

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

- Address** THE STRAIGHT, SOUTHALL GASWORKS SITE HAYES BY PASS HAYES
- Development:** Variation of condition 2 of: Outline application Demolition of 22 houses; the remediation of the land and the redevelopment of the site to deliver a large mixed use development including residential, non-food retail, food retail, restaurants, bars and cafes, hotel, conference and banqueting, cinema, health care facilities, education facilities, office/studio units, sports pavilion, an energy centre, multi-storey car park and associated car and cycle parking, landscaping, public realm, open space and children's play space. Full application New access roads from the Hayes By-pass and Southall town centre to the application site for vehicle, cycle and pedestrian access, including drainage and a flood relief pond. Widening of South Road across the railway line, widening of South Road over the railway line for the creation of a bus lane and three new accesses onto Beaconsfield Road. Two bridges over the Grand Union Canal and Yeading Brook to provide pedestrian and cycle access to the Minet Country Park and Springfield Road. 54814/APP/2009/430 dated 29/09/2010; to allow for the widening of the road to facilitate the addition of bicycle lane.
- LBH Ref Nos:** 54814/APP/2017/604
- Drawing Nos:** Figure 1 Site Boundary.  
Figure 2 Cumulative Schemes Plan-Sheet1-A3  
Figure 3 Cumulative Schemes Plan-Sheet2-A3  
Figure 4\_Public and Private Realm  
Figure 5 Predominant Ground Floor Uses  
Figure 6 Predominant Upper Floor Uses  
Figure 7 Road Layout Deviation  
Figure 8 Bus and Cycle Network  
Figure 9 Plot vertical Parameters  
Figure 10 Plot horizontal Parameters  
Figure 11 Illustrative Masterplan  
Figure 12 Phasing Plan  
Figure 13\_Cultural Heritage  
Figure 14\_DSO  
00781\_SK176\_Site Location Plan  
Existing - 4597-P-020  
Existing - 4597-P-021  
Existing - 4597-P-022  
Existing - 4597-P-023  
Existing - 4597-P-024  
Existing - 52212\_B\_33 Rev A Pump Lane Access  
Existing - 52212\_B\_34 Rev A A312\_Pump Lane  
Existing - Hillingdon 52212\_B\_51 Proposed Construction  
A720-E05-IW-MTU-C-DR-0001  
A720-E05-IW-MTU-C-DR-0002  
A720-E05-IW-MTU-C-DR-0003.  
Signed Cover Letter - Hillingdon  
52212/B/32 Rev A  
52212/A/74

52212/A/77  
52212/A/51/A  
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P1003/00  
P1004/00  
P1005/00  
P1006/00  
P1007/00  
P1008/01  
P1009/00  
52212/A/49  
52212/A/50  
52212/B/50  
52212/B/49  
SK-SR1  
SK-SR3  
SK-SR3  
4597-RT-01  
A720-E05-IW-HED-LS-007 Rev P2  
A720-E05-IW-HED-LS-0010 Rev P4  
A720-E05-IW-HED-LS-0003 Rev P8  
A720-E05-IW-HED-LS-0004 Rev P4  
4597-P-032  
4597-P-030  
4597-P-031  
4597-P-033  
4597-P-034  
4597-P-035  
4597-P-036  
52212/B/48  
368\_A\_300  
368\_A\_305  
368\_A\_306  
368\_A\_310-B  
368\_A\_315-A  
368\_A\_316  
4597-P-003  
4597-P-001  
4597-P-002  
EX\_02\_plan  
PO\_02\_site plan  
PO\_02\_plan Rev A  
PO\_04\_13A Rev A  
PO\_04\_13B Rev A  
PO\_04\_13C Rev A  
PO\_04\_13D Rev A  
4597-P-010  
4597-P-011

4597-P-012  
52212/B/31 RevA  
52212/B/35 RevB  
52212/B/36  
P1010/00  
P1011/01  
P1012/00  
P1013/00  
P1014/00  
P1015/00  
800E Rev A  
800W Rev A  
368\_A\_100-F  
368\_A\_200-B

**Date Plans Received:** 20/02/2017

**Date(s) of Amendment(s):** 20/02/2017

**Date Application Valid:** 20/02/2017

29/06/2017

## 1. SUMMARY

The proposal is to vary condition 2 of planning permission ref: 54814/APP/2009/430 dated 29/09/2010 to enable the roadway of the western access from Pump Lane to the main site to be widened by 5.6m to allow for the addition of a cycle way which has been requested by Transport for London.

The consented roadway as approved runs through Minet Country Park. It is predominantly sits on top of an embankment with bridges over both the Yeading Brook and the Grand Union Canal.

The base of the structure holding the road would remain the same width as already approved. It is only the roadway that sits on top that will be widened by 5.6m.

TFL, who will build, adopt and maintain the road, and who requested the widening of the road, have assessed the proposal and raised no objections.

Furthermore no objections have been raised by consultees.

The application is therefore recommended for approval.

## 2. RECOMMENDATION

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

**A) The completion of a Deed of Variation pursuant to Section 106A of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to vary the terms of the S106 Agreement so as to reference the S73 application.**

**B) That in respect of the application for planning permission, the applicant meets the Councils reasonable costs in preparation of the Section 106 and/or 278**

Agreements and any abortive work as a result of the agreement not being completed.

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

D If the Legal Agreements have not been finalised by 13th January 2018 (or such other time-frame as may be agreed by the Head of Planning Green Spaces and Culture), delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed development. The proposal therefore conflicts with Policies AM7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG, and the London Plan (March 2016).'

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

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

**1 COM3 Time Limit**

The development hereby permitted shall be begun before 29th September 2019.

**REASON**

In order to comply with the provisions of the Town and Country Planning Act 1990.

**2 NONSC Non Standard Condition**

This planning permission applies only to the following drawings and to no other, unless otherwise agreed in writing by the local planning authority:

- Figure 1 Site Boundary.
- Figure 2 Cumulative Schemes Plan-Sheet1-A3
- Figure 3 Cumulative Schemes Plan-Sheet2-A3
- Figure 4\_Public and Private Realm
- Figure 5 Predominant Ground Floor Uses
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A720-E05-IW-MTU-C-DR-0003.  
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52212/B/32 Rev A  
52212/A/74  
52212/A/77  
52212/A/51/A  
P1000/00  
P1001/00  
P1002/00  
P1003/00  
P1004/00  
P1005/00  
P1006/00  
P1007/00  
P1008/01  
P1009/00  
52212/A/49  
52212/A/50  
52212/B/50  
52212/B/49  
SK-SR1  
SK-SR3  
SK-SR3  
4597-RT-01  
A720-E05-IW-HED-LS-007 Rev P2  
A720-E05-IW-HED-LS-0010 Rev P4  
A720-E05-IW-HED-LS-0003 Rev P8  
A720-E05-IW-HED-LS-0004 Rev P4  
4597-P-030  
4597-P-031  
4597-P-032  
4597-P-033  
4597-P-034  
4597-P-035  
4597-P-036  
52212/B/48  
368\_A\_300  
368\_A\_305  
368\_A\_306  
368\_A\_310-B  
368\_A\_315-A  
368\_A\_316  
4597-P-003

4597-P-001  
4597-P-002  
EX\_02\_plan  
PO\_02\_site plan  
PO\_02\_plan Rev A  
PO\_04\_13A Rev A  
PO\_04\_13B Rev A  
PO\_04\_13C Rev A  
PO\_04\_13D Rev A  
4597-P-010  
20/02/2017  
4597-P-011  
4597-P-012  
52212/B/31 RevA  
52212/B/35 RevB  
52212/B/36  
P1010/00  
P1011/01  
P1012/00  
P1013/00  
P1014/00  
P1015/00  
800E Rev A  
800W Rev A  
368\_A\_100-F  
368\_A\_200-B

#### REASON

To ensure that the development accords with the scope of the approved parameter plans and detailed drawings, in the interests of appearance, living and working conditions and the impact on neighbouring development.

#### **3 NONSC Non Standard Condition**

Prior to the commencement of any bridge construction, the detailed design elements of the relevant bridge, which were not part of the applications and therefore not approved pursuant to this permission, shall be submitted to and approved in writing by the Local planning authority and where appropriate Transport for London. The bridges shall be constructed in accordance with the approved details.

Reason: To ensure that each bridge would be of a high quality design standard.

#### **4 NONSC Non Standard Condition**

Full details of facing materials including samples where appropriate to be used on all finishing materials including paving, roads, parking areas, means of enclosure, shall be submitted and approved by the Local planning authority, before the relevant part of the development is commenced.

#### REASON

To ensure that all built development would be of a high quality design standard.

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

Prior to Commencement of Development the following strategies shall be submitted and

approved in writing by the London Borough of Hillingdon as local planning authority, unless otherwise agreed in writing;

- a) Servicing - to include servicing of the site within Hillingdon for the duration of the construction of the development and its use thereafter
- b) Access for all persons including provision for people with disabilities, who are visually impaired, or have mobility difficulties, and for parents with pushchairs and to include access to and within the development
- c) Landscape Management
- d) Drainage - for measures to dispose of surface water from the development
- e) Estate Management and Crime Prevention - including access for emergency vehicles

These strategies shall only apply to the administrative area of the London Borough of Hillingdon.

#### REASON

To secure an inclusive, safe and high quality built environment for all users of the site, and where appropriate constrain local highway impact.

### **6 NONSC Non Standard Condition**

Unless otherwise agreed in writing with the local planning authority all development will be carried out in accordance with the approved strategies and, prior to commencement of development in the relevant Part, details of compliance with the approved strategies shall be submitted in writing to the local planning authority.

#### REASON

To ensure that the development is carried out in accordance with the approved strategies.

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

Site remediation, preparatory works and the development hereby permitted shall not commence until a proposed Construction Management Scheme for the development within the London Borough of Hillingdon has been submitted to and approved in writing by the London Borough of Hillingdon as the Local Planning Authority in consultation with Transport for London (where relevant as strategic highway authority). Details to include:

- a) A detailed specification of construction works at each part of development
- b) The best practical means available in accordance with British Standard Code of Practice BS5228: 1997 to be employed at all times to minimise the emission of noise and dust from the site;
- c) A suitable and efficient means of monitoring and suppressing dust, vapours and odours must be provided and maintained, including where necessary the use of deodorising agents and adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance.
- d) Engineering measures, acoustic screening and the provision of sound insulation required to mitigate specific environmental impacts identified;
- e) Identification of the most sensitive receptors, both residential and commercial where assessment and monitoring of impacts will be undertaken as work progresses;
- f) Means of enclosure and security of the site and individual phases
- g) A framework travel plan for construction workers
- h) Defined access routes to the site for all vehicles relating to the remediation and construction of the development.
- i) Details of the arrangements for the delivery of materials to the site for the construction of the development - including hours and restrictions on construction traffic having regard to

the need to control construction traffic during peak hours.

j) Construction waste management strategy

k) Unless otherwise agreed as part of the Construction Management Strategy and Code of Practice, the operation of site equipment and / or plant and machinery generating noise that is audible at the facade of residential or noise sensitive premises shall only be carried out between the hours of 0800 to 1800 Mondays to Fridays, 0800 to 1300 on Saturdays and at no time on Sundays and Bank Holidays unless otherwise agreed by London Borough of Hillingdon as the local planning authority;

l) Details of the proposed timing sequence and location of the development within the London Borough of Hillingdon:

m) Adoption and implementation of the Considerate Contractor Scheme (or similar to be agreed with the LPA) registration and operation:

n) Details of how vehicles transporting contaminated waste that leave the site (including wheel washing and covering of loads) will be managed to prevent any contaminants from entering the environment:

o) Details of and restriction on the heights of cranes, having regard to Air Safeguarding Zones:

p) Measures to mitigate disturbance to nesting birds on site:

q) Arrangements for publicity and promotion of the scheme during construction:

r) Details of an advertised 'hotline' to be operated and funded by the developer to enable any complaints to be recorded;

s) Liaison with the Local Authority's Environmental Health Unit to register complaints received and response/action taken;

t) The availability of a site manager(s) or other persons with appropriate seniority within the organisation capable of authorising proper remedial action where appropriate: and

u) Details of how access is to be provided for vehicles, plant and machinery to the two bridges and to the Pump Lane Link Road, while protecting the amenities of the Minet Country Park Green Belt land.

Thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the London Borough of Hillingdon as the Local Planning Authority.

#### REASON

In the interests of minimising the impact of noise, vibration and airborne pollution on the amenities of occupiers of properties within the vicinity of the site, to limit the works to reasonable hours and to minimise the impact of construction traffic on the highway network.

#### **8 NONSC Non Standard Condition**

No more than 1350 Development Units shall be occupied prior to the construction and bringing into use of the improvement works to the Bulls Bridge signalised junction as shown on Drawing No 52212/B/48 unless otherwise agreed in writing by the London Borough of Hillingdon as the local planning authority in consultation with Transport for London.

#### REASON

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network.

#### **9 NONSC Non Standard Condition**

No more than 1500 Development Units shall be occupied prior to the construction and bringing into use of the improvement works to the M4J3 signalised junction as shown on



Drawing No 52212/B/31 unless otherwise agreed in writing by the London Borough of Hillingdon as the local planning authority in consultation with Transport for London and the Highways Agency.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network.

**10 NONSC Non Standard Condition**

The improvement works to the Bulls Bridge signalised junction shall be constructed and brought into use before commencement of the improvement works to the M4J3 signalised junction unless otherwise agreed in writing by the London Borough of Hillingdon as the local planning authority in consultation with Transport for London and the Highways Agency.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network.

**11 NONSC Non Standard Condition**

No more than 1750 Development Units shall be occupied prior to the bringing into use for general traffic of the Pump Lane Access works as shown on Drawings No 52212/B/33 and 52212/B/34 unless otherwise agreed in writing by the London Borough of Hillingdon as the local planning authority in consultation with Transport for London.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network.

**12 NONSC Non Standard Condition**

Prior to development commencing, the detailed design for the new western link to Pump Lane and the new signalised junction shall be submitted to and approved in writing by the Local Planning Authority. The new western link to Pump Lane shall not be open to general traffic until the off-site highway works at Pump Lane/Western Access have been fully completed and opened to traffic.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network and accord with policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**13 NONSC Non Standard Condition**

Prior to development commencing, the detailed design of the Pump Lane/Bilton Way junction improvements shall be submitted to and approved in writing by the Local Planning Authority. No more than 500 Development Units shall be occupied prior to the bringing into use the Pump Lane/Bilton Way junction improvements as shown on Drawing No 52212/A/77, as well as the signalisation of that junction.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network and accord with policy AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**14 NONSC Non Standard Condition**

Prior to development commencing, the detailed design of the Pump Lane Width Restriction and associated works as shown on Drawing No 52212/A/74 shall be submitted to and approved in writing by the Local Planning Authority. The Pump Lane Width Restriction and associated works as shown on Drawing No 52212/A/74 shall be completed within 6 months following notification by TfL that they intend to run a bus service via Pump Lane.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network and accord with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**15 NONSC Non Standard Condition**

Plans and details of construction and surfacing of the Pump Lane link road, including cycle and footpaths shall be submitted to and approved in writing by the Local Planning Authority before development commences.

**REASON**

To ensure pedestrian and vehicular safety and the free flow of traffic and conditions of general safety within the site and on the local highway network in accordance with Policies AM7, AM9, and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**16 NONSC Non Standard Condition**

The Pump Lane / Bilton Way junction improvements as shown on Drawing No 52212/A/77, as well as the signalisation of that junction shall be completed and operational prior to the opening to the general public of the Pump Lane Link Road Access.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network.

**17 NONSC Non Standard Condition**

The Pump Lane Width Restriction as shown on Drawing No 52212/A/74 shall be completed and operational prior to the opening to the general public of the Pump Lane Link Road Access.

**REASON**

To mitigate the impact of additional traffic on highway safety and the capacity of the highway network.

**18 NONSC Non Standard Condition**

Plans and details of construction and surfacing of the Pump Lane link road, including cycle and footpaths shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority before development commences

**REASON**

To ensure pedestrian and vehicular safety and the free flow of traffic and conditions of general safety within the site and on the local highway network.

**19 NONSC Non Standard Condition**

Prior to commencement of remediation, preparatory works or construction, a survey, for

only that Part of the land where it is proposed to site the footings of the two bridges and Pump Lane Road access, to assess the soil contamination levels and a remediation scheme for the soil contamination for the footings for the two pedestrian/cyclist access bridges, and the land across which it is proposed to construct the extension to Pump Lane, shall be submitted to, approved in writing by the London Borough of Hillingdon as the local planning authority and carried out to the satisfaction of the London Borough of Hillingdon. All works which form part of this remediation scheme shall be completed before the commencement of the relevant bridge works unless otherwise agreed in writing by the London Borough of Hillingdon as the local planning authority.

**REASON**

To ensure that the occupants of the development are not subjected to any risks from land contamination.

**20 NONSC Non Standard Condition**

If contamination not previously identified is found to be present during any remediation works such materials shall be dealt with under a reactive strategy, the protocols for such being set out within the approved detailed scheme. When materials are encountered which require alteration to the agreed strategy, the London Borough of Hillingdon as the local planning authority shall be immediately informed in writing and amended remediation details for that Part shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority prior to the completion of that part of remediation.

**REASON**

The site is known to be subject to contamination, with remediation necessary to provide for the proposed future use of the site and to protect controlled waters from the continued effects of previous land use.

**21 NONSC Non Standard Condition**

Following the completion of each Part of site remediation, and prior to the commencement of any further development on this Part, a validation/verification report demonstrating completion of the works set out in the remediation scheme together with amendments and longer term monitoring for the relevant Part shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority.

Each validation/verification report shall include:

- a) Detail of who carried out the work
- b) Laboratory and in-situ test results to demonstrate that the site remediation criteria have been met
- c) Monitoring of groundwater and gases during remediation and details of monitoring programme post completion of remedial works, where agreed
- d) Summary data plots and tables relating to clean-up criteria
- e) Plans showing treatment areas and details of any differences from the original remediation strategy
- f) Waste management documentation
- g) Confirmation that remediation objectives have been met, for example, by provision of a certificate of completion
- h) A long term monitoring and maintenance plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the London Borough of Hillingdon as the local planning authority.

**REASON**

The site is known to be subject to contamination, with remediation necessary to provide for the proposed future use of the site and to protect controlled waters from the continued effects of previous land use.

**22 NONSC Non Standard Condition**

Full details of foundation design of the Pump Lane Access, and both pedestrian/cycle bridges including a method statement for each relevant Part shall be submitted to and approved in writing by London Borough of Hillingdon as the local planning authority prior to the commencement of development in that Part (for the avoidance of doubt including undertaking foundation works). The relevant part of development shall take place in accordance with details approved pursuant to this condition.

**REASON**

The site is known to be subject to contamination, with remediation necessary to provide for the proposed future use of the site and to protect controlled waters from the continued effects of previous land use.

**23 NONSC Non Standard Condition**

The construction of storage facilities for oils, fuels or chemicals shall be carried out in accordance with details submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority before the relevant Part of the development is commenced.

**REASON**

To protect groundwater and land from pollution.

**24 NONSC Non Standard Condition**

Prior to the commencement of development, a detailed method statement for the removal of Japanese Knotweed, Giant Hogweed and Himalayan Balsam on the site of the bridges shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed, Giant Hogweed and Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

**REASON**

To prevent the spread of invasive species and to protect native flora

**25 NONSC Non Standard Condition**

Prior to development commencing, details of a landscaping and maintenance scheme for the development within the London Borough of Hillingdon shall be submitted to and approved by the London Borough of Hillingdon as the local planning authority. The approved soft landscaping shall be implemented within 3 months of the substantial completion of Pump Lane Bridge for use by the general public, or such other time as may be agreed in writing by the London Borough of Hillingdon as the local planning authority.

**REASON**

To provide a satisfactory design and finish in the interests of the visual amenities of the locality.

**26 NONSC Non Standard Condition**

All existing trees on site as shown to be retained on the 'Existing Tree Removal/Clearance, Retention and Protection Document' (Ref4597-RT-01) prepared by Capital Lovejoy shall be retained, with root protection zones identified and appropriately secured in accordance with British Standard BS5837 - 'Trees in Relation to Construction' as amended. No retained trees and shall be lopped or topped without prior written approval of the London Borough of Hillingdon as the local planning authority.

**REASON**

To protect all existing trees to be retained on the site in the interests of visual amenity.

**27 NONSC Non Standard Condition**

If any retained tree becomes diseased, seriously damaged or dies as a result of development then a replacement tree shall be planted, to the satisfaction of the London Borough of Hillingdon as the local planning authority, within 9 months of the completion of relevant Part of the development.

**REASON**

To secure the integral planting of trees in the interests of visual amenity.

**28 NONSC Non Standard Condition**

Any trees or shrubs that die within a period of 5 years from the date of planting, are removed or become seriously damaged or diseased, shall be replaced in the next planting reason with others of a similar size and species, unless the London Borough of Hillingdon as the local planning authority gives written consent to any variation.

**REASON**

To secure the integral planting of trees in the interests of visual amenity.

**29 NONSC Non Standard Condition**

All approved tree works shall be undertaken outside the bird-nesting season (March-August inclusive) and shall first be inspected for bats. If bat activity is identified in any tree then the London Borough of Hillingdon as the local planning authority must be notified in the first instance for approval in writing, in consultation with Natural England, for any works commencing on that tree.

**REASON**

To protect existing ecology interests on the site.

**30 NONSC Non Standard Condition**

Prior to commencement of remediation, preparatory works or construction on site, a detailed Ecological Management Plan to include full details of ecological enhancement measures, protection and enhancement of wildlife habitation, and appropriate planting shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority in consultation with Natural England prior to the commencement of the relevant Part of the development. The specific ecological measures to be provided in areas of new habitat creation, including the proposed 4 metre buffer strips shall be designed to encourage bat foraging activity. These measures should include:

- a) A high proportion of locally native, nectar-rich and berry-bearing species of planting
- b) Retained dead and decaying timber, such as log piles
- c) Scope of works for the Ecological Clerk of Works which shall include shall include regular checks for grass snake and water vole in areas prior to their being disturbed by

construction workers or activities so as to ensure that incidental killing of grass snakes does not occur during the course of works.

**REASON**

To ensure that ecological enhancement measures are provided and managed.

**31 NONSC Non Standard Condition**

Prior to the commencement of any remediation and construction works for the development within London Borough of Hillingdon, an Ecological Clerk of Works shall be appointed by the applicant and retained as part of the construction team to brief construction workers on ecological issues, including a briefing of site personnel concerning identification of grass snake, legal obligations in respect of this endangered species, and actions to be taken in the event of it being present and to ensure that best practice is implemented during all site clearance, tree felling, earthworks and construction activities.

The Ecological Clerk of Works shall carry out the scope of works agreed.

**REASON**

To protect existing ecology interests on the site.

**32 NONSC Non Standard Condition**

Prior to remediation, preparatory works and construction commencing in the relevant Part of the development in the London Borough of Hillingdon the applicant shall undertake surveys to assess the presence of:

- a) Bats
- b) Water vole
- c) Grass snakes
- d) Invertebrates
- e) Birds and ground-nesting birds

in compliance with relevant UK and EU legislation. The Ecological Clerk of Works shall monitor all surveys and all survey information, and any relevant mitigation measures, shall be submitted to and approved by the London Borough of Hillingdon as the local planning authority prior to any works commencing in that Part of the development area.

**REASON**

To protect existing ecology interests on the site.

**33 NONSC Non Standard Condition**

Prior to Commencement of Development on site, a detailed Bird Hazard Management Plan shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority. Any trees, plants, shrubs or other vegetation to be planted or grown on the site shall so far as practicable be selected from species and planted and grown in such a manner as shall minimise the attraction hereof to birds.

**REASON**

To help minimise the risk of bird collision with aircraft operation associated with Heathrow Airport in the interests of human safety.

**34 NONSC Non Standard Condition**

The realignment of the flood relief channel hereby permitted shall not be commenced until such time as the detailed design of the river realignment has been submitted to, and approved in writing by, the London Borough of Hillingdon as the local planning authority. The approved details shall be fully implemented and subsequently maintained, in

accordance with phasing arrangements.

**REASON**

To ensure there is no increased risk of flooding as a result of the realignment of the river.

**35 NONSC Non Standard Condition**

Development of the Pump Lane Link Road bridge shall not begin until the detailed design of the surface water drainage pond for the relevant Part, including the flood storage area, based on the principles set out in the FRA West Southall Yeading Brook A012564 V4 dated August 2008 by White Young Green, have been submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority. The detailed design and management proposal for the flood storage area shall incorporate appropriate management measures in respect of flooding and control of pollutants from road runoff, and provisions to ensure this occurs in the longer term. The scheme shall subsequently be implemented in accordance with the approved details and the agreed timing / phasing arrangements embodied within the scheme.

**REASON**

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

**36 NONSC Non Standard Condition**

6. Prior to the construction of the pedestrian/cycle bridge over the Yeading Brook and Grand Union Canal connecting to Springfield Road, full details and scale drawings of an alternative wheelchair access to the Springbridge Road pedestrian/cycle bridge shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority and where appropriate Transport for London. The bridge shall be completed in accordance with such approved details.

**REASON**

To ensure inclusive access for all future users of the bridge.

**37 NONSC Non Standard Condition**

Save for archaeological investigations, no Part of the development shall be commenced including site remediation and site investigation unless agreement has been reached with the London Borough of Hillingdon as the local planning authority on the extent of any archaeological works necessary for that Part of the development within the London Borough of Hillingdon. A programme of any archaeological work required by that agreement together with a method statement shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority before development commences within the Part of the development in question, or as otherwise agreed in writing by the London Borough of Hillingdon as the local planning authority. A suitably qualified archaeologist, approved by the London Borough of Hillingdon as the local planning authority shall implement the programme of archaeological work in accordance with the approved programme and method statement.

**REASON**

To safeguard the archaeological interest of the site.

**38 NONSC Non Standard Condition**

Full details of lighting and external illumination for the Pump Lane Link Road Bridge, the Minet Country Park Cycle/Pedestrian Bridge and the Springfield Road Cycle/pedestrian

Bridge shall be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority prior to the commencement of the relevant part of the development.

**REASON**

To minimise light spill from the new development into the watercourse or adjacent river corridor habitat and to secure safe pedestrian access during darkness.

**39 NONSC Non Standard Condition**

Not to place or cause to be placed on the site any external lighting or flood lighting, including any external illuminated signage, without the prior written approval of the London Borough of Hillingdon as the local planning authority in consultation with the Civil Aviation Authority.

**REASON**

To ensure that the direction and/or density of such lighting does not distract any aircraft operation at Heathrow Airport or has an adverse effect on any navigational equipment at the Airport.

**40 NONSC Non Standard Condition**

Full details of security arrangements including the potential to link to the CCTV network, for the Pump Lane Link Road Bridge, the Minet Country Park Cycle/pedestrian Bridge and the Springfield Road Cycle/pedestrian Bridge shall be submitted to and approved by the London Borough of Hillingdon as the local planning authority prior to each part being implemented.

**REASON**

In the interests of crime prevention on each of the bridges.

**41 NONSC Non Standard Condition**

Prior to the commencement of the development a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the Grand Union Canal must be submitted to and approved in writing by the London Borough of Hillingdon as the local planning authority. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

**REASON**

To ensure the safety of workers and the public during development in compliance with the Construction (Design management) Regulations 1994.

**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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

LPP 1.1	(2016) Delivering the strategic vision and objectives for London
LPP 6.1	(2016) Strategic Approach
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
AM10	Incorporation in new developments of additions to the proposed cycle network
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
AM4	Safeguarded road proposals - schemes shown on Proposals Map
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL3	OL3 Green Belt -

### **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**

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission ref: 54814/APP/2009/430, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission, where those details would remain the same.

### **3. CONSIDERATIONS**

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

The Southall Gasworks application site is roughly triangular in shape and occupies approximately 44.7Ha in area. The application site is bounded to the south by the Wales and Great Western Mainline Railway (with commercial and employment uses beyond), to the west by the Grand Union Canal (with Minet Country Park beyond) and to the north by residential development in Southall (off Beaconsfield Road).

The majority of the application site is located within the London Borough of Ealing. The boundary between the London Boroughs of Ealing and Hillingdon is defined by the centre line of the Grand Union Canal. The canal also forms the western boundary of the main site.

The land between the Grand Union Canal and Yeading Brook is owned by British Waterways and managed as a wildlife area. This land was formally used as a landfill tip and is known to be subject to contamination. The Minet Country Park is owned by the London Borough of Hillingdon and maintained as a public country park. The Yeading Football Club grounds are located in the north east corner of the site.

The site is located in the Metropolitan Green Belt, a Nature Conservation Site of Metropolitan or Borough Grade I importance and within flood zones 2 and 3.

### **3.2 Proposed Scheme**

The proposal is to vary condition 2 of planning permission ref: 54814/APP/2009/430 dated 29/09/2010 to enable the roadway of the western access to be widened to allow for the addition of a cycle way which has been requested by Transport for London.

Outline planning permission ref 54814/APP/2009/430 dated 29/09/2010 was granted by the Mayor of London for the demolition of 16-32 (even) The Crescent; 1-11 (odd) Randolph Road; remediation of the land and redevelopment of the site to deliver a mixed use development for up to: 320,000m<sup>2</sup> of residential, up to 14,200m<sup>2</sup> for non-food retail, up to 5,850m<sup>2</sup> of food retail, up to 1,750m<sup>2</sup> of Class A2-A5 uses, up to 9,650m<sup>2</sup> of hotel, up to 3,000m<sup>2</sup> of conference and banqueting, up to 4,700m<sup>2</sup> of leisure forming a cinema, up to 2,550m<sup>2</sup> of health care facilities, up to 3,450m<sup>2</sup> of education facilities, up to 3,500m<sup>2</sup> of office/studio units, up to 390m<sup>2</sup> of sports pavilion, an energy centre and associated car, coach and cycle parking, landscaping, public realm, open space and children's play space; and full details submitted (layout, scale, appearance and landscaping) for the following accesses: Pump Lane Link Road New access road from the Hayes bypass to the Application Site for vehicle, cycle and pedestrian access, including drainage and a flood relief pond. Eastern Access New access road from Southall centre to the site, including land currently occupied by properties on The Crescent. Minet Country Park Footbridge Central pedestrian and cycle access to the Minet Country Park, bridging over the Canal and Yeading Brook. Springfield Road Footbridge Northern pedestrian and cycle access to Minet County Park and Springfield Road. Widening of South Road across the railway line - Widening of south road over the railway line for the creation of a bus lane. Accesses onto Beaconsfield Road (Outline Application with full details of accesses).

Since SJWL acquired the site in 2014, there has been on-going dialogue with TfL regarding the delivery of highway works at the Southall Waterside development. TfL identified that since the 2010 masterplan consent was granted, there has been a greater emphasis on sustainable travel which includes cycling and therefore a greater need for cycling infrastructure. TfL requested that the design of the Western Access carriageway be reconsidered to include a dedicated cycle lane.

The most significant change to the Western Access as requested by TfL is the inclusion of a two-way cycle lane of 3.2m in width on the southern side of the new road. This cycle lane would facilitate both eastbound and westbound cycle movements, whilst the wider 4.0m nearside lanes would also provide sufficient width to satisfactorily accommodate cyclists that wish to remain on carriageway. The off-carriageway cycle way is separate from the carriageway edge by a 1.0m hard strip.

As a result of the amendments, the full cross-section of the revised Western Access is wider than the planning approved layout. The revised Western Access road is 5.6m wider than the approved layout. At the junction with Pump Lane, the additional width is 3.9m. However the designed engineering solution (a revised embankment profile) ensures that the footprint of the revised scheme is no greater than that of the consented scheme.

A revised landscape scheme has been developed by landscape architect Hyland Edgar Driver (HED).

The revised landscape scheme takes account of the revised embankment profile and provides a more "naturalised" consideration of the planting to be delivered as part of the reconfigured drainage works. The scheme takes account of those trees that are to be removed to accommodate the scheme works and those to be retained.

SJWL is also seeking the inclusion of a sustainable drainage basin to the south of the carriageway. This is in lieu of the current consented drainage scheme, which proposes an oversized pipe solution to accommodate the surface water run-off anticipated by the carriageway.

### 3.3 Relevant Planning History

54814/APP/2009/430 Southall Gas Works Hayes By Pass Hayes

Demolition of 16-32 (even) The Crescent; 1-11 (odd) Randolph Road; remediation of the land and redevelopment of the site to deliver a mixed use development for up to: 320,000m<sup>2</sup> of residential uses, up to 14,200m<sup>2</sup> for non-food retail, up to 5,850m<sup>2</sup> of food retail, up to 1,750m<sup>2</sup> of Class A2-A5 uses, up to 9,650m<sup>2</sup> of hotel, up to 3,000m<sup>2</sup> of conference and banqueting, up to 4,700m<sup>2</sup> of leisure forming a cinema, up to 2,550m<sup>2</sup> of health care facilities, up to 3,450m<sup>2</sup> of education facilities, up to 3,500m<sup>2</sup> of office/studio units, up to 390m<sup>2</sup> of sports pavilion, an energy centre and associated car, coach and cycle parking, landscaping, public realm, open space and children's play space; and full details submitted (layout, scale, appearance and landscaping) for the following accesses: Pump Lane Link Road New access road from the Hayes bypass to the Application Site for vehicle, cycle and pedestrian access, including drainage and a flood relief pond. Eastern Access New access road from Southall centre to the site, including land currently occupied by properties on The Crescent. Minet Country Park Footbridge Central pedestrian and cycle access to the Minet Country Park, bridging over the Canal and Yeading Brook. Springfield Road Footbridge Northern pedestrian and cycle access to Minet County Park and Springfield Road. Widening of South Road across the railway line - Widening of south road over the railway line for the creation of a bus lane. Accesses onto Beaconsfield Road (Outline Application with full details of accesses).

**Decision:** 01-07-2011 NFA

54814/APP/2013/3372 Southall Gas Works Hayes By Pass Hayes

Application for a non-material amendment to planning permission Ref: 54814/APP/2009/430 dated 29/09/2010 to allow for amendments to conditions 2, 9 & 11 to rectify incorrect drawing references (Demolition of 16-32 (even) The Crescent; 1-11 (odd) Randolph Road; remediation of the land and redevelopment of the site to deliver a mixed use development for up to: 320,000m<sup>2</sup> of residential uses, up to 14,200m<sup>2</sup> for non-food retail, up to 5,850m<sup>2</sup> of food retail, up to 1,750m<sup>2</sup> of Class A2-A5 uses, up to 9,650m<sup>2</sup> of hotel, up to 3,000m<sup>2</sup> of conference and banqueting, up to 4,700m<sup>2</sup> of leisure forming a cinema, up to 2,550m<sup>2</sup> of health care facilities, up to 3,450m<sup>2</sup> of education facilities, up to 3,500m<sup>2</sup> of office/studio units, up to 390m<sup>2</sup> of sports pavilion, an energy centre and associated car, coach and cycle parking, landscaping, public realm, open space and children's play space; and full details submitted (layout, scale, appearance and landscaping) for

the following accesses: Pump Lane Link Road New access road from the Hayes bypass to the Application Site for vehicle, cycle and pedestrian access, including drainage and a flood relief pond. Eastern Access New access road from Southall centre to the site, including land currently occupied by properties on The Crescent. Minet Country Park Footbridge Central pedestrian and cycle access to the Minet Country Park, bridging over the Canal and Yeading Brook. Springfield Road Footbridge Northern pedestrian and cycle access to Minet County Park and Springfield Road. Widening of South Road across the railway line - Widening of south road over the railway line for the creation of a bus lane. Accesses onto Beaconsfield Road (Outline Application with full details of accesses).

**Decision:** 11-12-2013 Approved

54814/APP/2017/1643 Southall Waterside Hayes By Pass Hayes

Construction of new switchroom to enable operation of Western Access Road to the former Southall Gasworks site.

**Decision:**

54814/APP/2017/2103 Southall Waterside Hayes By Pass Hayes

Re-configuration and excavation of the dredging lagoon; installation of a new bund; the removal of the central spine including associated works

**Decision:**

54814/APP/2017/216 The Straight, Southall Gasworks Site Hayes By Pass Hayes

Non Material Amendment to planning permission 54814/APP/2009/430; (Outline application - Demolition of 22 houses; the remediation of the land and the redevelopment of the site to deliver large mixed use development including residential, non-food retail, food retail, restaurants, bars and cafes, hotel, conference and banqueting, cinema, health care facilities, education facilities, office/studio units, sports pavilion, an energy centre, multi-storey car park and associated car and cycle parking, landscaping, public realm, open space and children's play space.

Full application

New access roads from the Hayes by-pass and Southall town centre to the application site for vehicle, cycle and pedestrian access, including drainage and a flood relief pond. Widening of South Road across the railway line, widening of South Road over the railway line for the creation of a bus lane and three new accesses onto Beaconsfield Road. Two bridges over the Grand Union canal and

Yeading Brook to provide pedestrian and cycle access to the Minet Country Park and Springfield Road) to allow amendment to Condition 6 to allow for submission of details confirming compliance with approved strategies to be submitted 6 months after completion.

**Decision:** 21-02-2017 Approved

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

The current application seeks a variation of planning permission 54814/APP/2009/430.

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

## UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

LPP 1.1	(2016) Delivering the strategic vision and objectives for London
LPP 6.1	(2016) Strategic Approach
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
AM10	Incorporation in new developments of additions to the proposed cycle network
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AM4	Safeguarded road proposals - schemes shown on Proposals Map
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL3	OL3 Green Belt -

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **29th March 2017**

5.2 Site Notice Expiry Date:- **5th April 2017**

## 6. Consultations

### External Consultees

Site Notices were displayed and 19 neighbouring sites were notified by letter. No comments were received.

GLA

I have assessed the details of the application and, given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues.

Therefore, under article 5(2) of the above order Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA.

TFL

16th May 2017

Following my comments on behalf of TfL you received on 31 March (see below), the applicant

supplied further information and annotations on 24th April which satisfactorily clarify the proposals. TfL has no objection to this application and looks forward to the progression of plans through the engagement St James has promised with your Council (as mentioned in the 24th April submission), to progress a link between the scheme's bicycle routes and those on the Hillingdon side of the site.

31st March 2017

Thank you for consulting TfL on the Western Access/Hayes By-Pass part of this major residential-led scheme on the site of Southall Gasworks, for which amendments are sought. The 'Western Access' comprises a traffic signal controlled junction on Pump Lane, and a new link road into the Site which crosses the Grand Union Canal and Yeading Brook watercourses via a new bridge structure. The Western Access will provide access to the Site from the A312, which is Transport for London Route Network.

As a result of discussions between the applicant, Transport for London (TfL) LBE and LBH, the Western Access to the Site is proposed to be amended to accommodate a cycleway, a very welcome addition to sustainable and safe transportation. This has resulted in an increase to the width of the access road, to accommodate a two-way cycle lane of 3.2m width on the southern side of the new road, which is acceptable. The off-carriageway cycle way is separated from the carriageway edge by a 1.0m hard strip. As before, footways of 2.0m width are provided; the southern footways is located to the south (i.e. the 'outside') of the south cycle lane. The revised layout retains the two full westbound lanes included within the planning approved layout, again with the nearside lane designated as a bus lane.

The suitability of links from the cycle lane layout within the Western Access scheme to other cycle lanes adjacent and in the gasworks site is important to the success of this scheme in terms of road safety and improving the attractiveness of sustainable travel modes. To this end TfL seeks more detail on what happens at the "ends" of the proposed cycle lanes (referring to access drawing Part 2, where there appears to be an abrupt termination to east and west) and reassurance that the cycle lanes will be linked in/continuous with other cycle lanes. Until this is supplied to TfL's satisfaction it can only support the principle of the improvement and not its layout.

As a consequence of adding the cycle lanes, the full cross-section of the revised Western Access is wider by up to 5.6metres than the planning approved layout (though with the same footprint), and this has been accommodated by increasing the gradient of the bank upon which the carriageway sits. The gradient increase is acceptable to TfL though it should be noted that all aspects of the road design are subject to a detailed design approvals. This is a normal part of the design and build process from the current outline drawing.

Some minor amendments have also been made at the junction with Pump Lane. As a result, amendments have been made to the drainage strategy (to include an attenuation basin) and landscaping for this part of the Site. These amendments are also satisfactory, as is the enhanced landscape strategy.

TfL has assessed the layout to the Western Access as better accommodating to cyclists but seeks clarification on how the section shown continues and links with the cycle routing beyond; the design should be in line with the recommendations in TfL's London Cycle Design Guidance. TfL has no further comments on the amendments to the drainage and landscaping amended strategies, thus it has no objection to this planning proposal subject to a minor linkage clarification.

CANAL & RIVER TRUST

No objection.

NATURAL ENGLAND

Thank you for your consultation. Natural England currently has no comment to make on the variation

of condition 2. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

#### GLAAS

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter. Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

#### BAA SAFEGUARDING

I have now assessed the proposed variations to condition for the above application against safeguarding criteria and would like to request the following; - Common Reed to be planted around the edges of all proposed water bodies. Therefore as long as this request can be accommodated I have no safeguarding objections to the proposed variations for this development.

Officer Comment: The landscape plans have been amended to accommodate the request.

#### LONDON BOROUGH OF EALING

No Objection.

#### **Internal Consultees**

##### TREES & LANDSCAPING

The variation of condition 2 includes an amendment to the slope profiles of the western access (Southall - Hayes) road embankment. Changes were required to widen the running surface of the road to accommodate a cycle lane within the previously determined site limits.

The submission includes an arboricultural implications report by SJA Trees, dated November 2016. The report confirms that none of the 'A' category trees will be removed. Two 'B' grade trees oaks will be removed (T22 and T106) together with 58 'C' and 11 'U' to facilitate the development. Further to this, two 'B' groups (G13 and G78) are to be removed entirely and two others (G4002 and G4012) will be partially removed together with twelve category 'C' groups. At 3.2 the report confirms that all of the trees and groups that constitute the main arboricultural features of the Minet Country Park - by their contribution to the character and appearance of the local landscape, amenity or biodiversity - will be retained. No ancient or veteran trees will be removed. Tree protection details have been submitted. Embankment profiles and road-side tree pit details are provided on LED drawing Nos. LS 007 and 0010. Summary plans of the 'Trees (and other vegetation) to be removed / retained' are provided on Capita Lovejoy's drawing Nos. 4597-P-020, 021, 022 and HED drawing Nos. LS-003 and 004. Planting proposals by Capita Lovejoy include amenity grass, bulb planting, wild flower planting, mixed native woodland and specimen tree planting are indicated on together drawing Nos. 022, 023 and 024. A review of the ecological impacts by Ramboll Environ confirms that the existing mitigation measures identified within the Ecology Advice which form part of the consented scheme should be followed.

No objection subject to adherence to the approved documents. No detailed specifications have been submitted with this package and no specification of the future management and maintenance of the new landscape. This should be secured by condition, if such details have not already been approved.

Officer Comment: This is being dealt with under existing conditions that Officers are proposing to

reimpose on this application should permission be forthcoming.

## HIGHWAYS

The proposal seeks, at the request of TfL, to provide a dedicated off carriageway 2 way cycle track 3.2 metres wide along the new western access road to Pump Lane. The new road, bridges and embankments are to be adopted by TfL. The addition of these cycle facilities will result in the widening of the proposed road including proposed bridges and embankments. The transport assessment confirms no material impact on the operation of the affected proposed signalised junctions as a result of introducing cycling facilities. Subject to confirmation by TfL that they are satisfied with the revised design of widened bridges and embankments no objections would be raised on highway grounds.

## EPU

I refer to your consultation of 6 March 2017 regarding the above application. I have had a look through the documents and plans that are updated or varied. No amended or new contaminated land reports are included in the submitted documents. The last report I have in my database is the 'Remediation Scheme for the Proposed Bridge Works from Southall Gasworks dated 5 August 2016'. I made some comments on the report for consultation 54814/APP/2016/4215. As discussed at the meeting on site recently there will be environmental monitoring to be submitted to the Council and the Agency during the works and validation reports when the structures are completed.

Officer Comment: This will be dealt with through conditions.

## FLOODWATER MANAGEMENT OFFICER

No objections following the additional meetings held and submission of revised information to show how the drainage and flood risk compensation has altered as a result of the proposed changes in embankment. The additional info includes: Western Access S73 Floodplain Site Plan P16-233-MT-SK-0300 rev P1 Western Access S73 Floodplain Modifications from Consented Scheme P16-233-MT-SK-0301 rev P1 Western Access S73 Floodplain Modifications from Consented Scheme P16-233-MT-SK-0301 Rev P2 Western Access S73 Flood Compensation Area Comparison P16-233-MT-SK-0302 Rev P1 All dated May 2017. These show the revised shape and extension of flood compensation to provide storage for the now additional pond to manage surface water appropriately within the floodplain to the south of the embankment.

## **7. MAIN PLANNING ISSUES**

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

The principle of the development was established under planning permission ref: 54814/APP/2009/430.

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

Not applicable.

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

The site is not located in a Conservation Area or an Area of Special Local Character.

### **7.04 Airport safeguarding**

There are no safeguarding issues resulting from the proposed amendments to the approved development. BAA Safeguarding have raised no objections.

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

This was assessed and deemed acceptable under planning permission ref: 54814/APP/2009/430. The proposed design changes do not result in any additional impact on the green belt.

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

This was assessed and deemed acceptable under planning permission ref:



54814/APP/2009/430. The proposed design changes, which essentially are a 5.6m wider roadway and steeper embankments are not considered to result do not result in any additional impact on the character and appearance of the area.

**7.08 Impact on neighbours**

The development is not located near residential properties.

**7.09 Living conditions for future occupiers**

Not applicable.

**7.10 Traffic impact, car/cycle parking, pedestrian safety**

The Western Access will be built, adopted and maintained by Transport for London (TFL). To this end TFL have confirmed that they have no objections to the proposed amendment to the scheme. The proposed amendments slightly widen the road to allow for an additional cycle lane. To this end there will no increase in vehicle traffic as a result of the proposed changes. The provision of an additional cycle way, a sustainable travel mode, is likely have a positive impact in terms of traffic.

**7.11 Urban design, access and security**

The proposed amendments to the previously approved scheme result in no new urban design, access or security issues.

**7.12 Disabled access**

No disabled access issues arise from the proposed amendments to the approved scheme.

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

Not applicable.

**7.14 Trees, Landscaping and Ecology**

The Council's Trees and Landscaping Officer has confirmed that proposed amendment to the approved scheme, which results in slightly steeper embankments, would not adversely affect the already approved landscaping scheme and strategy. Landscaping conditions will be reimposed from the original permission.

**7.15 Sustainable waste management**

Not applicable.

**7.16 Renewable energy / Sustainability**

Not applicable.

**7.17 Flooding or Drainage Issues**

The Council's Flood and Water Management Officer has considered the proposal and raises no objection as the proposal is considered acceptable in terms of flooding, in accordance with 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), and National Planning Policy Framework (March 2012).

**7.18 Noise or Air Quality Issues**

The proposed amendments slightly widen the road to allow for a cycle lane. To this end there will no increase in vehicle traffic as a result of the proposed changes. The provision of a cycle way, a sustainable travel mode, is likely to have a positive impact on air quality and noise.

**7.19 Comments on Public Consultations**

None.

**7.20 Planning Obligations**

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It

is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

Policy R17 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012) is concerned with securing planning obligations to supplement the provision of recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals.

At a regional level, policy 8.2 'Planning Obligations' of the London Plan (2016) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

A Deed of Variation (DOV) is required to the original S106 Agreement to ensure that the planning application number of this application (and in turn the amended development) is referenced in the S106 Legal Agreement, and all previously agreed obligations and contributions secured.

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

None.

#### **7.22 Other Issues**

None.

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

General

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

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

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

Planning Conditions

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

#### Planning Obligations

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

#### Equalities and Human Rights

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

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

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

### **9. Observations of the Director of Finance**

### **10. CONCLUSION**

The proposal is to vary condition 2 of planning permission ref: 54814/APP/2009/430 dated 29/09/2010 to enable the roadway of the western access to be widened by 5.6m to allow for the addition of a cycle way which has been requested by Transport for London.

The width of the base of the road/embankments would remain the same as already approved. It is only the roadway that sits on top that will be widened.

TFL, who will build, adopt and maintain the and who requested the widening of the road, have assessed the proposal and raised no objections.

Furthermore no objections have been raised by internal consultees.

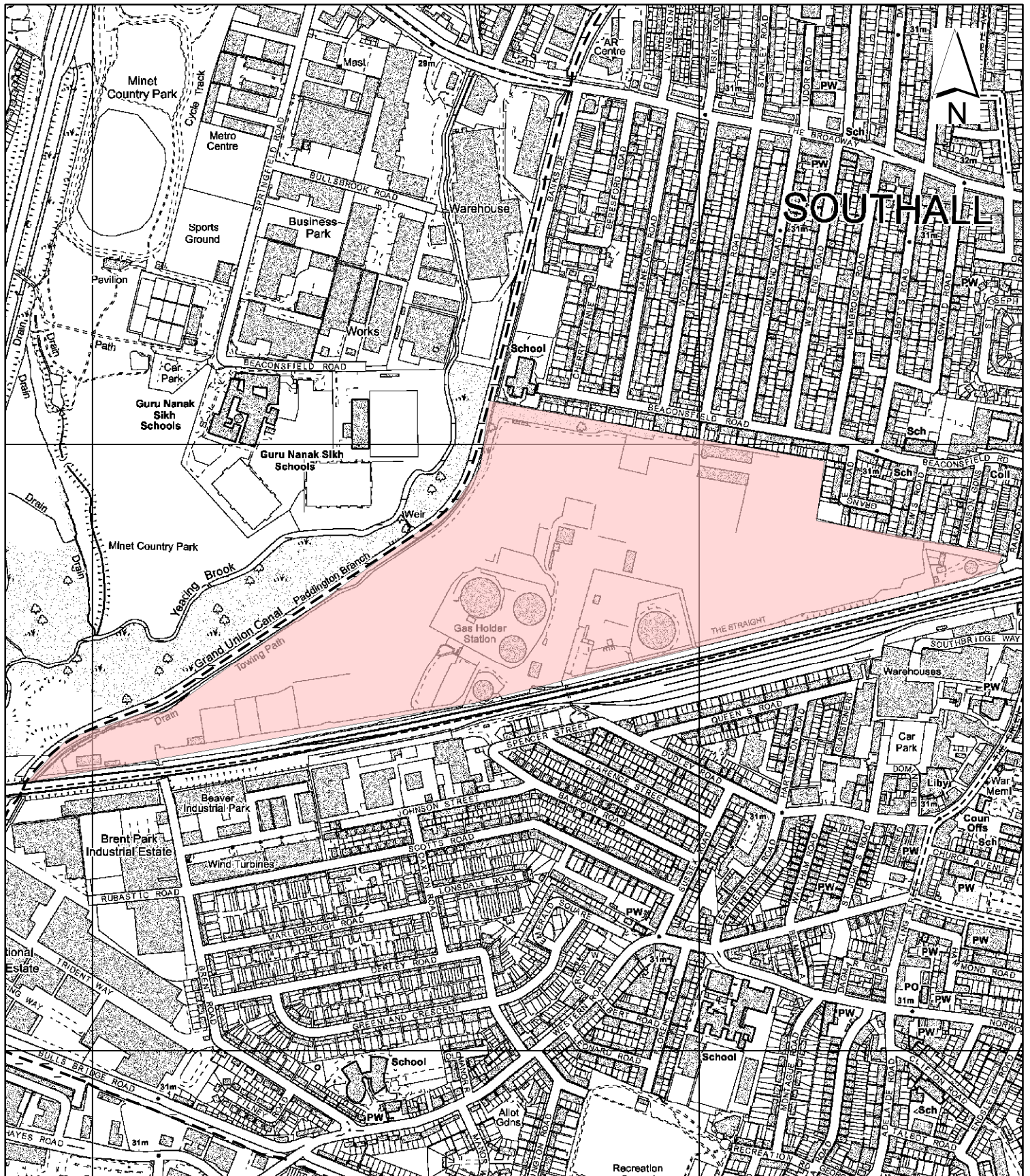
The applictaion is therefore recommended for approval.

**11. Reference Documents**

Hillingdon Local Plan (November 2012);  
The London Plan (March 2016);  
National Planning Policy Framework; National Planning Policy Guidance  
Hillingdon Supplementary Planning Guidance: Noise;  
Hillingdon Supplementary Planning Guidance: Noise Air Quality;

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Southall Gas Works**

Planning Application Ref:

**54814/APP/2017/604**

Planning Committee:

**Major**

Scale:

**1:8,500**

Date:

**June 2017**

**LONDON BOROUGH OF HILLINGDON**

**Residents Services  
 Planning Section**  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
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**HILLINGDON**  
 LONDON