

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

**Address** LAND TO THE NORTH OF 47 WALLINGFORD ROAD UXBRIDGE

**Development:** Erection of 2 detached buildings to accommodate a storage depot and ancillary office (Use class B8)

**LBH Ref Nos:** 60930/APP/2015/3824

**Drawing Nos:** A1/3932/PLA/1.00  
A1/3932/PLA/1.01

**Date Plans Received:** 14/10/2015                      **Date(s) of Amendment(s):**

**Date Application Valid:** 15/12/2015

### 1. **SUMMARY**

Planning permission is sought for the erection of 2 detached units to accommodate a storage depot and ancillary fuel storage (Use class B8) within the Uxbridge Industrial Estate on Wallingford Road.

The proposed development is considered acceptable as its use is established and the proposed form of the 2 detached units are consistent with the character of the industrial area. The proposal would not result an increase in traffic generation and as such the proposal would not add further pressure to the local highway network. The proposal would contribute towards improving the junction at Wallingford Road and Cowley Mill Road. The recommendation is for an approval subject to a Section 106 legal agreement.

### 2. **RECOMMENDATION**

**That delegated powers be given to the Director of Planning and Community Services to grant planning permission, subject to the following:**

**That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to the following:**

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

- 1. £20,000 Highways Work Contribution**
- 2. Project Management & Monitoring Fee: equal to 5% of total cash contributions**

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

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

**D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before the 30th June 2017, or any other period deemed appropriate that delegated authority be given to the Head of**

**Planning and Enforcement to refuse the application for the following reason:**

**'The applicant has failed to provide a commensurate package of planning benefits to maximise the transport, environmental and social benefits, namely highway improvements and project management of the scheme to the community. The proposal therefore conflicts with Policy R17 of the Hillingdon Local Plan: Part Two (November 2012).'**

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

**F) That should the application be approved, the applicant pay the required levy on the additional floorspace actually created.**

**G) That if the application is approved, the following conditions be attached:**

**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 COM4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers A1/3932/PLA/1.00 Rev. A and A1/3932/PLA/1.01.

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**3 D12 Restrictions on Enlargement of Industrial and Warehouse**

Notwithstanding the provisions of Part 7, Schedule 2 of the Town and Country (General Permitted Development) Order 2015, the building(s) shall not be extended or have mezzanine floor/s installed without the prior written consent of the Local Planning Authority.

**REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

**4 A39 Contaminated Land**

Before any part of this development is commenced, a site investigation to assess contamination levels shall be carried out and a scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. All works which form part of this scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority).

Any imported material shall be tested to the satisfaction of the Council.

#### REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **5 NONSC Non Standard Condition**

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it:

a) Manages Water The scheme shall demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).

b) Receptors

- i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.
- ii. Where infiltration techniques (soakway) or a basement are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).
- iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased.
- iv. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

d) Minimise water use. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- i. incorporate water saving measures and equipment.
- ii. provide details of water collection facilities to capture excess rainwater;
- iii. provide details of how rain and grey water will be recycled and reused in the development.

e) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues. Where there is overland flooding

proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

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

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

#### REASON

To ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (2016).

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

No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

#### 1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

#### 2. Details of Hard Landscaping

2.a Hard Surfacing Materials

2.b Cycle Storage

2.c External Lighting and CCTV

#### 3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

#### 4. Schedule for Implementation

#### 5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality, provides adequate facilities and to ensure the development provides a safe and secure environment in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 7.1 and 7.3 of the London Plan (2016).

### **7 NONSC Non Standard Condition**

Prior to the commencement of the development hereby permitted, an ecological survey of

the site, and proposals for mitigation of any impact on local ecology, shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures should be implemented prior to first occupation of the development.

#### REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.19.

#### **8 COM22 Operating Hours**

The premises shall not be used except between:  
07:00 and 2200, Mondays - Fridays  
0800 to 2200 Saturdays  
1000 to 1800 Sundays, Public or Bank Holidays.

#### REASON

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

### 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) 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 (2016) and national guidance.

BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LPP 4.1	(2016) Developing London's economy
LPP 4.2	(2016) Offices
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.3	(2016) Sustainable design and construction
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.30	(2016) London's canals and other rivers and waterspaces
LPP 8.2	(2016) Planning obligations

**3**            159                    **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

**4**            147                    **Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

**5**            12                        **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

**6**            115                    **Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

You are advised to consult the Council's Environmental Protection Unit

([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

## 7

The applicant should refer to the current "Code of Practice for Works affecting the Canal & River Trust" to ensure that any necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).

The applicant is advised that surface water discharge to the Navigation will require prior consent from the Canal & River Trust. Please contact Nick Pogson from the Canal & River Trust Utilities team ([nick.pogson@canalrivertrust.org.uk](mailto:nick.pogson@canalrivertrust.org.uk)).

The applicant/developer is advised that any encroachment or access onto the canal towpath requires written consent from the Canal & River Trust, and they should contact the Canal & River Trust's Estates Surveyor, Jonathan Young ([jonathan.young@canalrivertrust.org.uk](mailto:jonathan.young@canalrivertrust.org.uk)) regarding the required access agreement.

## 8

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is situated in a large industrial site located in the southern part of Uxbridge Industrial Estate, Wallingford Road and currently operates a storage use (Use Class B8).

The site covers 0.81 ha running adjacent to the canal tow path. To the east is the Grand Union Canal and further to the west is the River Colne.

The last known use of the site was as open storage (Use Class B8).

#### 3.2 Proposed Scheme

The proposed development is for erection of 2 detached units for as loading bays to store access lifts and platforms. An ancillary office and fuel storage tanks is also proposed. The proposal does not involve a change of use.

The loading bays would be located to the southern part of the site and the fuel storage to the north eastern part of the site. The office would be located to the northern part of the site.

The proposed building for loading and storing equipment would measure 24.1m width x 20m length. The building would consists of roof measuring 3m in height and features a

large door openings, with up and over doors. The office building would measure 9.7m width x 12.24m length. There is a smaller door opening to the side of the building for a fire exit.

The applicant has supplied evidence in the form of an email to indicate that the proposal would result in a reduction in traffic movements. The applicant notes that in respect of trip generation this application would operate the following:

1. 4no vehicles are proposed to operate on site;
2. 3 HGV delivery lorries departing and arriving back at the site each day. 6 movements per day 36 movements per week based on a 6 day week; and
3. The proposed use is to operate between 7am and 7pm Monday to Friday and 8am to 6pm on Saturdays.

This gives an anticipated number of movements for a working week of up to 40 movements per week by HGV and LGVs. The most intense movement of traffic from the site will be the arrival and departure of the staff from the site. Until recently (2012), the site operated a similar B8 use, it is therefore considered that this proposal would not generate additional impact on the local highway network beyond that which currently exists.

### **3.3 Relevant Planning History**

60930/APP/2011/2307 47 Wallingford Road Uxbridge

Redevelopment of site to provide a single storey Waste Transfer / Recycling Station, including associated alterations to access and parking arrangements.

**Decision:** 22-06-2012 Approved

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

There is no relevant planning history in relation to this site.

#### Surrounding Area

Planning ref. 71488/APP/2015/4721 - Planning consent was granted subject to a Section 106 Legal Agreement for the erection of 2 detached buildings to accommodate a storage depot and ancillary office (Use class B8). The Section 106 Agreement is in the process of being agreed and signed.

Planning ref. 751/APP/2015/335 - A planning appeal was dismissed at the West London Industrial Estate, Iver Lane against the continued use of the site for B8 purposes which included a new access to Wallingford Road.

The appeal was dismissed due to the impact of the operation in terms of noise arising from vehicular movements and the impact of the proposal on the local highway network.

The difference between this proposal and the application refused at appeal is that this application makes use of an existing access to and from the site. The application at appeal sought to create a new access onto Wallingford Road which would have resulted in an intensification of use of the junction at Wallingford Road and Cowley Mill Road which would have exacerbated the existing concerns relating to vehicular and pedestrian safety.

### **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

Part 2 Policies:

BE25 Modernisation and improvement of industrial and business areas  
OE1 Protection of the character and amenities of surrounding properties and the local area  
LE1 Proposals for industry, warehousing and business development  
LE2 Development in designated Industrial and Business Areas  
OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures  
LPP 4.1 (2016) Developing London's economy  
LPP 4.2 (2016) Offices  
LPP 4.4 (2016) Managing Industrial Land and Premises  
LPP 5.12 (2016) Flood risk management  
LPP 5.13 (2016) Sustainable drainage  
LPP 5.3 (2016) Sustainable design and construction  
LPP 7.19 (2016) Biodiversity and access to nature  
LPP 7.30 (2016) London's canals and other rivers and waterspaces  
LPP 8.2 (2016) Planning obligations

### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

### 6. Consultations

#### External Consultees

259 neighbouring residents were consulted on the application between 03 August 2016 and 7 December 2016 to which 1 reply in support, 7 objections and 8 comments were received which are summarised below:

1. The majority of neighbouring objections related to the intensification of use of the site and the impact of the proposed use on the local highway network as a result of the increased number of heavy goods vehicles using the site.
2. The proposal is to operate 24 hours, this would result in excessive noise and nuisance as a result of the comings and goings of heavy goods vehicles through a predominantly residential area.

South Buckinghamshire District Council

No objection to the proposed development

Canal and Rivers Trust

The site is within 10m of the Grand Union Canal in places. We note that the application form states that surface water will be discharged to the mains sewer. However, given the uncertainty over the arrangements in place for the disposal of trade effluent, we would want to understand the surface water drainage arrangements that are in operation, and any changes proposed, given the potential for pollution of the Grand Union Canal corridor. We consider that this is required to ensure that the proposal complies with policy EM8 of the Hillingdon Local Plan: Part 1, policy 5.14 of the London Plan and para 120 of the NPPF. In addition, we would want to understand the specification of the fuel tank to be used and the proposed bund, which we consider should be designed to 110% of the tank's capacity. We would want the opportunity to comment on these details.

The Trust notes that part 15 of the application form states that there are no trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character. We consider this to be incorrect, given that there are trees and hedges at the site's boundary with the Grand Union Canal, which is identified in the Council's Local Plan Part 1 as a Nature Conservation Site of Metropolitan or Borough Grade 1 importance.

In order to ensure that the development complies with Local Plan: Part 1 policies EM3 and EM7, policy 7.19 of the London Plan and para 118 of the NPPF, further details of the impact of the development on the biodiversity of the waterway corridor needs to be provided. The Trust would suggest that an ecological survey should be undertaken and appropriate mitigation measures then designed into the scheme.

Further to this, we note that no details of lighting across the site have been submitted, despite the fact that floodlights have already been installed. The Trust considers that minimal lighting should be installed near the canal, and any lighting near the canal should be bat friendly, avoiding spillage onto the canal waterway. It is recommended that bat friendly lighting is used throughout the development to encourage local bat populations. We request details of the lighting that has been installed and would want the opportunity to comment on them.

Officer comment: The Highways Officer has reviewed the objections and information supplied by the applicant and has raised no significant objections.

Several conditions are attached to address the concerns raised by the Canals and River Trust.

A condition restricting the hours of operation is also attached.

### **Internal Consultees**

Flood and Water Management (Summary)

Requested that a condition relating to flood water management is attached.

Highways Officer

The application is for the use of the existing vacant site at the southern end of Wallingford Road Uxbridge for storage and distribution of industrial equipment. There is no Transport Assessment or Transport Statement provided in support of the proposals to use existing buildings as well as new additions on the site. The site is at the southern end of Wallingford Road and was previously used for storage uses. It is proposed to extend the storage use.

Wallingford Road is a private road in the Uxbridge Industrial Estate and contains a number of nearby industrial uses. The site has a PTAL value of 1a (poor) so there will be reliance on the private car for staff working at the site along with visitors to the site.

It is proposed to construct new storage building on the site and provide 10 parking spaces to cater for staff and visitors. The material provided in support of the application is not detailed in terms of the traffic generation from the proposed change of use but the use is typical of the type on the Uxbridge Industrial Estate. A storage area of 800 sq.m is unlikely to generate large volumes of vehicular activity but no information is supplied.

Revised Highways Officer's Comments following receipt of additional traffic information:

The applicant has provided estimates of the daily trip generation for the site (24 trips per day) based on the fact that 4 vehicles will be based on site. This level of activity will not be significant in the local road network. Given that there are no residents in the immediate vicinity of the site I do not have a problem with this arrangement.

On the basis of the above comments I have suggested a number of conditions and if those are included in any approval I do not have significant highway concerns over the proposals.

## **7. MAIN PLANNING ISSUES**

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

Policy LE1 of the Local Plan - Part Two (saved policies) states that proposals for industrial and warehouse development will be assessed by taking into account other policies of this plan and, where appropriate, the other considerations. Of relevance to the application proposal is:

(i) whether the proposal conflicts with the local planning authority's overall objective of securing the development or regeneration of an area;

Supporting text to the policy states that "The Local Planning Authority has designated a series of Industrial and Business Areas (IBAs) as the proposed locations for new industrial and warehousing development." These locations are considered to be appropriate locations for accommodating industrial uses to separate industrial development from residential and other sensitive uses. The industrial estates are also suitable for employment generating uses when such uses would be undesirable in other locations.

It is considered that the proposed use would support local planning authority's overall objective of securing employment generating development within the area.

Policy LE2 states that industrial and business areas are designated for business, industrial and warehousing purposes (use classes B2-B8) and for sui generis uses appropriate in an industrial area. The policy provides criteria against which other forms of development might be considered. The proposed development is industrial in nature and is appropriately located within the industrial estate and as such the principle of the development is considered to be acceptable.

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

Not applicable to this application.

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

Not applicable to this application.

### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area."

The application site is located within a designated industrial estate. The site features a number of pre-fabricated cabins and the site is surfaced in concrete.

The new buildings are located along the western side of the site away from the canal tow path. The unit would be visible from the canal tow path but would be seen within the context of the industrial estate. The proposed design of the buildings are appropriate for the industrial location. The unit is modest in scale and appropriate within the location.

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

The application premise is located within the Uxbridge Industrial Estate. The site currently comprises an open storage yard. The application is bounded by a low rise wall and approximately 2m of galvanised steel palisade fencing along the eastern boundary which abuts the canal tow path. Policy OE1 ensures planning permission is granted for uses and development that would not be detrimental to the character or amenities of surrounding properties or the area generally. It is considered that the application proposal conforms to policy OE1 of the Hillingdon Local Plan - Part Two (Saved Policies). Given the siting and the neighbouring industrial uses, it is not considered that the proposal would have a negative impact on the amenity of neighbouring occupiers.

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

Not applicable to this application.

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

The site is located within an area of low public transport accessibility, it is therefore expected that there would be a reliance of private vehicles. The applicant has submitted evidence to demonstrate that there would be a reduction in traffic movement, compared to the existing use of the site.

It is acknowledged that an appeal was dismissed recently relating to another site in the vicinity of the application site. The difference between the scheme that was subject to appeal and the application site is that the scheme under appeal sought to create an additional access point. The proposed use under appeal was therefore considered to generate an increase in noise and additional pressure on the junction at Wallingford Road and Cowley Mill Road. Whereas the proposal under this application uses an existing access and would not result in an an increase in traffic compared with the existing/previous use and in light of this evidence, the proposal is not considered to exacerbate pedestrian and vehicular safety at the Wallingford Road and Cowley Mill Road junction.

Nevertheless, given the pressure on the existing junction, a commuted sum of £20,000 is sought to mitigate any potential impact and contribute to Highway Improvements in the immediate vicinity. This commuted sum has been negotiated with the applicant and will be finalised by way of a S106 agreement.

The addendum to chapter 6 of the London Plan requires 1 space per 50-100 GIA. The application contains details indicating sufficient parking for 9 staff and visitor vehicles 6 delivery vehicles which is considered to be acceptable.

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

See section above 'Impact on the character & appearance of the area'.

**7.12 Disabled access**

Not applicable to this application.

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

Not applicable to this application.

**7.14 Trees, landscaping and Ecology**

Ecology

The Grand Union Canal is a Nature Conservation Site of Metropolitan Importance, and industrial activities have potential to significantly impact the natural habitat. Policy EC1 States that the local planning authority will not permit development which would adversely affect the integrity of Sites of Special Scientific interest, or be unacceptably detrimental to sites of Metropolitan or borough (grade i) Importance for nature conservation, designated local nature reserves and other nature reserves. It states further, that development proposed near the vicinity of such sites, must submit an Ecological Assessment where considered appropriate by the local planning authority.

The site is covered in its entirety with concrete hardstanding and devoid of vegetation of any description. Furthermore, there is a 0.9m high dwarf concrete wall along its boundary where the site abuts against the canal tow path. Therefore, the development is unlikely to result in ecological harm if undertaken sensitively. It is proposed to attach a suitable condition requiring the submission of an ecological assessment in compliance with the policy.

**7.15 Sustainable waste management**

Not applicable to this application.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

The site falls within flood zone 1 (least likely to flood) however, the site presently has a surface covering of concrete which is non-porous and offers no opportunity for rainwater to soak-away naturally. There may be existing issues around rain water run off. Therefore, the extent to which the proposed development might affect this concern should be understood prior to the commencement of work on site to ensure appropriate mitigation is incorporated into the scheme design. It is proposed to apply a condition requiring details of drainage prior to commencement of works on site.

**7.18 Noise or Air Quality Issues**

It is considered that given the proposed use is less intensive than the existing operation on site, the proposal would not result in additional noise and air quality issue beyond that which currently exist. A condition is attached which limits the hours of operation to ensure the proposal does not result in noise and nuisance overnight.

**7.19 Comments on Public Consultations**

The planning issues raised have been addressed as appropriate in the report.

**7.20 Planning obligations**

Please refer to the 'Section 106 details' below.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

Contaminated Land

This is a long standing industrial area and, given the development involves minor excavations of foundation footings for the building, to allay concerns arising from possible land contamination, it is proposed to attach a condition requiring a site investigation prior to work being undertaken to comply with policy OE11 of the Hillingdon Local Plan - Part Two - Saved UDP Policies (November 2012) .

#### Lighting and CCTV

The application provides no details concerning external lighting. It is likely during the winter months lighting would be required to maintain the operation of the site. Lighting is necessary for security and to reduce instances of crime. However, it can affect local ecology and night-time visual amenity and setting of the Grand Union Canal. Thus, It is proposed to apply a condition requiring further details prior to commencement of works on site.

## **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**

Not applicable to this application.

#### **10. CONCLUSION**

Planning permission is sought for the erection of 2 detached units to accommodate a storage depot and an ancillary office (Use Class B8) within the Uxbridge Industrial Estate on Wallingford Road.

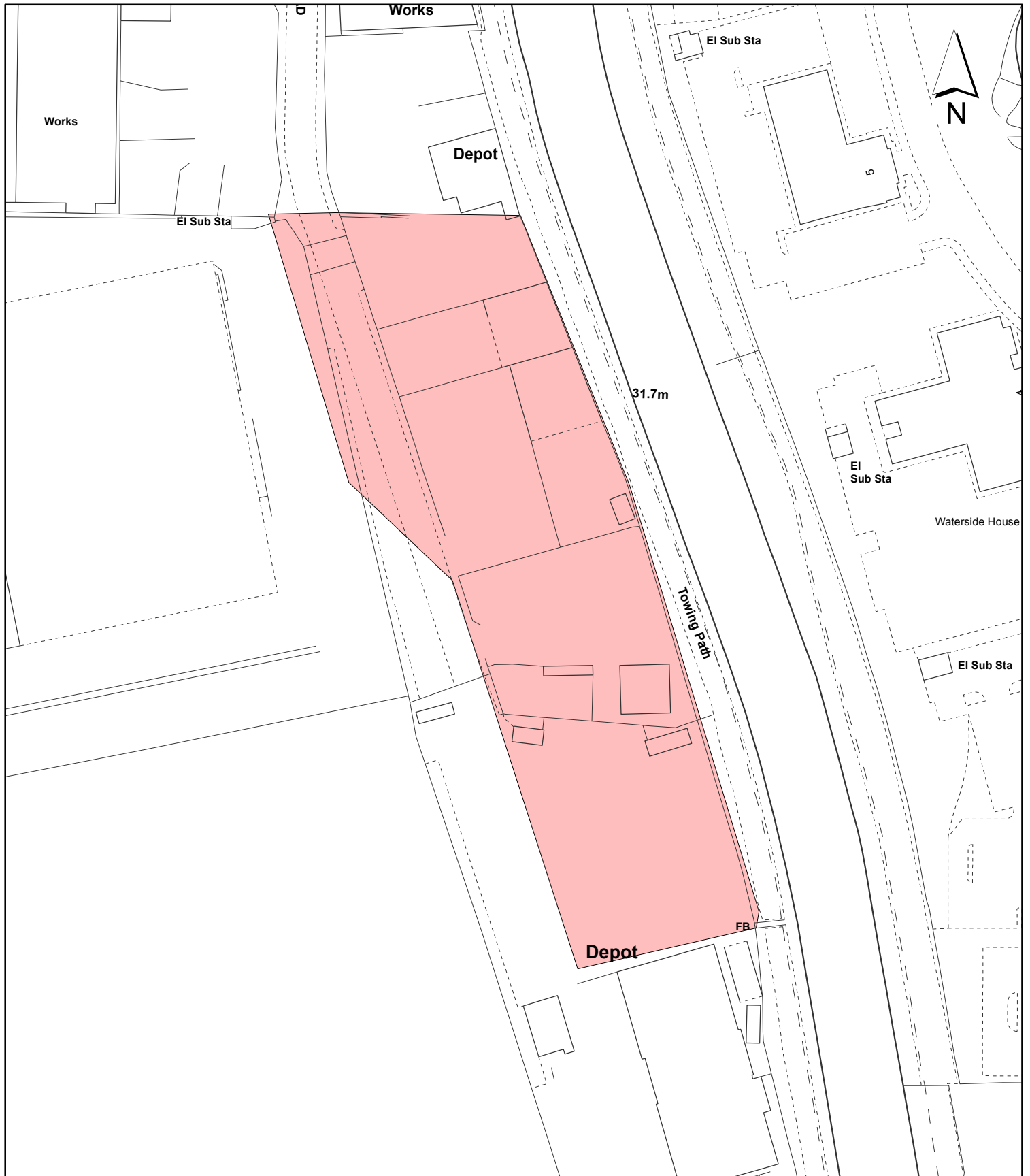
The proposed development is considered acceptable as its use is established and the proposed form of the 2 detached units are consistent with the character of the industrial area. The proposal would not result an increase in traffic generation and as such the proposal would not add further pressure to the local highway network. The proposal would contribute towards improving the junction at Wallingford Road and Cowley Mill Road. The recommendation is for an approval subject to a Section 106 legal agreement.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
National Planning Policy Framework (2012)

**Contact Officer:** Zenab Haji-Ismail

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**Notes:**

 Site boundary

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Site Address:

**Land to the North of  
 47 Wallingford Road**

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

Planning Application Ref:  
**60930/APP/2015/3824**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**May 2017**

