover times should be controlled to ensure no corresponding traffic generation during morning and evening peak traffic periods.

iii) HGV routing strategy to restrict access and egress to/from Station Road, from south of Tavistock Road.

iv) All HGV to carry export materials to allow for double use of vehicles for import and export.

v.) To restrict the tonnage of imported materials by road and by rail.

vi. A construction logistics management plan is required.

vii) Delivery Management Plan is required.

viii) A S106 /S278 agreement will be required for the Green Travel Plan and any off-site highway works identified from the revised transport assessment, PERS and CERS audits.

4. These comments have not considered the adequacy of the Framework Travel Plan.

Conclusions

From the above comments it is clear that the proposal for a major waste use on the site is contrary to the West London Waste Plan and has a range of issues in terms of highway capacity, traffic routing, and detailed access.

On this basis it is suggested that the application be refused on highway grounds.

EPU - NOISE

No objection subject to Odour Management Condition, Construction Environmental Management Plan and Noise Levels conditions.

TREES & LANDSCAPING

The site is occupied by a railway yard, formerly used as a coal depot to the west of Yiewsley Town Centre. It is bounded to the south by the Great Western Main Line Railway with a residential area, Fairway Avenue, an Area of Special Local Character, extending southwards from the toe of the railway embankment. The northern boundary is defined by the wooded slopes of the River Frays on the north east boundary and the West Drayton to Colnebrook Railway Line which loops around to the west before heading south.

The wooded slopes help to screen views from the residential properties on and close to, Tavistock Road. Due to the operational use of the site, there are few trees of merit within the flat plateau of the site. Nevertheless, the largely self-set trees and woodland along the site edges, both on-site and off, play an important role in screening / filtering views into the site from local receptors.

None of the trees on, or close to, the site are affected by Tree Preservation Order or conservation Area designation. The whole site is on elevated land which overlooks the Green Belt and a Nature Conservation Site of Metropolitan or Borough Grade 1 Importance to the north and north-west. The land within the Colne Valley, to the north and south of the site, is described in the Hillingdon Landscape Character Assessment under: LCA A3 Mid Colne Floodplain and LCA A4 Lower Colne Floodplain.

Adopted Local Plan, Policy BE1 seeks high quality design of the built and external environment.

· 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.

S106 OFFICER

1. Highway Works: S278/S38 for required Highways Works subject to surrounding network adoption status
2. Construction Training: A financial contribution to the sum of: Training costs: £2500 per £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided. (if applicable in line with the terms set out in the Planning Obligations SPD)
3. Employment Training
4. Air Quality Monitoring: A financial contribution to the sum of £25,000 subject to comments from LBH air quality specialists.
5. Travel Plan: to include £20,000 Bond
6. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions

Note to the planning officer: Please note that to encourage in kind construction training schemes within the Borough the planning officer is expected to seek to promote and facilitate the contact between the applicant/ developer and the LBH Construction Training Team once the development is considered acceptable in principle.

SUSTAINABILITY OFFICER

Ecology Comments

The proposed development is adjacent to a Metropolitan Site of Importance for Nature Conservation. On the site, there are pockets of natural areas that would support the wider SINC. The ecology chapter within the Environmental Statement (ES) reports that approximately 0.25 hectare of 'woody

scrub' will be lost.

I believe the loss to be closer to 0.4 hectares including other isolated pockets. Furthermore, the area of 'woody scrub' referenced in the ES and slated for removal is recommended for retention as woodland within the tree survey report.

Regardless of this, there are a number of mature trees as well as ground scrub to be removed to make way for the development. I do not agree that these areas are of low ecological value simply because they do not hold protected species.

I also do not consider that the onsite landscaping adequately considers the loss of trees and vegetation nor their relationship with the wider SINC. In particular, the loss of vegetation near to the Frays River is a concern. The lost areas need to be considered as part of the mitigation strategy. Unfortunately, there is insufficient room on the site to fully integrate an appropriate amount of mitigation and therefore the development can only be considered to result in a net loss to ecological value and therefore not in compliance with the National Planning Policy Framework. The development certainly does not result in a net improvement.

The only solution to mitigate for the loss of the onsite vegetation and wildlife areas is to amend the design to support the conclusions of the tree report and retain the pocket of vegetation to the north west corner of the site or to provide an offsite contribution as well as providing the minimal onsite measures.

Requirement: As a consequence a sum of £35,000 needs to be paid to the Council to help manage and enhance existing areas of Little Britain SINC.

In addition the following condition is necessary to secure proposals on site as best as can be achieved within the proposals onsite:

Condition

Prior to commencement of development a scheme for the inclusion of measures to promote and support flora and fauna shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the buildings. These shall include bat and bird boxes, habitat walls and a range of plants to encourage and support wildlife. The scheme shall aim to include an area of land dedicated to wildlife habitat. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 (Local Plan) and Policy 7.28 of the London Plan.

Living Walls and Roofs

The development is within an air quality management area and needs to improve opportunities for wildlife. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. The following condition is therefore necessary:

Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans.

Reason

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan and Policy EM1 of the Local Plan.

Water Efficiency

The Council is in a severely water stressed area and is therefore mindful of the additional burdens placed on water consumption by new development. Hotels require significant consumption of water and therefore will place further burden on the diminishing water supplies. The following condition is therefore necessary:

Condition

Prior to the commencement of development a scheme for the reduction in water use including the harvesting and recycling of grey water and rain water, shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing, vehicle washing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

Reason

To ensure the development reduces the pressure on potable water in accordance with Policy 5.15 of the London Plan.

Energy Comments

The energy solution focuses on a large photovoltaic array and predominantly reduces the unregulated energy demand. I have no objections to this approach and support the principle. However, I am concerned that the elevations do not adequately show the inclusion of the PVs on the final roof design. The design provides for a 'wavy' roof and is effectively on an east-west axis. PV panels are normally recommended to be placed at a 30 degree pitch which on the proposed roof could alter the elevations of the 'wave' design to the roof.

The following condition is therefore necessary:

Prior to the commencement of development full specification of the PVs shall be submitted in writing to the Local Planning Authority. The specification shall include the type of PV and full details of the supporting structure required to attach them to the roof. The specifications shall be accompanied by a roof plan and elevations showing the panels on the roof. The specifications and plans shall be accompanied by a statement regarding the performance of the PVs including any conflict within overshadowing or any roof mounted infrastructure.

Reason

To ensure the development delivers the CO2 savings as set out in the energy strategy and in accordance with the London Plan Policy 5.2.

OFFICER COMMENT: Following a response from the applicant to all objections raised the Sustainability Office commented that none of the concerns her raised were addressed in the response.

EPU - AIR QUALITY

It has been brought to my attention that the current use of the site (as per 8th of October 2015 - please see screen shots attached with dates) is different than the baseline considered in the air quality assessment which refers to 2014 conditions which assumed occupation of the site and associated traffic generation. The site is now currently vacant.

Given this information, the air quality assessment has not used suitable traffic data in terms of assessing the air quality impacts of the scheme.

Therefore, the results and associated conclusions of the air quality report submitted to support the planning application are deemed superseded and inappropriate to assess the impact of the proposed scheme on local air quality.

As a result we object to the current planning application for the following reason:

The site is a GLA Focus Area and requires that appropriate and robust information is acquired and used to manage local air quality. Given the sensitivity of the application site in terms of air quality no application can be consented that does not provide a sound basis for proper air quality management procedures.

ACCESS OFFICER

The proposal seeks to develop a new state-of-the-art Materials Recovery and Recycling Facility. The Design & Access Statement states that 2 accessible parking bays would be provided or 5% of total capacity, with an additional space provided for every disabled employee. Whilst the proposed number of parking spaces may fall below the 10% requirement prescribed by Local Plan policy AM15, the provision is considered to be acceptable for the development as proposed.

However, the following informative should be attached to any grant of planning permission:

1. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from 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. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

FLOOD WATER MANAGEMENT OFFICER

Cannon Consulting Engineers have produced a Flood Risk Assessment found in Appendix 9.1

This FRA states that surface water will be controlled to 50% of the brownfield discharge rate, as the site is currently unattenuated. However there is little formal surface water network on the current site that is able to carry flows, as it is blocked or broken and dissused therefore it is considered that the site curenly discharges a very limited amount to the River Frays network. In addition the London Plan is very clear that sites should achieve greenfield run off.

In addition it is unclear how the rest of the site drains to the eastern side, and that water is controlled through the most sustainable option, for example consideration of other SuDs options such as living roofs, other rainwater harvesting facilities. A full management and maintenance plan must also be provided.

OFFICER COMMENT: It is considered that although there are currently problems with the approaches taken in the FRA and a lack of SUDs options, that these issues could be addressed by way of conditions. Nonetheless were the matter to go to appeal officers consider that it would need to be clearly highlighted that the FRA gas serious faults. An informative is proposed in this regard.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF sets out the Core Planning Principles which should underpin both plan-making and decision-taking. This includes proactively driving and supporting sustainable economic development and supporting the transition to a low carbon future, and encouraging the reuse of existing resources. The Government also encourages the effective use of land by

utilising brownfield land.

With regard to delivering sustainable development, paragraph 21 states that investment in business should not be over burdened by the combined requirements of planning policy expectations. In addition, paragraph 22 goes on to state that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

Chapter 4 on promoting sustainable transport states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Paragraph 32 sets out that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The Government's Planning Practice Guidance provides guidance on waste management issues and sets out the circumstances when unallocated sites can be used for waste related development (i.e. sites that are not allocated for that use in a Local Plan document). It states that there may be significant changes in, for example, technological impact and land ownership that occur over a short period of time and provide opportunities that were not anticipated. In the case of waste disposal facilities, applicants should be able to demonstrate that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the Waste Hierarchy. If the proposal is consistent with an up to date Local Plan, there is no need to demonstrate 'need'.

Policy 5.17 of the London Plan relates to waste capacity and states that:

A The Mayor supports the need to increase waste processing capacity in London. He will work with London boroughs and waste authorities to identify opportunities for introducing new waste capacity, including strategically important sites for waste management and treatment, and resource recovery parks/consolidation centres, where recycling, recovery and manufacturing activities can co-locate.

Planning decisions

B Proposals for waste management should be evaluated against the following criteria:

a locational suitability (see LDF preparation paragraphs F and G below)

b proximity to the source of waste

c the nature of activity proposed and its scale

d minimising waste and achieving high reuse and recycling performance

e achieving a positive carbon outcome of waste treatment methods and technologies (including the transportation of waste, recyclates and waste derived products) resulting in greenhouse gas savings. Facilities generating energy from waste will need to meet, or demonstrate that steps are in place to meet, a minimum CO₂eq performance of 400 grams of CO₂eq per kilowatt hour (kwh) of electricity produced. Achieving this performance will ensure that energy generated from waste activities is no more polluting in carbon terms than the energy source it replaces (see paragraph 5.85 below).

f the environmental impact on surrounding areas, particularly noise emissions, odour, air quality and visual impact and impact on water resources

g the full transport and environmental impact of all collection, transfer and disposal movements and, in particular, the scope to maximise the use of rail and water transport using the Blue Ribbon Network.

The following will be supported:

h developments that include a range of complementary waste facilities on a single site

i developments for manufacturing related to recycled waste

j developments that contribute towards renewable energy generation, in particular the use of technologies that produce a renewable gas

- k developments for producing renewable energy from organic/biomass waste.
 - C Wherever possible, opportunities should be taken to provide combined heat and power and combined cooling heat and power.
 - D Developments adjacent to waste management sites should be designed to minimise the potential for disturbance and conflicts of use.
 - E Suitable waste and recycling storage facilities are required in all new developments.
- LDF preparation
- F Boroughs must allocate sufficient land and identify waste management facilities to provide capacity to manage the tonnages of waste apportioned in this Plan. Boroughs may wish to collaborate by pooling their apportionment requirements.
 - G Land to manage borough waste apportionments should be brought forward through:
 - a protecting and facilitating the maximum use of existing waste sites, particularly waste transfer facilities and landfill sites
 - b identifying sites in strategic industrial locations (see Policy 2.17)
 - c identifying sites in locally significant employment areas (see Policy 4.4)
 - d safeguarding wharves (in accordance with policy 7.26) with an existing or future potential for waste management.
 - H If, for any reason, an existing waste management site is lost to non-waste use, an additional compensatory site provision will be required that normally meets the maximum throughput that the site could have achieved.

In terms of local planning policy the site is currently located within a designated Industrial and Business Area (IBA). However, as noted below, the emerging Local Plan Part 2 proposes that this designation is removed and the site is allocated for mixed use development. Policies LE1 and LE2 of the Hillingdon Unitary Development Plan (September 2007), which is now adopted as the Local Plan Part 2, seek to retain land within these areas for B1, B2, B8 and appropriate sui generis uses.

Policy LE1 of the Local Plan Part 2 states that:

All proposals for industry (B2), warehousing (B8) and business (B1) development will be assessed by taking into account other policies of this plan and, where appropriate, the following considerations:-

- (i) whether the proposal conflicts with the local planning Authority's overall objective of securing the development or regeneration of an area;
- (ii) outstanding unimplemented planning permissions, development under construction and vacant floorspace elsewhere in the plan area;
- (iii) the availability and capacity of public transport facilities to serve proposals for employment intensive uses;
- (iv) the ability of the road system, as existing or taking due Account of committed improvements, to accommodate at normal peak hours the additional traffic generated;
- (v) whether any proposal for major development will create unacceptable demands for other land to be developed (for example, to provide for new housing or community facilities);
- (vi) the provision for access by people with disabilities and other accessible facilities both to and within buildings.

Policy LE2 requires that IBAs are designated for Business, Industrial and Warehousing purposes (Use Classes B1 - B8) and for Sui Generis uses appropriate in the an industrial area. The proposed uses fall within Use Classes B2 - B8. As such the proposals are considered to comply with Policy LE2.

While certain types of waste management facility may be considered appropriate within an

IBA, it should be noted that the London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames have prepared the draft West London Waste Plan (WLWP). The Plan has now been adopted and provides an up-to-date policy framework to assess planning applications for waste management facilities. Principally, it identifies sufficient sites for waste management facilities to satisfy the waste apportionment targets established in the London Plan. The site allocations are supplemented by development management policies.

The Old Coal Yard site is not identified as a site to ensure sufficient waste management provision over the period of the plan.

The Inspector in his findings in the Report On The Examination Into The West London Waste Plan in reference to the Tavistock Old Coal Depot Site states the following:

"The Tavistock Road site is a former coal depot site, with rail siding, towards the western fringe of the Plan area. The site is designated as local employment land and has an area stated to be 8.96 ha. Planning permission for a materials recovery and recycling facility and Civic Amenities Site with an annual throughput of 950,000 tonnes of waste was refused in March 2014. The proposal was said to broadly comply with the London Plan. At the time of the examination hearings plans for a smaller scheme (450,000 tonnes) were in preparation.

Opposition to the proposed allocation by the local residents' group and others has been well articulated. Nevertheless, there are points in favour of the site. In the Potential Sites Assessment report (EB65), a high score is awarded in recognition of the separation of the site from residential areas. It is also recorded that the site is large enough for co-location and that the development of a homogeneous structure could lead to an improvement in appearance, noise and dust impacts.

At the examination hearings, I was told that the designation as local employment land was to be removed. No information was forthcoming on proposed uses notwithstanding the size and value of the site. I do not necessarily see the removal of the designation as an impediment to waste development. Indeed, Planning Practice Guidance on waste (Paragraph 018) states that, as reviews of employment land are undertaken, it is important to build in the needs of waste management before releasing land for other development.

On the other hand, Planning Practice Guidance points to the suitability of local transport infrastructure as one of the factors likely to drive the identification of suitable sites and areas (Paragraph 037). In this regard, I saw that the access to the site, at its junction with Tavistock Road, is totally inadequate. In addition, heavy goods vehicles accessing the site would have to pass through areas and along highways that are unsuited to the volumes likely to be associated with a major waste use.

I appreciate that the site is and has the potential to be a major traffic generator in any event. However, I was told that there are no proposals to improve the access. In addition, I am concerned that the nature of the traffic would be damaging to the environment and local communities. In the circumstances, allocation of the site would not be appropriate. I consider that the sites selection exercise was satisfactory. Sites suitable in nature, size, number and distribution to meet the on-going needs of the Plan area have been identified and allocated. The West London Waste Plan is sound without the inclusion of any other sites."

Policy EM11 of Local Plan Part 1 (Strategic Policies) states that The Council will aim to reduce the amount of waste produced in the Borough and work in conjunction with its partners in West London, to identify and allocate suitable new sites for waste management facilities within the West London Waste Plan to provide sufficient capacity to meet the apportionment requirements of the London Plan, which is 294 thousand tonnes per annum for Hillingdon by 2026.

Hillingdon's emerging Local Plan Part 2 consists of the Development Management Policies, Site Allocations and Designations and Policies Map. The Proposed Submission Versions of these documents were issued for public comment for a 6 week period during September and November 2014. In response to the comments received, the Council decided to undertake further consultation on proposed changes. Revised Proposed Submission versions of the Local Plan Part 2 documents identifying proposed changes were issued for a second round of consultation in November 2015.

The Revised Proposed Submission version of the Site Allocations and Designations document identifies the Old Coal Yard site for a mix residential and B1 uses, including SME workshops. Given that the proposed allocation has been subject to objections at the pre-submission stage, officers consider that it will have limited weight until it has been tested through the public examination process.

With regards to weighting that should be given to the various policy documents outlined it is considered that the recently adopted West London Waste Plan WLWP (July 2015) relates directly to the proposals and should be given substantial weighting as part of the decision making process. Overall the proposal is considered unacceptable in principle.

7.02 Density of the proposed development

This is not applicable to this type of development.

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

The proposal site does not lie in an archaeological priority area, Conservation Area, does not contain any listed buildings and is not in an area of special local character.

7.04 Airport safeguarding

Both NERL and Heathrow Airport Safeguarding have been consulted and raised no Safeguarding concerns. No airport safeguarding issues arise from the proposed development.

7.05 Impact on the green belt

Policy BE36 states that areas sensitive to high buildings or structures will only be permitted if they will not mar the skyline, intrude unacceptably into important local views or interfere with aviation or navigation. The site is adjacent to areas to the east, west and north which are considered sensitive to high buildings. Policy OL5 states that development adjacent or conspicuous from the Green Belt will only be permitted if it would not injure the visual amenities of the Green Belt, by reason of siting, materials, design, traffic or activities generated. This is reflected in the NPPF, which advises that the visual amenities of the Green Belt should not be injured by development conspicuous from it of a kind that might be visually detrimental by reason of siting, materials or design.

The site is not located within the green belt. However the majority of the northern boundary is bound by a railway line which is a buffer to Green Belt Land immediately to the north of the site. Land to the north of the site is Green Belt. Green Belt is predominantly open land around built-up areas which has the strategic role of defining the edge of London, limiting urban sprawl, preventing neighbouring towns from merging into one another, safeguarding open countryside from development, assisting in urban regeneration and providing areas

for open recreational activity.

The site is quite discretely located at the western end of Tavistock Road. It contains a number of what appears to be temporary storage and industrial uses and has an unkept and untidy appearance. It was not developed until the 20th century and comprises made up ground, as the site level was raised by approximately 4m in the 1930s.

The site is bounded by railway tracks to the north, west and south and a wooded area and the Fray's River to the east. Beyond the railway, to the north and west are areas of open space designated as Green Belt and the Garden City, West Drayton Area of Special Local Character (ASLC) lies to the south.

Whilst the development would include one very large new structure, together with smaller buildings and a parking area, it would generally represent an improvement in the overall appearance to the site. The large building would, however, be visible in some views from the Area of Special Local Character, the housing area to the North West and also from the Green Belt. At present a landscaping scheme is proposed for the southern boundary, which should provide additional screening to the ASLC, but further consideration should be given to the planting and bunding on the other site boundaries. In particular, consideration should be given to the creation of an area of "buffer" planting outside of the new boundary walls, to allow planting to soften their appearance- the walls are proposed to be between 4-6m in height. At present views of the site are filtered by off site trees and vegetation that cannot be controlled as part of this application and hence their presence cannot be guaranteed long term.

Overall, it is considered that the scheme adequately protects the environment in terms of the landscape and Green Belt subject to some further details of boundary planting. It is considered that a mitigation scheme could be secured by way of an appropriately worded condition sufficient to mitigate any potential harm to the Green Belt. On balance, the proposal therefore complies with Policies BE26, BE38, PR23 and OL5 of the Local Plan.

7.07 Impact on the character & appearance of the area

Policies BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks 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.

The proposed buildings would be set within the site and not visible from the street. It must be remembered that this is an industrial site. The site is bounded by railway tracks to the north, west and south and a wooded area and the Fray's River to the east.

Beyond the railway, to the north and west are areas of open space designated as Green Belt and the Garden City, West Drayton Area of Special Local Character (ASLC) lies to the south. Whilst there are three listed buildings to the east and south east of the site and also the West Drayton Green Conservation Area, it is considered that none of these Historic Assets will be affected by the development. The Archaeological Report attached to the application confirms the above and that the likelihood for archaeological finds is low. It also advises that the impact of the new development on the archaeology of the site would be limited to within the depth of the made up ground.

Whilst the development would include one very large new structure, together with smaller buildings and a parking area, it would generally represent an improvement in the overall appearance to the site. The large building would, however, be visible in some views from the Area of Special Local Character, the housing area to the North West and also from the Green Belt.

At present a landscaping scheme is proposed for the southern boundary, which should provide additional screening to the ASLC, but further consideration should be given to the planting and bunding on the other site boundaries. In particular, consideration should be given to the creation of an area of "buffer" planting outside of the new boundary walls, to allow planting to soften their appearance- the walls are proposed to be between 4-6m in height. At present views of the site are filtered by off site trees and vegetation that cannot be controlled as part of this application and hence their presence cannot be guaranteed long term. This could be secured by condition should the application be approved.

Overall, it is considered that the proposed development would have an acceptable appearance within the area, and having regard to the benefits and location within a Industrial Business Area adjacent to a railway of the proposal the scale of the development is justified and appropriate.

7.08 Impact on neighbours

Policies BE20 and BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to prevent developments which would be detrimental to the amenity of nearby occupiers by way of their siting, bulk, proximity or loss of light.

There are no residential properties that directly abut the site. The nearest residential properties are in Tavistock Road, some 60m away from the proposed Civic Amenity section of the site. The closest properties to the Waste Recycling Facility are some 75m away. Properties to the South of the site, on the other side of the Great West Mainline railway are some 100m away from the site. The development would be separated from residential properties by a railway on both sides. This separation is considered adequate to ensure the development does not have adverse impacts on the amenity of residential occupiers in respect of dominance or loss of light.

Policy BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that new developments do not have adverse impacts on the amenity of existing residential properties due to loss of privacy.

The proposed Waste Material & Recycling & Recovery Facility building would be between 70m (to the north) and 110m (to the south) from the nearest residential dwellings and would be separated by a railway line in both instances. This is sufficient to ensure no harm to the residential occupiers by loss of privacy. Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Accordingly, the proposal would comply with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

Issues relating to air quality and noise (for example noise generated by activities occurring at the site (inside or outside buildings) are dealt with elsewhere in this report.

7.09 Living conditions for future occupiers

This is not applicable to this type of development.

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.

London Plan (July 2011) policy 5.17 states that proposals for waste management should be evaluated against the full traffic impact of all collection, transfer and disposal movements. Policy 6.3 notes that Development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. It also requires that development should not adversely affect safety on the transport network.

Local Plan requirements in relation to impacts on traffic demand, safety and congestion are set out in Local Plan Part 2 policy AM7 which states that 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 applicant has submitted a Transport Assessment (TA) dated December 2015. The Council's Highways Engineer has reviewed the TA and raised a number of fundamental highways and traffic issues, which are reported in full within the internal consultee section of this report (section 6).

The site is currently vacant save for a small area of land within the site that is currently subject of an Enforcement Appeal. It is not considered that the application demonstrates that the scheme would not cause unacceptable highway impacts. It should be remembered that most of the waste (330,000 tonnes) would be transported by road, no doubt by heavy goods vehicles, which would have the potential to radically disrupt the local highway network. There is an objection to the scheme in terms of traffic impacts.

7.11 Urban design, access and security

It is not considered that the development of the site would directly result in any security issues, safety concerns, or anti-social behaviour. Any of these issues resulting from the proposed use would be controlled and dealt with under legislation outside of planning controls.

Urban design and access are dealt with in other sections of this report.

7.12 Disabled access

The proposal seeks to develop a new state-of-the-art Materials Recovery and Recycling Facility. The Design & Access Statement states that 2 accessible parking bays would be provided or 5% of total capacity, with an additional space provided for every disabled employee. Whilst the proposed number of parking spaces may fall below the 10% requirement prescribed by Local Plan policy AM15, the provision is considered to be acceptable in terms of disabled access for the development as proposed.

Overall, the Access Officer is satisfied with the level of facilities provided and as such the scheme is considered to accord with Policies 3.4 and 7.2 of the London Plan July 2011, the Hillingdon Design and Access Statement (HDAS) Accessible Hillingdon and Policy AM15 of the UDP.

7.13 Provision of affordable & special needs housing

This is not applicable to this type of application.

7.14 Trees, landscaping and Ecology

TREES/LANDSCAPING

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The Council's Trees and Landscape Officer has made the following recommendations:

- i) Prior to development a management plan to eradicate the Japanese Knotweed should be prepared and put into action, in accordance with a methodology approved by the Environment Agency.
- ii) The colour and materials used for the cladding of the building, the roof and all ancillary structures should be selected to be as recessive as possible, in order to reduce the apparent bulk and visual impact on the landscape.
- iii) The selection of plants for inclusion in this scheme should be reviewed and amended in the interests of plant health and bio-security. In particular a Ash should not be planted. A suitable substitute is required.
- iv) A belt of tree planting or native woodland should extend around the west boundary to provide some screening from the Green Belt.
- v) If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

It is considered that if the scheme was to be approved these matters could all be dealt with by way of appropriately worded conditions. As such no objection is raised in this regard.

ECOLOGY

The proposed development is adjacent to a Metropolitan Site of Importance for Nature Conservation. On the site, there are pockets of natural areas that would support the wider SINC. The ecology chapter within the ES reports that approximately 0.25 hectare of woodland and vegetation will be lost.

The Council's Sustainability officer has calculated the loss to be close to 0.4hectares (mainly a triangular area of land to the north west of the site. Regardless of this, there are a number of mature trees as well as ground scrub to be removed to make way for the development.

The Council's Sustainability Officer has raised concern that the onsite landscaping adequately considers the loss of trees and vegetation nor their relationship with the wider SINC. In particular, the loss of vegetation near to the Frays River is a concern. The lost areas need to be considered as part of the mitigation strategy. There is however insufficient room on the site to fully integrate a sufficient amount of mitigation. The proposed offer by the applicant is therefore inadequate. The only solution to mitigate for the loss of the onsite vegetation and wildlife areas is to provide an offsite contribution as well as providing the minimal onsite measures.

As a consequence a financial contribution to the sum of £30,000 would need to be secured to enable the Council to help manage and enhance existing areas of Little Britain SINC. An ecological enhancement scheme is also required. This could be secured by condition

should the application be approved.

7.15 Sustainable waste management

As discussed in the principle section above, this proposal is considered to accord with policy EM11 in Part One of the Hillingdon Local Plan. It entails the reduction of waste going to landfill by the treatment processes involved and will help the borough and its West London Waste Plan colleagues meet the London Plan policies regarding waste self-sufficiency and increasing waste management capacity in London.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (March 2015) requires development proposals to make the fullest contribution possible to reducing carbon emissions. Major development schemes must be accompanied by an energy assessment to demonstrate how a 25% target reduction in carbon dioxide emissions will be achieved, where feasible.

In accordance with this policy the applicant has submitted an Energy Statement and a Sustainability Checklist to demonstrate how the London Plan objectives will be met. In addition to energy efficient building measures, photovoltaic panels would be provided to provide a portion of the site's energy needs through the use of a renewable energy. These measures would achieve a 26% reduction in carbon dioxide emissions above Part L of the Building Regulations in compliance with London Plan requirements. The applicant is also to include the capture of waste heat as requested by the GLA.

The energy solution focuses on a large photovoltaic array and predominantly reduces the unregulated energy demand. The council's Sustainability Officer has raised no objections to this approach and supports the principle. The development must proceed in accordance with the submitted 'Sustainable Energy Statement, Silcock Dawson and Partners, V1.2, April 2013'. This could be secured by condition.

London Plan policy 5.11 states that major development proposals should provide green roofs. The development is within an air quality management area and needs to improve opportunities for wildlife. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. Whilst the development does not propose any living walls or green roofs it is considered that this could be achieved by way of an appropriately worded condition.

Subject to the imposition of relevant conditions on any consent, the proposed scheme is considered to comply with relevant London Plan policies, and the Council's Sustainability Officer does not raise any objections to the proposal, subject to the scheme being carried out in accordance with the submitted energy statement and details of living walls/roofs being submitted.

7.17 Flooding or Drainage Issues

A very small area of the site access road, (effectively the area covered by level crossing over the railway) lies within flood zones 2 and 3. No other part of the site is within a flood zone. It is noted that Network Rail have raised a question in relation to drainage affecting the railway line.

A Flood Risk Assessment was submitted with the application. This was assessed by the Council's Flood Water Management officer who has raised concerns in relation to surface water drainage, particularly that the scheme does not achieve greenfield run off rate in line with London Plan policy.

As such no objection has been raised in relation to flood risk subject to a sustainable urban

drainage, water management and maintenance plan condition. The application is therefore considered to be acceptable in this regard.

7.18 Noise or Air Quality Issues

AIR QUALITY

The main problem with the air quality stems from the inadequacy of the transport assessment (TA). Comments from the Highways Officer detail the main faults with the TA.

The main issue is the the applicant's position that the the baseline situation in relation to the site is can be lawfully used for a suite of industrial uses and the baseline is the site operating at capacity with such uses. Officer's maintain that this is incorrect. The site has in fact been almost entirely vacant since October 2015. To this end the baseline is considered to be that of a vacant site meaning that any vehicle movements and traffic generated by the proposed development would, by definition, result in an increase in traffic and would have an Air Quality impact in this already sensitise area.

With respect to the above, it is not possible to make an informed decision on the air quality impacts from the proposed development. Given the significantly poor air quality presented by the applicant in this area, it is necessary to determine the impacts prior to determination. If the improvements in air quality are not as they have been presented, then the development may need to be altered to be viable.

The applicant needs to refine the transport assessment using more sufficiently robust and accurate data. In particular, greater clarity and assessment of the amount of HGVs including the presumed impact of the rail. HGVs are considerably more polluting than light vehicles and need to be given appropriate attention in the assessment.

An improved TA will then need to inform a more suitable air quality assessment that accurately reflects the existing situation and adequately qualifies the current air quality problems. The applicant will then need to tailor mitigation, changes to operation and throughput of waste to reflect the impacts on air quality. As the applicant has not been forthcoming with an amended Transport Assessment an objection is raised in this regard.

NOISE

In order to reduce the adverse noise and vibration impacts at the closest residential properties close to the vicinity of the site, the following measures form part of the proposed scheme:

i) The structural steel frame of the building will have no rigid structural connections to the internal plant. This will reduce the vibrational energy transferred to the structure and thus reduce any noise re-radiated by the cladding. Where structural support of the plant is provided by the concrete push wall, the connection will be made using anti-vibration pads if this is anticipated to provide a benefit in terms of noise impact.

ii) A 4 m high acoustic barrier in addition to that proposed in the scheme may be provided between the freight siding and the Lafage site. This will reduce noise impact on properties to the south of the development site from activity relating to the freight train.

iii) An extension of the 4 m high acoustic barrier which is located along the western site boundary, and an additional 6 m high acoustic barrier may be erected along part of the northern boundary as appropriate. This will reduce predicted noise levels at properties to the north and north-east of the site due to yard activity and the opening of the C&D building

when doors are opened to permit access.

It is considered that the proposed measures would likely mitigate any noise and vibration resulting from HGV deliveries, internal loading/unloading and processing of recycling materials. The Council's Noise Officer has reviewed the application. No objections have been raised in this regard. Conditions have been recommended by the EPU Noise Officer in the event that application is approved limiting future noise levels and requiring further details of noise and vibration mitigation measures particularly for all external works, including the loading and unloading of trains and the external recycling works including the concrete crushing and timber shredding.

7.19 Comments on Public Consultations

All the issues raised have been taken into account in the assessment of the proposals and are reflected in the reasons for refusal or this report itself. The concerns raised by residents, politicians, local groups and local businesses into a number of categories. These are Highways concerns (including traffic congestion and safety of road users and pedestrians), health concerns stemming from the perceived pollution impacts of the scheme, noise issues and suitability for the site for a Waste Recycling Facility. These concerns have been taken into account, particularly in the Principle of Development section of the report, the Traffic Impact section, Impact on Neighbours and Noise or Air Quality Issues sections as well as throughout the remainder of the report.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These saved UDP policies are supported by more specific supplementary planning guidance.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees, including the Greater London Authority and Transport for London. The comments received indicate the need for the following contributions or planning obligations to mitigate the impacts of the development:

1. Highways: either a s278 and or s38 agreement may be required to address any and all highways matters arising from the proposal.
2. Environmental mitigation: depending upon further comments received there may be the need for environmental mitigation measures in the form of a financial contribution or delivery of measures this will be dependent upon comments received from EPU, sustainability and ecology.
3. Air Quality: in line with the SPD and given the location of the proposal it is likely that EPU will seek a contribution towards air quality mitigation. Please liaise with EPU in the first instance.
4. In the event that a s106 agreement is entered into then a financial contribution equal to 5% of the total cash contributions should be secured to enable the management and monitoring of the resulting agreement.

Overall, it is considered that the level of planning benefits sought would be adequate and commensurate with the scale and nature of the proposed development. However 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).

7.21 Expediency of enforcement action

There is a current Enforcement Appeal relating to a small area of the site.

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

circumstances.

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

9. Observations of the Director of Finance

10. CONCLUSION

The proposed scheme does not accord with relevant National, Regional and local Plan Policies. Whilst it is generally acceptable in terms of appearance, impact on the visual character of the area and disabled access provisions, it fails to demonstrate that the development would be acceptable in terms of highway and transport impacts as well as air quality.

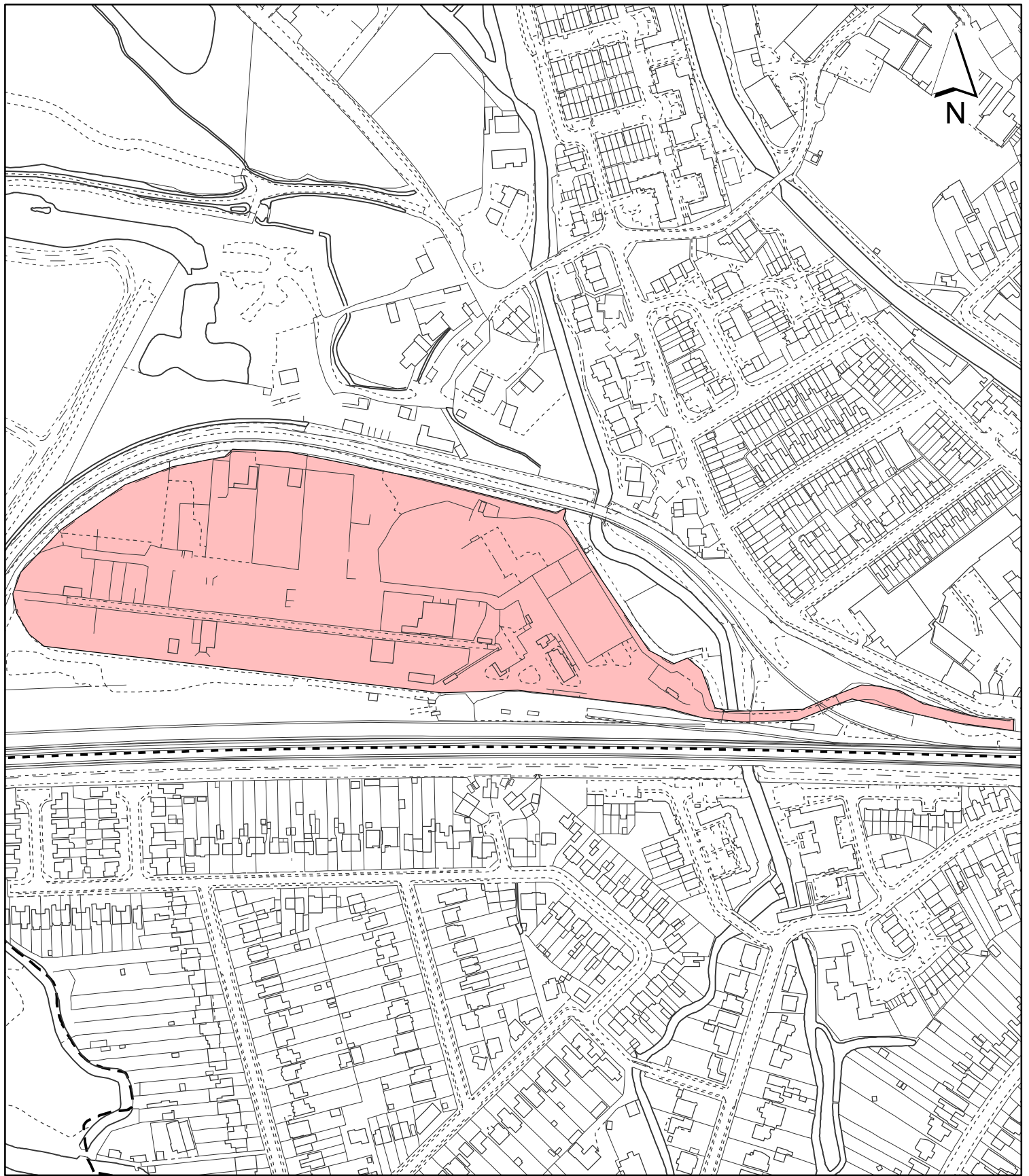
The application is therefore contrary to policies LE1, AM7, AM11 and R17 of the Local Plan Part 2 and policies 2.6, 4.1, 4.12, 6.2, 6.3, 6.4, 6.7, 7.1 and 7.14 of the London Plan (March 2015) and paragraph 32 of the NPPF, and is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2015)
West London Waste Plan July 2015
National Planning Policy Framework
National Planning Policy Guidance
PPS10: Planning for Sustainable Waste Management
Draft West London Waste Plan
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations
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
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 Planning Section

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 Telephone No.: Uxbridge 250111

Planning Application Ref:

18736/APP/2015/4457

Scale:

1:3,500

Planning Committee:

Major

Date:

June 2016



HILLINGDON
 LONDON