

**Item No.**                    **Report of the Head of Planning, Transportation and Regeneration**

**Address**                    LONDON BOROUGH OF HOUNSLOW OUTBOROUGH MIDDLESEX

**Development:**            Out of Borough Consultation by L B Hounslow:

   Site: Unit 5, Bulls Bridge Industrial Estate, Hayes,

   Proposals: Change of use from A1 (non-food) retail to open A1 (including food) retail, subdivision of the existing unit to form two A1 retail units, car park reconfiguration, external alterations and associated works (LB Hounslow ref: P/2019/3227)

**LBH Ref Nos:**            39705/APP/2020/1560

**Drawing Nos:**            Highway Response to London Borough of Hounslow Comments December 2019  
Travel Plan  
Transport Assessment  
Preliminary Ecological Appraisal Report February 2019  
Planning & Retail Statement  
Energy and Sustainability Statement Revision B July 2019  
Design & Access Statement September 2019  
Car Park Lighting Report  
DWG 00 Site Lighting Layout - LiAS Design Notes & Luminaire Schedule  
6001 Rev B Proposed Drainage GA  
1249 Landscaping Plan  
SK20 Existing & Proposed Section  
SK19 Existing South & West Elevations  
SK18 Existing North & East Elevations  
SK13 Rev A Location Plan  
SK14 Rev A Block Plan  
SK02 Rev H Proposed Floor Plans  
SK04 Rev M Proposed Site Plan  
SK17 Existing Roof Plan  
SK07 Proposed South & West Elevations  
SK12 SK12 Proposed Roof  
SK15 Existing Ground Floor  
SK16 Existing First Floor Plan  
SK06 Rev D Proposed North & East Elevations

**Date Plans Recieved:**    14/05/2020                    **Date(s) of Amendment(s):**

**Date Application Valid:** 20/05/2020

## 1. SUMMARY

The LB Hillingdon has been consulted by the London Borough of Hounslow on a planning application located very close to the Borough Boundary, whilst the site is not in the borough, the proposal has the potential to impact the LB Hillingdon. The application is for the change of use from A1 (non-food) retail to open A1 (including food) retail, subdivision of the existing unit to form two A1 retail units, car park reconfiguration, external alterations and associated works at Unit 5 (Former Toys R Us), Bulls Bridge Industrial Estate, Hayes Road, Southall, UB2 5LN.

The Highways Engineer has no objection subject to a contribution towards Transport for London (TfL) improvement works to Bulls Bridge roundabout. Subject to suitable Travel Plan targets to counteract the impact of the development on air quality, the Environmental Specialist Team has no objection to the proposed development.

The proposal would not impact on the residential amenity of Hillingdon residents or on the character and appearance of the London Borough of Hillingdon.

However, the Council's Planning Policy Team objects to the proposed development on the basis of an inadequate sequential test and impact assessment, including the failure to assess the impact of Covid 19. It is considered that the proposal does not demonstrate that there are no other sites available in sequentially preferable locations, and that the proposed development would not have a detrimental impact on the vitality and viability of Hayes and Hayes East town centres.

For the reasons outlined below, the proposal is not considered to comply with Policy E5 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMTC 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy SD7 of the London Plan (Intend to Publish version 2019) and the National Planning Policy Framework (2019). As such, it is recommended that an objection be raised to the application.

## 2. RECOMMENDATION

### OBJECTION:

**The London Borough of Hillingdon objects to the proposal, by virtue of an inadequate sequential test and impact assessment, including the failure to assess the impact of Covid 19, fails to demonstrate that there are not sites available in sequentially preferable locations, and that the proposed development would not have a detrimental impact on the vitality and viability of Hayes and Hayes East town centres. The judgement within the applicants submission that only a modest proportion of turnover would be lost cannot be seen to be sound if local circumstances are not understood, as this judgement is relative to the health of the town centre and its shops. The proposal is therefore contrary to Policy E5 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMTC 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy SD7 of the London Plan (Intend to Publish version 2019) and the National Planning Policy Framework (2019).**

## 3. CONSIDERATIONS

### 3.1 Site and Locality

The application site is located within the London Borough of Hounslow and comprises a retail unit (Former Toys R Us) within the Bulls Bridge Industrial Estate, located on the northern side of Hayes Road. The site is accessed from a service road off of Hayes Road. A Tesco Superstore, car park and Tesco petrol station are located to the west of the application site. Industrial units are located to the north and east of the site. Bulls Bridge Docks and the Grand Union Canal are located north of the site. Industrial and commercial units are located to the south, in the opposite side of Hayes Road.

The application site is located over 340m away from the boundary of the London Borough of Hillingdon.

### 3.2 Proposed Scheme

The application is to provide observations on a planning application submitted to London Borough of Hounslow. Planning permission is sought for the change of use of an existing A1 (non-food) retail unit to an open A1 (including food) retail use along with the subdivision of the existing unit to form two A1 retail units, reconfiguration of the car park, external alterations and associated works.

### **3.3 Relevant Planning History**

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

London Borough of Hillingdon Development Plan (from 6th April 2020)

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 2019.

1.6 The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response, however the letter does also state that if the Mayor can suggest alternative changes to

policies that would address the concerns raised, these would also be considered.

1.7 More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

## **Local Plan Designation and London Plan**

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.EM8 (2012) Land, Water, Air and Noise

PT1.E5 (2012) Town and Local Centres

Part 2 Policies:

LPP 2.13 (2016) Opportunity Areas and Intensification Areas

LPP 2.15 (2016) Town Centres

SA 22 Chailey Industrial Estate, Pump Lane, Hayes

DMEI 14 Air Quality

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

DMTC 1 Town Centre Development

NPPF- 6 NPPF-6 2018 - Building a strong, competitive economy

NPPF- 7 NPPF-7 2018 - Ensuring the vitality of town centres

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

Cadent and National Grid:

With regards to this enquiry we may be affected. The main concern is the traffic that will be coming over the high pressure pipeline. Can I ask that your client (applicant) submits a plant protection enquiry through the Cadent website so I can look more in depth at the plans and get in contact with them

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

### **Affected Apparatus**

The apparatus that has been identified as being in the vicinity of your proposed works is:

- High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment
- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).

BEFORE carrying out any work you must:

- Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

## GUIDANCE

High Pressure Gas Pipelines Guidance:

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of Cadent and/or National Grid High Pressure Gas Pipelines and Associated Installations - Requirements for Third Parties' (SSW22). This can be obtained from: <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968>

Dial Before You Dig Pipelines Guidance:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33969>

Excavating Safely - Avoiding injury when working near gas pipes:

[http://www.nationalgrid.com/NR/rdonlyres/2D2EEA97-B213-459C-9A26-18361C6E0B0D/25249/Digsafe\\_leaflet3e2finalamends061207.pdf](http://www.nationalgrid.com/NR/rdonlyres/2D2EEA97-B213-459C-9A26-18361C6E0B0D/25249/Digsafe_leaflet3e2finalamends061207.pdf)

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the National Grid and Cadent websites.

## Internal Consultees

Environmental Specialist Team:

Whilst the development is outside of the LB Hillingdon, it is clear from the catchment zone map in the Transport Assessment that the proposal could impact upon roads within the borough such as through Hayes and the routes to the M4. It should be noted that both Hayes and the M4 corridor are identified as Air Quality Focus Areas, these are areas where pollution levels are already elevated and improvements to air quality are required.

It is noted that a Travel Plan will be developed; the targets set within the Travel Plan should be set

at a level which takes into account the sensitivity of the surrounding area.

The proposal to install rapid chargers is fully supported.

Flood and Water Management Officer:

I have no comments to make. Any drainage comments will be made by the Lead Local Flood Authority (LLFA) for Hounslow.

Highways:

The application site is currently occupied by a vacant use class A1 retail unit situated within the Bulls Bridge Industrial Estate. This estate currently hosts a busy Tesco Extra superstore and the Western International Market as well as other commercial/industrial units. The key highway concern for this development would be the net uplift in vehicular trips over and above the extant use. The applicant highlights that many of the car trips to the proposal would be trips linked with the surrounding retail uses, transferred trips from nearby food stores, or diverted/pass-by trips. Few would be new vehicular trips not already on the wider road network. The Highway Authority accepts this rationale.

The Highway Development Management Team is aware of Transport for London proposals to transform the Bulls Bridge roundabout into a place characterised by the ten Healthy Streets indicators. The Highway Development Management Team recommends that the Planning Authority confirms that LB Hounslow will, on behalf of Transport for London seek a contribution to towards these works thereby encouraging and enabling more people to travel to the proposal by walking and cycling. There are no principle highway objections to this development.

Planning Policy Team:

Sequential Test

Officers would agree with the conclusion reached in the pre-application response that a sequential test is required. The sequential test guides main town centre uses towards town centres and supports the viability and vitality of town centres by placing existing them foremost in decision-taking. Centring new retail development in and near main town centres allows customers to undertake linked trips with existing main town centre uses, which serves to reinforce the vitality and viability of the existing centre. Furthermore, as town centres are the most readily accessible locations by public transport, cycling and walking, locating new main town centre uses in these locations reduces the need for people to travel by private vehicle. This second point is particularly pertinent considering that both the London Borough of Hounslow and this part of the London Borough of Hillingdon are covered by Air Quality Management Areas.

Discussions around the parameters of the sequential test have presumably already been had between the applicant and the determining local planning authority. Officers would however make the following comments for consideration:

- It is not clear what the quantitative need for new A1 food retail in this location. Without this information, if a sequentially preferable site was found, it is not clear whether this alone would be sufficient to meet the quantitative need for new A1 food retail (if a surplus does exist).
- In regards to the catchment area, it would be useful to have more tangible evidence that consumers would not travel more than 7 minutes to utilise the store.
- In regards to flexibility, the requirement for a 0.75ha site does not seem flexible considering the proposed site of the scheme is 0.76ha and is a relatively low density building. It is not considered that flexibility in the format and scale of the proposal has been exercised. The applicant has a track record of delivering schemes within more constrained parameters than those in Paragraph 7.17 of the Planning and Retail Statement (For Example: <http://www.richmondroad.lidl.co.uk/the-proposed-development/>)
- Reference is also repeatedly made to there being no sites within or on the edge of the following centres. However Paragraph 87 of the NPPF (2019) is clear that when considering out of centre

proposals, preference should also be given to accessible sites where they are well connected to the town centre. Therefore the sequential test also needs to consider whether there are out of town centre locations which are more accessible and better connected to the town centre than the proposed location.

In regards to the results of the sequential test that has been undertaken, it is not clear how allocated sites with the London Borough of Hillingdon Local Plan: Part 2 - Site Allocations & Designations document (2020) have been taken into account. For example, Policy SA 22: Chailey Industrial Estate, Pump Lane, Hayes allocates land (identified as Site B) for residential and retail redevelopment. The site is an edge of centre location (>300m of the Hayes Primary Shopping Area) and is 0.8ha. Whilst the site is currently occupied by a Matalan Store, there is nothing to suggest the redevelopment of the store for alternative uses would be impossible within a reasonable period of time. There is no evidence that the landowner of this site has been approached, despite them outlining that the site is developable during the Local Plan process.

Officers consider that the sequential test is currently insufficient and therefore it cannot be demonstrated that there are not available sites in sequentially preferable locations.

#### Impact Assessment

Officers would agree with the conclusion reached in the pre-application response that an impact assessment is required. The London Borough of Hillingdon has its own locally set floor space threshold of 200m<sup>2</sup> for A1 Retail outside of town centres. The purpose of test is to consider the impact over time of the proposal on town centre vitality and viability. Considering first the impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal (Part A of Paragraph 89 of the NPPF (2019)), the applicant has stated that they are not aware of any investment in Hayes District Centre beyond infrastructure investment. However the area has been designated as an Opportunity Area in the Intend to Publish Version of the London Plan (2019) and there a significant number of large strategic sites that have been allocated for mixed use redevelopment, which will invariably include a modest quantum of new A1 food retail floor space in sequentially preferable locations to the existing site. The applicant should therefore revisit this area of the impact assessment.

The applicant has tried to establish the state of existing centres and undertaken their own health check assessments, which are stated to include a site visit in March 2019 for both Hayes District Centre and Hayes East Minor Centre. Whilst a summary table of the site visit has been provided, the full surveys have not been. These summary tables indicate that there was only 1 vacant unit in Hayes and 2 vacant units in Hayes East town centres when they were undertaken. This would appear to be a highly improbable scenario and a notable underestimate of the amount of vacant units within these town centres at this time. The London Borough of Hillingdon undertakes its own health check assessments, most recently in October 2019, which indicated that there were 9 vacant units in Hayes and 14 vacant units in Hayes East town centres. It is also noted that commercial rent figures have not been attained for either town centre. Officers therefore have concerns about the validity of the health check assessments that have been undertaken and the conclusion that these town centres are performing well with regards to the assessment criteria. As stated within the National Planning Practice Guidance, a judgement as to whether the likely adverse impacts are significant can only be reached if local circumstances are understood.

As outlined within the evidence underpinning the Government's new High Street Task Force, it is widely understood that high streets nationally have been under challenge. Whilst the fall in high street footfall has been felt to varying degrees across the country, the studies omissions of any tangible assessment of changing footfall within either Hayes or Hayes East is also a concern. Furthermore, as the statement was published in September 2019, it would not have been aware of the impact of the COVID-19 pandemic on existing high streets. The High Street Task Force has described this as an existential threat to the high street and the Bank of England has warned that the UK economy is heading towards its sharpest recession on record, with consumers likely to

remain cautious even after lockdown restrictions are removed. It is clear that this event cannot be ignored and is likely to have a profound impact on high streets further still, for which Hayes and Hayes East will not be immune.

It is therefore imperative that the retail impact assessment is revisited with these issues in mind, so that an accurate representation is created of how vulnerable these town centres are to new out of centre proposals.

Notwithstanding the above, in terms of the assessment that has been done, Officers would like to make the following comments for consideration:

- It is not considered that an inflow assumption of 15% is warranted to represent 'pass-by trade which come from shoppers not normally resident within the catchment area, including taking into account the net inflow of workers to the significant employment areas located within and on the edge of the catchment.' In the absence of this out of centre proposal, this expenditure is more likely to be spent within the stated town centres and therefore improve their vitality and viability.
- In terms of the Hayes District Centre, the conclusion that 10.5% of Sainsbury's superstore turnover would be lost is considered to be significant. We would request that direct consultation is made with them to obtain a view as to whether they consider this to be a significant forecast loss.
- In regards to both centres, the judgement that only a modest proportion of turnover would be lost cannot be seen to be sound if local circumstances are not understood, as this judgement is relative to the health of the town centre and its shops.

## **7. MAIN PLANNING ISSUES**

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

Policy DMTC 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that development proposals for 'main town centre uses' in out of centre locations will be required to use a sequential test to demonstrate that there are no available or suitable sites in a town centre, and to carry out an impact assessment in order to consider the impact of the development on the vitality and viability of existing town centres. This is supported by Policy E5 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). Paragraph 87 of the National Planning Policy Framework (NPPF) (2019) states that when considering out of centre proposals, preference should also be given to accessible sites where they are well connected to the town centre. London Plan Policy SD6 of the Intend to publish version (2019) re-affirms the '...town centre first approach, discouraging out-of centre development of main town centre uses..'

The sequential test guides main town centre uses towards town centres and supports the viability and vitality of town centres by placing them foremost in decision-taking. Centring new retail development in and near main town centres allows customers to undertake linked trips with existing main town centre uses, which serves to reinforce the vitality and viability of the existing centre. Furthermore, as town centres are the most readily accessible locations by public transport, cycling and walking, locating new main town centre uses in these locations reduces the need for people to travel by private vehicle.

The Council has assessed the sequential test and impact assessment of the proposed development, and has raised a number of concerns.

From the information submitted, it is not clear what the quantitative need for new A1 food retail is in this location. Without this information, if a sequentially preferable site was found, it is not clear whether this alone would be sufficient to meet the quantitative need for new A1 food retail (if a surplus does exist). Also flexibility in the format and scale of the proposal does not appear to have been fully considered, nor has the sequential test considered whether there are out of town centre locations which are more accessible and



better connected to the town centre than the proposed location.

In addition, from the results of the sequential test, allocated sites with the London Borough of Hillingdon Local Plan: Part Two - Site Allocations & Designations (January 2020) do not appear to have been taken into account, despite land being identified for residential and retail redevelopment. An example would be Policy SA 22: Chailey Industrial Estate, Pump Lane, Hayes; this is an eight hectare edge of centre location (<300m of the Hayes Primary Shopping Area) which is currently occupied by a Matalan Store. There is no evidence that the landowner of this site has been approached, despite them outlining that the site is developable during the Local Plan process.

The Council considers that the sequential test is currently insufficient and therefore it cannot be demonstrated that there are not available sites in sequentially preferable locations.

The purpose of the impact assessment is to consider the impact over time of the proposed development on town centre vitality and viability. When considering the impact of the proposed development on existing, committed and planned public and private investment in centres in the catchment area of the proposal, as required by Part A of Paragraph 89 of the National Planning Policy Framework (NPPF) (2019), the applicant has stated that they are not aware of any investment in Hayes District Centre beyond infrastructure investment. However, the area has been designated as an Opportunity Area in the Intend to Publish Version of the London Plan (2019) and there is a significant number of large strategic sites that have been allocated for mixed use redevelopment, which will invariably include a modest quantum of new A1 food retail floor space in sequentially preferable locations to the existing application site. Therefore, it is considered that the applicant should revisit this area of the impact assessment, in order to fully take into account the wider catchment area of the proposal.

The March 2019 health check assessments carried out by the applicant for Hayes District Centre and Hayes East Minor Centre indicate that there was only 1 vacant unit in Hayes and 2 vacant units in Hayes East town centres. However, this would appear to be a highly improbable scenario and a notable underestimate of the amount of vacant units within these town centres at this time, as the London Borough of Hillingdon's own health check assessments in October 2019 indicated that there were 9 vacant units in Hayes and 14 vacant units in Hayes East town centres. It is also noted that commercial rent figures have not been attained for either town centre. Therefore there are concerns about the validity of the health check assessments undertaken by the applicant and the conclusion that these town centres are performing well with regards to the assessment criteria. As stated within the National Planning Practice Guidance, a judgement as to whether the likely adverse impacts are significant can only be reached if local circumstances are understood.

In assessing the impact assessment, it is not consider that an inflow assumption of 15% is warranted to represent 'pass-by trade which come from shoppers not normally resident within the catchment area, including taking into account the net inflow of workers to the significant employment areas located within and on the edge of the catchment'; in the absence of this out of centre proposal, this expenditure is more likely to be spent within the stated town centres and therefore improve their vitality and viability. Additionally, the impact assessment's conclusion that 10.5% of Sainsbury's superstore turnover would be lost is considered to be significant in terms of the Hayes District Centre and is considered to be a significant forecast loss. In regards to both the Hayes District Centre and the Hayes East Minor Centre, the judgement that only a modest proportion of turnover would be lost cannot be seen to be sound if local circumstances are not understood, as this judgement is relative to the health of the town centre and its shops.

Nationally the Government's new High Street Task Force has evidence that high streets have been challenged by a fall in footfall to varying degrees across the country; the submitted impact assessment does not include any tangible assessment of changing footfall within either Hayes or Hayes East, which is a concern.

In addition, since the impact assessment was published in September 2019, it would not have been aware of the impact of the COVID-19 pandemic on existing high streets. The High Street Task Force has described this as an existential threat to the high street and the Bank of England has warned that the UK economy is heading towards its sharpest recession on record, with consumers likely to remain cautious even after lockdown restrictions are removed. It is clear that this event cannot be ignored and is likely to have a profound impact on high streets further still, for which Hayes and Hayes East will not be immune. The impact assessment would need to be revised in regards to current national circumstances in order for an accurate representation of the vulnerability of Hayes and Hayes East town centres to new out of centre proposals.

Therefore, it is considered that the impact assessment has not fully taken into account local and national circumstances, and so fails to demonstrate that the proposed 'out of town' proposal would not have a detrimental impact on the vitality and viability of Hayes and Hayes East town centres.

The proposal is therefore contrary to Policy E5 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMTC 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), London Plan Policy SD6 of the Intend to publish version (2019) and the National Planning Policy Framework (2019).

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policy DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that developments provide safe and efficient vehicular access to the highway network and do not contribute to the deterioration of local amenity or safety of all road users and residents.

The application site is located 264m east from the junction of Hayes Road/The Parkway (A312)/North Hyde Road (Bulls Bridge roundabout).

The Council's Highways Engineer has assessed the proposal; there is no objection in principle, given that the net uplift in vehicular trips would be mainly vehicular trips already on the wider road network, such as trips linked with the surrounding retail uses, transferred trips from nearby food stores, or diverted/pass-by trips, rather than new vehicular trips.

The Council's Highway Development Management Team is aware of Transport for London (TfL) proposals to transform the Bulls Bridge roundabout into a place characterised by the ten Healthy Streets indicators. It is therefore recommended that any planning approval includes a contribution towards these TfL improvement works, in order to encourage and enable more people to travel to the proposal by walking and cycling.

Subject to this contribution toward improving Bulls Bridge roundabout, the proposal is considered to be in accordance with Policy DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

The proposed development is located within a site that benefits from a large car park. Given the significant distance of the application site from the borough boundary and the barrier created by The Parkway (A312), it is considered that the reconfiguration of the car park, the sub-division of the existing retail unit and the associated change of retail use,

would not impact on parking within the London Borough of Hillingdon.

## **7.18 Noise or Air Quality Issues**

### **AIR QUALITY**

Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) seeks to ensure that developments do not cause deterioration in the local air quality levels and to protect existing and new sensitive receptors. Policy DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that developments should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants, and should include sufficient mitigation to prevent unacceptable risk from air pollution to existing and new sensitive receptors whilst actively contributing to the improvement of air quality.

The Council's Environmental Specialist Team has assessed the proposal and considers that whilst the development is outside of the London Borough of Hillingdon, it is clear from the catchment zone map in the submitted Transport Assessment that the proposal could impact upon roads within the borough such as those roads through Hayes and the routes to the M4. As both Hayes and the M4 corridor are identified as Air Quality Focus Areas, these are areas where pollution levels are already elevated and improvements to air quality are required.

It is noted that a Travel Plan will be developed; the targets set within the Travel Plan should be set at a level which takes into account the sensitivity of the surrounding area.

The proposal to install rapid chargers is fully supported.

Subject to suitable Travel Plan targets to counteract the impact of the development on air quality, the proposal would accord with Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

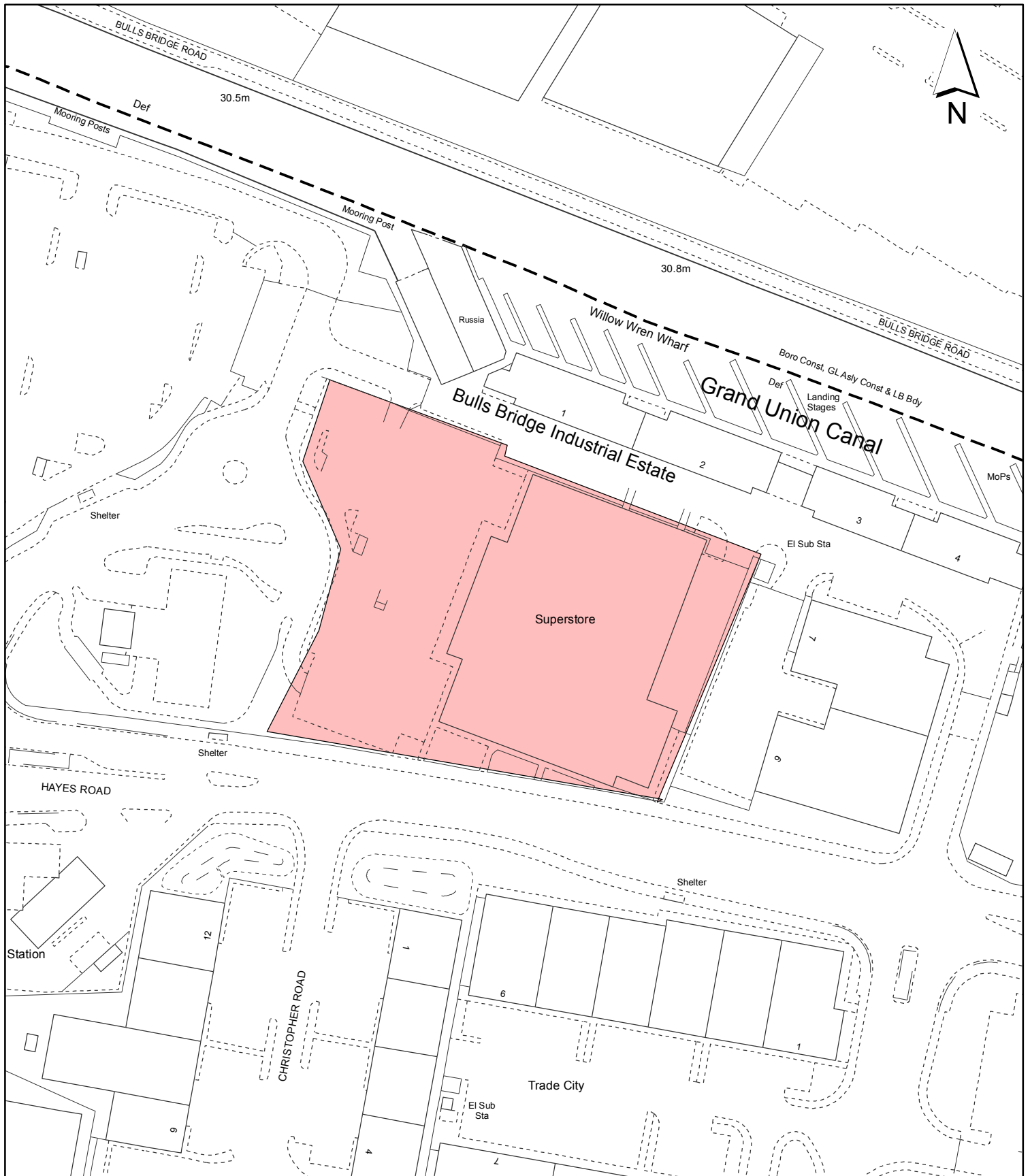
## **10. CONCLUSION**

This application seeks planning permission for the change of use from A1 (non-food) retail to open A1 (including food) retail, subdivision of the existing unit to form two A1 retail units, car park reconfiguration, external alterations and associated works at Unit 5 (Former Toys R Us), Bulls Bridge Industrial Estate, Hayes Road, Southall, UB2 5LN. The site is located outside the jurisdiction of the London Borough of Hillingdon however the Council has been consulted.

In conclusion, given the reasons outlined in this report, objection is raised on the basis of an inadequate sequential test and impact assessment, including the failure to assess the impact of Covid 19. The proposal is therefore contrary to Policy E5 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMTC 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), London Plan Policy SD6 of the Intend to publish version (2019) and the National Planning Policy Framework (2019).

**Contact Officer:** Katherine Mills

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Out of Borough consultation;  
 Unit 5 Bulls Bridge Industrial Estate,  
 Hayes**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**39705/APP/2020/1560**

Scale:

**1:1,250**

Planning Committee:

**Major**

Date:

**July 2020**



**HILLINGDON**  
 LONDON