

Report of the Head of Planning, Sport and Green Spaces

Address PROLOGIS PARK WEST LONDON HORTON ROAD YIEWSLEY

Development: Section 73 application for variation of Conditions 5 (approved drawings), 6 (approved documents), 25 (insertion of mezzanine floors) and 27 (use as data centre) as attached to planning permission ref. 37977/APP/2015/1004 dated 14-12-2015: Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination.

LBH Ref Nos: 37977/APP/2017/1634

Drawing Nos: 05015
05016
27122/PL/100
05901
IA-407-LD-P01
IA-407-LD-P02
IA-407-LD-P03
IA-407-LP-P01
05005
05006
Consultant Advice (G-006[1.0]) by Norman Disney & Young
05705
05706
A05801
A05802
05003
05004
05013
05014
05703
05704
Design & Access Statement by TTSP
Framework Travel Plan
Energy Strategy (Revision 3.0) by Norman Disney & Young
Economic Statement by Maddox Planning Consultants
Planning Statement by Savills
Planting Statement by Ireland Albrech
Transport Statement (70032265-01) by WSP Parsons Brinckerhoff

Date Plans Received: 05/05/2017

Date(s) of Amendment(s):

Date Application Valid: 12/05/2017

1. **SUMMARY**

The proposed data centre use is compatible with the character of the business park and would support the continued viability of the Industrial and Business Area (IBA).

Additional works required will be mitigated visually by improved landscaping whilst noise and emissions from associated plant can be suitably restricted and managed.

The gantries and associated plant, as well as the mezzanine will be removed if and when use as a data centre ceases, allowing the flexibility of the buildings to be maintained.

2. **RECOMMENDATION**

Approval, subject to delegated powers being given to the Head of Planning and Enforcement to grant planning permission, subject to any relevant amendments agreed by the Head of Planning and Enforcement and the following:

a) That the Council enter into a deed of variation to the legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the legal obligations secured under the original consent (reference 51588/APP/2011/2253 dated 27/03/12).

b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 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) That if any of the heads of terms have not been agreed and the S106 legal agreement has not been finalised within 3 months of the date of this Committee resolution, or any other period deemed appropriate by the Head of Planning and Enforcement, then the application may be referred back to the Committee for determination.

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

1 COM3 Reserved matters - submission (Phase 2)

Approval of the details of the layout, scale and appearance of the buildings and the landscaping of the site for the land shown as 'Area of Outline Application' on the approved Planning Layout (Drawing no. 27122/PL/056B) (hereinafter called "Phase 2") shall be obtained from the Local Planning Authority in writing before any development is commenced on the Phase 2 site.

Reason

The land referred to in condition 1 within the application site is in part an outline permission and the reserved matters shall be made to the Local Planning Authority.

2 COM4 Time Limit- (Phase 2)

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of the original planning approval notice, this being the 14th of December 2015.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

3 COM5 Time Limit- (Phase 2)

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale and appearance of any buildings to be erected, including the means of access to the phase 2 site and the landscaping of the Phase 2 site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. All reserved matters shall be begun before the expiry of 2 years from the date of the decision to which the reserved matters development relates.

Reason

The land referred to in condition 1 within the application site is in part an outline permission and the reserved matters shall be made to the Local Planning Authority.

4 NONSC Time Limit - (Phase 1)

The development shown in detail (hereinafter called "Phase 1") on drawing no. 27122/PL/056B and all other related drawings and details hereby permitted (hereinafter called "Phase 1") shall be begun before the expiration of three years from the date of original planning approval notice, this being the 14th of December 2015.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

5 RES18 Approved Plans (Phase 1)

Phase One of the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans referenced below and shall thereafter be retained/maintained for as long as the development remains in

existence:

Phase One of the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans referenced below and shall thereafter be retained / maintained for as long as the development remains in existence:

- Michael Sparks 27122/PL:
- TTSP: 05001, 05002, 05003, 05004, 05005, 05006, 05011, 05012, 05013, 05014, 05015, 05016, 05701, 05702, 05703, 05704, 05705, 05706, 05801, 05802, 05900 and 05901;
- Barry Chins: 02A, 03C, 11B, 12B, 13A, 14A and 22A;
- WSP: 6377-ATR-003 and 6377-SK-003B
- Ireland Albrecht: IA-407-LD-P01, IA-407-LD-P02, IA-407-LD-P03, IA-407-LP-P01

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (November 2012) and the London Plan (March 2015).

6 COM7 Approved Documents (Phases 1 & 2)

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

- Geo-Environmental Assessment - WSP 10/03/2015
- Preliminary Risk Assessment (Phase 1 Report) - WSP 10/03/2015
- Air Quality Assessment - AECOM Limited March 2015
- Ecological Assessment - Ecology Solutions March 2015
- Design and Access Statement - Michael Sparks ref. 27122 March 2015
- Sustainability and Energy Statement - Turley Sustainability March 2015
- Sustainability and Energy Statement Addendum - Turley Sustainability June 2015
- Noise Assessment - AECOM Limited March 2015
- Flood Risk Assessment - WSP 10/03/2015
- Landscape Design Statement 1469/14/Rp02 - Barry Chinn Associates June 2015
- Landscape & Visual Assessment Addendums - Barry Chinn Associates March 2015
- Canal Frontage Landscape Statement - Barry Chinn Associates June 2015
- Pre-Development - Tree Survey Midland Tree Surgeons Limited (Feb 2015)
- Transport Assessment - WSP 11 March 2015
- PERS Audit - WSP 15 May 2015
- Design and Access Statement including Site Photographs and Air Quality Statement TTSP Architects May 2017
- Planting Design Statement prepared by Ireland Albrecht
- Transport Statement - WSP May 2017
- Travel Plan Summary - WSP May 2017
- Energy Strategy - Norman Disney & Young May 2017
- Acoustic Consultancy Report - Lee Cunningham Partnership May 2017
- Economic Statement - Maddox Associates May 2017
- Consultant Advice Note (G-006[1.0]) - Norman, Disney & Young July 2017

Thereafter the development shall be retained/ maintained in accordance with these details for as long as the development remains in existence, unless alternative details are approved in respect to another condition on this consent.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (November 2012) and the London Plan (March 2015).

7 TL6 Parameters - Floor Space, Height and Car Parking (Phase 2)

Notwithstanding any illustrative information contained in supporting documentation, within Phase 2 of the development, the siting, maximum and minimum width and length of any buildings shall accord with Drawing Number 27122/PL/056B 'Parameters Plan', unless otherwise agreed in writing by the Local Planning Authority.

The proposed floor area/size and heights of any buildings or structures parts of buildings or structures within Phase 2 of the development, as identified on Parameters Plan 27122/PL/056B, including any plant and equipment, shall not exceed 26,100sqm of floorspace (GIA) and 18.7 metres in height (to ridge).

Car parking arrangements for Phase 2 shall demonstrate that parking provision is commensurate with the scale of development and shall ensure that following the completion of the building(s) approved on Phase 2, no more than 250 additional car parking spaces are provided within the Phase 2 site. Following completion of all buildings within Phases 1 and 2, no more than 430 car parking spaces are to be provided on the site at any time. In addition cycle and motorcycle parking shall be provided for each building within each phase.

REASON

i) To prevent over development of the site, to ensure that the scale and massing of the buildings are appropriate to their setting, to comply with the terms of the application and to accord with Policy BE13 of the Hillingdon Local Plan (November 2012),

ii) To safeguard the visual amenities of the Green Belt and to accord with Policies OL1, OL2 and OL5 of the Hillingdon Local Plan (November 2012) and to accord with London Plan (March 2015) Policy 7.16.

iii) To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012) and Chapter 6 of the London Plan (March 2015).

8 RES9 Levels (Phases 1 & 2)

For each phase of the development detailed plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings within each phase of the site have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point and no building within the site shall exceed the maximum height of 67.93m AOD. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan (November 2012).

9 RES11 Landscape Plan (Phases 1 & 2)

For each phase of the development a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

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 Refuse Storage

2.b Means of enclosure/boundary treatments, including details of the positions, heights and materials proposed

2.c Car Parking for;

i. Phase 1: 180 parking spaces, including demonstration of 18 parking spaces for disabled users and 54 parking spaces are served by electrical charging points (of which 36 active and 18 passive; and,

ii. Phase 2: a maximum of 250 parking spaces (including demonstration that 20% active and 10% passive provision for electric vehicles) and 10% parking spaces are allocated for disabled users.

2.d Cycle and Motorcycle parking for each building within each phase of the development

2.d Hard Surfacing Materials

2.e External Lighting

2.f CCTV or any other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls and roofs, or

Justification as to why no part of the development can include living walls and roofs

4. Details of Landscape Maintenance

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

4.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.

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

Thereafter the approved details shall be implemented prior to first occupation of the buildings within each phase in full accordance with the approved details and shall be retained thereafter.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with condition 3(v) and policies BE13 and BE38 of the Hillingdon Local Plan (November 2012) and Policies 5.11 (living walls and roofs), 5.8 (Innovative energy Technologies), 6.13 (Parking) and 5.17 (refuse storage) of the London Plan (March 2015).

10 NONSC Landscaping Scheme - Implementation (Phases 1 & 2)

For each phase of the development all hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the of the Hillingdon Local Plan (November 2012).

11 NONSC Landscaped Adjacent to Development Areas (Phase 1)

Notwithstanding any illustrative information contained in supporting documentation, the landscape areas shown on Drawings 03C, 09A, 11B, 12B, 13A and 22A shall be completed within the first planting and seeding seasons following the completion or occupation of the building approved on Phase 1, whichever is the earlier period.

REASON

To ensure that the landscaped areas are laid out in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the of the Hillingdon Local Plan (November 2012).

12 NONSC Bird Hazard Management Plan (Phases 1 & 2)

Prior to commencement of each phase of the development, or any of the elements of development for which full planning permission is hereby approved, detailed drawings and supporting documentation in relation to the relevant phase or component of the full planning element shall be submitted to and approved in writing by the Local Planning Authority, in respect of the following:

i) A Bird Hazard Management Plan which shall include the following details:

- Details of any water features,
- Monitoring of any standing water within the site,
- Drainage details including Sustainable Urban Drainage Schemes (SUDS). Such schemes must also comply with Advice Note 6 Potential Bird Hazards from SUDS which is available at www.aoa.org.uk/publications/safeguarding.asp
- Management of any flat roofs within the site which may be attractive to nesting, roosting or 'loafing' birds. The management plan shall comply with Advice Note 8 - Potential Bird Hazards from Building Design (www.aoa.org.uk/publications/safeguarding.asp),
- Any earthworks,
- The species, number and spacing of trees and shrubs,
- reinstatement of grass areas,
- maintenance of planted and landscaped areas, particularly in terms of the height and species of plants that are allowed to grow,
- which waste materials can be brought on to the site,
- monitoring of waste imports,
- physical arrangement for collection and storage of putrescible waste,
- signs deterring people from feeding birds.

Thereafter and prior to occupation of each relevant phase/relevant component of the full planning element, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

REASON

To protect Aircraft safety in accordance with Policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

13 NONSC Ecological Enhancements (Phases 1 & 2)

Prior to the commencement of each phase of the development an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly detail measures to promote and enhance wildlife opportunities within the landscaping and the fabric of the buildings within each phase of the development including measures such as habitat walls, bird and bat boxes and nectar rich planting. The scheme shall aim to include an area of land dedicated to wildlife habitat. Each phase of the development must proceed in accordance with the approved scheme.

REASON

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

14 NONSC Trees to be Retained (Phases 1 & 2)

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

15 NONSC Floodlighting (Phases 1 & 2)

For each phase of the development no floodlighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.1 of the London Plan (March 2015)

16 NONSC Facilities for People with Disabilities (Phases 1 & 2)

For each phase of the development the plans and details relating to disabled access, circulation and facilities shall ensure that:

(i) External areas, including landscaped areas are designed to be inclusive with any gravel surface to be smooth and resin bonded, and should otherwise meet the specifications prescribed in BS 8300:2009.

(ii) All areas to which the public have access are designed to achieve a gradient no steeper than 1:18 with handrails and a level landing provided at every 8 metres of ramp flight,

(iii) Level access is provided to all buildings

(iv) Building entrances (including level approaches, signposting, types and dimensions of door width and lobby openings) meet the needs of disabled persons,

(v) All buildings, including their approach, are designed in accordance with BS 8300:2009,

The facilities approved shall be provided prior to the occupation of each relevant phase of development and shall be permanently retained thereafter.

REASON

In order to ensure the development achieves an appropriate level of accessibility in accordance with Policy 3.8 of the London Plan (March 2015) and the HDAS - Accessible Hillingdon.

17 NONSC Existing Access Closure (Phase 1)

No building within the development shall be occupied until the existing access from the site to Iron Bridge Road has been permanently closed and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority; and only the approved details shall be implemented.

REASON

To restrict access onto the public highway where it is necessary in the interest of highway safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

18 COM15 Canalside Risk Assessment and Method Statement

Prior to the commencement of any works adjacent to the water in the Grand Union Canal, a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water Grand Union Canal must be submitted and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust.

REASON

To ensure the proposed works do not have any adverse impact on the safety of waterway users and the integrity of the navigation.

19 COM31 Canalside Water Run-off and Ground Water Drain

If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Canal & River Trust prior to the commencement of development, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

REASON:

To determine the potential for pollution of the waterway and likely volume of water

20 RES16 Submission Energy Assessment (Phases 1 & 2)

Prior to the commencement of each phase of the development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority.

The assessment shall clearly set out the baseline energy performance of each phase of the development, and the detailed measures to reduce CO2 emissions of each phase by 35%. The assessment shall provide detailed specifications of the measures and technology set out in outline energy assessment. The assessment shall also include full details of the photovoltaics including type, specification, and a detailed roof layout which must be reflected in other plans and elevations.

Finally, the assessment must include appropriate measuring and monitoring proposals and how the information will be submitted to the Local Planning Authority to demonstrate CO2 reductions are being met.

Each phase of the development must proceed in accordance with the approved scheme.

REASON

To ensure appropriate carbon savings are delivered in accordance with London Plan Policy 5.2.

21 NONSC Secure by Design (Phases 1 & 2)

The buildings shall achieve 'Secured by Design' accreditation awarded by the Metropolitan Police. No building within each phase of the development shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with Policies 7.1 and 7.3 of the London Plan (March 2015).

22 NONSC Contaminated Land (Phases 1 & 2)

(i) Each phase of the development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

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 (November 2012).

23 NONSC Sustainable Water Management (Phases 1 & 2)

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

a) Manages Surface Water. The scheme shall demonstrate ways of controlling the surface water on site.

i. (following the strategy set out in Flood Risk Assessment and Surface Water Drainage Strategy, produced by WSP

ii. incorporates 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.

iii. provide information on all Suds features including the method employed to delay and control the water discharged from the site to Greenfield run off rates and:

a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.

b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

iv. Demonstrates capacity and structural soundness in the receptors of Thames Water network and receiving watercourse as appropriate.

v. During Construction

a. measures taken to prevent pollution of the receiving groundwater and/or surface waters;

b. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.

b) Foul water

i. The Scheme shall demonstrate capacity in the receiving foul sewer network or provides suitable upgrades agreed by Thames Water.

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.

The development shall not be occupied until the approved details have been implemented and thereafter retained/maintained in accordance with the approved details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled 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 (November 2012) Policy 5.12 Flood Risk Management of the London Plan (March 2015) and National Planning Policy Framework and the Planning Practice Guidance. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (March 2015), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2015).

24 NONSC Restrictions - Enlargement of Industrial/Warehouse Buildings

Notwithstanding the provisions of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the building(s) shall not be extended without the prior written consent of the Local Planning Authority.

REASON

To enable the Local Planning Authority to assess all the implications of the development and in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

25 COM30 No additional internal floorspace (Phases 1 & 2)

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional structural internal mezzanine floorspace that can be used for storage, excluding that intended to be used for a data centre, shall be created in excess of that area expressly authorised by this permission.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

26 NONSC No External Storage Above 3 Metres (Phases 1 & 2)

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), and unless otherwise agreed in writing by the Local Planning Authority, external storage associated with the use of any part of the site shall not exceed 3 metres in height within any part of the development hereby approved.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure the development does not detrimentally impact upon the Green Belt and streetscene.

27 NONSC Use Restrictions (Phases 1 & 2)

Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the units within Phase 2 shall not be used as a data centre.

REASON

To ensure compliance with policies within chapter 5 of the London Plan (March 2015).

28 NONSC Reporting Energy Usage

Prior to the occupation of the development a scheme for the reporting of energy usage and CO2 emissions should be submitted to and approved in writing by the Local Planning Authority. The report shall be submitted on a 6 monthly basis for 5 years on commencement of operation of the development. The report shall detail the amount of energy consumed (kWhrs) and the related CO2 emissions. The report shall also provide a commentary of the actual performance of the data centre in relation to the anticipated performance set out in the Energy Assessment (and addendum). Measures to ensure compliance with the agreed reductions of the Energy Assessment will also be detailed where there is a difference (+/- 3%) from the predicted performance. These measures must be agreed in writing with the Local Planning Authority. The development must be modified and/or operated in accordance with the measures where appropriate, unless agreed in writing with the Local Planning Authority.

REASON

To ensure compliance with the Energy Assessment and London Plan Policy 5.2.

29 COM7 Substation Details

Construction of the electricity substation buildings shall not commence until details of the design, dimensions and all external finishes and materials have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

30 NONSC Green Walls

Prior to the occupation of each data centre building, the Green Walls for that building shall be constructed and planted in accordance with details to be submitted to and approved in

writing by the Council.

The details submitted shall include

- i) Method of construction,
- ii) Schedule of framework materials;
- iii) Schedule of the species to be planted, method of planting, height and spread at planting and growth projections;
- iv) An ongoing management and maintenance regime for the green wall to include irrigation methods and an inspection programme to allow dead or dying plants to be identified and replaced.

The green walls shall thereafter be retained in accordance with the submitted details in perpetuity and shall not be removed or altered without the prior written consent of the Local Planning Authority.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the of the Hillingdon Local Plan (November 2012).

31 NONSC Reinstatement and Restoration

Prior to the occupation of any of the buildings within Phase 1 of the planning permission reference 37977/APP/2015/1004 for a any use other than as a data centre, details of the reinstatement of the hard and soft landscaping, removal of mezzanine floors, removal of the external gantries and removal of all external plant and machinery shall be submitted to and approved in writing by the Council and all works carried out in accordance with these details.

REASON

In the interests of amenity and the future functionality and flexibility of the buildings and their uses in accordance with Policies BE 13, LE 1 and LE 2 of the Hillingdon Local Plan (November 2012).

32 NONSC Air Quality Assessment

Prior to occupation, a detailed air quality assessment shall be submitted to and approved by the Local Planning Authority.

This should assess levels of both nitrogen dioxide and PM10, and should use the IAQM/EPUK2017 guidelines to describe and assess impacts.

The air quality modelling will use an advanced dispersion model taking into account the 3D data of the surrounding buildings and the exhaust stack height to the overall impact of the emissions on nearby receptors.

The study will have to demonstrate that the release environment and stack design will not result in adverse air quality impacts. Both long term and short term limit values for NO₂ and PM are to be assessed using a series of scenarios:

- a) all units are on for 50 hours per year
- b) all units are on for 200 hours per year

The estimates above must assume that generators will join STOR and undertake triad

management and capture the range of plausible run hour outcomes.

- c) half of the units are on 50 hours per year
- d) half of the units are on 200 hours per year

The study should optimise both location and height of of flues and use worst case meteorological conditions.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012) and London Plan (2016) Policy 7.15

33 HO4 Materials

Details of the design and appearance of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved, by the Local Planning Authority prior to the commencement of development.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policies BE 13 and BE 15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

34 M3 Boundary treatment - details

Notwithstanding the details on the approved plans, no boundary treatment will be erected until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area, with particular reference to the visual quality of the Grand Union Canal, in accordance with Policies BE 13 and BE 32 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

35 N8 Limit for site noise level

The level of noise emitted from the site shall not exceed 5dB below background level, as measured at the boundary of the nearest noise sensitive premises. A post completion test to demonstrate the plant noise level will be at least 5dB below the background sound level at the nearest sensitive receptor shall be submitted within 6 months of the commencement of operations on each site.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE 1 of the Hillingdon Local Plan (November 2012) and London Plan (2016) Policy 7.15

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act

incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM10	Incorporation in new developments of additions to the proposed cycle network
AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
EM6	(2012) Flood Risk Management

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LPP 1.1	(2016) Delivering the strategic vision and objectives for London
LPP 2.1	(2016) London in its global, European and United Kingdom context
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.17	(2016) Strategic Industrial Locations
LPP 2.18	(2016) Green Infrastructure: the multi functional network of open and green spaces
LPP 2.2	(2016) London and the wider metropolitan region
LPP 2.3	(2016) Growth Areas and Co-ordination Corridors
LPP 2.6	(2016) Outer London: vision and strategy
LPP 2.7	(2016) Outer London: Economy
LPP 2.8	(2016) Outer London: Transport
LPP 4.1	(2016) Developing London's economy
LPP 4.12	(2016) Improving opportunities for all
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 6.1	(2016) Strategic Approach
LPP 6.10	(2016) Walking
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.4	(2016) Enhancing London's Transport Connectivity
LPP 6.9	(2016) Cycling
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.24	(2016) Blue Ribbon Network
LPP 7.28	(2016) Restoration of the Blue Ribbon Network
LPP 7.3	(2016) Designing out crime
LPP 7.30	(2016) London's canals and other rivers and waterspaces
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy

LPP 8.4	(2016) Monitoring and review
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF4	NPPF - Promoting sustainable transport
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

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. 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, the Local Planning Authority will not require these details to be resubmitted as part of this new planning permission where those details would remain the same.

5 158 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

6 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings

requires the written consent of the Local Planning Authority.

7 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works 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 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.

8 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 will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

9 121 Street Naming and Numbering

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

10 13 Building Regulations - Demolition and Building Works

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

11 145 Discharge of Conditions

Your attention is drawn to the pre-commencement conditions which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

12 I48 **Refuse/Storage Areas**

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. It is worth drawing the applicants' attention to the Waste Manager's advice, as follows:-

a) The proposal is for industrial units. The occupiers would have to make an arrangement with a licensed waste carrier for the collection of the waste produced from the premises.

b) The area of the first unit is 18900 sqm. Based on BS 5906 guidance the estimated waste generated would be 5 litre per 1 sqm equating to a total of 94,500 litres per week. This would require 86 x 1,100 litre eurobins. It would be logical therefore to use a larger container either a large front end loader type bin could be used - of the 12 cubic yard capacity or a 40 cubic yard roll on roll off bin. The latter could be loaded through a compactor to maximise use of the bin and reduced transport movements.

c) Recyclable waste should be separated; in particular glass, paper, cardboard, metal cans, and plastic bottles. Some of the waste containers should be allocated to collect recyclable items.

d) Arrangements should be made for the cleansing of the waste storage area with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

d) The material used for the floor of the waste storage area must be able to withstand the weight of the bulk bins. If the 40 cubic yard roll-on roll-off bin option is chosen, then 40 Newton metre concrete would be required to withstand regular bin movements. Ideally the walls of the bin storage area should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

e) Vehicular access to the waste storage area should be suitable for a 32 tonne rigid goods vehicle if 40 cubic yard bins are used for waste storage.

The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

13 I49 **Secured by Design**

The Council has identified the specific security needs of the application site to be protection and security of bicycles within the parking area of the site.

You are advised to submit details to overcome the specified security needs in order to comply with condition 17 this planning permission.

14

The applicant/developer should contact the Canal & River Trust's Third Party Works Engineer with reference to the current Canal & River Trust Code of Practice for Works affecting the Canal & River Trust to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>)

15

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) regarding the required access agreement

16 I60 **Cranes**

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

17

Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 7, Wind Turbines and Aviation (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

18

You are encouraged to ensure that facilities are provided to enable the easy watering of the planting and soft landscaped areas in the final landscaping details, and to ensure such facilities maximise opportunities for the re-use of rainwater.

19

You are advised that no doors or gates should be installed which open out of the public highways as these may contravene The Highways Act 1980 (as amended).

20

The air quality assessment refers to no mitigation being required except for the construction phase of the development. It should be noted the development site is surrounded by residential properties on three sides, including residential premises above shops. It is recommended any condition with regard to the management of onsite emissions during the construction phase refers to the GLA SPG on The Control of Dust and Emissions During Construction and Demolition.

21

The Air Quality conditions relate to the operational phase of residential and commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the assessment of CHPs is available from EPUK at: http://www.iaqm.co.uk/text/guidance/epuk/chp_guidance.pdf. An area up to a distance of 10 times the appropriate stack height needs to be assessed. Guidance on air quality neutral and CHP emission standards are available at:

<https://www.london.gov.uk/priorities/planning/consultations/draft-sustainable-design-and-construction>. They should contact Planning Specialists if they have any queries.

22

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. Natural England has published Standing Advice on protected species. The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If the applicant has any specific questions on aspects that are not covered by the Standing Advice for European Protected Species or have difficulty in applying it to this application please contact Natural England with details at consultations@naturalengland.org.uk.

23

The applicants attention is drawn to the fact that the Environment Agency should be informed if contamination is identified that poses a significant risk to controlled waters. The applicant should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

1. Following the risk management framework provide in CLR11, Model procedures for the management of land contamination.
2. Referring to the Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice
3. Further information may be found on the land contamination technical guidance pages on the direct.gov website

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with:

- BS 10175:2011+A1:2013 Code of practice for the investigation of potentially contaminated sites.
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points
- BS ISO 5667-18:2001, BS 6068-6.18:2001 Water quality. Sampling. Guidance on sampling of groundwater at contaminated sites

The competent person would normally be expected to be chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit an activity that will result in the input of pollutants to surface water or groundwater, unless authorised to do so by an environmental permit. This development may require an environmental permit from us. The applicant is advised to telephone 03708 506 506, or email enquiries@environment-agency.gov.uk to discuss the issues likely to be raised.

3. **CONSIDERATIONS**

3.1 Site and Locality

The site encompasses Phase 1 of an approved development consisting of two large detached industrial buildings which are metal clad with shallow double arch roofing. Each building is mainly single-storey although both have a two-storey flat roof section which incorporates office space. The buildings are currently vacant and have been since the time of completion in late 2016/early 2017. They are fitted with loading bays to the front which open out onto a hard surfaced servicing yard. The yard areas are enclosed by a mix of approximately 2 metre high wire mesh and timber close boarded fencing. There are designated car parking areas adjacent to the side of each building. Car parking spaces have been marked out and cycle parking facilities have also been installed. Landscape planting has been provided within the car parks and around the site perimeter.

The site levels fall from north to south, with the southernmost building being at a lower level than the adjacent building.

The site is served by a road to which access is controlled by a manned barrier. On the opposite side of the access road is undeveloped land which is allocated to Phase 2 of the approved development, for which works have not yet commenced.

The site is located within the wider Stockley Park development which is characterised by units of a variety of scales which accommodate office, commercial and industrial uses and are set within a planned landscaped environment consisting of trees, hedging and shrubbery, grass verging, topographical features such as grass banks and water features. Surrounding buildings are generally in industrial or commercial use although there is a building used as a day nursery on Iron Bridge Road North, adjacent to the site to the east. The nearest residential dwellings are on Horton Road, approximately 300 metres to the west.

The Grand Union Canal and towpath is close by to the south of the site. It is approximately 4 metres below the level of the southern part of the site, which is positioned on a raised grass embankment. A footpath passes along the top of the embankment, following the course of the canal. The opposite bank of the canal is lined by industrial buildings behind which runs the main railway line.

3.2 Proposed Scheme

The proposal seeks to vary a number of conditions attached to the original approval in order to allow the buildings to be occupied by a data centre use. The variations to conditions will apply to Phase 1 of the development only and are as follows:-

Variation to condition 5: This relates to the approved drawing for the scheme;

Variation to condition 6: This relates to approved studies and documents;

These above variations are required to allow for the alteration in appearance and layout of the building and the need for accompanying documents to reflect this.

Variation to condition 25: This is to allow for a mezzanine floor to be installed within both buildings;

Variation to condition 27: This is to allow for the buildings to be used as a data centre which, whilst classified as a B8 use is prohibited under the current condition.

A number of changes to the existing buildings, landscaping, yard area and boundary treatment are proposed.

The existing loading bays would be removed from the building and a two-storey gantry structure would be attached to each building. These structures would provide space for plant and machinery required for the operation of the data centre use. Across the full development the plant provided would consist of 35 No. air cooled chillers, 35 No. auxiliary generators and associated flues and ducting. The majority of the generators will be positioned outside of the gantry, at ground level.

The gantry structure attached to unit 1 would project from the western elevation by 27 metres and extend along the full width of the building. Overall height would be approximately 13.5 metres. The southern and western elevations will include louvre walls whilst the northern elevation will be clad in materials to match the cladding used on the existing building.

The gantry structure attached to unit 2 would also project 27 metres from the western elevation. It would be approximately 112 metres in length, extending across the bulk of the western elevation of the building but stopping short of the office area. This gantry would also be approximately 13.5 metres in height with louvre walls. The southern elevation would be screened by a living green wall which would reach the same height as the top of the gantry.

Provision of mezzanine flooring within both buildings to allow for additional space for the siting of data centre equipment.

Provision of two electric substations, one in the north west corner of the site and one in the south west.

Provision of new hard and soft landscaping including an approximately 13.5 metre high living green wall, 1.5 metre high mesh fencing to the edge of car parking areas in place of the existing post and rail fencing, 4 metre high timber close board fencing adjacent to the proposed substation buildings and 3 metre high mesh security fencing following the general line of existing mesh fencing on the site perimeter but also included to the rear of each building.

3.3 Relevant Planning History

37977/APP/2015/1004 Phase 3 Stockley Park Stockley Road West Drayton Middlesex

Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination

Decision: 09-09-2015 Approved

37977/APP/2016/1078 Stockley Park Phase 3 Iron Bridge Road West Drayton

Application for a Non Material Amendment (NMA) to planning permission 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000 sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space) for administrative changes to wording of

condition 5 (Drawing Nos)

Decision: 04-05-2016 Approved

37977/APP/2016/2263 Stockley Park Phase 3 Iron Bridge Road West Drayton

Land formation, landscaping, fencing and provision of ancillary footpaths and bridleways together with ancillary works to the offsite land parcels (Land Parcel A (10.67 hectares) - Land bounded to the north by Stockley Road and B465 to the west, Goulds Green to the south and the residential area of Goulds Green to the east; Land Parcel B1 (0.52 hectares) - Land to the south of Park View Road and to the east of the residential area of Yiewsley; Land Parcel B2 (0.60 hectares) - Land to the east of Willow Avenue and Chestnut Avenue; Land Parcel C1 (1.19 hectares) - Land to the west of Bolingbroke Way and south of Dawley Road and bound by Stockley Park Golf Club to the west; Land Parcel C2 (0.53 hectares) - Land to the west of Bolingbroke Way and bound by Stockley Park Golf Club to the west (No works are sought to Land Parcel C2); Packet Boat Lane (2.83 hectares) - Land to the north of Packet Boat Lane, to the east of Old Mill Lane and Fray's River and to the east of Cowley Lake) associated with the approved development at Phase 3 Stockley Park (Planning permission ref. 37977/APP/2015/1004 dated 14/12/2014)

Decision: 21-02-2017 Approved

37977/APP/2016/240 Stockley Park Phase 3 Iron Bridge Road West Drayton

Details pursuant to condition 8 (ground levels) of planning permission reference 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters except for access, reserved for later determination)

Decision: 16-03-2016 Approved

37977/APP/2016/242 Stockley Park Phase 3 Iron Bridge Road West Drayton

Partial submission of details pursuant to condition 12 (bird hazard management plan) for Phase 1 only of planning permission reference 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters except for access, reserved for later determination)

Decision: 10-05-2016 Approved

37977/APP/2016/243 Stockley Park Phase 3 Iron Bridge Road West Drayton

Partial submission of details pursuant to condition 13 (Ecological Enhancement) for Phase 1 only of planning permission reference 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters except for access, reserved for later determination).

Decision: 04-05-2016 Approved

37977/APP/2016/244 Stockley Park Phase 3 Iron Bridge Road West Drayton

Partial submission of details pursuant to Part (i) of Condition 22 (contamination) for Phase 1 only of planning permission reference 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters except for access, reserved for later determination)

Decision: 20-06-2016 Approved

37977/APP/2016/245 Stockley Park Phase 3 Iron Bridge Road West Drayton

Details pursuant to condition 23 (Sustainable Water Management Scheme) for Phase 1 only of planning permission reference 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters except for access, reserved for later determination)

Decision: 14-07-2016 Approved

37977/APP/2016/246 Stockley Park Phase 3 Iron Bridge Road West Drayton

Partial submission of details pursuant to condition 20 (Energy Assessment) for Phase 1 only of planning permission reference 37977/APP/2015/1004 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated

infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters except for access, reserved for later determination)

Decision: 30-11-2016 Approved

37977/APP/2016/247 Stockley Park Phase 3 Iron Bridge Road West Drayton

Partial submission of details pursuant to condition 9 (landscaping scheme) for phase 1 only of planning permission ref. 37977/APP/2015/1004 dated 14-12-2015 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspa of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination).

Decision: 29-09-2016 Approved

37977/APP/2017/1551 Stockley Park Phase 3 Iron Bridge Road West Drayton

Details pursuant to condition 22(iii) (Contamination) for Phase 1 only of planning permission ref: 37977/APP/2015/1004 dated 09-09-2015 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination)

Decision: 05-07-2017 Approved

37977/APP/2017/244 Stockley Park Phase 3 Iron Bridge Road West Drayton

Submission of details pursuant to condition 15 (Floodlighting) of planning permission ref. 37977/APP/2015/1004, dated 09-09-15 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination)

Decision: 23-03-2017 Approved

37977/APP/2017/343 Stockley Park Phase 3 Iron Bridge Road West Drayton

Submission of details pursuant to condition 18 (Canalside Risk Assessment and Method

Statement (Phases 1 & 2)) of planning permission ref. 37977/APP/2015/1004, dated 09-09-15 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination)

Decision: 27-03-2017 Approved

37977/APP/2017/344 Stockley Park Phase 3 Iron Bridge Road West Drayton

Submission of details pursuant to condition 21 (Secured By Design - Phases 1 & 2) of planning permission ref. 37977/APP/2015/1004, dated 09-09-15 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination)

Decision: 27-03-2017 Approved

37977/APP/2017/345 Stockley Park Phase 3 Iron Bridge Road West Drayton

Submission of details pursuant to condition 19 (Canalside Water Run-off and Ground Water Drainage - Phases 1 & 2) of planning permission ref. 37977/APP/2015/1004, dated 09-09-15 (Hybrid Application for the phased comprehensive redevelopment of the site to provide an overall maximum gross floorspace of 45,000sqm of light industrial uses (Use Class B1c and/or Use Class B2) and/or storage and distribution uses (Use Class B8) and ancillary offices, together with servicing, parking, access roads and open space. Full planning permission is sought for Phase 1 containing 18,900sqm of floorspace in two buildings up to 16.2 metres in height (to ridge), together with associated highways works, open space, hard and soft landscaping, car parking and associated infrastructure. Outline planning permission is sought for Phase 2 for up to 26,100sqm of floorspace with all matters, except for access, reserved for later determination)

Decision: 23-03-2017 Approved

Comment on Relevant Planning History

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.CI2 (2012) Leisure and Recreation
- PT1.E1 (2012) Managing the Supply of Employment Land
- PT1.E3 (2012) Strategy for Heathrow Opportunity Area
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM3 (2012) Blue Ribbon Network
- PT1.EM4 (2012) Open Space and Informal Recreation

Part 2 Policies:

- AM10 Incorporation in new developments of additions to the proposed cycle network
- AM11 Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
 - (i) Dial-a-ride and mobility bus services
 - (ii) Shopmobility schemes
 - (iii) Convenient parking spaces
 - (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE1 Development within archaeological priority areas
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE25	Modernisation and improvement of industrial and business areas
BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
EM6	(2012) Flood Risk Management
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LPP 1.1	(2016) Delivering the strategic vision and objectives for London
LPP 2.1	(2016) London in its global, European and United Kingdom context
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 2.17	(2016) Strategic Industrial Locations
LPP 2.18	(2016) Green Infrastructure: the multi functional network of open and green spaces
LPP 2.2	(2016) London and the wider metropolitan region
LPP 2.3	(2016) Growth Areas and Co-ordination Corridors
LPP 2.6	(2016) Outer London: vision and strategy
LPP 2.7	(2016) Outer London: Economy
LPP 2.8	(2016) Outer London: Transport
LPP 4.1	(2016) Developing London's economy
LPP 4.12	(2016) Improving opportunities for all
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.21	(2016) Contaminated land
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 6.1	(2016) Strategic Approach
LPP 6.10	(2016) Walking
LPP 6.12	(2016) Road Network Capacity

LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.4	(2016) Enhancing London's Transport Connectivity
LPP 6.9	(2016) Cycling
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.18	(2016) Protecting open space and addressing deficiency
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.24	(2016) Blue Ribbon Network
LPP 7.28	(2016) Restoration of the Blue Ribbon Network
LPP 7.3	(2016) Designing out crime
LPP 7.30	(2016) London's canals and other rivers and waterspaces
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF4	NPPF - Promoting sustainable transport
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL5	Development proposals adjacent to the Green Belt
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **8th June 2017**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

GREATER LONDON AUTHORITY (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 the 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.

TRANSPORT FOR LONDON (TFL):

It is understood from the transport statement that the proposed data centre would generate up to 26 two-way vehicular trips during both of the AM and PM peaks therefore TfL has No objection.

Having said that, it is noted that the original proposal comprises of 100 car parking spaces, TfL therefore asks the applicant to make reduction given the demand of the data centre would be significantly less than the original proposal.

OFFICER COMMENT: The parking spaces have already been provided as required by condition of the original application. Removing spaces would not be practical and would also restrict the flexibility of the future use of the site.

CANAL & RIVER TRUST:

The Trust is keen to ensure that the proposed development protects, and if possible enhances, the character of the waterway corridor in this location. We believe that this is consistent with the need to achieve high quality public realm in policy BE1 of the Council's Local Plan.

We seek clarification on whether the applicant proposes a 3m security fence to the south of unit 2 (as shown on the plan marked "Landscape Details 2 - Unit 2") or a 1.5m fence (as shown on the Proposed Site Plan and plan marked "Unit 2 - Ground Floor Proposed").

In addition, we consider that the applicant should provide further details of the type of fence proposed, beyond the simple description of a "mesh fence".

Whilst we would want to reserve our position until the clarification / further details that we have requested are made available, we believe that planting in front of the proposed fence to the south of the site could help to screen it and soften the impact when viewed from the canal corridor and adjacent public realm.

The submitted Location Plan shows land within the Canal & River Trust's ownership within the red line boundary. However, it appears that the applicant does not propose any development on this land.

OFFICER COMMENT: Revised plans clarifying fence height are to be submitted by the applicant in due course. The mesh fencing will be similar in appearance to the current fencing and a condition will be attached requiring final design and colour to be submitted to the Council and approved prior to

construction. Additional planting adjacent to the fencing forms part of the proposed landscaping scheme.

HEATHROW AERODROME SAFEGUARDING:

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development. However, we would like to make the following observations:

Heathrow would expect that the previous conditions made against this application would remain.

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicants attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

OFFICER COMMENT: Previous conditions will be carried over to any approval. An informative regarding crane operation will be attached.

NATURAL ENGLAND:

Natural England currently has no comment to make.

Internal Consultees

SUSTAINABILITY OFFICER:

The provided information is satisfactory and I consider the applicant to be doing as much as is expected under planning policy requirements.

I have no objections to the proposed development but would request that the applicant be required to monitor the energy usage and carbon footprint and submit an annual report to the Local Authority to ensure the development is doing what is claimed it will do.

TREES & LANDSCAPE OFFICER:

The S.73 variation involves amendments to the landscape treatment of the northern and southern boundary of the loading areas /vehicle yard and the need for additional site security fencing.

NORTHERN YARD BOUNDARY A 4 metre high close board fence is proposed to provide additional security and block views of unsightly plant. A system of cables will be used to provide initial support for the climbing plants which will be grown over the fence with the intention of softening the appearance of this boundary. Plants will be selected which are suitable for a north face with a mix of evergreen and deciduous species. No objection.

SOUTHERN BOUNDARY Minor amendments to the car park / cycle store are proposed with additional climbing plants and 5 No Betula utilis (birch) specimens (30-35cm girth / 7.0 metres high. At a higher level, a bespoke green wall system by ANS (or similar) will screen the external racking systems of plant and generators. The parameters for the plant selection have been considered to reduce the risk of bird nesting and feeding opportunities (airport-related bird strike avoidance) and cope with the challenge of a south-facing wall. It is possible that an alternative green wall company will be offered by the contractor and final details of the wall type and species selection will follow by condition. No objection.

SECURITY FENCING The existing perimeter fencing is to be removed and replaced with a higher

welded mesh fence, finished in grey. Additional fencing between the buildings and around the eastern side of the buildings is required to secure the site and reduce the risk of unauthorised incursion into the site. No objection.

RECOMMENDATIONS No objection subject to the final specification of the green wall and all planting mixes and long-term management and maintenance of the planting. The green wall installation should be complete prior to practical completion of the building. Conditions COM8, COM9 (parts 1,2,3,4 and 5) and COM10 should cover the above issues.

AIR QUALITY OFFICER:

For this particular application, given the size of the proposed development and the number of backup units required to meet the full backup energy supply plus the proximity of sensitive receptors of the application site we will require a detailed air quality assessment to support the planning application.

FLOOD & WATER MANAGEMENT:

Documents appears to contain contradictory information detailing different height security fencing between 1.5 m and 3m along the car parking.

OFFICER COMMENT: This is to be addressed on revised plans that will be submitted in due course.

WASTE STRATEGY:

The proposal is for a large commercial office building. As the waste is from a commercial premise the site operators have a Duty of Care to contain the waste safely until it is collected by a licensed waste carrier.

ENVIRONMENTAL PROTECTION UNIT (NOISE):

The report suggests they will be able to design the plant noise to be at least 5dB below background sound level. I would suggest a condition requiring a post completion test to demonstrate the plant noise level will be at least 5dB below the background sound level at the nearest sensitive receptor.

URBAN DESIGN:

The proposed additions need to reflect something of the appearance of the original structures to avoid looking rather like ad hoc add ons. It is suggested that:

The north and south elevation of the gantry screens are curved to reflect the roof form of the existing buildings. They could be curved to one side to drop below the eaves of the building if it is not possible to drop on both sides.

That the screens have vertical louvres, or angled fins, that would give more interest to the long west elevations. An alternative would be to use a metal mesh covering with an interesting punched pattern and varied depth.

The 3m security fence on the site boundary would need to be carefully detailed and should include planting to soften its appearance and also to help screen the low level generators.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within the Stockley Park Industrial and Business Area (IBA) which is itself part of the wider Heathrow Opportunity Area. Policy LE 2 of the Local Plan seeks to preserve the vitality of IBA's by maintaining a presumption against development that does not fall within a B1 - B8 use or a sui generis use that is compatible with industrial development.

The proposed variation to allow for the buildings to be used as a data centre will not lead to a conflict with Policy LE 2 as a data centre is designated as a B8 use. It is also noted that Strategic Policy E 2 recognises Stockley Park as a cluster site for IT industries and it is considered that the proposed use as a data centre is compatible with this trend and will strengthen the existing cluster and support growth within the Heathrow Opportunity Area, in accordance with the aims and objectives of Strategic Policy E 3.

Para. 21 of the National Planning Policy Framework (NPPF) also states that planning authorities should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries.

The application was referred to the Greater London Authority under Categories 1B and 3D of the Town & Country Planning (Mayor of London) Order 2008. A response was received confirming that the Mayor of London did not need to be consulted further on the application and that the Council may, therefore, proceed to determine the application without further reference to the GLA.

The original application included a condition (No. 27) precluding the use of any buildings as data centres. The single reason stated for this was due to the energy demands of data centres. The application was for a large development consisting of a number of buildings whilst the current application seeks to use only part of the overall development for data centre use. As such, it is considered that there are reasonable grounds to allow for data centre usage for part of the overall development. Energy matters are discussed in more depth in section 7.16 of this report.

7.02 Density of the proposed development

Not applicable to the proposed development.

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

Not applicable to the proposed development.

7.04 Airport safeguarding

The application has been assessed by Heathrow Aerodrome Safeguarding who have raised no objections subject to the conditions attached to the original approval being carried over. These relate to the use of cranes during construction as well as the choice of plants used in site landscaping which will need to avoid the use of berries that may attract large flocks of birds.

7.05 Impact on the green belt

The site is at the southern end of a wedge of green belt land maintained between Yiewsley and Hayes but does not fall within the green belt itself. The green belt land immediately to the west already benefits from outline permission for further industrial development whilst the green belt land to the north is occupied by a golf course.

The proposal will involve the addition of a two tiered gantry to both buildings. However, it is not considered that this will be detrimental towards the surrounding green built area as views its appearance will be softened by screening including an approximately 13.5 metre high living green wall and the additional structures will be located directly adjacent to established buildings so as not to appear isolated and visually obstructive.

It is therefore considered that the proposed development is in accordance with Local Plan Policy OL 5.

7.06 Environmental Impact

Please see section 7.18 of this report.

7.07 Impact on the character & appearance of the area

The gantry structures will occupy a large proportion of the existing service yard area associated with each building. It should be noted that the yard areas would be expected to be used for storage purposes for other industrial uses that could occupy the buildings. The gantry structure is sizeable and, as such, it is imperative that effective screening is used to soften its visual impact. The screening required will, itself, be substantial and, therefore, it is also important that the appearance of the screening is compatible with the surrounding environment.

The screening of the gantry involves the installation of an approximately 13.5 metre high living green wall which will entirely screen the gantry from view from the banks of the Grand Union Canal to the south. It is considered that a green wall of this scale represents an innovative feature that compliments both the modernity of Stockley Park as well as the comprehensive landscaping scheme that is a distinctive and valuable feature of the surrounding environment.

The other side of the gantry will be screened by extending out the cladding of the existing building, ensuring a visually consistent appearance whilst views to the front will be in the context with the main buildings behind and, due to the open nature of the front of the gantry, it is not considered that this view will be substantially altered as a result.

The proposed electricity substations to the front of the site are single-storey structures but will, nevertheless, have a visible presence within the street scene. Details of the final design of the substations are not available at this stage as this is subject to discussions with the Distribution Network Operator (DNO). As such, a condition will be attached to any approval granted which will require submission of design details for the substation buildings, to include the use of sympathetic external materials, prior to development commencing.

The proposed main security fencing would be in similarly positioned to the existing fencing and the proposed increase in height is not excessive. The fencing along the car park boundaries, particularly alongside the banks of the canal adjacent to unit 2, should be minimal in height and, given its proximity to the public realm and the wider blue ribbon network, it is considered that further details of this fencing should be submitted to, and approved, by the Local Planning Authority prior to occupation of the buildings.

The gantry structures will be attached to the existing buildings and the roof top height will match the eaves height of the buildings whilst the footprint will not be as large as that of each building. As such, it is considered that, whilst large, the gantry structures will appear visually subservient towards the existing building. In order to ensure that the appearance of the structures is acceptable, a condition requiring further details of the design and appearance of the louvre walls and cladding will be attached to any approval.

It is therefore considered that the proposed development would be in accordance with Policies BE 13, BE 15, BE 25, BE 31 and BE 32 of the Local Plan and Policies 7.4, 7.6, 7.24, 7.28 and 7.30 of the London Plan.

7.08 Impact on neighbours

There are no residential buildings within the immediate vicinity of the site and the vacant land opposite is to be developed for industrial use. Surrounding buildings are generally in industrial or office use although there is a day nursery close to the east of the site.

The proposed gantry will be site on the western elevation of the buildings and will not border any neighbouring buildings. They will be screened from view from buildings on Iron Bridge North Road, to the west of the site, by the existing buildings which are greater in height than the gantry structures. It is therefore considered that the proposed additions would not appear overbearing towards neighbouring buildings or cause undue levels of overshadowing or overlooking.

The data centre use requires externally site plant, which will be mounted on both tiers of the proposed gantry structures. This will include chiller units that will operate in order to mitigate against the heat generated by operating machinery within the building. Back up generators are also required to power the data centres in the event of mains power failure. Further generators are also required to be held in reserve should any of the other generators fail. This plant will result in the generation of noise and air emissions which could impact upon the occupants of neighbouring buildings as well as members of the public using the canal side footpath.

The back up generators require maintenance and testing at times to ensure they are in operational condition. Para. 3.3 of the accompanying External Plant Assessment states that testing will be restricted to a maximum frequency of once per month for a period of no more than one hour between 09.00 and 17.00 Monday - Friday (not including bank holidays). It is considered that this will prevent frequent and sustained noise generation as a result of testing.

The proposed use will not result in any intensification in projected trips to and from the building by staff and visitors and the level of HGV traffic will be below that expected for the majority of industrial uses.

It is therefore considered that the proposed development would be in accordance with Policies BE 20, BE 21, BE 24 and OE 1 of the Local Plan and London Plan Policies 7.4 and 7.6.

7.09 Living conditions for future occupiers

The proposed gantries will be sited away from the windows serving the office space within the buildings and will be positioned to the north of the office space so as not to cause restrict the permeation of natural light into the office space.

Acoustic screening and other noise prevention measures will ensure that occupants of the office are not subject to unacceptable noise whilst stack heights for generators will prevent air quality issues within the building.

The proposed development therefore complies with Local Plan Policy BE 20.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed gantry structures will be positioned within the yard areas allocated to each building and, as such, would not result in the loss of any car parking spaces, of which there are 141 shared between the two buildings.

In any case, the existing number of parking spaces provided are in excess of that which would be required for data centre use. This has been noted by Transport for London (TFL) who have raised no objections to the proposed development. TFL commented that there is

an oversupply of parking but these spaces have already been surfaced and laid out and it would not be practical to remove any. Further, the removal of car parking spaces would potentially prevent other industrial uses from occupying the site in the future.

It is therefore considered that the proposed development is in accordance with Policies AM 7 and AM 14 of the Local Plan and Policy 6.13 of the London Plan.

7.11 Urban design, access and security

The security of the site would be strengthened by additional fencing that would largely be in a similar position to the existing fencing. The access road serving the site is also controlled by a manned barrier. The external works will not result in the formation of any secluded spaces that may attract anti-social activity.

Secured by Design details were also submitted to the Council and approved under application 37977/APP/2017/344, in accordance with Condition 21 of the original approval.

It is therefore considered that the proposed development accords with Local Plan Policy BE 18 and London Plan Policy 7.13.

7.12 Disabled access

The original approval included a condition (16) requiring the following accessibility criteria to be met for each phase of the development:-

(i) External areas, including landscaped areas are designed to be inclusive with any gravel surface to be smooth and resin bonded, and should otherwise meet the specifications prescribed in BS 8300:2009.

(ii) All areas to which the public have access are designed to achieve a gradient no steeper than 1:18 with handrails and a level landing provided at every 8 metres of ramp flight,

(iii) Level access is provided to all buildings

(iv) Building entrances (including level approaches, signposting, types and dimensions of door width and lobby openings) meet the needs of disabled persons,

(v) All buildings, including their approach, are designed in accordance with BS 8300:2009

The existing buildings were constructed in accordance with approved details and the proposed works will not compromise any of the approved access measures.

It is therefore considered that the proposed development complies with London Plan Policy 7.2.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, Landscaping and Ecology

Stockley Park is valued for its high quality landscaping and, as such, it is critical that these standards are maintained for any landscaping of the site. The proposed green wall is considered to be an innovative feature that reflects the overall modern and verdant nature of Stockley Park. The green wall also provides a level of screening that is considered to be vital due to the degree to which it will soften the appearance of the proposed gantry structures.

Further landscaping is proposed around the replacement and additional fencing that will be

provided around the site perimeter and also around the yard areas. This involves planting that will augment with existing landscaping to produce a high quality green environment. Climbing species that will use the proposed new fencing for support will be included and will help reduce the visual impact of the fencing.

No major digging is required for the installation of the new fencing and its positioning will not compromise or remove any of the existing site landscaping that is in place. A condition will be attached requiring details of landscaping protection methods to be adopted during construction to be submitted to the Council for approval prior to development commencing.

It is therefore considered that the proposed development complies with Local Plan Policies BE 38 and BE 39 and London Plan Policies 5.10 and 5.11.

7.15 Sustainable waste management

It is not considered that the proposed use will generate waste of a volume or nature that would require special waste management considerations.

7.16 Renewable energy / Sustainability

Submitted details of energy consumption and carbon emission rates demonstrate that the development would accommodate a 45% annual CO₂ reduction in regulated energy loads, therefore meeting flat rate carbon saving requirements of 35% as set out in para. 2.4.3 of the London Plan Sustainable Design and Construction SPG and London Plan Policy 5.2.

Savings in unregulated energy use will also be achieved at a projected level of 26.29% through the use of energy saving features including free Cooling Chillers, variable speed fan Computer Room Air Conditioners (CRAC), variable speed pumps, hot aisle containment, energy efficient lighting, low loss transformers and UPS (battery power supply) systems.

Existing air source heat pumps and roof mounted solar panels will serve the office and support areas of the buildings. These features were installed to comply with condition 20 of the original approval, to the details specified in documents submitted as application 37977/APP/2016/246 and will be retained for use.

7.17 Flooding or Drainage Issues

The gantry will be located over an existing hard surfaced area and does not include any roofing that could lead to an increase in run off or a build up in storage of surface water. The existing drainage and surface water management arrangements, as approved under applications 37977/APP/2017/245 and 37977/APP/2017/345, will be utilised for the development and will not be compromised by the proposed works.

It is therefore considered that the proposed development would be in accordance with Local Plan Policy OE 8, London Plan Policy 5.13 and the National Planning Policy Framework (NPPF).

7.18 Noise or Air Quality Issues

Due to the nature of plant to be installed on site, a condition will be attached to any approval requiring a detailed air quality assessment to be provided prior to occupation of the buildings. This is to ensure that the release environment and stack design will not result in adverse air quality impacts towards nearby receptors.

The acoustic statement submitted with the application, which would become an approved document should permission for the proposed development be granted, states that noise levels caused by machinery and plant on site will reach higher than 5dB below background sound levels when measured from the nearest sensitive receptor.

A condition will be attached to ensure that this level of noise is not be exceeded and that a monitoring report is supplied to demonstrate that this is the case.

It is therefore considered that the proposed development would comply with Local Plan Policy OE 1 and London Plan Policies 7.14 and 7.15.

7.19 Comments on Public Consultations

7.20 Planning Obligations

The original development was covered by a Section 106 agreement that included a number of covenants attached to phase 1 and/or phase 2 of the development, many of which have now been fulfilled.

A deed of variation has been prepared to include reference to the current application and this will need to be signed prior to any approval being issued.

7.21 Expediency of enforcement action

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

It has been demonstrated within this report that the proposed development and variation of conditions accord with relevant Local, Regional and National planning policies and guidance.

It is therefore recommended that the application is approved, subject to conditions.

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)

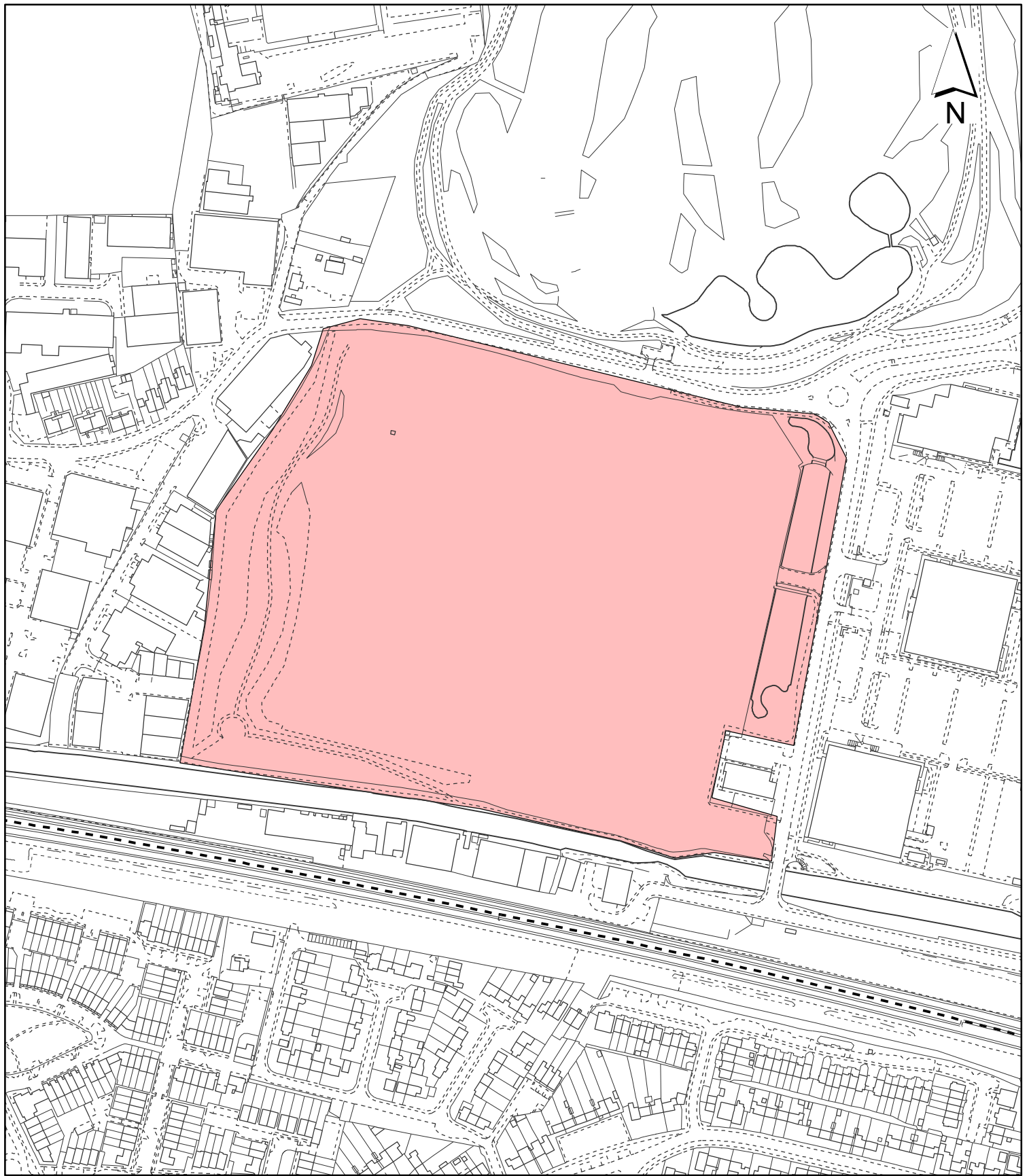
Mayor of London's adopted Supplementary Planning Guidance - Sustainable Design & Construction

Hillingdon Planning Obligations SPD

National Planning Policy Framework (NPPF)

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Notes:

 Site boundary

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Site Address: **Prologis Park
 West London
 Horton Road
 Yiewsley**

Planning Application Ref:
37977/APP/2017/1634

Planning Committee:
Major

Scale:
1:3,500

Date:
July 2017

**LONDON BOROUGH
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