

Report of the Head of Planning, Transportation and Regeneration

Address LAND OPPOSITE DS SMITH RECYCLING DEPOT WALLINGFORD ROAD
UXBRIDGE

Development: Use of land as a bus park upto 30 buses and erection of 3 containers to provide staff facilities (Use Class Sui Generis) (retrospective)

LBH Ref Nos: 50677/APP/2017/4537

Drawing Nos: Acoustic Planning Report dated January 2018
Design and Access Statement dated December 2017
Proposed Site Plan
17OKE2000
17OKE2001
17OKE2002
Site Plan
Site Location Plan
Covering Letter dated December 2017
5613/008/R01 REV B - May 2018
Agent's email dated 5/7/18

Date Plans Received:	15/12/2017	Date(s) of Amendment(s):	15/12/2017
Date Application Valid:	15/12/2017		07/02/2018
			05/07/2018
			10/05/2018

DEFERRED ON 19th June 2018 FOR SITE VISIT .

Members may recall that this application was originally presented to the Major Applications Planning Committee on 19th June 2018, with an officer recommendation for refusal based on highway and pedestrian safety grounds, when Members resolved to defer making a determination on the application in order to allow a Members site visit to take place and a demonstration of a bus negotiating the Wallingford Road/ Cowley Mill Road junction. The site visit took place on 6/7/18.

The application was originally recommended for refusal for the following reason:

The proposal has failed to demonstrate the acceptability of highway impacts related to Bus turning movements at the Cowley Mill Road/Wallingford Road junction. The proposal will unacceptably exacerbate activity at this junction with the generated bus movements turning left out of Wallingford Road either encroaching onto the opposing carriageway, by breaching the Cowley Mill Road centre-line, or overriding the footway to the potential detriment of general vehicular and pedestrian safety. The scheme is therefore considered to prejudice highway and pedestrian safety contrary to policy AM7 of the Development Plan (2012) and policy 6.3 of the London Plan (2016).

UPDATE:

Plan No: 15-129/423 Rev P7 was provided to officers by the Highways Engineer illustrating the junction improvement works at Wallingford Road and the Cowley Mill Road junction.

Public Consultation: Further consultation took place on 25 October 2018, a letter was sent to a lead petitioner inviting further comments. One objection was received noting the following:

Despite the changes to the road layout buses turning right still cross the carriageway and compromise the safety of pedestrians and drivers. With regard to the re-development of the former Trimite site once this is in use there will be additional pedestrians, driver and cyclists using the new buildings, this will only increase the risk of safety being compromised. The drivers of the buses have complete disregard for the rules of the road, and I fear a major accident will happen if planning is granted. To highlight this I can advise that I witnessed on numerous occasions when Cowley mill road was closed with no entry signs, after the junction with Ashley road towards the bridge. Drivers of buses returning to the bus park completely disregarding the signs and driving on the wrong side of the road rather than take the longer and legal route through the trading estate. I have video evidence of this and am happy to provide to the council. I do not believe that buses of this size should be allowed to travel along residential streets at all hours of the day and night especially when a proposed bus route along Cowley mill road was previously disallowed due to the size of the road. I also find it incredible that businesses can circumvent planning by just doing what they wish and retrospectively applying for planning permission. This bus park was originally illegally located on land at the end of Wallingford road accessed via an illegal road until it moved opposite DS Smith.

Internal Consultee Comments: Following the site visit, the the Council's Highway Engineer has provided the following updated advise:-

The only access to the development site is via Wallingford Road which intersects with Cowley Mill Road West to the north. Immediately to the east of this junction is a humped back bridge over the Grand Union Canal. This bridge has a 7 foot width restriction which means that buses arriving at the site must turn right from Cowley Mill Road West into Wallingford Road and buses leaving the site must turn left from Wallingford Road into Cowley Mill Road West.

Members of the Major Applications Planning Committee visited the development site and raised concern regarding the safety and convenience with which buses arriving and leaving the site could negotiate the junction of Wallingford Road/Cowley Mill Road West. The Highways Officer has commented on this application and notes, that as part of the redevelopment of the former Trimite Site, Arundel Road, Uxbridge the junction of Wallingford Road/Cowley Mill Road has been improved which address the concerns that were raised. The implemented work has included:

- increasing of the radii of the junction by way of a vehicle overrun thereby making it easier for the drivers of larger vehicles to turn into and out of Wallingford Road without overriding the footway;
- widening and rebuilding the footway providing pedestrians with a safe and convenient route across this junction; and
- The works completed to date will be supplemented by double yellow lines to restrict car parking in the vicinity of the junction. This will remove the potential for vehicular conflicts. The order marking process is currently underway, once this has been completed, the lines will be installed and enforced.

Officer Comment: The original recommendation was for refusal as there were concerns relating to the highways safety of other road users. At the Major Applications Planning Committee, this application was deferred to allow a site visit. Since the site visit, new junction improvement works have since been implemented that address the previous recommendation

for refusal and the Highways Officer considers buses will be able to turn in and out of Wallingford Road without compromising the safety of pedestrians or other road users. On this basis, this application is being brought back to the Major Applications Planning Committee with an officer's recommendation for approval for the reasons identified in the report.

1. **SUMMARY**

This application is being reported to committee following a call in by local ward Councillors. Planning permission is sought for the use of the site as a bus park and the installation of 3 portakabins (Use Class Sui Generis) within the Uxbridge Industrial Estate on Wallingford Road.

Whilst the use is appropriate within this designated business area and the proposed portakabins are consistent with the character of the industrial area. The application is recommended for approval subject to conditions, in particular condition which requires that the bus depot is only used by hybrid buses of Euro 6 standard (which make less engine noise than non hybrid buses).

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 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 and supporting documents:

Proposed Site Plan

17OKE2000

17OKE2001

17OKE2002

5613/008/R01 REV B - May 2018

Acoustic Planning Report dated January 2018

Design and Access Statement dated December 2017

Covering Letter dated December 2017

Agent's email dated 5/7/18

Transport Assessment Ref: 5613/008/R01 REV A

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).

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

Within 3 months of the decision, a landscape scheme has been 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 Hard Surfacing Materials
- 2.b Cycle storage (10 secure cycle spaces)
- 2.c External lighting and CCTV
- 2.d Unisex toilet
- 3. Schedule for Implementation
- 4. Other
 - 4.a Existing and proposed functional services above and below ground
 - 4.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (March 2016).

3 D12 Restrictions on Enlargement of Industrial and Warehouse

Notwithstanding the provisions of Part 8, Schedule 2 of the Town and Country (General Permitted Development) Order 1995, 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.

4 SUS5 Sustainable Urban Drainage

Within 3 months of the decision notice, details of the incorporation of sustainable urban drainage shall be submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON:

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan (2016) Policy 5.12 and PPS25.

5 NONSC Non Standard Condition

The bus park shall only be used by hybrid buses which meet the Euro 6 standard and shall not be used by more than 30 buses.

REASON:

To safeguard the amenity of the occupants of residential properties on Cowley Mill Road in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

- 1 I52 **Compulsory Informative (1)**

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

BE25	Modernisation and improvement of industrial and business areas
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LPP 4.1	(2016) Developing London's economy
LPP 4.4	(2016) Managing Industrial Land and Premises
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.3	(2016) Sustainable design and construction
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.30	(2016) London's canals and other rivers and waterspaces
LPP 8.2	(2016) Planning obligations
NPPF1	NPPF - Delivering sustainable development

3 I59 Councils Local Plan : Part 1 - Strategic Policies

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

4

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

3. CONSIDERATIONS

3.1 Site and Locality

The site is located on the western side of Wallingford Road, Uxbridge, sited towards its southern end. The town centre is located approximately 1.3 miles (north) from the site. The site forms part of the West London Industrial Park.

The site lies opposite an open skip yard. The site mainly comprises concrete hardstanding and is fully enclosed by an approximately 2m high palisade fence. The site shares its southern boundary with an open storage yard for crane/ raised platform hire. To the north is a company which anodizes metal products. The eastern edge of the site is bounded by a number of mature trees which separates the site from the Grand Union Canal, which runs north to south.

The surrounding area is occupied by a number of different uses. Beyond the canal to the east lies Cowley Business Park, residential homes and a discount superstore (Lidl). To the north lies Uxbridge Industrial Park.

Vehicular access to the site is gained from Cowley Mill Road via Wallingford Road. Owing to the nearby bridge over the Canal, HGV's can only leave Wallingford Road, at its junction with Cowley Mill Road, in a westbound direction. Conversely only eastbound HGV's can enter at this juncture. An alternative junction can also be used which is located at the Cowley Mill Road and Ashley Road junction.

3.2 Proposed Scheme

BACKGROUND

Bus Route 222 has been operating under TfL since 16 January 1971 when it replaced part of Route 223 section. Route 222 has always followed the same route between Hounslow Bus Station and Uxbridge Station via Cowley, Yiewsley, West Drayton, Sipson, Harlington Corner, Cranford and Hounslow West.

Between 1971 and 2000 the route was operated by AEC Regent III RTs from Uxbridge (UX) garage, after which it was passed to London United where they operated the service from their Hounslow (AV) garage.

The route requires 22 peak vehicles and are driven Euro 6 hybrid buses which have a drive-by noise of less than 75d. The daytime frequency is every 10 minutes between Monday to Saturday and a night service on a half hourly service, which only requires 3 buses. The route is 11 miles in distance and runs for approximately 37- 67 minutes. On Monday to Friday, the first bus departs at 4:20 and the latest at 11:26am with the earliest arriving back at 20:07 and the latest at 01:51, on Saturday the earliest departure will be leaving at 4:20am and the latest at 11:39, with the earliest arriving back at 17:27 and the latest at 01:41 and on Sunday, the earliest bus leaves at 4:20 and the latest 17:39 and the earliest bus arrives back at 16:53, with the latest at 01:51.

Uxbridge garage itself is unable to accommodate any further vehicles overnight but is able to service the vehicles and is therefore the location where driver meal breaks are scheduled. Opportunities to open new sites on this basis are very limited. The bus operator require a site to park buses, carry out light maintenance and cleaning and administrative activities. The site on Wallingford Road which is an allocated business area would therefore operate as a satellite to the bus operator's main garage in Uxbridge.

Due to the established route, a site is required which is located within close proximity to Uxbridge garage. This site is located approximately 1.5 miles north of Uxbridge garage and

can be accessed via the junction at Cowley and St John.

Over the last 6 months, the site has been used for parking buses and therefore this is a retrospective application.

PROPOSAL

This application seeks retrospective planning permission for the use of the application site as a bus park for up to 30 buses, the internal brushing down of the buses and the installation of the 3 containers to provide staff facilities. The site has been refurbished to include new drainage and water supplies and a boundary fence.

The temporary structures are shown situated in the northeast corner of the site and would comprise a toilet cabin, a cleaning storage cabin and a changing room/ office. The cabins would measure as follows:

Unit 1 - 9.6m x 2.5m

Unit 2 - 3m x 2.5m

Unit 3 - 3m x 2.5m

All the temporary structures are 3m high and would be painted green. In terms of lighting, automatic lighting on the footways have been installed thereby increasing site safety whilst minimizing light pollution.

Due to the number of required buses needed to run the service sufficiently, the bus operator, was using the Speed Coach Hire site, which is 795.04 ft south from the proposed site for an overflow bus park (maximum 30 vehicles) and for the brushing down of the buses. Within the last 6 months the bus operator has moved to the Wallingford Road site as the Uxbridge garage itself is unable to accommodate any further vehicles overnight but is able to service the vehicles, it is to remain the location where driver meal breaks are scheduled.

At present the bus operator have approximately 15 cars parked at the site, with the remainder of the employees using public transport. The route requires a total of 58 drivers (50 to drive the route on a daily basis with an additional 8 to cover holidays and illness etc.) to operate the service. An additional 3 full-time equivalent employees will be required onsite which will comprise of a supervisor and 2 cleaners. All external bus washing will continue to take place at the Uxbridge bus depot and the cleaning is confined to internal brushing of seats and floors and washing of window glass.

Environmental Sound Monitoring (Noise Consultants Comments):

'Environmental sound monitoring was undertaken between Wednesday 10th January and Thursday 11th January 2018 to assess both vehicular activity and associated sound levels impacting on the noise sensitive properties fronting Cowley Mill Road, opposite the junction with Wallingford Road. These properties, namely 26 to 34 Andover Close, have been identified as those worst affected by sound associated with vehicle movements from the proposed application site.

The survey commenced at approximately 22:45 hours on the 10 th January and concluded at approximately 08:00 on the 11th January to cover the end of normal operations, the period immediately after, and the start of operations. The survey consisted of a single fixed measurement location at the garden boundary of 34 Andover Close, directly opposite the junction between Cowley Mill Road and Wallingford Road. The sound level meter was mounted on a tripod, such that the microphone was a distance of 1 metre from the garden

boundary fence and approximately 1.5 metres from the ground. During the late evening and night, vehicle movements were noted to be relatively low, with mainly cars passing along Cowley Mill Road over the bridge over the canal, or entering and leaving Wallingford Road. Traffic movements over the canal bridge of Cowley Mill Road are controlled by traffic lights at each side. As such, cars idle on occasion at the foot of the bridge, close to the junction with Wallingford Road. These car movements were considered to be relatively unobtrusive in terms of noise impact on the noise sensitive properties.

The bridge over the canal is width restricted, such that all larger vehicles, over 7.5 tonnes, are required to turn left out of Wallingford Road and head west along Cowley Bridge Road. During the late evening and early night time period, movements of larger vehicles were noted to be relatively low. Metroline buses were noted to be the most regular large vehicles returning to the depot. Despite this, it was noted that the Metroline buses were all hybrid vehicles, and when turning into Wallingford Road, their engines were off and running on electric power. As such, the bus movements were not considered to be particularly noisy in nature, and no more intrusive than typical car movements in that area. Between the hours of 23:15 and 01:45 there were noted to be a total of 8 bus movements, turning right into Wallingford Road to return to the depot. This correlates exactly with the expected movements in the Robert West traffic report during these periods. During the early morning, vehicle movements associated with the West London Industrial Park were noted to be very high. From an early hour, around 04:30 am, there was noted to be a hive of activity, with a large number of fixed axle waste trucks (see example in Figure 4) and HGV vehicles (see example in Figure 5) both pulling out of Wallingford Road to turn left along Cowley Mill Road and returning to the industrial park, turning right into Wallingford Road.

Noise from the waste trucks in particular was noted to be intrusive, as the empty skips resonated as they passed over the many potholes and uneven surfaces of Wallingford Road. Bus movements were noted to begin at 04:20am, turning left out of Wallingford Road to pass along Cowley Mill Road. During these movements, the buses were noted to be using their diesel engine power as opposed to their electric power. Despite this, bus movements were considered to be less intrusive and dominant than the skip truck and HGV movements. The large vehicle activity associated with the business park was noted to continue up to the end of the survey at 08:00 hours. In the morning period, between the hours of 04:00 and 08:00, a total of 15 bus movements were noted, turning left out of Wallingford Road. This correlates closely with the expected movements in the Robert West traffic report during these periods, as presented in Table 1 (15 movements noted versus 13 expected in the Robert West traffic report). Bus movements were noted to be infrequent in comparison to other large vehicle activity associated with the industrial park. From the observations in Appendix B, there were 51 Lorry and HGV movements in the early morning period compared with 15 bus movements. Based on the observations made, as a worst case, there were noted to be 4 bus movements within a 15-minute period, which was between 00:39 and 00:54. As such, this assessment considers the impact of noise during this period.

Based on 4 bus movements, each with an SEL of 72dBA, the calculated specific sound level over a 15 minute period is 48dBA LAeq, Tr. In this instance, it is not considered that any acoustic feature corrections are appropriate in this situation: Sound from the bus movements is not tonal or impulsive, and the intermittency of the buses is not considered to be readily distinctive above the residual acoustic environment given that there are many other commercial vehicles and private cars passing along the carriageways. Based on this, it is considered that the rating level is equal to the residual sound level, i.e. 48dBA LAr, 15 minutes. In the absence of noise from the bus movements, the otherwise background sound level was recorded to be 46dB LA90, 15 minutes.

Comparing the calculated rating level (48dBA) with the background sound level (46dBA), BS 4142 states:

"Typically, the greater this difference, the greater the magnitude of impact.

A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context. A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context. The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context."

In this instance, therefore, as the calculated rating level is only marginally above the otherwise background sound level (by 2dBA), it is considered that there is a low impact upon the noise sensitive properties that overlook the junction between Wallingford Road and Cowley Mill Road (26-34 Andover Close) due to noise associated with Metroliner buses. Consideration is also given to the context of the site, as there are a large number of other large commercial vehicles using this road, and that the dwellings are on the edge of a well established industrial park.'

3.3 Relevant Planning History

50677/96/0243 Plot C Uxbridge Industrial Estate Wallingford Road Uxbridge
Alterations to premises including demolition of certain structures and relocation of fuel tanks underground

Decision: 02-05-1996 Approved

50677/APP/2003/471 Marsh Plant Wallingford Road Uxbridge
INSTALLATION OF 15 METRE HIGH TELECOMMUNICATIONS MAST WITH EQUIPMENT CABIN AND ASSOCIATED WORKS (CONSULTATION UNDER SCHEDULE 2, PART 24 OF TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED)

Decision: 17-04-2003 Withdrawn

Comment on Relevant Planning History

There is no relevant planning history relating to the site itself, however relevant history relating to the surrounding area is listed below:

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

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

The difference between this proposal and the application refused at appeal is that this application site is already accessed via Wallingford Road from Cowley Mill Road. The application at appeal sought to create a new access onto Wallingford Road which would have resulted in increasing the size of the industrial area served by the junction, inevitably leading to an intensification of use of the Wallingford Road/ Cowley Mill Road junction.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE25 Modernisation and improvement of industrial and business areas

LE1 Proposals for industry, warehousing and business development

LE2 Development in designated Industrial and Business Areas

OE1 Protection of the character and amenities of surrounding properties and the local area

OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures

LPP 4.1 (2016) Developing London's economy

LPP 4.4 (2016) Managing Industrial Land and Premises

LPP 5.12 (2016) Flood risk management

LPP 5.13 (2016) Sustainable drainage

LPP 5.3 (2016) Sustainable design and construction

LPP 7.19 (2016) Biodiversity and access to nature

LPP 7.30 (2016) London's canals and other rivers and waterspaces

LPP 8.2 (2016) Planning obligations

NPPF1 NPPF - Delivering sustainable development

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **29th January 2018**

5.2 Site Notice Expiry Date:- **29th January 2018**

6. Consultations

External Consultees

This application was consulted on between 04/01/2018 and 29/01/2018. 4 objections and 1 petition was received against this application. The comments are summarised below:

- Cowley Mill Road Residents Association object to the proposed;
- The double decker buses are causing noise and disturbance;
- The proposal would introduce significant additional vehicular movements;
- Metroline are using an illegally built road;
- A London Borough of Hillingdon transport study commissioned in 2014 that highlights all of residents objections and traffic has subsequently increased and the width restrictions were not in place;
- The variety of land uses can generate conflicting traffic demands, particularly during peak periods and out of business hours, which prevents the introduction of a clearly defined road user hierarchy to adequately cater for all demands e.g. HGV's, cyclists, traffic calming and pedestrians;
- Immediately to the west of Swan bridge is a relatively constrained junction with Wallingford road;
- The current junction layout does not adequately accommodate large HGV's turning movements with

- evidence of kerb damage (still there today) Swan bridge themes ; high proportion of HGV traffic to pedestrians and cyclists;
- future development at this site is likely to return traffic generation to similar levels as the former Trimate site (we calculate more due to size of application);
 - the HGV proportions recorded would be higher than typical levels for a minor urban road or residential area;
 - the maximum speeds demonstrate that on occasion the speed limits are significantly breached;
 - the surveys calculated that noise levels were considerably in excess of the recommended outdoor noise level and internal noise levels at two locations (we are frequently woken at night by passing HGV's);
 - while the study shows in 2014 the NO2 levels were acceptable it notes "should traffic flows notably increase along the Cowley Mill Road in the future then EU limits could be exceeded' (this has happened);
 - In 1986 the traffic on our narrow road was ok for the activities on the trading estate with negative effects of living opposite mostly impacted during the week in office hours, giving respite at night, W/E's and BH's, which balanced out what we endured during the week, now experience an increase in all the negatives;
 - Traffic too heavy for size of road, surveys show operating over capacity. Other applications refused on grounds of congestion impact on residents & poor junction of Wallingford road. We experience many traffic jams down our Rd, making exiting our drive challenging and stressful;
 - living opposite a trading estate and have seen an enormous detrimental change to the area over the 32 years;
 - We experience a marked increase in noise, dust, pollution and road congestion. We have happily co-existed with the industrial estate until the Trimate site became vacant and now occupants of the estate appear to have little consideration for the residential nature of the area;
 - Some units on the estate are already operating 24 hours a day and we feel we need to be given a break from further disadvantages at night and weekends/bank holidays. The central government report on congestion impact when 'Speedy Hire' requested planning permission (751/APP/2015/335 see appeal decision 11/11/16) highlighted the seriousness of the problem and permission was declined on appeal;
 - Current vehicle movements is flawed when they should not be occurring in the first place;
 - The current observed vehicle movements from the site identify the majority of movements are either early morning (04:00 to 08:00) and late at night (22:00 to 02:00). These are the worst times and cannot fail to impact on the sleep and well-being of the residents on Cowley Mill Road as well as those residents in Wallingford Road;
 - a transport statement provided by Robert West dated 21 December 2017, within is the wording 'Consolidate and Expand' at paragraph 5.2. This identifies that a situation which should not already exist has the potential to get worse;
 - the bus trips generated from the site indicate the current rate of 24 movements per day. However, this data is only for the bus 222, yet information is contained within the same report regarding timetables for the U5; and
 - Worst case scenario creates a possibility of 88 movements per day if they stick to the 22 hours per day operation. Bear in mind the Speedy Hire application was refused for 76 vehicle movements per day.
 - buses often ignore and drive through road closed signs

HIGHWAYS ENGLAND

No objection.

ENVIRONMENT AGENCY

No comment.

South Buckinghamshire District Council (SBDC)

SBDC were consulted due to the site's proximity to the borough boundary, no response was received. The applicant has confirmed that the route the buses would take would be north along Cowley Mill Road and then east along St John's Road to serve route 222 between Uxbridge Station and Hounslow Bus Station. This application would not impact SBDC.

Internal Consultees

Sustainability Officer:

Whilst the development is technically a major application it is for a temporary use where measures to reduce CO2 are inherently reduced by virtue of the prefabricated nature of the design; furthermore, the temporary nature of the building means the carbon footprint will be minimal and the expense necessary to achieve reductions are likely to be onerous with limited gains. To that end, there is no requirement for an energy or sustainability statement. However, if there is an attempt to secure an extension of this temporary permission in the future, then consideration will need to be had for the cumulative length of time in situ and energy and CO2 savings would be expected to be demonstrated through onsite technology.

Officer comment: Whilst the sustainability officer has referred to the site as temporary, this is in reference to the portakabins and their pre fabricated design. This is in fact an application for full planning permission for the use of the site as a bus park and associated welfare facilities within portakabins.

Water and Flood management Officer:

The proposals should clearly demonstrate that all vehicle washing and parking areas are suitably bunded and no contaminated run-off can escape the site.

Trees and Landscaping Officer:

No trees or other landscape features of merit will be affected by the proposal. The intention is to install three temporary structures (shipping containers) - whose colour / finish should be specified. The concrete surfacing is to be improved and the boundaries are to be secured with 3 metre high palisade fencing. - Colour-coated panelled weldmesh fencing is preferred with regard to both the aesthetics (appearance) and security (weldmesh is more visually permeable).

Recent developments on this unsightly estate have secured planting on the external boundaries. - Tree planting along the road side boundary would help to improve the environmental quality of this area.

No objection subject to condition.

Conservation and Urban Design Officer:

No comments.

Highways Engineer:

Parking

The proposal consists of providing an overflow bus park facility for a maximum of 30 'Not in Service ' buses in order to compensate for the lack of 'park and clean' provisions within the Uxbridge bus garage site located some 1.5 miles due north of the site. Notwithstanding this point, buses would still

be washed externally at the Uxbridge garage site as and when. The buses would be stored at the Wallingford Road site for a time and cleaned (internally only) by staff based within the three temporary containers which form part of this application.

The applicant 'Metroline' currently run their 'Not in Service' bus park operation in Wallingford Road by way of a temporary arrangement using a site some 250m south of the site subject of this application which is run by a company named 'MHM Minibus/Speedy Coach Hire'.

Normally Metroline sites are operated on a standalone basis whereby all maintenance and cleaning operations are undertaken within a single site. However as suitable land opportunities are relatively limited there is a move toward consolidating operations between smaller sites. This also reduces and spreads the intensity of use of a single site operation. As mentioned, there are vehicle storage capacity issues at the Uxbridge garage site which have therefore motivated this application for a satellite facility for storing and cleaning buses (internally only).

As for the current operation of the nearby 'MHM Minibus/speedy Coach Hire ' site, Metroline plans to employ 34 staff to undertake the above maintenance regime. At present approximately 60 % of staff utilise private car transport equating to 20 vehicles. These have been, in the main, been parked on-site. This would remain to be so for the new location subject of this application.

As this is a sui-generis planning use class, there are no prescriptive parking standards to apply so a judgement on the level of provision is made on an individual site by site basis.

As the proposal is broadly a 'like for like' re-provision of a relocated facility from a nearby site, there is no evidence to suggest that driver/staffing levels of the proposed operation would deviate to any measurable degree as a result of the move.

It is proposed to provide 2 private car spaces with any remaining private staff cars accommodating the vacated bus parking bays once they depart. This 'shared' parking arrangement is considered acceptable in principle and it will allow operational capacity for up to 30 buses to be parked on-site at any one time.

In terms of cycle parking, 10 secure and accessible spaces are proposed which in the context of expected staffing levels is considered acceptable.

Trip Generation

As highlighted earlier, the area has been acknowledged as an employment growth area and Industrial and Business Area (IBA) within the respective Local Plans (Part 1 and emerging Part 2). The site is therefore considered suitable for sui generis uses, such as that proposed, as this promotes the vitality and viability of local businesses. It is noted as is commonly the case, such IBA's are often located adjacent to residential catchments. Such proximity understandably raises sensitivities from the local residential community given that generated vehicle movements can impose additional burden on the local highway network both in vehicle number terms and noise pollution. However the reality is that IBA's need to function for their intended purpose of providing business services to a business catchment which can include and benefit neighbouring local communities within Hillingdon and a wider clientele beyond the borough boundary.

The proposed bus operation subject of this application has been in place for the past several months albeit located 250m south of the proposal site and the related traffic generation has to date been accommodated without known detriment to highway capacity. Anecdotal evidence provided by local residents suggests that the most intense period of operation is between the hours of 4am to 8am and 10pm to 2am which is of significance as this clearly avoids potential burden to peak traffic periods which are of most concern. There is no evidence to doubt the validity of the observations made.

The bus arrival/departure profile indicates a low intensity of use during daily operations with a maximum of up to 8 vehicles generated by the site in any given hour. This equates to an approximate uplift in traffic on the local highway network of approximately 1%. When estimated daily flows over a 12 hour period are taken into consideration this % figure reduces over that period. The Institute of Highways and Transportation (IHT) formally 'industry recognised' traffic impact assessment guidance recommended a figure of up to 5% being an absorbable increase on the highway network without measurable detriment and need for mitigation. It is highlighted that both scenarios fall well below this threshold of acceptability in highway impact terms.

When taking the above factors into consideration it is concluded that the traffic generated by the proposal can be absorbed within the local road network without notable detriment to traffic congestion.

Vehicular Access Arrangements

There are no material changes to the site access point and the 'swept path' analysis, undertaken by the applicant, satisfactorily demonstrates that a double-decker bus can enter and leave the site unobstructed by the parking layout within the site.

The 'swept path analysis' exercise has also been undertaken external to the site i.e at the Cowley Mill Road/Wallingford Road junction to demonstrate the adequacy of the junction for 'right turn in' and 'left turn out' bus manoeuvres. However it is apparent that, in practise, significant footway damage is already present at this junction owing to larger commercial vehicles and HGV's overriding the footway to the potential detriment of pedestrian safety. These vehicles also need to breach the road centre-line in order to achieve the necessary turning movements thereby further prejudicing highway safety.

These concerns are highlighted within an appeal decision for a preceding application (751/APP/2015/335) for this site which consisted of a:- 'Continued use of the site for B8 purposes with new storage and ancillary workshop and office buildings, car parking, external storage area and new access to Wallingford Road' This application was refused on i) noise/disturbance and ii) highway capacity grounds on 19th November 2015. The decision was subsequently appealed in September 2016 and dismissed on 11th November 2016.

The Inspectorate concluded that although the scheme would not prejudice local highway capacity (which includes the Wallingford/Cowley Mill Road junction) it would have a harmful effect on highway safety on the aforementioned junction.

This 'detriment to highway safety' reasoning was based on the visual evidence of kerb/footway damage allegedly perpetrated by "articulated lorries turning left out of Wallingford Road who either encroach onto the opposing carriageway/and/or ride over the narrow footway".

Although the proposal displayed a higher hourly traffic generation profile by larger i.e. HGV vehicles as compared to the movements for the current bus park submission, there is significant concern that bus activity generated by the new proposal would further exacerbate footway overriding/damage at the above road junction with vehicles also encroaching beyond the Cowley Mill Road centre-line resulting in prejudicial impacts to overall highway safety at this location for both vehicular and pedestrian traffic.

Revised Highways Comments

As part of the redevelopment of the former Trimite Site, Arundel Road, Uxbridge the junction of Wallingford Road/Cowley Mill Road has been improved which address the concerns that were raised. The implemented work has included:

- increasing of the radii of the junction by way of a vehicle overrun thereby making it easier for the drivers of larger vehicles to turn into and out of Wallingford Road without overriding the footway;
- widening and rebuilding the footway providing pedestrians with a safe and convenient route across this junction; and
- The works completed to date will be supplemented by double yellow lines to restrict car parking in the vicinity of the junction. This will remove the potential for vehicular conflicts. The order marking process is currently underway, once this has been completed, the lines will be installed and enforced.

EPU Officer:

I have read through the applicants acoustic assessment and from a noise perspective we have no objections to this application. The number of bus movements are limited and hence have a low impact on the current noise environment. There are a greater number of HGV movements in the locality with a higher noise output than the proposed hybrid buses. From the submitted report, noise from waste truck and skip lorries have a greater noise signature due to the resonate nature of the vehicles.

The road surface may be a contributing factor to this but I do not think this is a factor for noise increase from the buses. As the actual site is quite some distance from the nearest noise sensitive property there is not an appropriate condition for noise that can be suggested for the development as on-site noise will not be an issue.

Hybrid buses may only be used on the development site to ensure the proposal minimises its impact on the amenity of nearby occupiers.

Access Officer:

I have considered the detail of this planning application and the following Informatives should be attached to any grant of planning permission:

1. The proposed plan does not currently include any WC provision for disabled people and at least one accessible unisex toilet should be provided. As building works to construct new and revised toilet facilities are planned, the opportunity to incorporate accessible toilet provision is advised. It would be acceptable to provide a larger cubicle that could be used by everyone, including wheelchair users.
2. At the very least, an ambulant disabled cubicle, designed in accordance with Approved Document M to the Building Regulations 2010 (2015 edition), should be provided for drivers who are ambulant with a hidden disability.
3. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The Uxbridge Industrial Estate within which the site is located is designated as an Industrial Business Area (IBA) within the Local Plan: Part One (November 2012) and as Strategic Industrial Land (SIL) within the London Plan (2016)

Policy 2.7 of the London Plan (2016) notes development proposals in SILs should be refused unless they are for general industrial, light industrial, storage and distribution, some transport related functions, utilities, wholesale markets and other industrial related activities.

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

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

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

Policy LE2 states that industrial and business areas are designated for business, industrial and warehousing purposes (use classes B2-B8) and for Sui Generis uses appropriate in an industrial area. The proposed development is industrial in nature and is appropriately located within a designated business area and as such the principle of the development is considered to be acceptable.

Policy SA 29 (Cape Boards) of the Draft Local Plan: Part Two (2015) designates the site immediately to the south as suitable for residential led mixed use development. It should be noted that this policy is yet to be examined by an Inspector and adopted. Though Policy SA 29 of the Draft Local Plan: Part Two (2015) is a material consideration, the balance is in favour of an appropriate business use coming forward on this site given the sites existing designation as an IBA and SIL. The use of this site as a bus park with associated facilities is considered to be appropriate in this location and the principle of development is considered to be acceptable. The use of this site as a bus park is unlikely to prejudice the adjacent site and use allocated within Draft Policy SA 29 from coming forward.

7.02 Density of the proposed development

This application relates to commercial development, density does not apply to this application.

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

The site is not located within a conservation area nor are there listed buildings within the vicinity of this development that would be affected by this proposal.

7.04 Airport safeguarding

Given the height and scale of the proposed development, this does not apply to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies

(November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area.

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

The temporary structures would be visible from the canal tow path but would be seen within the context of the industrial estate. The proposed design of the buildings are appropriate for the industrial location. The unit is modest in scale and appropriate within the location.

The development is therefore in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The application site is located within the Uxbridge Industrial Estate. The site currently comprises an open storage yard. Policy OE1 ensures that planning permission is only granted for uses and development which would not be detrimental to the character or amenities of surrounding properties or the area generally. It is considered that the application proposal conforms to policy OE1 of the Hillingdon Local Plan - Part Two (Saved Policies). The nearest residential property is situated approximately 215m to the north. Given the siting and the neighbouring industrial uses, it is not considered that the proposal would have a negative impact on the amenity of neighbouring occupiers. It is also unlikely that several buses an hour passing by existing residential units during transit would cause an unacceptable level of harm through noise and vibration.

The development is therefore in accordance with policy OE1 of the Hillingdon Local Plan - Part Two (Saved Policies).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy 6.1 of the London Plan (2016) seeks to improve the capacity and accessibility of public transport, particularly in areas of greatest demand and supports measures that encourage shifts to more sustainable modes of travel. Policy 6.7 of the London Plan (2016) recognises that buses are, and are likely to remain, the dominant mode of public transport in outer London and therefore encourages boroughs to ensure standing, garaging and drivers' facilities are provided where needed.

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Highways Officer has considered this application and considers trip generation, car parking and cycle parking arrangements are appropriate. The highways officer has objected to the proposal noting there is concern that the proposal would prejudice the free flow of traffic and general conditions of highway and pedestrian safety. The concern raised in relation to highway and pedestrian safety is not outweighed by the benefits presented by this proposal.

7.11 Urban design, access and security

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

7.12 Disabled access

A condition would be attached requiring details relating to an accessible and unisex facilities for staff should the application have been considered acceptable.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy BE25 of the Local Plan: Part Two (November 2012) seeks to ensure modernisation and improvement of industrial estates through careful attention to the design and landscaping of buildings and external spaces.

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

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

Should the application be considered acceptable, a suitably worded condition requiring the submission of an appropriate landscaping plan in accordance with Policy BE25 of the Local Plan: Part Two (November 2012).

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

The development relates to a temporary building where measures to reduce CO2 are inherently reduced by virtue of the prefabricated nature of the design; furthermore, the temporary nature of the building means the carbon footprint will be minimal and the expense necessary to achieve reductions are likely to be onerous with limited gains. To that end, there is no requirement for energy or sustainability compliance.

7.17 Flooding or Drainage Issues

The site comprises hard standing and the scale of work proposed does not require a flood risk assessment. A planning condition would be attached requiring the proposal to clearly demonstrate that all vehicle washing and parking areas are suitably bunded and no contaminated run-off can escape the site should the application have been considered acceptable.

7.18 Noise or Air Quality Issues

The application site lies a considerable distance from residential properties/noise sensitive receptors. The application raises no objections with regard to noise impacts on sensitive receptors. The number of bus movements are limited and will have a low impact on the current noise environment. There are a greater number of HGV movements in the locality with a higher noise output than the proposed hybrid buses. From the submitted report, noise from waste trucks and skip lorries have a greater noise signature due to the resonate nature of the vehicles.

The noise consultants employed by the applicant have stated that:
In this instance, therefore, as the calculated rating level is only marginally above the otherwise background sound level (by 2dBA), it is considered that there is a low impact upon the noise sensitive properties that overlook the junction between Wallingford Road and Cowley Mill Road (26-34 Andover Close) due to noise associated with Metroliner buses. Consideration is also given to the context of the site, as there are a large number of other large commercial vehicles using this road, and that the dwellings are on the edge of a well established industrial park.'

Officers have no noise evidence to dispute this finding and the Council's Noise officer concurs with the noise consultants findings.

7.19 Comments on Public Consultations

The comments received have been duly taken into account and addressed throughout the main body of the report.

7.20 Planning obligations

Given the scale of the proposal, planning obligations are not considered necessary or appropriate for this application.

7.21 Expediency of enforcement action

The application is retrospective, if refused expediency of enforcement action would need to be considered through a Part 2 report. The Council does have live enforcement cases involving businesses on the wider industrial estate. The result of these investigations could (if they result in less night time lorry movements) result in positive benefits to residents whose properties back onto Cowley Mill Road, however these cases are not considered to be directly relevant to determine of this planning application.

7.22 Other Issues

None identified.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

Planning permission is sought for to use the site as a bus park (Use Class Sui Generis). This site is situated within the Uxbridge Industrial Estate on Wallingford Road.

This proposal is considered acceptable in principle as its use is consistent with the character of this designated IBA and SIL. The proposal would not prejudice site allocation SA 29 within the Draft Local Plan (2015) from coming forward.

It is not considered that the movement of several buses an hour would result in detrimental harm through noise and vibration to the amenity of nearby residential occupiers.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

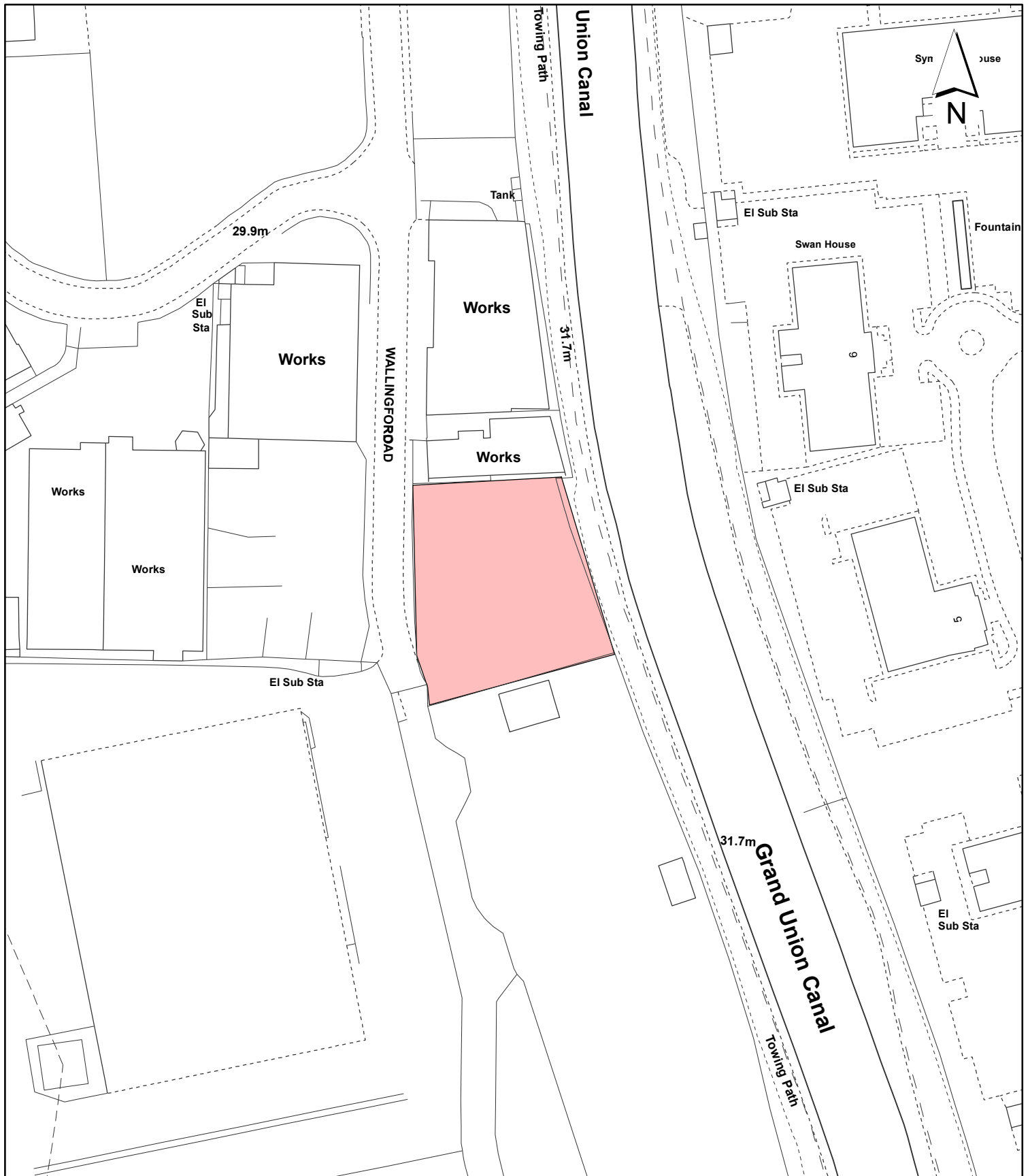
Emerging Hillingdon Local Plan: Part Two (2015)

The London Plan (2016)

National Planning Policy Framework (2012)

Contact Officer: Zenab Haji-Ismael

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Notes:

 Site boundary

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Site Address: **Land Opposite DS Smith
 Recycling Depot
 Wallingford Road
 Uxbridge**

Planning Application Ref:
50677/APP/2017/4537

Planning Committee:
Major

Scale:
1:1,250

Date:
November 2018

**LONDON BOROUGH
 OF HILLINGDON**
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