

Item No.3 Report of the Corporate Director of Planning & Community Services

Address UNIT B, PROLOGIS PARK STOCKLEY ROAD WEST DRAYTON

Development: RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) OF UNIT B (EMPLOYMENT COMPONENT) IN COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION REF.18399/APP/2005/3415 DATED 27/01/2006: VARIATION OF CONDITIONS (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF. 18399/APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT USES AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

LBH Ref Nos: 18399/APP/2009/423

Drawing Nos: 30017-PL-002 (Unit B - Existing Site Plan)
30117-PL-001 (Site Location Plan)
30117-PL-003 (Unit B Existing Ground Floor Plan)
30117-PL-004 (Unit B Existing Elevations)
30017-PL-005A (Unit B Proposed Site Plan)
30117-PL-006 (Unit B Proposed Ground Floor Plan)
30117-PL-007 (Unit B Proposed Elevations)
30017-PL-008 (Unit B Proposed Boundary Fencing)

Date Plans Received: 03/03/2009 **Date(s) of Amendment(s):** 03/03/2009

Date Application Valid: 09/03/2009 11/03/2009

1. SUMMARY

The application seeks approval of alternative reserved matters for the siting, design, external appearance and landscaping of unit B in relation to outline planning permission 18399/APP/2005/3415.

The current application seeks approval for various alterations to aspects of the scheme previously approved. These include:

- the extension of the service yard by approximately 5,000m²;
- alterations to the design of the northern elevation; and
- replacement of chain link fencing with palisade fencing including new gates to the car park area.

The reason given by the applicant for the amendments is to meet the individual requirements of a prospective occupier in order to ensure the tenancy of the unit and secure the associated employment opportunities.

The proposed alterations would still result in a development with an appropriate impact on the character and appearance of the area and in relation to the neighbouring green belt.

The landscaping of the site would remain satisfactory, as would the highways impacts. The residential amenity of nearby occupiers would not be compromised.

Subject to appropriate conditions the development would have no detrimental impacts in relation to flood risk or water quality.

Approval is recommended, subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 NONSC Materials

All external surfaces of the development shall be constructed of the materials, colours and finishes approved under application 18399/APP/2006/3111 dated 12/03/2007. Unless otherwise approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the London Borough of Hillingdon Saved Policies Unitary Development Plan (September 2007).

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Boundary Treatments

The boundary treatments on site shall be completed in strict accordance with the details shown on drawing 30017-PL-008 prior to the occupation of the industrial unit hereby approved.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the London Borough of Hillingdon Saved Policies Unitary Development Plan (September 2007).

5 MCD10 Refuse and Recycling Facilities

No development shall take place until details of facilities to be provided for the secure, screened storage of refuse and recycling at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details

and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area and provide adequate storage for waste and recycling, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4A.21 and 4B.1.

6 NONSC Cycle Parking

Cycle parking shall be provided on site in accordance with the details approved under application 18399/APP/2006/547 dated 12/07/2006. The cycle parking shall be erected prior to the occupation of the unit hereby approved and thereafter be retained on site.

REASON

To ensure that adequate facilities are provided for cyclists in accordance with policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 NONSC Access to building entrances

Accesses to the building entrances shall be constructed in accordance with the details approved under application 183399/APP/2007/814 dated 05/06/2007.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with policy AM13 of the Hillingdon Unitary Development Plan.

8 NONSC Berry Bearing Bushes

The berry bearing species for the landscaping of the site shall be no more than 25% of the total species on site and shall be spread throughout the planting palette rather than in concentrated areas. Details are to be submitted to and approved in writing by the Local Planning Authority.

REASON

To reduce the bird strike risk posed by winter thrushes and starlings in order to ensure compliance with policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 NONSC Wheel Washing

Prior to the commencement of development, plant equipment for the cleaning of construction vehicle wheels shall be installed in accordance with the details approved under application 18399/APP/2006/3002 dated 30/11/2006. The equipment shall be retained during the period over which the development takes place, and used by all vehicles that leave the site.

REASON

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

10 NONSC Security Measures

Prior to the occupation of the unit hereby approved external lighting within the site shall be implemented in accordance with the details approved under application 18399/APP/2007/108 dated 06/06/2007.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

11 NONSC Noise Mitigations

The development hereby approved shall not be implemented until all noise mitigation measures approved under application 18399/APP/2007/106 dated 27/02/2007 have been implemented. Thereafter these measures shall be retained and maintained in good working order for so long as the site remains in use.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 H10 Parking/Turning/Loading Arrangements - Commercial Devs.

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

13 NONSC Bird Management Plan

The bird management plan approved under application 18399/APP/2007/27 dated 06/06/2007 shall be implemented in relation to the unit hereby approved and maintained in perpetuity.

REASON

To avoid endangering the safe operation of aircraft through the attraction of birds in order to ensure compliance with policy A6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 NONSC Non Standard Condition

Development shall not begin until a surface water drainage scheme for the 'extended service yard', including details of the surfacing material and based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to occupation of the development.

In relation to this condition the 'extended service yard' will be taken to mean the area of Extended concrete service yard demonstrated on drawing 30017-PL-005A which is located outside the boundary of the Concrete Service Yard demonstrated by drawing 30017-PL-002.

REASON

To prevent increased risk of flooding; to improve and protect water quality; and to ensure an appropriate appearance of the service yard in compliance with policies 4A.13, 4A.14 and 4A.17 of the London Plan and policies OE7, OE8, BE13 and BE25 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 **Compulsory Informative (1)**

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

2 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL5	Development proposals adjacent to the Green Belt
OL26	Protection and enhancement of trees, woodland and landscape features
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and

	capacity considerations
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM3	Proposals for new roads or widening of existing roads
AM5	Land safeguarded for road proposals of the Department of Transport and the Traffic Director for London
AM6	Measures to discourage the use of Local Distributor and Access Roads by through traffic
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
AM10	Incorporation in new developments of additions to the proposed cycle network
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
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.
AM15	Provision of reserved parking spaces for disabled persons
LPP 4A.21	Waste strategic policy and targets

3

The plans and conditions attached to this planning permission relate only to the consideration of the development falling within the submitted red site outline for this application (Drawing 30117-PL-001). You are advised that the previous reserved matters approval ref: 18399/APP/2006/547 dated 23/02/2006 has been implemented through the erection of unit E and associated works, compliance with the conditions and approved plans of that planning permission must be ensured for all relevant areas which fall outside of the red site outline for this application.

This includes, but is not limited to, matters concerning the site layout, built form, materials, boundary treatments, ground levels, refuse storage, cycle storage, landscaping, security, noise mitigation and bird management.

4

For the avoidance of doubt, condition 10 requires the implementation, maintenance and retention of all noise mitigation measures approved under application 18399/APP/2007/106. This includes measures which lie outside of the current application site, but that are contained within the boundary of the industrial development

approved under outline planning permission 18399/APP/2004/2284 dated 23/02/2006.

5

Any method statement in relation to condition 14 must ensure that flat/shallow pitched roofs be constructed to allow easy 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 during the breeding season. Outside 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 Airfield Operations staff. 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 hold the appropriate licences before the removal of nests or eggs.

6 13 **Building Regulations - Demolition and Building Works**

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

7 115 **Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays or Bank Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

8 11 **Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved

drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

9 I12 **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

10 I19 **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE. Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

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

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

12 I46 **Renewable Resources**

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

13 I51 **Notification of Commencement of Works**

Written notification of the intended start of works shall be sent to Planning & Community Services, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW at least seven days before the works hereby approved are commenced.

14 I47 **Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

15 I43 **Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or

adequately clear it away could result in action being taken under the Highways Act.

3. CONSIDERATIONS

3.1 Site and Locality

The site has an area of 1.65 hectares and is located adjacent to the Stockley Park employment area, 1.8km west of Hayes Town Centre and 0.8km north of the M4. Heathrow airport is approximately 2.8km to the south.

The site is part of land which was in agricultural use until the late 1930's when it was developed by the Ministry of Defence (MoD) as a munitions factory during the Second World War. During the 1950's the site was converted for use as a file repository and contained a range of warehouse and office accommodation.

The construction of Unit B has been implemented on site in accordance with the details approved under reserved matters application 18399/APP/2006/547. Units A, E, F and the main access routes into the site from Stockley Road and Bourne Avenue have also been implemented in accordance with the relevant reserved matters approvals. The northern part of the site remains cleared awaiting future development.

The area surrounding the site is mixed in character. To the south and east is the residential area of Hayes. The site is bounded to the west by the Heathrow Express rail link, which separates it from the neighbouring Green Belt. To the east of the site unit E of the commercial development separates the site from the housing component of the former Ministry of Defence site, which was approved and provided for 101 residential units including affordable housing. Beyond this lies the Bourne Farm Playing Fields and other open Green Belt land.

3.2 Proposed Scheme

The application seeks approval of reserved matters for the siting, design, external appearance and landscaping of unit B (employment component) in compliance with condition 3 of planning permission Ref: 18399/APP/2005/3415.

Reserved matters in relation to the siting, design, external appearance and landscaping of unit B have previously been approved under planning permission 18399/APP/2006/547. The unit has been erected on site in accordance with the details approved under this permission.

The current application seeks approval for various alterations to aspects of the scheme previously approved. These include:

- the extension of the service yard by approximately 5,000m²;
- alterations to the design of the northern elevation (to change vehicular loading bays and fire escape arrangements); and
- replacement of chain link fencing with palisade fencing including new gates to the car park area.

The siting, bulk, massing and scale (maximum of 13 metres in height) remain identical to the details previously approved under application 18399/APP/2006/547. The proposed floor area of 6,874m², 877m² of which is ancillary office space, remains unchanged from the previous approval.

Decision: 03-11-2006 Approved

18399/APP/2006/547 Former M O D Records Office Stockley Road West Drayton

Reserved matters (details of siting, design, external appearance and landscaping) of Units B, E and F (employment component) in compliance with condition 3 of planning permission ref.18399/APP/ 2005/3415 dated 27/01/2006: Variation of conditions 2,3,7,8,10,11,13, 20,21,22,26,29 and 30 (to allow separate phased submissions of details relating to residential and employment components of the development) of outline planning permission ref. 18399/APP/2004/2284 dated 19/08/2005: Redevelopment of the site for a mixed use development comprising Use Classes B1(a) and (c), B2 and B8 employment uses and C3 residential use (up to a maximum of 101 units) with associated access, parking and landscaping.

Decision: 12-07-2006 Approved

18399/APP/2007/2724 Former M O D Records Office Stockley Road West Drayton

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) OF UNITS C AND D (EMPLOYMENT COMPONENT) IN COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION REF.18399/APP/2005/3415 DATED 27/01/2006: VARIATION OF CONDITIONS (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF.18399/ APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

Decision: 17-12-2007 Approved

18399/APP/2007/2725 Former M O D Records Office Stockley Road West Drayton

RESERVED MATTERS (DETAILS OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING) OF UNITS C, D AND G (EMPLOYMENT COMPONENT) IN COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION REF.18399/APP/2005/3415 DATED 27/01/2006: VARIATION OF CONDITIONS (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF. 18399/APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT USES AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

Decision: 17-12-2007 Approved

Comment on Relevant Planning History

None

4. Planning Policies and Standards

No additional comments.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.6 To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.26 To encourage economic and urban regeneration in the Hayes/West Drayton Corridor, designated Industrial and Business Areas (IBA's) and other appropriate locations.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.32 To encourage development for uses other than those providing local services to locate in places which are accessible by public transport.
- PT1.33 To promote the construction of new roads or the widening of existing roads only where they would: improve safety; promote pedestrian movement, cycling or public transport, or the improvement of the environment; reduce local congestion in a cost effective way; or are required to accommodate traffic likely to be generated by new development.
- PT1.34 To maintain the road hierarchy set out in this Plan and accordingly seek to segregate different types of traffic by the function of the various tiers of the hierarchy through traffic management schemes, road signing and planning control over development and redevelopment schemes.
- PT1.35 To accord priority to pedestrians in the design and implementation of road construction and traffic management schemes, and to seek to provide a network or cycle routes through the Borough to promote safer cycling and better conditions for cyclists.
- PT1.36 In consultation with public transport operators to improve facilities at bus and rail interchanges and in consultation with LT and bus operators to promote traffic management measures which give priority to buses.
- PT1.38 To seek a reduction in road accident casualties through highway improvements including traffic calming and the design of new highway schemes.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- OL5 Development proposals adjacent to the Green Belt
- OL26 Protection and enhancement of trees, woodland and landscape features
- EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves
- EC2 Nature conservation considerations and ecological assessments

EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM3	Proposals for new roads or widening of existing roads
AM5	Land safeguarded for road proposals of the Department of Transport and the Traffic Director for London
AM6	Measures to discourage the use of Local Distributor and Access Roads by through traffic
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
AM10	Incorporation in new developments of additions to the proposed cycle network
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
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.
- AM15 Provision of reserved parking spaces for disabled persons
- LPP 4A.21 Waste strategic policy and targets

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **10th April 2009**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

NEIGHBOUR CONSULTATION

The application was advertised as a major development, 201 neighboring owner/occupiers were consulted, a press advert issued and a site notice posted. No comments have been received in relation to the public consultation on this application.

NETWORK RAIL

No objection to the proposal.

CROSSRAIL

The implications of the Crossrail proposals for this development have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.

ENVIRONMENT AGENCY

No objection subject to the imposition of a condition regarding surface water and sustainable drainage.

NATURAL ENGLAND

No objection.

Internal Consultees

TREES AND LANDSCAPE

No objection, subject to an informative advising the applicant of the need to comply with the conditions and landscaping of the other implemented reserved matters approvals within the larger industrial site.

ENVIRONMENTAL PROTECTION UNIT

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the development has been established under outline planning permission (Ref:18399/APP/2004/2284) granted on 19 August 2005 and the reserved matter subsequently approved under planning permission 18399/APP/2006/547.

Accordingly, there is no objection to the principle of the proposal.

7.02 Density of the proposed development

The application seeks reserved matters approval for the siting, design external appearance and landscaping of an industrial unit. Density is not therefore considered to be a relevant consideration.

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

The site does not lie within a conservation area or area of special local character. Nor is the site located in the vicinity of a listed building.

Archaeological implications of the entire development were considered under the outline application and conditions 24 and 26 of the outline approval (18399/APP/2004/2284) ensure that archaeological work must be undertaken before development work occurs on new parts of the site.

7.04 Airport safeguarding

The height of the proposed building remains identical to that existing on site. At 13m the height of the proposal does not contravene airport safeguarding criteria.

Despite the height of the proposal not being sufficient to warrant consultation with BAA or NATS, conditions requiring the submission and approval of a bird management plan and restricting the number of berry bearing bushes have previously been imposed for all units within the site. It is considered that to ensure the continued effectiveness of these measures across the site these conditions must also be imposed on the proposed unit, accordingly they are included within the recommendation.

7.05 Impact on the green belt

Initial consideration of the impact of the development on the Green Belt was made at the outline planning stage. The development was considered to have a greater visual impact on the Green Belt than the previous 1-2 storey buildings, however, it was determined that sufficient area was available to screen and soften the impact of any new built form.

Unit B will be well screened from the adjoining Green Belt land to the west of the site by the provision of existing landscape buffers along the side of the railway line. Additional landscaping on the site boundaries was secured under the previous reserved matters approval (ref: 18399/APP/2006/547). While outside of the current application site this landscaping must still be provided as aspects of this approval have been implemented. Upon maturity these areas of planting will result in a good visual enclosure of the site ensuring the adjoining Green Belt is not unduly affected by the scale of the units. The development is therefore considered to comply with UDP saved policy OL5.

7.07 Impact on the character & appearance of the area

The siting, mass, bulk and scale of the proposed unit are identical to those considered under reserved matters approval 18399/APP/2006/547. Accordingly, it is considered that any impacts on the character and appearance of the area will be limited to those of the amended northern elevation, the increased area of service yard and the amendments to the proposed fencing.

In relation to the northern elevation, 10 vehicular loading bays (6 ramped bays and 4 level

access doors) and a fire escape were included on the elevation of the unit B as approved under the previous reserved matters approval. The current application seeks 10 level access loading bays and a fire escape on this elevation, these would be more evenly distributed along the norther elevation of the unit. This elevation is only visible from within the industrial site itself and the proposed design would be consistent with the design o the units and the site as a whole. Accordingly, this alteration does not raise any concerns with regard to the character and appearance of the area.

The current proposal seeks an increase of 5,000m² in the size of unit B's service yard, above that approved under the previous reserved matters consent. Permission has previously been granted for a hard landscaped car parking area and a portion of an industrial unit in this location, under reserved matters approvals 18399/APP/2007/2724 and 18399/APP/2007/2724. It is considered that the proposed service yard would have a similar impact on the character and appearance of the area as the previously approved proposals and would be consistent with the overall design quality of the larger industrial site. Accordingly, this aspect of the proposal does not raise any concerns with regard to the character and appearance of the area.

The erection of palisade fencing around the entire application site is sought under the current proposal. Under the previously approved reserved matters permission 18399/APP/2006/547 the western site boundary was to be treated with chain link fencing and palisade fencing was to be provided to all other aspects of the site. It is considered that the use of palisade fencing on the western boundary would provide for an improved visual appearance consistent with that of the wider estate. Accordingly, it does not raise any concerns with regard to the character and appearance of the area.

It is considered that the scale, materials, siting and design of the proposed buildings and the proposed landscaping are complementary to the surrounding area and in accordance with Policies BE13, BE25, BE35 and BE38 of the Unitary Development Plan.

7.08 Impact on neighbours

The application site is located approximately 165m from the nearest residential properties on Nine Acres Close and is separated from these properties by an industrial unit (Unit F) and an acoustic barrier, which was supplied to mitigate noise arising from units B, E and F under reserved matters permission 18399/APP/2006/547.

It is not considered that the proposal would have any impacts on nearby residential properties in terms of its visual appearance, mass, bulk or scale.

It is also not considered that there would be any detrimental impacts on residential amenity arising from noise, given the separation of the proposed site from residential properties and the existence of a substantial acoustic barrier designed to mitigate noise impacts on nearby residential properties from the application site and closer industrial units.

Accordingly, the proposal would not have any detrimental impacts on the residential amenity of nearby properties and is considered to accord with Policies BE21, BE24 and OE1 of the Saved Policies UDP.

7.09 Living conditions for future occupiers

The application is not for residential accommodation, accordingly this consideration is not relevant.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The traffic generation and impacts of the development on the operation of the wider

highway network were considered under the outline planning permission.

The access arrangements for the site, car parking arrangements and cycle parking arrangements all remain unchanged from those previously approved applications. This includes retaining the flexibility of two access points for the northern part of the site.

No objections are therefore raised in terms of traffic impacts, car parking, cycle parking, highways safety or pedestrian safety.

7.11 Urban design, access and security

Aspects relating to the design changes have been addressed under the 'Impact on the character & appearance of the area' section of this report.

Access arrangements were considered under the previous applications and remain unchanged.

Security issues for the unit as a whole were considered under the previous applications and considered acceptable. It is considered that the proposal to provide a palisade boundary fence on the western site boundary in place of the previously approved chain link fence would further enhance the security of the site.

7.12 Disabled access

All access issues were considered under the previous applications and remain unchanged.

7.13 Provision of affordable & special needs housing

The application is not for residential accommodation, accordingly this consideration is not relevant.

7.14 Trees, landscaping and Ecology

TREES & LANDSCAPING

The landscaping of the areas around the application site has previously been considered under the following reserved matters approvals 18399/APP/2004/2284 (unit A) and 18399/APP/2005/3415 (units B, E and F).

The proposal would result in a reduction of the previously approved on site landscaping by removing two new trees. This is in order to maintain a future access into the northern part of the site, which will be subject to future development under the outline permission. There is no objection to the loss of these new trees, which will have a minimal impact on the overall landscaping scheme. The principle of an access point in this location has previously been agreed under reserved matters approvals 18399/APP/2007/2724 and 18399/APP/2007/2724 relating to the northern part of the site.

With the exception of the two trees mentioned above all previously approved landscaping of the site lies outside of the application site. Given reserved matters approvals 18399/APP/2004/2284 and 18399/APP/2005/3415 have been implemented on site this landscaping would still be ensured and protected within the larger development. No additional landscaping is considered to be necessary within the boundaries of unit B.

Accordingly, it is considered that the scheme would maintain an appropriate landscape environment both within the development site and relation to the wider area, consistent with Policy BE38 of the Saved Policies UDP.

ECOLOGY

The outline planning permission considered the impact of the development on the adjoining nature conservation area. The assessment concluded that while the development would have direct impacts on the site and on the adjoining Site of Importance for Nature Conservation (SINCS), English Nature were consulted and raised no objections subject to the inclusion of specific conditions. Conditions were included in the outline planning permission, which required specific works in relation to the relocation of badger setts and the removal of Japanese Knotweed. These conditions are considered to satisfactorily address the impact of the development on the nature conservation values found on adjoining land. No additional conditions are considered necessary in this regard.

7.15 Sustainable waste management

In relation to waste management policy 4A.21 of the London Plan requires that new developments provide adequate facilities for the storage of waste and recycling.

There is sufficient room within the unit and proposed service yard to accommodate appropriate waste and recycling facilities. A condition is proposed to ensure these facilities maintain an appropriate appearance.

7.16 Renewable energy / Sustainability

The current application seeks design and layout amendments to a previously approved scheme which has been implemented on site. With the exception of drainage impacts arising from the increased area of hard surfacing it is not considered that any consideration of sustainability, above that given to the reserved matters approval 18399/APP/2006/547 and the outline planning permission, is warranted.

Issues relating to impact of the hard standing area on drainage have been dealt with in the 'Flooding or Drainage Issues' section of this report.

7.17 Flooding or Drainage Issues

The construction of unit B and the associated area of service yard approved under reserved matters application 18399/APP/2006/547 have been implemented on site in accordance with the planning permission and the drainage of these areas is therefore considered to be satisfactory. However, sustainable drainage solutions of the site were not considered necessary in relation to these aspects of the scheme.

The proposed extension to the service yard of the unit would represent a significant increase in the level of hard standing above that approved under application 18399/APP/2006/547. The approved plans for the northern part of the site confirmed the acceptability of this area being utilised for hard standing and built form only subject to appropriate sustainable urban drainage solutions being implemented.

The Environment Agency have requested that a drainage condition, including consideration of sustainable solutions be imposed on the development.

Given that the overall built form of the proposed unit B and the majority of the service yard have been completed in accordance with the previous planning permission, which did not require sustainable drainage solutions, a retrospective condition relating to these aspects of the development would be both unreasonable and unnecessary failing to meet the tests set out within 'Circular 11/95: The Use of Conditions in Planning Permissions'.

The 5,000m² extension to the service yard, however, has not yet been constructed on the site. The previous applications relating to this part of the site (refs: 18399/APP/2007/2724 and 18399/APP/2007/2725) did require the utilisation of sustainable urban drainage

techniques and indicate such measures have historically been necessary on this part of the site. A condition requiring the use of sustainable urban drainage systems on this particular part of the site is considered necessary and would meet the relevant tests.

Subject to the above suggested condition being included within the recommendation the scheme does not raise any concerns with regard to flooding or drainage. The Environment Agency have confirmed that the proposed condition would be satisfactory in terms of their requirements.

7.18 Noise or Air Quality Issues

Issues relating to noise impacts have been dealt with in the 'Impact on neighbours' section of this report.

Issues relating to air quality were considered under the grant of the outline planning permission, accordingly the proposal does not give rise to any concerns relating to air quality.

7.19 Comments on Public Consultations

Consultation letters were sent to 211 local owner/occupiers, a site notice was posted and the application was advertised in a local paper. No comments have been received.

7.20 Planning obligations

The application seeks approval of reserved matters for an industrial development. Matters relating to planning obligations were considered under the outline permission.

7.21 Expediency of enforcement action

N/A

7.22 Other Issues

N/A

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without

discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

As there are no S106 or enforcement issues involved, the recommendations have no financial implications for the Planning Committee or the Council. The officer recommendations are based upon planning considerations only and therefore, if agreed by the Planning Committee, they should reduce the risk of a successful challenge being made at a later stage. Hence, adopting the recommendations will reduce the possibility of unbudgeted calls upon the Council's financial resources, and the associated financial risk to the Council.

10. CONCLUSION

The application seeks approval of alternative reserved matters for the siting, design, external appearance and landscaping of unit B in relation to outline planning permission 18399/APP/2005/3415.

The current application seeks approval for various alterations to aspects of the scheme previously approved. These include:

- the extension of the service yard by approximately 5,000m²;
- alterations to the design of the northern elevation; and
- replacement of chain link fencing with palisade fencing including new gates to the car park area.

The proposed alterations would maintain a development with an appropriate impact on the character and appearance of the area and in relation to the neighbouring green belt.

The landscaping of the site would remain satisfactory, as would the highways impacts. The residential amenity of nearby occupiers would also be maintained.

Subject to an appropriate condition the development would have no detrimental impacts in relation to flood risk or water quality.

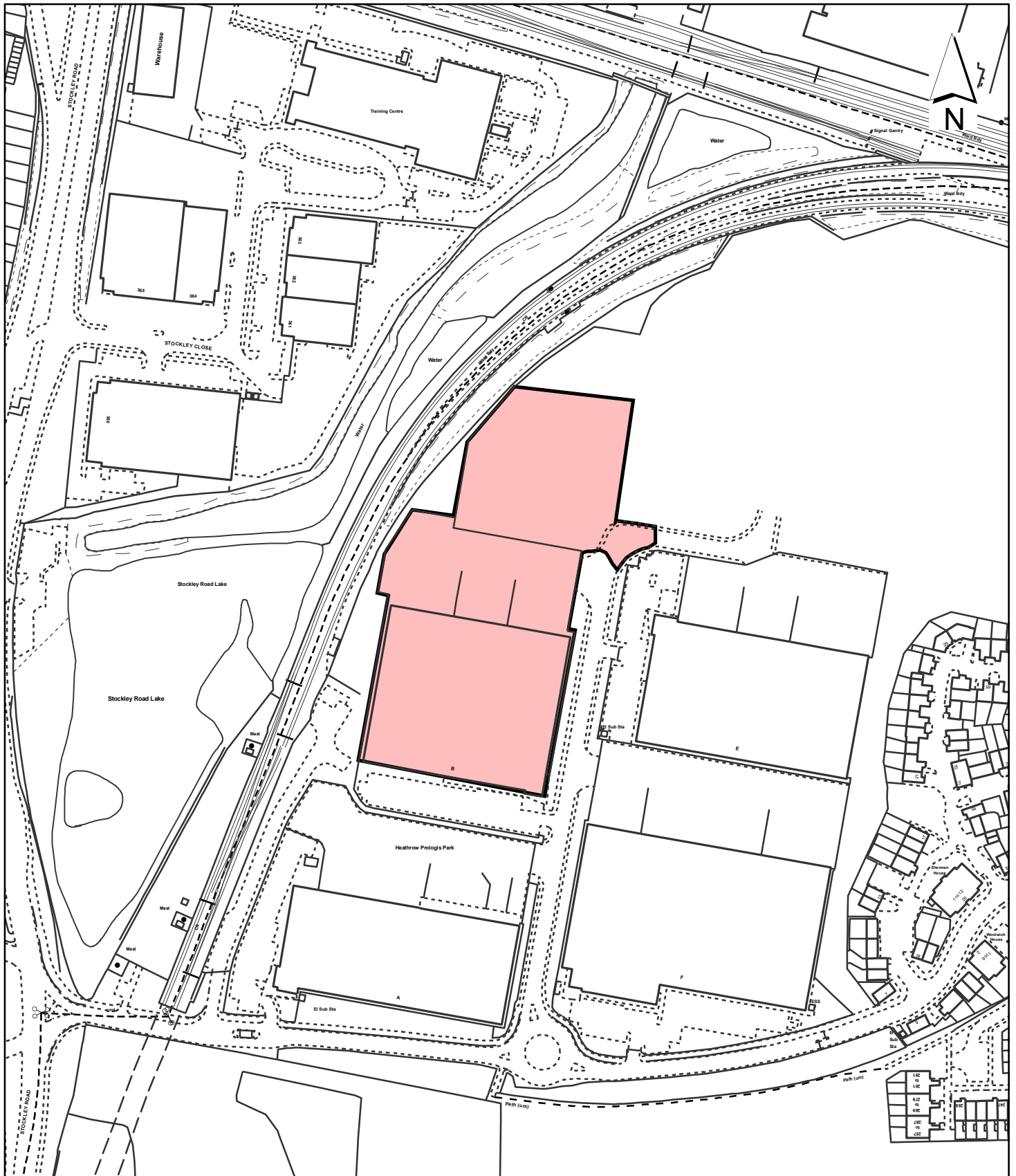
For these reasons approval is recommended, subject to conditions.

11. Reference Documents


- a) Hillingdon Unitary Development Plan Saved Policies (September 2007)
- b) The London Plan
- c) Planning Policy Statement 1: Delivering Sustainable Development
- d) Planning Policy Guidance 2: Green Belts
- e) Planning Policy Statement 25: Planning Policy Statement 25: Development and Flood Risk
- f) Circular 11/95: The Use of Conditions in Planning Permissions

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Notes

 Site boundary

For identification purposes only.

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Planning Committee
Central and South

Date
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