

Report of the Head of Planning, Transportation and Regeneration

Address GETHCELN HOUSE DAWLEY ROAD HAYES

Development: Proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking.

LBH Ref Nos: 71737/APP/2019/1979

Drawing Nos: J0238/2/F1 Air Quality Assessment
Energy and Sustainability Assessment V2
70850R2 Contaminated Land Risks (Dated 22nd March 2019)
3972 SWDS v3.0 Surface Water Drainage Strategy
Planning Statement (June 2019)
P301 Rev. H
P302 Rev. G
P304 Rev. G
P402 Rev. D
17785.BS4142.01 Rev.A BS4142 Assessment
P501 Rev. D
P401 Rev. D
TR8180150/MB/DW/017 Transport Statement (Dated 20 November 2019)
P101

Date Plans Received: 11/06/2019 **Date(s) of Amendment(s):** 11/06/2019

Date Application Valid: 14/06/2019

1. SUMMARY

This application seeks permission for the proposed demolition of the existing warehouse/workshop and erection of one flexible use class B1c/B2/B8 building comprising three units. It is considered that the proposal is acceptable in principle. Subject to conditions, the proposal is also considered acceptable with regard to design, impact on the street scene, amenity, highways, refuse, landscaping, ecology, flooding, energy, noise, airport safeguarding, contamination and security matters.

This application is recommended for approval, subject to conditions and a Section 106 agreement.

2. RECOMMENDATION

1. That delegated powers be given to the Head of Planning, Transportation and Regeneration to grant planning permission subject to:

A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:

i) A full and formal Travel Plan with associated £20,000.00 bond to include Sustainable Transport Measures is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend

the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.

ii) **Employment Strategy and Construction Training** - either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered.

iii) **Highways contribution** amounting to £20,000 towards the provision of shared use footways and crossing facilities at the junction of Dawley Road / Kestral Way.

iv) A £13,000 contribution is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and/or reduces human exposure to nitrogen dioxide levels.

v) **Project Management & Monitoring Fee:** a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement, is sought.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and/or 278 Agreements and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreements have not been finalised by 16th April 2020 (or such other timeframe as may be agreed by the Head of Planning, Transportation and Regeneration), delegated authority be given to the Head of Planning, Transportation and Regeneration to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of highway safety and air quality). The proposal therefore conflicts with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies DMCI 7, DMT 1, DMT 2, DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 6.12 and 7.14 of the London Plan (March 2016).'

E. That if the application is approved, the following conditions be attached:

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 301 Rev. H, P302 Rev. G, P304 Rev. G, P401 Rev. D, P402 Rev. D and P501 Rev. D and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the London Plan (March 2016)

3 COM5 General compliance with supporting documentation

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

Energy and Sustainability Assessment V2;
J0238/2/F1 Air Quality Assessment;
TR8180150/MB/DW/017 Transport Statement (Dated 20 November 2019);
70850R2 Contaminated Land Risks (Dated 22nd March 2019);
17785.BS4142.01 Rev.A BS4142 Assessment.

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the London Plan (March 2016)

4 NONSC Sustainable Water Management

Prior to commencement (excluding demolition and site clearance), a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall follow the strategy set out in Surface Water Drainage Strategy, reference 3972 SWDS v3.0.

The scheme shall clearly demonstrate how it manages Water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change,
- iii. where identified in an area at risk of surface water flooding, include additional provision within calculations for surface water from off site
- iv. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Capacity of Receptors

- i. Demonstration that the proposals connect into a proper and functioning Thames Water network, ie ie that the point a proposal connects into is part of a wider network, and the

applicant provides details of the approval and any appropriate upgrades will be undertaken from Thames Waters free pre planning service.

ii. Where infiltration techniques (soakaway) or a basement are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased.

iv. identify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

c) Minimise water use.

i. incorporate water saving measures and equipment.

ii. provide details of how rain and or grey water will be recycled and reused in the development.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012),

Policy DME1 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Policy 5.12, 5.13 and 5.15 of the London Plan (March 2016),

National Planning Policy Framework (February 2019), and the

Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

5 COM31 Secured by Design

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with Policies 7.1 and 7.3 of the London Plan (March 2016).

6 COM22 Operating Hours

The commercial premises shall not be open for customers outside the following hours: -

0700 and 2200 Mondays - Fridays

0800 to 1600 Saturdays and Sundays

Closed on all Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7 NONSC Delivery Hours

The premises/ site shall not be used for loading and unloading in external areas, delivery and the loading or unloading of goods outside the hours of 07:00 and 19:00, Monday to Friday, and outside the hours of 07:00 and 17:00 on Saturdays. The premises/site shall not be used on Sundays or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

8 COM9 Landscaping (car parking & refuse/cycle storage)

Prior to any works above damp proof course level, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

NB: Landscaping plans shall include pollution absorbing and native planting species.

2. Details of Hard Landscaping
 - 2.a Refuse storage with associated screening
 - 2.b Secure and covered cycle storage (demonstrating capacity for 28 bikes)
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration that 3 parking spaces served by active electrical charging points, 3 parking spaces are served by passive electrical charging points and 2 parking spaces are for Blue Badge users)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures
3. Details of Landscape Maintenance
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Schedule for Implementation

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 DMHB 11, DMHB 14 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 5.10 and 5.17 of the London Plan (March 2016)

9 NONSC Energy

Prior to any works above damp proof course level, full details of the low and zero carbon technology required to meet the CO2 reductions identified in the 'Energy and Sustainability Assessment V2' shall be submitted and approved in writing by the Local Planning Authority. The details shall include full specifications, locations of equipment and associated emissions (noise/odour/gas).

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

REASON

To ensure the development contributes to a reduction in CO2 in accordance with Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 5.2 of the London Plan (March 2016)

10 NONSC Ecological Enhancement

Prior to any works above damp proof course level, an ecological enhancement scheme, providing net gains for biodiversity which establish coherent ecological networks resilient to current and future pressures, has been submitted to and approved by the Local Planning Authority.

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

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 7.19 of the London Plan (March 2016) and Chapter 15 of the National Planning Policy Framework (February 2019).

11 NONSC Contamination

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed

with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

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

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 5.21 of the London Plan (March 2016) and the National Planning Policy Framework (February 2019).

12 NONSC Low Emission Strategy

Prior to occupation, a low emission strategy (LES) shall be submitted to and approved in writing by the Local Planning Authority. The LES shall specify the following:

- 1) A clear and effective strategy to encourage users of the office units to:-
 - a) use public transport;
 - b) cycle / walk to work where practicable;
 - c) enter car share schemes;
 - d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

REASON

To ensure the development reduces and manages its air quality impacts in an Air Quality Management Area, in accordance with the National Planning Policy Framework (February 2019), Policy 7.14 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2018) and Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

13 NONSC Servicing and Delivery Plan

Prior to the occupation of development, details of a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority.

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

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

14 NONSC Construction Environmental Management Plan

Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. The Plan must be drawn up in accordance with the GLA Control of Dust and Emissions from Construction and Demolition SPG. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and to ensure the development reduces and manages its air quality impacts in an Air Quality Management Area, in accordance with the National Planning Policy Framework (February 2019), Policy 7.14 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2018) and Policy DME1 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

15 NONSC Construction Logistics Plan

Prior to the commencement of works on site, a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority.

This should be in accordance with Transport for London's Construction Logistic Planning Guidance and detail the management of construction traffic, including vehicle types, frequency of visits, expected daily time frames, use of an onsite banksman, on-site loading/unloading arrangements and parking of site operative vehicles.

The construction works shall be carried out in strict accordance with the approved plan.

REASON

To ensure that the construction works include appropriate efficiency and sustainability measures so as not to compromise the safe and efficient operation of the local highway network and minimizes emissions, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.14 of the London Plan (March 2016).

16 NONSC Delivery Bays/Docks

The delivery bays/docks shall always be used for deliveries and shall not form part of the building as operational floorspace.

REASON

To ensure efficient access and manoeuvring into, within and out of the site, so as not to compromise the safe and efficient operation of the local highway network, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

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 Local Plan: Part 2 - Development Management Policies (January 2020) 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.

DME 1	Employment Uses in Designated Sites
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMCI 7	Planning Obligations and Community Infrastructure Levy
LPP 2.17	(2016) Strategic Industrial Locations
LPP 5.10	(2016) Urban Greening
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.17	(2016) Waste capacity
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.21	(2016) Contaminated land
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the

	acoustic environment and promoting appropriate soundscapes.
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy

3 I73 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingsdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

4 I72 Section 106 Agreement

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

5

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

6

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

7

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.

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises an approximately 0.2 hectare site, currently occupied by industrial workshops, a scaffolding yard and Gethceln House, a detached two-storey property, which has received planning permission for change of use from offices to residential use in 2016 (application reference 71737/APP/2016/1199). It is noted that the planning conditions relating to this permission were not discharged and as such, the building is still lawfully an office building.

The site is bounded to the north, south and west by industrial uses, including a Crossrail depot to the south, beyond which is the mainline railway line. To the east it is bounded by Dawley Road, beyond which is a public house, and a row of terraced houses, the end terrace, opposite the site entrance, accommodating a cafe at ground floor level.

The site falls within a Strategic Industrial Location (SIL) as identified in the London Plan (March 2016) and the Hillingdon Local Plan: Part 2 - Site Allocations and Designations and the Local Plan Policies Map.

The site is located to the west of the Botwell Thorn EMI CA and the Locally Listed Buildings located within the western quarter of the designated area. The tall red brick walls to the front and side of the site appear to be part of the walls built by Henry Earl of Uxbridge, to enclose the Dawley House Estate, now lost. They are circa 1755 in date and of historic interest.

3.2 Proposed Scheme

This application seeks permission for the proposed demolition of the existing warehouse/workshop and erection of one flexible use class B1c/B2/B8 building comprising three units, with associated 17 car parking spaces, 28 cycle parking spaces, loading bays and ancillary development.

The new industrial warehousing units would provide a total of 1,597 square metres of flexible B1c/B2/B8 floorspace. The building would measure approximately 23.1 metres in

depth, 35.4 metres in width to the rear and 40.4 metres in width at the front of the building. The total height of the building would be 8 metres at the front of the site, 9.8 metres to the rear and would be set in from all side boundaries by 1.5 metres. Each unit would comprise warehouse space with a mezzanine floor. The units would vary in size and the floor areas are summarised as follows:

Unit 1

Ground floor area: 245 square metres

First floor mezzanine area: 255 square metres

Total: 500 square metres

Unit 2

Ground floor area: 252 square metres

First floor mezzanine area: 275 square metres

Total: 527 square metres

Unit 3

Ground floor area: 275 square metres

First floor mezzanine area: 295 square metres

Total: 570 square metres

Overall Total: 1,597 square metres

3.3 Relevant Planning History

71737/APP/2018/4003 Gethceln House Dawley Road Hayes

Proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking.

Decision: 01-03-2019 Refused

Comment on Relevant Planning History

Application reference 71737/APP/2018/4003 sought planning permission for the proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking. This was refused due to the bulk and scale of the proposed building, the proposal of car stackers which were considered detrimental to the character and visual amenities of the area, the potential for the proposed use and car parking layout to obstruct traffic, insufficient information being submitted regarding flood and water management and the proposal not being air quality neutral.

4. Planning Policies and Standards

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019)

1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

1.6 The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

1.7 Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.BE1 (2012) Built Environment

- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- DME 1 Employment Uses in Designated Sites
- DMEI 2 Reducing Carbon Emissions
- DMEI 7 Biodiversity Protection and Enhancement
- DMEI 9 Management of Flood Risk
- DMEI 10 Water Management, Efficiency and Quality
- DMEI 12 Development of Land Affected by Contamination
- DMEI 14 Air Quality
- DMHB 11 Design of New Development
- DMHB 14 Trees and Landscaping
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- DMCI 7 Planning Obligations and Community Infrastructure Levy
- LPP 2.17 (2016) Strategic Industrial Locations
- LPP 5.10 (2016) Urban Greening
- LPP 5.12 (2016) Flood risk management
- LPP 5.13 (2016) Sustainable drainage
- LPP 5.14 (2016) Water quality and wastewater infrastructure
- LPP 5.17 (2016) Waste capacity
- LPP 5.2 (2016) Minimising Carbon Dioxide Emissions
- LPP 5.21 (2016) Contaminated land
- LPP 6.13 (2016) Parking
- LPP 6.3 (2016) Assessing effects of development on transport capacity
- LPP 6.9 (2016) Cycling
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.14 (2016) Improving air quality
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
- LPP 7.19 (2016) Biodiversity and access to nature
- LPP 7.2 (2016) An inclusive environment

LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th August 2019**

5.2 Site Notice Expiry Date:- **28th August 2019**

6. Consultations

External Consultees

Letters were sent to neighbouring properties and an advert was posted in the local paper. All consultations expired on the 28/08/2019.

One comment was received from a Local Councillor. This stated:

- No objection in principle, subject to the proposal stopping the obstruction of the main road from vehicles entering and exiting the site;
- The committee should take into consideration the residential properties opposite this site;
- The proposal will cause notable noise disruption
- If agreed, some noise restriction and vehicle movement restriction should be put on the premises

CASE OFFICER COMMENT:

Issues relating to highways matters and noise are considered by planning specialists and are covered in the main body of the report.

THAMES WATER:

Waste Comments

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames

Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333

CROSSRAIL LTD:

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on the application as submitted.

HEATHROW LTD:

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

However, we would like to make the following observation:

Cranes

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

TRANSPORT FOR LONDON:

The proposal is in line with the Draft London Plan's standards for car parking and cycling parking, therefore considering the scale, nature and size of the application TfL have no objection.

NATIONAL AIR TRAFFIC SERVICES:

No comment.

Internal Consultees

TREES AND LANDSCAPING OFFICER:

This site is occupied by Gethceln House, a detached two-storey property, a number of industrial workshops and a scaffolding yard on the west side of Dawley Road. The site lies to the north of the Great West Railway / Crossrail line and is on the edge of the Rigby Lane / Swallowfield Way IBA. There is no vegetation on the site and there are no TPO's or Conservation Area designations affecting it.

COMMENT: The proposal has been the subject of previous submission, planning application ref. 2018/4003. No trees or other landscape features will be affected by the proposal. The layout plan, ref. 1627_P301 shows a hedge with occasional tree planting along the front / Dawley Road boundary. There is an annotation to confirm that this strip will be 900mm wide - which should be sufficient to support the proposed vegetation - subject to detail. This layout introduces green infrastructure where there is currently none and is an improvement on the existing situation.

RECOMMENDATION: No objection subject to conditions COM9 (parts 1,2,4 and 5).

POLICY OFFICER:

Thank you for the consultation. The scheme remains acceptable in principle as stated in 71737/APP/2018/4003.

ACCESS OFFICER:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. However, the following informative should be attached to any grant of planning permission: 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.

FLOOD AND WATER MANAGEMENT OFFICER:

No objection following the submission of the v2.0 drainage strategy. There are details of the drainage strategy that should be secured by way of a surface water drainage condition.

CASE OFFICER COMMENT:

It is noted that the reference for the drainage strategy is: '3972 SWDS v3.0 Surface Water Drainage Strategy'.

URBAN DESIGN OFFICER:

This application seeks permission for the proposed demolition of existing office and warehouse/workshops and erection of one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking.

The application site is not designated as or located near an Archaeological Priority Area, Listed Building or Area of Special Local Character. It is located within close proximity to the Botwell: Thorn EMI Conservation Area and the Locally Listed 'Her Master's Voice' building, which is located to the east of the site.

The proposed building would be similar in height to the adjoining industrial building to the west of the site, measuring approximately 11.1 metres. On the north side of the site are low rise containers and

on the south side are two storey height container buildings. The proposed building height would be comparable to neighbouring sites within the industrial estate and is a reduction from the 14m proposed on the previously refused application (71737/APP/2018/4003).

The front elevational drawing shows that the building will be set in approximately 2.5m from the north west boundary and 4.2m from the south eastern boundary. This does not reflect the distances shown on the ground floor plan which shows the building set in by 2m from each of the said boundaries. The 2m distance appears to be the correct figure with the elevational drawing being misleading due to the tapered nature of the site.

Notwithstanding the above the building has been set in a further 1 m from the boundary which is an improvement on the 1 m of the previously refused scheme. This taken with the reduction in the height and bulk of the building would make the industrial unit sit more quietly within the industrial estate as well as having a less overbearing impact on the modest Victorian terraced house opposite on Dawley Road. It is also considered that the development would have a minimal impact on the setting of the adjacent Botwell: Thorn EMI Conservation Area and the locally listed buildings.

It would be important for adequate soft landscaping to be introduced on the front boundaries to help soften the development and improve the appearance of the site. No objection

CASE OFFICER COMMENT:

Amended plans were submitted reducing the scale and bulk of the proposed building further. The proposed building measures approximately 23.1 metres in depth, 35.4 metres in width to the rear and 40.4 metres in width at the front of the building. The total height of the building would be 8 metres at the front of the site, 9.8 metres to the rear and would be set in from all side boundaries by 1.5 metres.

AIR QUALITY OFFICER:

The development is in the Hayes Air Quality Focus Area, in such areas air quality improvements are required. The air quality assessment has included an air quality neutral assessment which confirms that in terms of transport emissions the development is not air quality neutral. In such cases where the developments' emissions exceed the benchmarks, on-site mitigation is required. Where quantification of the on-site mitigation indicates emissions continue to exceed the benchmarks, the excess emissions need to be off-set off-site through agreement with the local planning authority.

The developer should provide a quantified low emissions strategy which includes options for providing NOx abatement measures on-site, or in the near vicinity, to offset the excess emissions. For example: provision of air quality-specific green infrastructure; operational traffic to have an agreed commitment to use low or zero emissions fleet in a given timescale; provision of exposure reduction measures in the vicinity of the site to offset the impact of operational traffic; enforcement of no idling on site; and exposure reduction measures in areas where the development traffic impacts on local receptors. Measures could be provided in whole, or part, directly by the developer and/or by making a contribution to highways improvements which contribute to air quality improvements. These measures are to be secured by s106.

AIR QUALITY OFFICER FOLLOW-UP:

Summary of Comments

The proposal is for one flexible use class B1(c)/B2/B8 building comprising 3 units with associated access and parking. It is noted that whereas the Transport Assessment supporting the application indicates that there is only a net change of 6 vehicle movements in relation to the current use of the

site, the proposed use includes B8 (storage or distribution) which usually presents a higher number of vehicle movements and percentage of heavy duty vehicles with higher NOx emissions to the atmosphere. In addition, the review of the air quality assessment has indicated that:

- 1) the proposal is not air quality neutral for transport emissions.
- 2) the proposed development is within a Focus Area. Proposals are required to improve air quality within Focus Areas.

The proposed development is located in a Focus Area, originating traffic emissions which will add to the current exceedances. As per the new London Plan, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas. A map is attached indicating the poor air quality conditions of the area affected by the proposal.

Therefore, a section 106 agreement with the LAP of £13,000 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduces human exposure to nitrogen dioxide levels.

Reason for Refusal (if objecting)

N/A

Observations

In addition, the following conditions will apply. See text below.

Condition Air Quality - Low Emission Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall specify the following:

- 1) A clear and effective strategy to encourage users of the office units to
 - a) use public transport;
 - b) cycle / walk to work where practicable;
 - c) enter car share schemes;
 - d) purchase and drive to work zero emission vehicles.

The measures in the agreed scheme shall be maintained throughout the life of the development.

Reason:

As the application site is within an Air Quality Management Area and to comply with paragraph 124 of the NPPF, policy 7.14 of the London Plan, and policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2).

Condition Air Quality - Construction and demolition phase

In order to control the dust and emissions from the demolition and construction phases, the Construction Management Plan must be developed in accordance with the Air Quality Management (IAQM) 'Guidance on the assessment of dust from demolition and construction' and the GLA, Control of Dust and Emissions from

Construction and Demolition Supplementary Planning Guidance. All Non-Road Mobile Machinery (NRMM) used during construction must meet Stage IIIA criteria of EU Directive 97/68/EC and must be registered online on the NRMM website at <http://nrmm.london/>. Confirmation of the registration must be submitted to the

LPA.

Reason:

To ensure the development reduces and manages its air quality impacts in an air quality management area in accordance with Policy EM8 of the Local Plan

ENVIRONMENTAL PROTECTION UNIT OFFICER:

No comment.

CASE OFFICER COMMENT:

It is noted that the Environmental Protection Unit Officer provided the following comment on the previously refused application (reference 71737/APP/2018/4003):

The Site is operational between 07:00 to 19:00 and the representative background noise levels are 64 dB(A), within that time frame. Noise levels generated by operational activities on site are nearly 10 times higher than background, at the nearest sensitive receptor is 25 metres away, therefore to protect local residents amenity the following time restriction is to be considered.

Loading/unloading/deliveries

The premises/ site shall not be used for loading and unloading in external areas, delivery and the loading or unloading of goods outside the hours of 07:00 and 19:00, Monday to Friday, and outside the hours of 07:00 and 17:00 on Saturdays. The premises/site shall not be used on Sundays or Bank Holidays.

REASON: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

CONTAMINATION OFFICER:

1 Summary of Comments:

The site has been the subject of a phase 1 desk-top study, including a site walk-over inspection and preliminary risk assessment. (GeoSmart Information Ltd / EnviroSmart Plus Report Reference: 70850R1 dated 22nd August 2018).

The initial conceptual site model identifies possible pollutant linkages and indicates that potentially unacceptable risks are likely to be present.

The report provides risk classifications in terms of human health, controlled waters and property. An overall risk rating of Moderate/Low is currently assessed for the site and further assessment is recommended.

Therefore, it is advisable to place the following conditions concerning land affected by contamination

(i) The development shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

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

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

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

REASON

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

2 Reason for Refusal (if objecting):

N/A

3 Observations:

The report indicates

Moderate risks to the underlying Principal Aquifer (Lynch Hill Gravel) have been identified.

A proportionate programme of site investigation and monitoring works be undertaken in order to establish the presence or absence of contamination and to enable a quantitative assessment of the associated environmental risks.

Infiltration drainage should not be proposed until such investigations have taken place and can demonstrate that subsurface contamination would not be mobilised by soakaways.

Risk to the potable water supply have also been identified.

HIGHWAYS OFFICER:

You will be aware that this scheme follows that contained under ref, 71737/APP/2018/4003 which Highways Development Control raised an objection to. The application was subsequently refused by the LPA on a notice dated 1st March 2019.

The development site is located along the A437 (Dawley Road) which makes up part of the Council's Classified Road Network. The A437 connects to the A4020 northbound and provides links to the A312. Within the vicinity of the site, Dawley Road is subject to a 30mph speed limit and benefits from pedestrian footway, street lighting and public transport links in the form of a bus stop. Parking restrictions in the form of single yellow lines are located along both edges of the carriageway.

Upon reviewing the PTAL rating for the proposed development using the Transport for London WebCAT service, it is indicated that the site has 'poor' access to public transport with a PTAL rating of 1b. It is therefore expected that a strong reliance on the private car will be had by occupants.

This current scheme seeks to demolish the existing building and construct a building measuring 1,740sqm which will provide flexible use for B1(c)/B2/B8 facility. This represents a reduction to that previously commented upon.

Trip Rates

In order to establish the number of traffic movements associated with the existing site, Classified Turning Counts (CTC) have been undertaken. The results had shown that during the AM peak (8:00 to 9:00) the site had generated a total of 12 two-way movements with the PM peak (17:00 to 18:00) generating 9 movements.

Trip rates associated with the proposed development have been estimated by interrogating the Trip Rate Information Computer System (TRICS) database. It should be noted that whilst this proposal seeks a flexible B1/B2/B8 use, the Transport Statement highlights that the highest level of traffic generation would be associated with the B1 element. The traffic impact assessment has therefore been based on the B1 Use Class as it is considered worst case scenario.

The results had shown that the proposed development comprising 1,740sqm would generate in the region of 10 two way movements in the AM peak and 8 two way movements in the PM peak. The proposals would therefore result in a reduction compared to that currently associated with the site.

Access and Parking Provision

The site at present makes use of a single lowered crossover which upon immediate access leads to two gated access points. The gated access to the left on entry serves a scaffolder's yard with the gated access to the right serving industrial units and Gethceln House.

The proposals seek to stop up the existing access and propose a one-way access arrangement from the A437. This entails two 7.1 metre wide gated access points to the south and north of the site frontage.

Commensurate with the speed limit in place and in accordance with highway guidance contained within the current 'Manual for Streets' document (1 & 2), visibility splays of 2.4 metres back from the 'exit' access centerline by 43 metres along both directions of the A437 (Dawley Road) to the nearside kerb line should be provided.

Whilst the required visibility splays are currently unachievable due to the narrow width of the footway measuring approximately 1.6 metres wide, it is understood that as part of the scheme public realm improvements are sought for the widening of the footway along the western edge of the carriageway to 2.0 metres. This will ensure that the requisite splays are achieved.

With regard to parking provision, Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Councils adopted Car Parking Standards. I have stated the following below.

Car Parking standards:

- Use Classes B1(c), B2 and B8 require 2 spaces, plus 1 space per 100 metres squared for all floorspace in excess of 235 squared metres. A total of 19 car parking spaces are required.

Local Plan Cycle Parking standards:

- Use Classes B1(c) and B2 require 1 space per 75 sqm and Use Class B8 requires 1 space per 250 square metres. A total of 23 spaces are required.

The submitted Transport Statement mentions that 17 parking spaces are to be provided on site, however this provision would fall short by 2 spaces as required under the current parking standards.

Electrical Vehicle Charging Points

It is required that 20% of all parking be provided for electrical vehicles with a further 20% as passive provision. The submitted information states that four parking spaces will be designated as 'active' provision with an additional four spaces assigned as 'passive' provision which complies with current requirements.

Disabled Parking

To accord with both the currently adopted UDP standard and the emerging Local Plan Part 2 DMT 6 Policy, it is required that 10% of parking provision be allocated to blue badge holders.

Under the proposed level of parking for the residential units it is required that two spaces be allocated to disabled users. The submissions state that two spaces will be provided as part of the proposals.

Cycle Parking

With regard to cycle parking, it is proposed that 24 cycle parking spaces be provided within the confines of the site. This complies with the London Plan minimum standards and is therefore deemed acceptable.

Servicing and Delivery Provision

Although swept path analysis drawings have been submitted demonstrating a 10m rigid vehicle being able to access and exit the site out onto the A437 carriageway in forward gear, I am concerned whether said vehicles are able to effectively carry out the manoeuvres as demonstrated as part of the submissions due to the confines of the site. A service margin measuring 250mm would be required in order to ensure that the associated vehicle can successfully manoeuvre into, within and out of the site.

In addition, as highlighted in my previous response, concerns are also raised with regard to the lack of provision made for larger vehicles frequenting the site. Specifically that typically associated with B2/B8 Use.

Whilst it is noted, that larger service/delivery vehicles may not be required as part of the associated business model, it is observed however that planning consent is granted for the Use Class and not for a specific business/operational model. The current developers could potentially change in future to a third party which may require larger delivery/service vehicles typically linked to B2/B8 use.

Furthermore, no information has been provided within the submitted TS justifying this. Overall, this scheme is expected to lead to the obstruction of the free flow of traffic along the A437 (Dawley Road)

Conclusion

Mindful of the above, it is recommended that this application is refused on highway safety grounds.

CASE OFFICER COMMENT:

Amended plans and documentation were submitted by the applicant in response to the Highways Officer comments. The revised arrangement reduces the floorspace proposed to 1,597 square metres and creates a manoeuvring space measuring 10.59 metres deep, as well as an access space measuring 12 metres deep and 9.65 metre wide. This ensures that any larger vehicles which may access the site can do so without overhanging onto the highway and blocking the free flow of traffic as well as manoeuvring within the site itself effectively.

HIGHWAYS OFFICER FOLLOW-UP:

Earlier comments raised specific concerns regarding the ability of larger goods vehicles to enter and manoeuvre within the site without presenting a risk to road safety. These issues have been raised with the developer who have agreed to set back the frontage of the building and further set back again the depth of the loading bays. These changes are shown in drawing number P301 Rev H. There are now no highway objections to this application. To encourage and enable workers and visitor make trips to the site by bicycle, a developers contribution of £20,000 is sought towards the provision of shared use footways and crossing facilities at the junction of Dawley Road / Kestral Way.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy DME 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) The Council will support employment proposals in Strategic Industrial Locations (SILs) - Preferred Industrial Locations (PIL) or Industrial Business Parks (IBP) - in accordance with relevant policies in the London Plan.

The site forms part of a SIL, where industrial and storage uses are expected to locate. It is noted that there is a building to the front of the site which would appear residential in character. This building was granted planning permission (reference 71737/APP/2016/1199) to change from offices (use class B1a) to residential (use class C3). However, it is acknowledged that the planning conditions relating to this permission were not discharged and as such, the building is still lawfully an office building. As such, the proposals do not result in the net loss of any housing in the area.

Given the above, the proposed demolition of the existing buildings on the application site and erection of one flexible use class B1c/B2/B8, is acceptable subject to other policy considerations. The proposal is considered to accords with Policy DME 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

Please see the 'Impact on the character & appearance of the area' section of the report.

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.

Heathrow Airport Limited have been consulted and stated no safeguarding objection to the proposal. It is noted that the British Standard Code of Practice for the safe use of Cranes should be taken account of by the applicant and that crane operators should consult the aerodrome before erecting a crane in close proximity to an aerodrome.

The National Air Traffic Services were also consulted but provided no comment. However, as part of the previous application for this site (application reference 71737/APP/2018/4003), the National Air Traffic Services provided no safeguarding objection.

Given the above, the proposal is considered to accord with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.05 Impact on the green belt

Not applicable to the consideration of this application.

7.07 Impact on the character & appearance of the area

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- scale of development, considering the height, mass and bulk of adjacent structures;
- building plot sizes and widths, plot coverage and established street patterns;
- building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
- architectural composition and quality of detailing;
- local topography, views both from and to the site; and
- impact on neighbouring open spaces and their environment.

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The existing site consists of a number of low rise buildings and a courtyard. The site is located on Dawley Road which is considered to be pre-dominantly urban and industrial in character, although it is noted that low-rise residential properties are located across from the site. Temporary Crossrail containers are located on the south side of the application site, a container storage yard is located to the north and a large industrial building is located to west.

The proposed development would demolish such buildings and replace them with a building measuring approximately 23.1 metres in depth, 35.4 metres in width to the rear and 40.4 metres in width at the front of the building. The total height of the building would be 8 metres at the front of the site, 9.8 metres to the rear and would be set in from all side boundaries by 1.5 metres.

As stated by the Council's Urban Design Officer, the proposed building would be comparable to neighbouring sites within the industrial estate. The proposed building sits quietly within the industrial estate and does not have an overbearing impact on the Victorian terraced houses located on the opposite side of Dawley Road. Further, the development would have a minimal impact on the setting of the adjacent Botwell: Thorn EMI Conservation Area and the locally listed buildings. As such no objection was raised by the Council's Urban Design Officer.

If recommended for approval, a landscaping scheme will be conditioned in order to secure details of the proposed planting and refuse storage arrangements and screening.

Given the above, the proposed development is considered to accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed development would involve the demolition of the existing dwelling and as such would not implicate the residential amenity of any occupiers within the site. The proposed industrial building would be set over 21 metres away from all residential properties located along Dawley Road. Given this, the proposed building would not reduce the amount of light received or infringe upon the privacy of any neighbours. As such, the proposal accords with part B) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The development site is located along the A437 (Dawley Road) which makes up part of the Councils Classified Road Network. The A437 connects to the A4020 northbound and provides links to the A312. Within the vicinity of the site, Dawley Road is subject to a 30mph speed limit and benefits from pedestrian footway, street lighting and public transport links in the form of a bus stop. Parking restrictions in the form of single yellow lines are located along both edges of the carriageway. The site has 'poor' access to public transport with a PTAL rating of 1b. It is therefore expected that a strong reliance on the private car will be had by occupants.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) 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 DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that new development is only permitted where it is in accordance with the Council's adopted car parking standards.

TRIP RATES

The submitted information shows that the proposed development comprising 1,597 square metres would generate in the region of 10 two way movements in the AM peak and 8 two way movements in the PM peak. The proposals would therefore result in a reduction compared to that currently associated with the site.

ACCESS

The proposals seek to stop up the existing access and propose a one-way access arrangement from the A437. This entails two 7.1 metre wide gated access points to the south and north of the site frontage.

As required by the 'Manual for Streets' document (1 & 2), visibility splays of 2.4 metres back from the 'exit' access centerline by 43 metres along both directions of the A437 (Dawley Road) to the nearside kerb line should be provided. Whilst the required visibility splays are not currently achievable due to the narrow width of the footway measuring approximately 1.6 metres wide, it is understood that as part of the scheme public realm improvements are sought for the widening of the footway along the western edge of the carriageway to 2.0 metres. This will ensure that the requisite splays are achieved.

CAR PARKING

For Use Classes B1(c), B2 and B8, car parking standards require 2 spaces, plus 1 space per 100 square metres for all floorspace in excess of 235 square metres, equating to 16 car parking spaces.

A total of 17 car parking spaces are proposed and therefore meets the required standards.

ELECTRICAL VEHICLE CHARGING POINTS

It is required that 20% of all parking be provided for electrical vehicles, with a further 20% as passive provision. The submitted information states that four parking spaces will be designated as 'active' provision with an additional four spaces assigned as 'passive' provision which complies with current requirements. It is noted that the submitted plans appear to indicate provision for 6 electric vehicle charging points. If recommended for approval, this will be secured by condition.

DISABLED PARKING

To accord with Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), it is required that 10% of parking provision be allocated to blue badge holders.

Under the proposed level of parking for the residential units it is required that two spaces be allocated to disabled users. Two accessible spaces are proposed and therefore complies with this requirement.

CYCLE PARKING

For Use Classes B1(c) and B2, local cycle parking standards require 1 space per 75 square metres, equating to 21 cycle spaces. For Use Class B8, local cycle parking standards require 1 space per 250 square metres, equating to 6 cycle spaces.

A total of 28 cycle spaces are proposed and accords with local cycle parking standards.

SERVICING AND DELIVERY PROVISION

Based on the original submission, the Council's Highways Officer had concerns over the effective manoeuvring of vehicle within the confines of the site. There was also a lack of provision made for larger vehicles frequenting the site which would be associated with Use Class B2 and B8 units.

Amended plans and documentation were submitted by the applicant, reducing the floorspace proposed to 1,597 square metres, creating a manoeuvring space measuring 9.59 metres deep and creating an access measuring 12 metres deep and 9.65 metre wide. This ensures that any larger vehicles which may access the site does not overhang onto the highway and block the free flow of traffic as well as manoeuvring within and out of the site effectively.

Given the above considerations, the proposed development is considered to accord with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.11 Urban design, access and security

Urban design is considered in the 'Impact on the character & appearance of the area' section of the report.

SECURITY

Policy 7.3 of the London Plan (March 2016) states that development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures: i) providing entrances in visible, safe and accessible locations; ii) maximising natural surveillance; iii) ensuring adequate defensible space is provided; iv) providing clear delineations between public and private spaces; and v) providing appropriate lighting and CCTV.

If recommended for approval, a secured by design condition shall be attached in order to ensure accreditation is achieved. Subject to condition, the proposal would accord with Policy 7.3 of the London Plan (March 2016) and Policy DMHB 15 of the Hillingdon Local

Plan: Part 2 - Development Management Policies (January 2020).

7.12 Disabled access

Policy 7.2 of the London Plan (March 2016) requires that the all new development provides the highest standards of accessible and inclusive design.

The proposed development would provide lift access to all floors within each of the proposed units, meaning that the development would be fundamentally accessible. Two accessible spaces are also proposed, thereby meeting the 10% requirement. As such, the proposal is considered to accord with Policy 7.2 of the London Plan (March 2016).

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Policy 5.10 of the London Plan (March 2016) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The proposed development would not impact on any existing trees or other landscape features. The proposed layout would introduce a hedge with occasional tree planting along the front adjoining Dawley Road. As stated by the Council's Trees and Landscaping Officer, the proposed hedging would be sufficiently wide to support the proposed vegetation and the proposal would be an improvement on the existing site. Subject to conditions, the proposal is considered to accord with Policy 5.10 of the London Plan (March 2016) and Policy DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

ECOLOGY

Paragraph 170 of the NPPF (February 2019) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Policy 7.19 of the London Plan (March 2016) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the design and layout of new development should retain and

enhance any existing features of biodiversity within the site.

If recommended for approval, an ecological enhancement condition will be added to protect and enhance the biodiversity value of the site. Subject to this condition, the proposal is considered to accord with the NPPF (February 2019), Policy 7.19 of the London Plan (March 2016) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.15 Sustainable waste management

Policy 5.17 of the London Plan (March 2016) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

The proposed development makes provisions for waste and recycling and is not considered contrary to Policy 5.17 of the London Plan (March 2016).

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (March 2016) requires that development proposals make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy: Be lean: use less energy; Be clean: supply energy efficiently; and Be green: use renewable energy.

Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will ensure that climate change mitigation is addressed at every stage of the development process. This includes the reduction of carbon emissions through low carbon strategies and encouraging the installation of renewable energy to meet the targets set by the London Plan (March 2016).

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that: A) All developments make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets; B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved; C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, if the Council is minded to approve the application despite not meeting the carbon reduction targets, then it will seek an off-site contribution to make up for the shortfall. The contribution will be sought at a flat rate at of £/tonne over the lifetime of the development, in accordance with the current 'allowable solutions cost'.

No comment has been received from the Council's Sustainability Officer. However, a statement of no objection subject to further detail was received from the Sustainability Officer on the previously refused application reference 71737/APP/2018/4003. The current proposal is very similar to the previously refused application and is reduced in terms of floor space, height and bulk. As such the Sustainability Officer's comments are taken forward for this application. Subject to condition of details of the low and zero carbon technology required to meet the CO2 reductions, the proposal is considered to accord with Policy 5.2 of the London Plan (March 2016), Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.17 Flooding or Drainage Issues

Policy 5.12 of the London Plan (March 2016) requires that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development.

Policy 5.13 of the London Plan (March 2016) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policies DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

As stated by the Flood and Water Management Officer, there is no objection to the proposed development subject to a condition requiring surface water drainage details. Subject to this condition, the proposal is considered to accord with Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 5.12 and 5.13 of the London Plan (March 2016).

7.18 Noise or Air Quality Issues

NOISE

The proposed use would be operational between 07:00 to 19:00 and the representative background noise levels are 64 dB(A). As stated by the Environmental Protection Unit Officer, noise levels generated by operational activities on site are nearly 10 times higher than background and the nearest sensitive receptor is 25 metres away. As such, a condition to restrict the hours of operation, including loading, unloading and deliveries, would be required if the application is recommended for approval. Subject to condition, the development would not detrimentally compromise the amenity of neighbouring residents by virtue of noise.

AIR QUALITY

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors. Policy 7.14 of the London Plan (March 2016) further supports this.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The site forms part of an IBA, SIL and an Air Quality Management Area. As stated by the Air Quality Officer, the proposed development is not air quality neutral for transport. If

recommended for approval, measures are to be secured by Section 106 in order to deliver an air quality neutral scheme and accord with Policy 7.14 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DME1 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.19 Comments on Public Consultations

Please see the 'External Consultees' section of the report.

7.20 Planning obligations

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the National Planning Policy Framework (February 2019) have put three tests on the use of planning obligations into law. Planning obligations should be:

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

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis:

- i) to secure the provision of affordable housing in relation to residential development schemes;
- ii) where a development has infrastructure needs that are not addressed through CIL; and
- iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees. The comments received indicate the need for the following contributions or planning obligations to mitigate the impact of the development.

Non-monetary contributions:

i) A full and formal Travel Plan with associated £20,000.00 bond to include a Sustainable Transport Measures is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.

ii) Employment Strategy and Construction Training - either a contribution equal to the formula within the Council Planning Obligations Supplementary Planning Document (SPD) 2014, or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development. Details shall be in accordance with the Council Planning Obligations SPD with the preference being for an in-kind scheme to be delivered.

Monetary contributions:

iii) Highways contribution amounting to £20,000 towards the provision of shared use

footways and crossing facilities at the junction of Dawley Road / Kestral Way.

iv) A £13,000 contribution is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduces human exposure to nitrogen dioxide levels.

v) Project Management & Monitoring Contribution equal to 5% of the total cash contributions. Details shall be in accordance with the Council Planning Obligations Supplementary Planning Document 2014.

The proposal would also be liable for the London Borough of Hillingdon CIL and the Mayor of London's CIL, as the scheme provides more than 100 sqm of floorspace. This would be collected by the Council after implementation (if permission were to be granted) and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

CONTAMINATION

Policy 5.21 of the London Plan (March 2016) states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The Council's Contamination Officer considers that the proposal is acceptable subject to a planning condition requiring details of a remediation strategy. Subject to such a condition, the proposal is considered to accord with Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and 5.21 of the London Plan (March 2016).

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

In conclusion, the proposed demolition of the existing warehouse/workshop and erection of one flexible use class B1c/B2/B8 building comprising three units is considered to be acceptable in principle. Subject to conditions, the proposal is also considered acceptable with regard to design, impact on the street scene, amenity, highways, refuse, landscaping, ecology, flooding, energy, noise, airport safeguarding, contamination and security matters. As such, this application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (February 2019)

The London Plan (March 2016)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

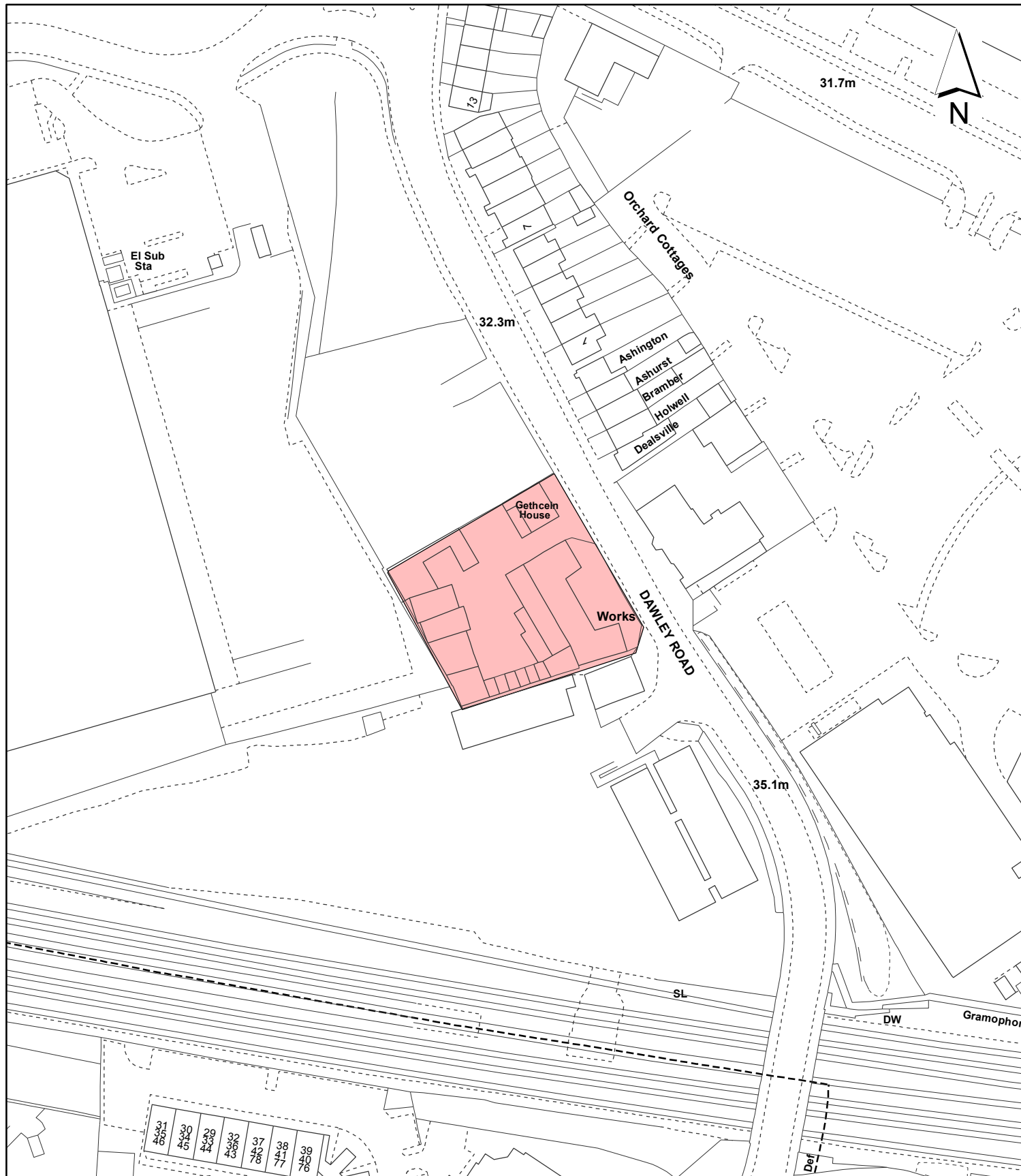
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

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Notes:

Site boundary

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Site Address:

Gethcein House

Planning Application Ref:

71737/APP/2019/1979

Planning Committee:

Major

Scale:

1:1,250

Date:

January 2020

**LONDON BOROUGH
OF HILLINGDON**

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