

Report of the Head of Planning, Sport and Green Spaces

Address UNIT E, PROLOGIS PARK STOCKLEY ROAD WEST DRAYTON

Development: Installation of effluent treatment plant within existing service yard with resultant realignment of service yard fence and reduction in site landscaping.

LBH Ref Nos: 73366/APP/2017/4345

Drawing Nos: 315-0-220_P1
315-0-221_P1
315-0-255_P1
315-0-270_P1
315-0-271_P1
315-0-280_P1
315-0-205_P1
315-0-201_P1
DPS WASHER WATER TREATMENT LAYOUT

Date Plans Received: 01/12/2017 **Date(s) of Amendment(s):**

Date Application Valid: 05/12/2017

1. **SUMMARY**

The proposal involves the installation of plant housed within a 20ft long structure that would remove suspended and dissolved solid deposits from waste water.

The development would result in the loss of a small section of site landscaping but this would not compromise the overall site landscaping scheme.

The presence of the container would not have a negative impact on nearby green belt land or on the amenity of residential properties. The application is accordingly recommended for Approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 **Time Limit**

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

REASON

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

2 COM4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:-

315-0-255_P1;
315-0-270_P1;
315-0-271_P1;
315-0-280_P1;

DPS WASHER WATER TREATMENT LAYOUT;

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE 38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 RES10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan(s) 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 (or after) 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 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

5 COM20 Odour Emission Strategy

No plant shall be used on the premises until a scheme for the control of odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE 1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

LE7	Provision of planning benefits from industry, warehousing and business development
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OL5	Development proposals adjacent to the Green Belt
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 6.13	(2016) Parking
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
NPPF	National Planning Policy Framework

3

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

4 119 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

3. CONSIDERATIONS

3.1 Site and Locality

The site is occupied by a large metal clad warehouse / distribution building which has an enclosed hard surfaced service area and associated loading bays to the rear (north) with car parking areas provided to the side (west).

Landscaping has been planted along the western boundary flanking the private access road and extends to form a buffer between the car parking and servicing areas.

The site is part of a wider business park which consists of buildings of similar design and scale which are employed in similar uses. The park is served by its own private road network.

3.2 Proposed Scheme

The proposal involves the installation of a containerised effluent treatment unit on part of

the existing landscaped buffer which runs between the site car park and the servicing compound. The container would be sited on hardstanding and would connect below ground with the existing sewerage system, intercepting waste water and removing dirt and grease before discharging processed water into the network.

The proposed container measures approximately 6 metres in length by 2.43 meters in width and 2.59 metres in height, which are the standard dimensions for a 20ft shipping container.

3.3 Relevant Planning History

18399/APP/2004/2284 Former M O D Records Office Stockley Road Hayes Middx

REDEVELOPMENT OF THE SITE FOR A MIXED- USE COMPRISING (CLASSES B1(a) & (c) B2 AND B8) EMPLOYMENT USES AND (CLASS C3) RESIDENTIAL (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING (OUTLINE APPLICATION)

Decision: 19-08-2005 Approved

18399/APP/2005/3415 Former M O D Records Office Stockley Road West Drayton

VARIATION OF CONDITIONS 2,3,7,8,10,11,13,20, 21,22,26,29 & 30 (TO ALLOW SEPARATE PHASED SUBMISSIONS OF DETAILS RELATING TO RESIDENTIAL AND EMPLOYMENT COMPONENTS OF THE DEVELOPMENT) OF OUTLINE PLANNING PERMISSION REF.1839 APP/2004/2284 DATED 19/08/2005: REDEVELOPMENT OF THE SITE FOR A MIXED-USE DEVELOPMENT COMPRISING USE CLASSES B1(a) & (c), B2 AND B8 EMPLOYMENT USES AND C3 RESIDENTIAL USE (UP TO A MAXIMUM OF 101 UNITS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING

Decision: 02-03-2006 Approved

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

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

Decision: 12-07-2006 Approved

Comment on Relevant Planning History

No site specific 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

Part 2 Policies:

AM14 New development and car parking standards.
AM7 Consideration of traffic generated by proposed developments.
BE13 New development must harmonise with the existing street scene.
BE18 Design considerations - pedestrian security and safety
BE20 Daylight and sunlight considerations.
BE21 Siting, bulk and proximity of new buildings/extensions.
BE25 Modernisation and improvement of industrial and business areas
BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE7 Provision of planning benefits from industry, warehousing and business development
OE1 Protection of the character and amenities of surrounding properties and the local area
OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
OL5 Development proposals adjacent to the Green Belt
LPP 4.4 (2016) Managing Industrial Land and Premises
LPP 5.14 (2016) Water quality and wastewater infrastructure
LPP 6.13 (2016) Parking
LPP 7.3 (2016) Designing out crime
LPP 7.4 (2016) Local character
LPP 7.6 (2016) Architecture
NPPF National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th February 2018**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was publicised by way of a press advert and letters that were sent to the owners / occupiers of neighbouring properties which informed them of the proposal and invited comments.

One letter of objection received:

There have been a number of complaints to Gate Gourmet and Pro Logis regarding the noise pollution from this site. The site runs a 24/7 operation and backs onto a residential site at Nine Acres Close in Hayes. Noise pollution includes the use of their vehicles and horns before 7am in the

morning and this continues throughout the day. We understand the Health and Safety implications for testing the horns but feel this is only necessary once a day. A number of attempts have been made to resolve this with Gate Gourmet and Pro Logis, but the residents feel this has not been resolved. The residents strongly feel that the relocation of Gate Gourmet to be the best resolution.

Concerns relating to the effluent waste water disposal include: - Cause a serious health threat to residents in Nine Acres Close; we already have intoxicatingly high levels of pollution within area. - Potential pollution of groundwater; - Potentially reduce the value of our property; we have tried to sell our house before but potential buyers have felt reluctant due to the Pro Logis site location. - Potential to put drinking water supplies at risk. Gate Gourmet would be responsible for ensuring that: - The wastewater treatment system is properly maintained and is emptied regularly, risking increase in smell. Residents do not have any confidence in Gate Gourmet. - The wastewater treatment system access lids are secure and in good working order; and - The drains to and from the wastewater treatment system, including the percolation area are free-flowing and free from blockages.

In summary we do not support the effluent waste water or Gate Gourmets application. Please can the council consider the residents when locating industrial sites in Hayes. This is our dream home but the location of Pro Logis is disheartening to say the least.

ENVIRONMENT AGENCY:

No comments received.

THAMES WATER:

No comments received.

Internal Consultees

LANDSCAPES:

The proposal will involve the removal of part of a shrub-planted bed on the north elevation of the building. The location of the plant (and loss of shrub bed) will be next to the building and adjacent to the service yard. Planting nearer the site boundary / entrance will be retained. RECOMMENDATION No objection subject to conditions RES8 and RES10 (amended to refer to the remaining planted bed).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Para. 14 of the National Planning Policy Framework (NPPF) instructs Local Planning Authorities to adopt a presumption in favour of sustainable development. It is noted that para. 7 of the NPPF identifies minimising waste and pollution as one of the functions of the environmental role of sustainable development.

Policy LE 7 of the UDP (saved policies 2012) stipulates that development proposals for industrial uses should provide planning benefits and goes on to list a number of potential areas in which benefits could be provided, these areas include improvement of facilities and environmental improvements.

It is considered that the proposed treatment plant would represent environmental improvements and enhance the facilities provided on site.

7.02 Density of the proposed development

Not applicable as this is not residential development.

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

The site is not located in, or within close proximity to, any areas or buildings with designated heritage status.

7.04 Airport safeguarding

Not applicable due to the type of development proposed.

7.05 Impact on the green belt

There is green belt land approximately 165 metres to the west, and south, of the site. Given the scale of the proposed development and the screening that would be provided by existing buildings and landscaping, it is not considered that the proposal would have a negative impact on the setting of the green belt.

It is therefore considered that the proposed development complies with Policy OL 5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012)

7.07 Impact on the character & appearance of the area

The proposed treatment plant is containerised and, as such, would have the general appearance of a standard 20ft shipping container, which is considered to be compatible with the industrial / warehousing environment in which it would be situated. The container would be positioned close to the main building, ensuring that it would not appear isolated or incongruous within its surroundings. The use of the container would also prevent the assortment of plant that it contains from generating a cluttered appearance in and around the wider site.

Given the location of the container, it is not considered that it would have any noticeable visual presence within surrounding residential areas or the local street scene.

It is therefore considered that the proposed development complies with Policy BE 13 of the Local Plan (Part Two) and Policies 7.4 and 7.6 of the London Plan (2016).

7.08 Impact on neighbours

The proposed container would be positioned approximately 115 metres away from the nearest residential dwellings, which are on Nine Acres Close to the east. Given the distances involved and the modest scale of the container, it is not considered that it would result in any harmful impact upon the amenities of neighbouring residents.

It is therefore considered that the proposed development complies with Policies BE 20, BE 21, OE 1 and OE 3 of the Local Plan (Part Two).

7.09 Living conditions for future occupiers

Not applicable as this is not an application for residential development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The container would be sited within the car parking area adjacent to the building but would not result in the loss or reconfiguration of any of the existing car parking spaces as it would be positioned in an area currently used as a landscaped buffer.

It is not considered that the container would generate any additional vehicular trips other than occasional visits for maintenance purposes.

It is therefore considered that the proposed development accords with Policies AM 7 and AM 14 of the Local Plan (Part Two)

7.11 Urban design, access and security

Design and access issues are discussed in sections 7.07 and 7.14 of this report.

The proposed plant is containerised, therefore protecting it against potential vandalism and,

in any case, is within a highly visible location within the car park.

7.12 Disabled access

The proposed structure would not obstruct access to the site or building.

7.13 Provision of affordable & special needs housing

Not applicable as this is not residential development.

7.14 Trees, landscaping and Ecology

The proposal would involve the partial loss of a landscaped buffer which is maintained between the existing car park and service yard. The majority of the buffer would be maintained as would the fencing between the two areas.

The remaining planting would continue to provide a degree of screening and the main site landscaping, consisting of trees and hedging around the site perimeter, would not be compromised.

It is therefore considered that the proposed development accords with Policy BE 38 of the Local Plan (Part Two).

7.15 Sustainable waste management

The proposed plant would allow waste water emitted by the catering business occupying the site to be filtered prior to emission into the main sewage network. The filtration process would work as follows:-

1. Waste water would pass through a cyclonic coarse strainer and a media bed which would remove the bulk of suspended solids within the water.

2. The water will then pass through an electro coagulation-unit to reduce the amount of Total Dissolved Solids (TDS) in the stream. After this process, a sample of the water will be taken and the level of TDS will be checked.

3. the water will then pass through filter cartridges and a final sample will be taken to check levels of suspended and dissolved solids within the water.

4. All deposits removed from the water will be returned to a filter press where the solid content will be extracted. It is estimated that the amount of solids will equate to around 790g per hour or around 19kg per day. This extrapolates to 570kg per month or 6,800kg per year. The solid waster can then be disposed of appropriately.

The proposed plant would therefore prevent the discharge of a significant amount of solid waste, including grease and oil, into the sewage system, benefiting the environment as well as the ongoing operation of the sewage network.

The proposed development would therefore accord with Policy 5.14 of the London Plan (2016).

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The site is not susceptible to surface water flooding and it is not considered that the small area of landscaping that would be removed as a result of the proposal provides an important role in site drainage.

7.18 Noise or Air Quality Issues

The proposed plant is sited away from residential development and any noise generated by

equipment would be dampened by the container it would be housed in. There would be no on-site air emissions associated with the plant.

7.19 Comments on Public Consultations

Objections relating to the general use of the site are not relevant to the current application. The current use falls within Use Class B2 which is the approved use for the building as per approved outline application 18399/APP/2005/3415 (Reserved Matters approved under 18399/APP/2006/547).

The plant is a contained system that would remove solids from waste water and, therefore, be beneficial to the sewage network.

Deposits would be collected and stored securely until removed from the site.

7.20 Planning obligations

The proposed development would not generate any impacts that would result in the need for measures to be secured by way of any legal agreement.

The development is not CIL liable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Local residents have cited existing noise disturbance as an issue. The Council has various powers to address noise disturbance if considered a nuisance. The proposal itself would not cause a noise nuisance.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

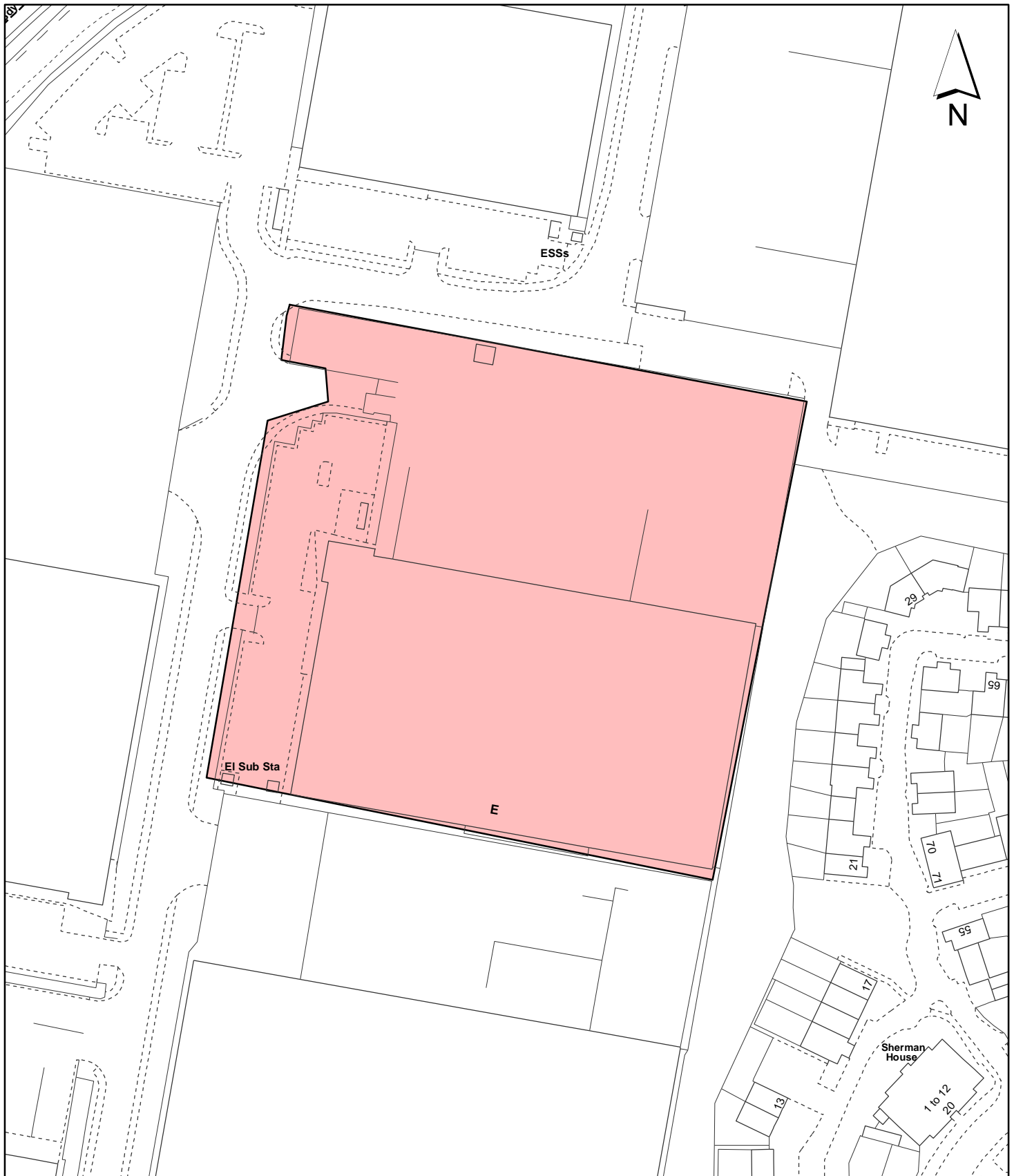
It is recommended that the application is approved, subject to the conditions attached with this report.


11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (March 2016)
National Planning Policy Framework

Contact Officer: James McLean Smith

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">Unit E Prologis Park</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">73366/APP/2017/4345</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	 HILLINGDON <small>LONDON</small>
	<p>Planning Committee</p> <p style="text-align: center;">Major Application</p>	<p>Date</p> <p style="text-align: center;">March 2018</p>	