

## Report of the Head of Planning, Transportation and Regeneration

**Address** THE COTTAGE IN THE WALL DAWLEY ROAD HAYES

**Development:** Demolition of existing buildings and use of site as bus depot with new office/welfare building, bus wash and fueling facilities with access from Dawley Road.

**LBH Ref Nos:** 3886/APP/2020/3751

**Drawing Nos:** DS29092001.03-B Arboricultural Impact Plan and Tree Protection Plan  
76646 Rev. 01 Interim Travel Plan (Dated 9th November 2020)  
Supporting Planning Statement (Dated November 2020)  
Tree Survey Report (Dated 13th October 2020)  
Utility Statement (Dated November 2020)  
76625-CUR-00-XX-RP-C-00002 V01 Drainage Strategy Report (Dated 30th October 2020)  
076625-CUR-00-XX-RP-C-00001 V02 Flood Risk Assessment (Dated 27th October 2020)  
076625-CUR-00-XX-RP-GE-001 Phase 1 Preliminary Site Assessment (Dated 11th August 2020)  
Preliminary Ecological Appraisal V 2.C  
ENE-0972\_Rev4 Air Quality Assessment (Dated 9th December 2020)  
76646 Rev. 04 Transport Assessment (Dated 28th January 2021)  
1051-059 Rev. C  
1051-053 Rev. E  
1051-058 Rev. B  
1051-060 Rev. A  
Design, Access and Heritage Statement Rev. B  
1051-051 Rev. K  
1051-054 Rev. E  
1051-055 Rev. F  
1051-065 Rev. E  
1051-066 Rev. C  
20-15481-1B  
90001 Rev. P02  
Alternative Site Options for Abellio London (Dated October 2020)  
Noise Impact Assessment (Dated November 2020)  
76646 Construction Logistics Plan (Dated 6th November 2020)  
Construction Method Statement (Dated November 2020)  
1051-050  
1051-049  
Cover Letter (Dated 13th November 2020)  
Proposed Noise Mitigation Plan (Dated January 2021)

**Date Plans Received:** 16/11/2020

**Date(s) of Amendment(s):** 16/11/2020

**Date Application Valid:** 16/11/2020

22/01/2021

### 1. SUMMARY

This application seeks permission for the proposed demolition of existing buildings and use of the site as bus depot with new office/welfare building, bus wash and fueling

facilities. Whilst the application is a Minor development, the Major Applications planning committee considered a recent planning application which resulted in the loss/displacement of the existing Bus depot on North Hyde Gardens. It is therefore felt expedient that this application is also presented to the Major Applications planning committee.

Although the proposed development would result in a loss of industrial floorspace, it would not result in a loss of industrial land. Development decisions should also allow for a sufficient supply of land sustainable transport functions including intermodal freight interchanges, rail and bus infrastructure. When fully occupied, the site would also employ approximately 180 full time staff. If recommended for approval, a Section 106 legal agreement would ensure that local residents would benefit from jobs and training. The principle of development is therefore supported in this respect.

The proposal would also result in the loss of two residential buildings, although these would appear to have been implemented without the benefit of prior planning permission. Notwithstanding this, the delivery of essential local transport infrastructure and the availability of sites to deliver this use is a key consideration and a case of exceptional circumstances. The existing location of the residential units immediately adjacent to industrial uses is also a poor location for residential units due to the impact on their amenity.

The application site is located within the Green Belt and would intensify the use of the site. Although the volume of built development on site would be reduced, the impact of storing 56 buses on this site would have a greater impact on the openness of the Green Belt when compared to the existing site. Accordingly, the proposed development is considered to constitute inappropriate development in the Green which requires very special circumstances.

It is important to note that the site will only be fully occupied overnight and that during the majority of daylight hours, the number of buses on-site will be limited. Although the proposed development is considered to be inappropriate, the extent of harm posed is considered to be less because it is brought about by the use of the site rather than a permanent building. The strongest 'very special circumstance' is considered to be the requirement to provide sufficient land for transport infrastructure. The loss of this infrastructure at the Abellio site on North Hyde Gardens is outside the control of Abellio and a replacement facility is required. Evidence has been submitted to justify the site as suitably located and demonstrates that alternative sites have been considered and are not available or appropriate. Transport for London also support the proposed use of the site as a bus depot. Accordingly, it is considered that very special circumstances exist to outweigh the harm posed to the Green Belt by the proposed use.

It is noted that works would be carried out to the Locally Listed Dawley Wall, including its demolition and rebuild with slightly different siting. This is considered to represent 'moderate harm' by the Council's Conservation Officer. Weighing against this is the proposed reinstatement of the wall where the existing opening exists and the proposed repair works to the damaged and spalled sections of the boundary wall. These elements of the proposal are notably supported and detail of such a proposal would be made acceptable via the use of planning conditions. When taking into account the strategic importance of the proposed development in supplying sufficient land to meet current and future demands for London's sustainable transport functions, it is considered that any harm that is posed to the non-designated heritage asset is outweighed by the benefits provided.

Regarding the impact on the local highway network, it is confirmed by the Council's Highways Officer that the volume of trips associated with bus and car movements could be absorbed by the surrounding highway network. Tracking drawings also demonstrate that 10.4 metre long double decker bus can manoeuvre within and out of the application site. Based on the information submitted, 50% of staff currently drive to work, 38% walk, 11% cycle and 1% use the bus. In order to provide assurances that this modal split would be achieved for the proposed site, financial contributions towards highways improvement works would be secured by a S106 legal agreement. The contribution agreed amounts to £120,225 and would deliver:

- Footway works on the western side of Dawley Road between the Cottage in the Wall site and Princes Park Lane;
- The provision of on-street advisory cycle lanes along Botwell Common Road;
- A shared use footway between Botwell Common Road and the Woolpack public house; and
- A New Bollingbroke Way bus stop.

As such, pedestrians, cyclists and public transport users would notably benefit from the proposed development.

The application site is located within the Hillingdon Air Quality Management Area and would affect the Hayes Air Quality Focus Area. Based on trip generation rates, the proposed development would not be air quality neutral for transport emissions. A damage cost has therefore been calculated in order to mitigate the impact and has been adjusted to factor in the proposed commitment to a Travel Plan, green sustainable measures and contribution to a long term strategic multi-modal shift. Following negotiations with the applicant, the following additional provisions were agreed:

- Provision of 2 no. fast charging bays and 10. parking spaces with passive electric car charging infrastructure; and
- Adoption and publication of an enforced no idling policy in terms of bus on-site emission, involving all diesel buses at the site being fitted with automatic shutdown after four minutes.

Accordingly, a financial contribution of £19,283 towards the Council's air quality action plan has been agreed and would be secured by Section 106 agreement if recommended for approval.

The bus depot would need to operate 24 hours a day, 7 days a week. As such, a significant consideration for the proposed development is the noise impact that such a use would have on neighbouring residents, especially at unsociable hours. A Noise Impact Assessment has been submitted to support the application alongside a Noise Mitigation Plan. This contains a number of mitigation measures, including a 3 metre high close-boarded acoustic fence and a 6m high cladded screen on either side of the bus wash. Further measures are also proposed and detailed in the report. The Council's Noise Consultants agree with the conclusion that the operations at the bus depot may be heard, but would not cause any change in behaviour or attitude of neighbouring residents. The proposed development would slightly affect the acoustic character of the area, but not such that there is a perceived change in the quality of life.

Subject to a Section 106 legal agreement and planning conditions, the proposed development is considered acceptable on-balance and is recommended for approval.

## **2. RECOMMENDATION**

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

**A) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:**

**i. Air Quality: A financial contribution amounting to £19,283 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 reduce human exposure to pollution levels.**

**ii. Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such as matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to be secured.**

**iii. Highways Works: Section 278 agreement to secure highway works at the site access.**

**iv. Highways Improvements: A financial contribution amounting to £120,225 shall be paid to the Council for the local highway improvements, including footway works on the western side of Dawley Road and the provision of on-street cycle lanes on Botwell Common Road.**

**v. 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. Securing an Employment/Training Strategy Agreement is the Council's priority. A financial contribution will only be accepted in exceptional circumstances.**

**vi. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.**

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

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

**D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame 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 secure the necessary planning obligations relating to air quality, travel planning, highways works and enhancement, employment strategy and construction training. The scheme therefore conflicts with Policies**

**DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020); the adopted Planning Obligations Supplementary Planning Document (July 2014); Policies 8.2 of the London Plan (March 2016); Policy DF1 of the Publication London Plan (December 2020); and paragraphs 54-57 of the National Planning Policy Framework (February 2019).'**

**E) That if the application is approved, the following conditions be imposed:**

**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:

1051-050;  
1051-051 Rev. K;  
1051-053 Rev. E;  
1051-054 Rev. E;  
1051-055 Rev. F;  
1051-058 Rev. B;  
1051-059 Rev. C;  
1051-060 Rev. A;  
1051-065 Rev. E;  
1051-066 Rev. C;  
20-15481-1B;  
90001 Rev. P02;

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

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

**3 COM5 General compliance with supporting documentation**

The development hereby permitted shall not be carried out except in complete accordance with the specified supporting plans and/or documents:

Supporting Planning Statement (Dated November 2020);  
Alternative Site Options for Abellio London (Dated October 2020);  
Design, Access and Heritage Statement Rev. B (Dated January 2021);  
76646 Rev. 04 Transport Assessment (Dated 28th January 2021);  
Noise Impact Assessment (Dated November 2020);  
Proposed Noise Mitigation Plan (Dated January 2021);  
DS29092001.03-B Arboricultural Impact Plan and Tree Protection Plan;  
Sustainable Drainage Proforma;  
76625-CUR-00-XX-RP-C-00002 V01 Drainage Strategy Report (Dated 30th October 2020);

076625-CUR-00-XX-RP-C-00001 V02 Flood Risk Assessment (Dated 27th October 2020);  
076625-CUR-00-XX-RP-GE-001 Phase 1 Preliminary Site Assessment (Dated 11th August 2020);  
Preliminary Ecological Appraisal V 2.0;  
Tree Survey Report (Dated 13th October 2020);  
DS29092001.03-B Arboricultural Impact Plan and Tree Protection Plan; and  
ENE-0972\_Rev4 Air Quality Assessment (Dated 9th December 2020).

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

#### REASON

To ensure that the development complies with the objectives of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

#### **4 NONSC Bus Numbers**

At no time shall there be more than 56 no. buses within the development area. The associated staff car parking arrangement shall be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure that the development does not give rise to conditions prejudicial to the free flow of traffic along Dawley Road, detrimental to highway and pedestrian safety, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 6.3 of the London Plan (March 2016) and Policy T4 of the Publication London Plan (December 2020).

#### **5 NONSC Phasing Condition**

The development hereby approved shall be phased in accordance with plan reference '1051-058 Rev. B Site Phasing Plan' such that The Bungalow/Building B7 (Phase 2) shall not be demolished until such time as a single bat emergence survey has taken place to establish whether bats are present.

#### REASON

To ensure that the development works do not prejudice or compromise the ecological and conservation values found within the site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.19 of the London Plan (March 2016) and Policy G6 of the Publication London Plan (December 2020).

#### **6 NONSC External Materials (New Building)**

Prior to the construction of the new building above ground level, a sample and product and manufacturer details of the external brickwork and timber claddings shall be submitted to and approved in writing by the Local Planning Authority. The samples shall be made available on site for inspection. Works shall be carried out in accordance to the approved details.

#### REASON

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon

Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

## **7 NONSC Bin Storage Screening**

Prior to the commencement of above ground works, the details of screening to the proposed bin storage hereby approved 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 ensure that the development presents a satisfactory appearance and does not injure the visual amenities of the Green Belt setting, in accordance with Policies DMHB 11 and DMEI 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

## **8 COM9 Landscape Scheme**

Prior to commencement of above ground works, 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, to include pollution absorbing trees and species.
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage, demonstrating:
    - capacity for 40 no. bicycles; and
    - space for 2 no. accessible bicycle parking spaces as per TfL requirements.
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts, demonstrating provision of:
    - 12 no. permanent staff car parking spaces (including 1 no. accessible car parking spaces);
    - 33 no. temporary staff car parking spaces;
    - 2 no. car parking spaces served by active 'fast-charging' electrical vehicle charging points;
    - 10 no. car parking spaces served by passive electrical vehicle charging infrastructure.
  - 2.e Hard Surfacing Materials
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, DMEI 1 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 5.11 and 5.17 of the London Plan (March 2016).

#### **9 NONSC Green Roof**

Prior to installation, details of the green roof hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include:

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

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

#### REASON

To enhance the visual amenity and ecological values of the site, in accordance with Policies DMHB 11, DMHB 14, DMEI 1 and DMEI 7 of the of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **10 NONSC Ecological Enhancement Scheme**

Prior to the commencement of any superstructure works, full details of the ecological enhancement scheme identified in the Preliminary Ecological Appraisal V 2.0 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be made up of a plan (or plans) of the development annotated with ecological enhancement measures to be included within the fabric of the buildings and the landscaping and accompanied by a report detailing the justification for such measures and how they will be maintained in perpetuity. The development must proceed in accordance with the approved plans and be retained as such.

#### REASON

To ensure the development contributes to a net gain in biodiversity in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.19 of the London Plan (March 2016) and Policy G6 of the Publication London Plan (December 2020).

#### **11 NONSC Lighting Scheme**

The lighting scheme hereby approved on plan reference '20-15481-1B' shall use warm white LEDs 1000-3000k with rear shields on the north and west boundaries.

#### REASON

To minimise any impact on wildlife, notably nocturnal insects, birds and bats, in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.19 of the London Plan (March 2016) and Policy G6 of the Publication London Plan (December 2020).



## **12 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 clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on site by providing information on:

### **a) Sustainable Drainage features:**

i. Surface water discharge - the submitted drainage strategy must identify the proposed method and location of discharging collected surface water from the site 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. Any proposal that includes a connection to a private sewer network should provide details of the condition and ownership of the entire drainage route to a public sewer or ordinary watercourse.

ii. SuDS - the submitted drainage strategy should incorporate Sustainable Drainage System (SuDS) elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that control water at source and provide wider biodiversity, water quality and amenity benefits.

iii. Runoff rates - surface water discharge from the site must be less than existing runoff rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus 40% climate change, and it must be demonstrated that there is sufficient capacity in the receiving ordinary watercourse (including culverted sections) to accept the proposed peak surface water runoff rate without increasing the risk of flooding. Surface water discharge from the site into Frogs Ditch or Thames Water sewer must be no greater than greenfield runoff rates and the scheme must identify any requirements for offsite storage.

iv. Drainage calculations - include calculations to demonstrate that the volume of storage and size of drainage features provided is adequate to control surface water for a range of storm duration and rainfall intensities for events up to and including the critical 1 in 100 plus 40% climate change rainfall event.

v. Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the 1 in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding should be mapped and include details on flow paths, depths and velocities. Safe access and egress for the site must be demonstrated.

### **b) Long-term management and maintenance of the drainage system.**

i. Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all of the drainage network above and below ground, and identifies the responsibility of different parties for each component of the drainage network.

ii. Include details of the necessary inspection regimes and maintenance frequencies.

iii. Where managed flooding of the ground surface is proposed, the plan should include the appropriate actions for those areas and document the actions required to ensure the safety of the users of the site during a rainfall event.

c) Minimise water use.

i. incorporate water saving measures and equipment.

ii. provide details to demonstrate how provide details of how rain and/or grey water will be recycled and reused in the development or where this is not achievable, demonstrate suitable justification as to why no part of the development can include rain and/or grey water recycling and reuse.

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 compliance with:

- Policies DMEI 1, DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020);
- Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012);
- Policies 5.12, 5.13 and 5.15 of the London Plan (March 2016);
- Policies SI 12 and SI 13 of the Publication London Plan (December 2020); and
- National Planning Policy Framework (February 2019).

### **13 NONSC Construction Management Plan**

Prior to commencement of development, a full and detailed Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall cover the entirety of the application site and any adjoining land which will be used during the construction period. The plan shall detail:

- (i) The phasing of development works.
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours, the start time should not be before 08.00 hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The development shall be carried out strictly in accordance with the details approved or in accordance with any variation to that strategy approved in writing by the Local Planning Authority.

#### REASON

- To safeguard the amenity of surrounding areas in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).
- To ensure that 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 SI 1 of the Publication London Plan (December 2020), 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).

#### **14 NONSC Construction Logistics Plan**

Prior to commencement of development, a full and detailed Construction Logistics Plan 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), Policy 7.14 of the London Plan (March 2016), Policy SI 1 of the Publication London Plan (December 2020), 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).

#### **15 NONSC Service and Delivery Plan**

Prior to occupation of the development, a Service and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, servicing and deliveries shall be carried out as agreed within this approved plan.

#### **REASON**

To ensure appropriate servicing of the site, to safeguard highway safety, and to safeguard the free flow of traffic, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 Development Management Policies (January 2020).

#### **16 NONSC Pedestrian Walkway**

Prior to occupation of the development, a plan marking out a pedestrian walkway from the footway along Dawley Road to the new building hereby approved 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 maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users, in accordance with Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **17 NONSC Bus Run Out**

Other than in respect of emergency bus movements or those required to maintain service delivery during times of breakdown or disruption, no more than 11 buses shall leave the site between 07:00 and 09:00 and shall accord with the details contained on drawing references '1051 - 054 Rev. E' and '1051 - 055 Rev. F' hereby approved.

## REASON

To minimise conflict with southbound traffic using Dawley Road, in accordance with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **18 NONSC Contaminated Land**

(i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (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 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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase 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.

## 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).

### **19 NONSC Noise Management Plan**

The development hereby permitted shall not be carried out except in complete

accordance with approved document references 'Noise Impact Assessment (Dated November 2020)' and 'Proposed Noise Mitigation Plan (Dated January 2021)'. Thereafter the development shall be regularly audited and retained/maintained in accordance with these details for as long as the development remains in existence.

**REASON**

To safeguard the amenity of the surrounding area in accordance Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.15 of the London Plan (March 2016) and Policy D14 of the Publication London Plan (December 2020).

**20 NONSC Safeguarding Existing Wall**

Prior to commencement of development, details as to how the retained sections of the Locally Listed walls will be adequately protected and supported during demolition works shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

**REASON**

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**21 NONSC Brickwork (reinstated boundary wall and repair works)**

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, a sample and product and manufacturer details of new brickwork shall be submitted to and approved in writing by the Local Planning Authority. A sample panel of the brick work shall be constructed on site and made available for inspection by a Local Planning Authority. Works shall be carried out in accordance to the approved details.

**REASON**

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**22 NONSC Footings**

Prior to the construction of the reinstated section of the front brick boundary wall, details of the proposed footings shall be submitted to and approved in writing by the Local Planning Authority. If any remains of the original historic footing are found during works, the Local Planning Authority shall be notified in writing. The footings shall be recorded and retained in situ if they cannot be reused as part of the new structure. The record shall be submitted to the Local Planning Authority. Works shall be carried out in accordance to the approved details.

**REASON**

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3

and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**23 NONSC Extent of Repair Works**

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, appropriately scaled elevations of the retained sections of wall detailing the extent of repair works required, including re-pointing and replacement brickwork, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

**REASON**

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**24 NONSC Schedule of Works and Methodology Statement**

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, a detailed schedule of repairs works and a methodology statement for lime mortar pointing works, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

**REASON**

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**25 NONSC Lime Mortar**

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, samples and details of the lime-based mortar mix shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be inspected on site. Details would need to include mortar mix ratios and the lime and sand product information. Works shall be carried out in accordance to the approved details.

**REASON**

To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Policies HE1 and BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 3 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

**26 NONSC Lift Provision**

The lift shown on approved drawing reference 1051-053 Rev. E shall be provided prior to the occupation of the development.

**REASON**

To ensure that the development utilises inclusive design and is accessible to all user groups, in accordance with Policy 7.2 of the London Plan (March 2016) and Policy D5 of

the Publication London Plan (December 2020).

**27 NONSC Non-Road Mobile Machinery**

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

**REASON**

To comply with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 7.14 of the London Plan (March 2016), Policy SI 1 of the Publication London Plan (December 2020) and paragraph 170 of the National Planning Policy Framework (February 2019).

**28 NONSC No-Idling Policy**

Prior to the occupation of the development, details of the adoption and publication of a 'no-idling' policy on-site shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the site shall be operated in strict accordance with the approved details.

**REASON**

To ensure that 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 SI 1 of the Publication London Plan (December 2020), 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).

**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 1 (2012) and Part 2 (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.

DMAV 1	Safe Operation of Airports
DMCI 7	Planning Obligations and Community Infrastructure Levy
DME 2	Employment Uses Outside of Designated Sites
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 3	Locally Listed Buildings
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHB 8	Registered Historic Parks, Gardens and Landscapes
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.17	(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 7.13	(2016) Safety, security and resilience to emergency
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 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.9	(2016) Heritage-led regeneration
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
LPP 8.4	(2016) Monitoring and review
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment



NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 4	NPPF-4 2018 - Decision-making
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport

**3            I70                    LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

**4            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            I15                    Control of Environmental Nuisance from Construction Work**

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**6**

1. Lime based products (lime mortar, renders and lime washes) should not be used when temperatures are liable to fall below 5°C (41°F) for several weeks/months after application.

2. Following repair and reinstatement works the wall would need to be adequately protected, particularly if there is a risk of low temperatures or any other adverse weather conditions to prevent damage. However, air must still be able to circulate to ensure effective curing of the lime mortar.

The Construction Logistics Plan should include an undertaking that Freight Operators Recognition Scheme (FORS) Silver standard must be held by drivers of vehicle visiting the development. This should also require that all reasonable endeavours are taken to ensure that only construction vehicles with Class VI mirrors and the highest category of Direct Vision Standard visit the site. Construction or delivery vehicles must not be parked on any street within the proximity of site. There should also be an undertaking that construction vehicles would not wait or idle run in the area to stop vehicles impeding the free flow of traffic and to reduce vehicle emissions. During the construction period a traffic marshal or banks man should be provided to guide construction vehicles in and out of the site.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site measures approximately 0.39 hectares in area and is located to the west side of Dawley Road, south of its junction with Botwell Common Road. The site is predominantly commercial, with commercial units covering the majority of the site to the rear, although a historic farmhouse is sited to front of the site (known as The Cottage in the Wall) alongside a bungalow building. The historic farmhouse has been converted into flats but there are no planning records indicating that this has been authorised. There also are no planning records for the bungalow building. All buildings are vacant and the residential buildings have been stripped of internal facilities.

Based on TfL's WebCAT planning tool, the site has a Public Transport Accessibility Level (PTAL) of between 1b and 2. According to the Council's GIS, the application site is also potentially contaminated as a result of landfill. The site forms part of the Hillingdon Air Quality Management Area as well as designated Green Belt land. It is also located immediately to the east and south of the recently designated Grade II listed Stockley Park Registered Park and Garden. The Locally Listed Dawley Wall also forms part of the site, fronting onto Dawley Road.

#### 3.2 Proposed Scheme

This application seeks permission for advice on the proposed demolition of all existing buildings on-site and redevelopment of the site for the purposes of a bus depot (Sui Generis). This would comprise an office building, a cycle shelter, a fuel island with tanks, a drive through bus wash with screens, car parking spaces and an open yard for the storage of 56 buses.

#### 3.3 Relevant Planning History

3886/P/89/1016

The Cottage In The Wall Dawley Road Hayes

Second-hand/scrap dealer, motor cycle business, music studio (Appeal against Enforcement Notice; Application for planning permission deemed to have been made pursuant to Section 88 of the Town & Country Planning Act 1971)

**Decision:** 25-01-1990 Refused

3886/R/89/2425

The Cottage In The Wall Dawley Road Hayes

Use of land as scrap metal business (Application for Established Use Certificate)

**Decision:** 06-02-1992 Refused

3886/S/94/0282                      The Cottage In The Wall (Studio)                      Dawley Road Hayes  
Change of use of building and frontage area to veterinary surgery

**Decision:** 25-09-1998 NFA

#### **Comment on Relevant Planning History**

None.

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

Development Plan

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

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)  
The West London Waste Plan (2015)  
The London Plan - Consolidated With Alterations (2016)

Material Considerations

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

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 (Publication Version, December 2020)

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.

The Mayor 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.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions. On 21st December 2020, the Mayor formally approved a new London Plan, the 'Publication London Plan'. This has been submitted to the Secretary of State. The Secretary of State has however agreed to allow the Publication of the Plan and statutory notifications are being prepared and adoption is expected imminently.

### **UDP / LDF Designation and London Plan**

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

#### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM11 (2012) Sustainable Waste Management
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage

#### Part 2 Policies:

- DMAV 1 Safe Operation of Airports
- DMCI 7 Planning Obligations and Community Infrastructure Levy
- DME 2 Employment Uses Outside of Designated Sites
- DMEI 1 Living Walls and Roofs and Onsite Vegetation
- DMEI 10 Water Management, Efficiency and Quality
- DMEI 12 Development of Land Affected by Contamination
- DMEI 14 Air Quality
- DMEI 2 Reducing Carbon Emissions
- DMEI 4 Development on the Green Belt or Metropolitan Open Land
- DMEI 7 Biodiversity Protection and Enhancement
- DMEI 9 Management of Flood Risk

DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
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NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 4	NPPF-4 2018 - Decision-making
NPPF- 6	NPPF-6 2018 - Building a strong, competitive economy
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **16th December 2020**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Letters were sent to 95 neighbouring residential properties and an advert was posted in the local paper. All forms of consultation expired on 23rd December 2020. Three objections have been received and are summarised as follows:

- The junction is already extremely busy and congested most of the time. If you add buses coming in and out it would be chaos, slow down traffic and cause more accidents.
- There already is a lot of noise by this road junction and a bus garage would increase the noise pollution, especially at unsociable hours.
- The development will increase pollution in the area.
- There are much better sites for this proposal than a main busy road, off a junction.
- Nowhere else in London is a bus garage located between a golf course and country park.
- The addition of 120/150 staff will increase parking stress and there is not indication of parking on-site.
- The air quality in the area is already very poor to allow this application to proceed will make it even worse.
- The proposed use poses a risk to children using the park next door.

### PLANNING OFFICER COMMENT:

All material planning considerations are addressed within the main body of the report. The plans also do indicate staff parking on-site and this is considered in detail further in the report.

### LOCAL WARD COUNCILLOR:

When I saw this first I thought it was some sort of a mistake in terms of location. I have two problems with this, the first is the width of the road, there are problems already caused by larger vehicles in this area especially those entering and exiting from the builders merchants, they cause traffic snarl ups, road rage and damage to both the grassed area opposite and also the bollards. Also strange as it may seem, the wall is actually part of the History of Hayes and it needs to be left untouched (unless of course its dangerous) if you go and look at the width of the road at this location & also the volume of traffic (its a bus route) and take into consideration how close this proposal is to not only many residential properties but also a very well used park, you will hopefully agree that this application should be refused.

### PLANNING OFFICER COMMENT:

The impact of the proposal on the local highway network, the Locally Listed Dawley Wall and neighbouring residents is considered in detail within the main body of the report.

THAMES WATER:

#### Waste Comments

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://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FApplied-and-pay-for-services%2FWastewater-services&data=04%7C01%7C%7C05d8beddecba481bf75a08d89121cb26%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C637418921613791276%7CUnknown%7CTWFpbGZsb3d8eyJWIoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=Hcj%2Yb2oVPzhW1LhNuclSNn54Sc00RCFB9p9ygvk9ok%3D&reserved=0>

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 [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7C%7C05d8beddecba481bf75a08d89121cb26%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C637418921613791276%7CUnknown%7CTWFpbGZsb3d8eyJWIoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&sdata=LobqXjF5Z4wBJbpUw72%2BhkjX9pi9LJMEI%2BIV7brg%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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.

HEATHROW AIRPORT LTD:

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

However, we would like to make the following observations:

#### 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/policy-campaigns/operations-safety/>)

#### Wind Turbines

Wind Turbines can impact on the safe operation of aircraft through interference with aviation radar and/or due to their height. Any proposal that incorporates wind turbines must be assessed in more detail to determine the potential impacts on aviation interests. This is explained further in Advice Note 5, 'Renewable Energy & Impact on Aviation' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

#### LONDON PARKS & GARDENS TRUST:

I write as Planning Conservation Project Officer of the London Gardens Trust (LGT). The LGT is affiliated to The Gardens Trust which is a statutory consultee in respect of planning proposals affecting sites included in the Historic England Register of Parks and Gardens of Special Historic Interest. Inclusion of a site in the HE Register is a material consideration in determining a planning application. The LGT is the gardens trust for Greater London and makes observations in respect of registered sites, and may also comment on planning matters affecting other parks, gardens and green open spaces, especially when included in the LGT's Inventory of Historic Spaces (see [www.londongardensonline.org.uk](http://www.londongardensonline.org.uk) Stockley Park entry pending) and/or when included in the Greater London Historic Environment Register (GLHER). For further information, we refer you to the list entry for Stockley Park (<https://historicengland.org.uk/listing/the-list/list-entry/1466074>).

The site which is subject to these proposals is surrounded by the landscape listing but was not included. For this reason, we are more concerned with the impact of the proposed changes on the character, appearance, and enjoyment of the listed landscape. The design & access document includes details of the wall which may be a remnant of the original farm but carries no assessment of the impact of the new use and new boundary treatments on the wider landscape. For example, how visible is the site from the business park and golf course? Will the noise and spray from the high-pressure wash be audible and visible across the park? Will any noise, water spray and increased vehicle movements impact on the wildlife surrounding the site and wider enjoyment of views and the walkers/workers experience of the landscape?

These issues need to be carefully considered to ensure developments do not damage the character of the listed landscape and this includes 'remedial' measures such as tall acoustic fences.

Stockley Park is a nationally important designed landscape newly Registered grade II, with 'survival' among the principal reasons for designation - the listing states:

\* carefully established and consistent design parameters have made for a unified and consistent landscape and, despite the redevelopment of some buildings and modifications to their immediate landscape context, overall, the original design is well-preserved and maintained.

It is impossible to judge from the application documents submitted what the impact of the proposals will be on the wider landscape.



We would hope that any identified issues can be dealt with and for this reason we do not formally object at this time, but the LGT considers the information included in this planning application to be insufficient to determine the impact of the proposals on the listed landscape on the following grounds:

Summary:

- There is no assessment, including plans, photos, and sections, showing the site within the wider designated landscape.
- The noise, water spray and run off from the new cleaning facility could have a significant harmful impact on the character of the designated park and surrounding trees and wildlife. The acoustic fence to the north could increase the noise directed towards the open parkland.
- Tree groups G1 and G2 just outside the site boundary are presumably key to minimising the impact of the works on the surrounding parkland, yet the levels next to them are proposed to change by approx. 0.5m within the root zone. In addition, the existing fence line is stated as 1m from the trunks of the trees which mean the demolition of existing boundaries and replacement with new could put this important tree screen at risk. How are important surrounding trees to be protected?
- New 3m high boundary treatments could harm key views and be detrimental to the quality and coherence of the rest of the listed park.

We would be grateful to be advised when further information is submitted.

PLANNING OFFICER COMMENT:

Regarding noise, it is anticipated that the acoustic fence will mitigate the impact of noise on sites to the north of the application site.

In terms of water spray and runoff, the foul drainage flows from the development are proposed to be collected by new private foul drains. Foul flows will need to be pumped to the existing foul sewer located within the junction of Dawley Road with Botwell Common Road. The foul water will be treated within the development site prior to discharge in accordance with current guidance.

Regarding tree protection, the hornbeam hedge oversails this site and will need to be cut back to prevent accidental damage, due to the construction of the proposed building, the installation of a new boundary fence and the proposed coach parking. The tree protection plan and arboricultural method statement confirms that any trimming back will be overseen by the tree consultant. They will also oversee the construction of the new boundary fence along these boundaries. As confirmed by the Council's Trees and Landscaping Officer, hornbeam is a robust native species and lends itself to being trimmed / managed as a hedge. There is no objection to the proposal providing that the work is carried out in strict accordance with the specification and arboricultural supervision. The long-term protection of this vegetation screen will also be subject to regular trimming to control the lateral growth. If recommended for approval, a management/maintenance plan will be conditioned.

The impact of the proposed development on the Registered Park and Garden is addressed within the main body of the report.

MINISTRY OF DEFENCE:

This relates to demolition of existing buildings and use of site as bus depot with new office/welfare building, bus wash and fuelling facilities.

The application site falls within the Statutory Safeguarding Aerodrome Height and Birdstrike Zones Surrounding RAF Northolt.

I can confirm the MOD has no safeguarding objections to this proposal.

## TRANSPORT FOR LONDON:

The site is located upon A437 Dawley Road, which is borough road, managed by the London Borough of Hillingdon. The nearest section of Transport for London Road Network is the A312 The Parkway, approximately 2.2km away. After reviewing the case documents, TfL have the following comments to make:

- These comments assess the development against the Mayor's Transport Strategy and Intend to Publish London Plan from a spatial planning perspective. The comments reflect the views of other relevant TfL businesses, including those articulated by colleagues responsible for bus operations, at the pre-application stage and in discussions related to the development on the site of the existing bus depot (Hayes Bus Depot) site at Bulls Bridge Industrial Estate, the subject of a separate planning application, which has been granted planning consent by Hillingdon Council.

- The development is located in a PTAL 2 area and proposes 12 staff car parking spaces with further capacity to increase this to 51 spaces once the buses are out in service. While a reduction in car parking would be welcomed and in keeping with the spirit of ItPLP Policy T6 i.e. promoting active modes and public transport above car use, we appreciate the operational requirements of the bus garage. Furthermore, as this proposal entails the relocation of the existing Hayes Bus Garage, it is expected that the parking demand will be more or less the same as the existing site. We would welcome Travel Plan measures that aims to reduce travel to the site by car. However, on balance, the level of parking is accepted.

- The buses will be electric vehicles which is supported by Policy T7 of the Mayor's Transport Strategy. The applicant should therefore endeavour to provide EV charging points in line with ItP London Plan Policy T6 for all staff car parking. ItPLP Policy T6.2 (D) is not specific in terms of the EV parking requirements for B2 use - stating that appropriate provision for electric or other Ultra-Low Emission vehicles should be made. The policy accepts that a degree of flexibility to car parking and EV charging may need to be applied reflecting the characteristics of proposals and the appropriate EV parking provision considered on a case-by-case basis. There are 12 dedicated car parking spaces for staff. The applicant should endeavour to install an EV charger in at least one of these staff parking spaces (or an EV charger that is central to two car parking spaces); and be willing to increase EV charging in the future if demand increases.

- The site is reasonably well located to connect to cycle routes in the adjacent local area; with Local Cycleway 39 and TfL Quietway 16 to the north and south of the site, respectively. A bike shelter is proposed with space for 40 bikes in two-tier racks. The quantum and design of spaces should meet ItP London Plan T5 and the LCDS (London Cycle Design Standards). A total of 5% of spaces should be provided for accessible bikes, it is recommended that Sheffield stands are provided in addition to the two-tier racks. Provision for staff changing and locker facilities are encouraged where this is practicable.

- The proposed uplift in trips in walking and cycling is welcomed compared to the existing use, however TfL would advise that in order to encourage staff to travel to the site by sustainable modes, a Travel Plan should be secured by condition.

- As the site is on a borough road, the access arrangements and local trip generation is for the Borough as highway authority to advise on. TfL would suggest a Stage 1 RSA is undertaken to ensure the access arrangements are acceptable and do not pose a road safety risk to the existing use of Dawley Road for vehicles, pedestrians and cyclists.

- In line with Policy D13 Agent of Change of the ItP London Plan, a condition should be included so that the development is designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on

them.

In summary, the proposal is compliant with ItPLP policies, including policy ItPLP Policy T3, which requires the safeguarding of existing strategic public transport infrastructure. This application will enable the relocation of the existing Hayes Bus Depot, which is essential for the operation of the bus network in this part of London. TfL supports this application without reservations.

#### LONDON FIRE BRIGADE:

The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London. The Commissioner is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (The Order) in London.

The Commissioner has been consulted with regard to the above-mentioned premises and makes the following observations:

The Commissioner is satisfied with the proposals in regard to B5 access.

#### **Internal Consultees**

##### PARTNERSHIPS AND BUSINESS ENGAGEMENT MANAGER:

From an Economic development perspective the application from Abellio London Ltd is welcomed and supported. The application serves to secure a transport infrastructure facility on the site, which will in turn mean that local transport services can continue to operate smoothly. This is obviously important in terms of residents being able to travel to and from work and undertake other social and leisure activities.

It is noted that Abellio London have been forced to relocate from their existing facility at the end of the current lease. Whilst this is unfortunate for Abellio in terms of their operations, the new investment on Abellio's current operational base (adjacent to the new Ark data) will serve to provide significant numbers of new jobs.

The challenge for Abellio has been to find a suitable replacement site for their bus depot and maintenance workshop facility in the Hayes vicinity. The Dawley Road site works on a number of levels, as it is on one of the principle bus routes for the business, it is close to the existing facility and therefore there should be minimal disruption to existing staff or service to ensure continuity. The location is paramount, and the closer to the existing site in respect of overall mileage required to operate the service, ensures no increased burden on the community at large.

The move to Dawley Road is also important with regard to local employment. Abellio advise that the site will provide full time employment for 200. This will be both drivers, mechanics and admin staff at the depot. The location of the depot is helpful as it is accessible to a large number of residents who will live within easy access of the facility and could offer future employment opportunities. It is noted that the Covid 19 virus has had a major impact in terms of employment in the south of the borough and the transport sector servicing Heathrow has been particularly effected, therefore sustaining such a large number of jobs in the transport sector, within the borough is welcome news.

##### PLANNING POLICY OFFICER:

###### Loss of residential units

The proposed development involves the loss of 3 residential units including 2 x 2 bed flats which were converted from the Cottage in the Wall house, and a 3 bed bungalow. The applicant has stated that the conversion of The Cottage in the Wall has taken place without planning permission as has

the construction of the 3 bed bungalow. This will need to be verified.

Policy DMH1 of the Hillingdon Local Plan Part 2 (2020) seeks to resist the loss of self-contained housing. Paragraph 4.5 of the supporting text however states that "The Council recognises that exceptional circumstances may exist which outweigh the loss of residential units and deliver other Local Plan policy objectives. Each case for exceptional circumstances will be assessed on its merits."

The delivery of essential local transport infrastructure and the availability of sites to deliver this use would be a key consideration and potentially a case for exceptional circumstances to justify the loss of residential uses. The applicant has stated that the lack of alternative sites and the support from TfL for this location for use as a bus depot make the case for exceptional circumstances to justify the loss of residential accommodation. The applicant has provided evidence to demonstrate that other sites were considered for use as a bus depot but found to be unsuitable in their opinion for various reasons, and that the application site was considered to be the most suitable. Whilst this may be the case it is not considered that the information provided in the document titled 'Alternative Site Assessment' is detailed enough for the Planning Policy Team to make its own assessment. Further information is needed in terms of what the applicant's specific criteria are for choosing a site to accommodate a bus depot and a detailed analysis of which criteria the alternative sites meet and which criteria they do not meet is also needed. For example, information on the site area and parking requirements to accommodate 63 buses, followed by an assessment of which sites do and do not meet this requirement would be useful in allowing Policy Officers to assess whether the site in question is indeed the most appropriate site. More detail is also needed on the reasons for not choosing particular sites.

A map detailing the locations of alternative sites considered in relation to the application site would also be useful for Policy Officers. Additional criteria the applicant may want to include are the location requirements for the site, whether the site is freehold or leasehold and other details about the specification of the site, as well as anything else the applicant considers important in choosing a site. The reasoning behind why each criteria are important would also assist in making an assessment.

Detailed profiles of each of the site's considered would also assist Officers in making an assessment. An example of the type of information and level of detail we are looking for will be provided.

It is also recognised that the location of the existing residential units on site immediately adjacent to industrial uses are not ideal and that occupants are likely to experience amenity issues as a result.

Loss of existing industrial uses

The site is classed as non-designated industrial land under the LPP2. Policy DME 2 states that "Proposals which involve the loss of employment floorspace or land outside of designated employment areas will normally be permitted if:

- i) the existing use negatively impacts on local amenity, through disturbance to neighbours, visual intrusion or has an adverse impact on the character of the area; or
- ii) the site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
- iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes; or
- iv) The new use will not adversely affect the functioning of any adjoining employment land; or
- v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan.

The applicant has stated that there will be no loss of employment land with the bus depot eventually contributing to the employment of circa 180 employees, the majority of who will move from the bus depot at North Hyde Gardens. Policy E4 of the Intend to Publish Version of the London Plan also refers to land for sustainable transport functions including bus infrastructure as a land use which supports London's economic function.

The applicant has also stated that the new use will not adversely affect the functioning of the adjoining builder's merchants. The case officer should be satisfied that development of this site as a bus depot would not adversely affect the functioning of the adjacent builder's merchants.

Policy E4 of the Intend to Publish Version of the London Plan states that "A sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained...This should make provision for the varied operational requirements of:...land for sustainable transport functions including intermodal freight interchanges, rail and bus infrastructure"

#### Bus depot use

The London Plan states that the bus network has an increasingly important role to play in the development of London, particularly delivering orbital connections. Part E of Policy T3 of the Intend to Publish Version of the London Plan states that development proposals should support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed.

TfL should be consulted early on and be in agreement that this site is appropriate for relocation of the North Hyde Gardens bus depot. This proposal is linked with the closure of the Abellio Bus Depot at 'Land at Bulls Bridge Industrial Estate' and TfL need to be satisfied that the Dawley Road site is an appropriate location for a bus depot in terms of operation of the bus network and Hillingdon need to be satisfied that it is acceptable in planning terms before allowing the loss of the existing bus depot at Land at Bulls Bridge.

#### Amenity

There are residential uses close to the site. As per policy D13 of the Intend to Publish version of the London Plan, applicants of new noise and other nuisance generating development proposals close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

#### Green Belt

Policy EM2 of the Local Plan: Part One (November 2012) notes that any proposals for development in the Green Belt will be assessed against national and London Plan policies, including the very special circumstances test.

Policy DMEI 4 of the Local Plan: Part Two (2020) notes inappropriate development in the Green Belt will not be permitted unless there are very exceptional circumstances. Extensions and redevelopment of sites will also only be permitted where this would not have a greater impact on the openness of the Green Belt as well as the purposes of including land within it, than the existing development, having regard to:

- the height and bulk of the existing building on site,
- the proportion of the site that is already developed,
- the footprint, distribution and character of the existing buildings on site,
- the relationship of the proposal with any development on the site that is to be retained; and
- the visual amenity and character of the Green Belt.

The National Planning Policy Framework (NPPF) attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The NPPF states that once Green Belt boundaries have been defined and local planning authorities are required to positively enhance the beneficial use of the Green Belt. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

The Hillingdon Local Plan aims to create sustainable communities by concentrating new development in urban areas and town centres. The Green Belt's role is to help reinforce this strategy by strictly controlling development in the open countryside. The London Plan too seeks to protect the Green Belt from inappropriate development.

Paragraph 145 of the NPPF (2019) notes a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless it meets one of the exceptions. Exceptions relevant to this development are:

- Part g) of paragraph 145 which states that limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- Not have a greater impact on the openness of the Green Belt than the existing development; or
- Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraph 146 of the NPPF states that "Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it." The NPPF goes on to state that this includes local transport infrastructure which can demonstrate a requirement for a Green Belt location.

The site does constitute previously developed land and a key consideration in this proposal is whether the redevelopment of this site would have a greater impact on the openness of the Green Belt than the existing development, as per paragraph 145 (g) of the NPPF.

The proposed development would see a significant reduction (a net reduction of 1495sqm of commercial floorspace and a volume reduction of 4741m<sup>3</sup>) in the overall built form on the site, with the majority of the site being replaced with hardstanding. This represents an 85% reduction in floorspace and an 83% reduction in volume according to the applicant's calculations. All existing buildings would be demolished and a single two storey building erected as office space for the staff. A fuelling station with fuel contained in an above ground fuel tank would also be present on site. This change would be unlikely to have a greater impact on the openness of the Green Belt than the existing development.

The significant incoming and outgoing traffic to and from the site and operation on a 24-hour basis however could potentially have a greater impact on the Green Belt than the existing use. Following pre-application discussions the applicant has proposed a reduction in the number of buses operating to and from the site from 69 to 63 buses. The applicant has stated that the bus depot would only ever be at fully capacity for a short period of time overnight as buses will be on their respective routes during the day and that the site will remain empty most of the day. The applicant has also stated that no maintenance of buses will occur on-site (this will take place at another location) however refuelling and cleaning of buses will take place on site. Despite this, overall the proposed development is likely to have a significantly greater impact on the openness of the Green Belt than the existing development largely due to the impact associated with the storing of 63 buses on the site. For this reason, very special circumstances need to be demonstrated which outweigh any potential harm to the Green Belt.

## Very special circumstances

NPPF paragraph 144 states that 'very special circumstances' (for inappropriate development) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

To satisfy paragraph 146 of the NPPF and also to demonstrate very special circumstances, the applicant must also demonstrate a requirement for a Green Belt location. This can be demonstrated in part by providing evidence of alternative sites that were considered and if they were not appropriate for this development, providing reasons as to why they were inappropriate and why the application site is the most appropriate. The applicant has stated that an extensive site search has been undertaken of suitable sites available within a suitable operating distance to the existing depot and that after contact with several commercial property agents and consideration of other sites, this application site is the only suitable site available at this time. The applicant has provided some reasons as to why the application site is an ideal site for their needs and why alternative sites they considered are not. This is set out in a submission document titled 'Alternative Site Assessments'. As stated above, the information provided is not considered to be detailed enough for Policy Officers to make a thorough assessment of the alternative sites, whether there are indeed a lack of alternative sites and to consider whether the application site is the most appropriate and suitable site. Further detail containing the information outlined in the 'Loss of residential units' section is required for Policy Officers to fully consider this issue and consider whether 'very special circumstances' exist.

The applicant has stated that the application site is well located both for existing staff who will be moving from the North Hyde Gardens bus depot and it is also well located in relation to the existing bus route network. The applicant has stated that the site is centrally located for access to all current routes, which limits the distance each bus must travel to start its route and therefore reduces emissions.

The applicant has stated that due to their lease expiring at the Abellio London Bus Depot at North Hyde Gardens, Hayes, the alternative site must be found in advance of their lease expiring.

The applicant has also stated that as the application site is a freehold site they will not be affected by lease expirations again and be at risk of needing to relocate. The applicant has also stated that ownership of the freehold site will allow them to invest in infrastructure which will help them move towards a zero emissions fleet.

The applicant has also stated that relocation of the North Hyde Gardens bus depot to a nearby site makes it easier to relocate existing employees to this site.

It is worth noting that TfL have also provided a letter in support of this site's use as a bus depot. Whilst not explicitly concluded by the applicant, it is clear that a new bus garage site is required to ensure the effective continuation of local bus services through the provision of essential supporting infrastructure. Without a suitable replacement location being found, there will be significant operational issues for the relevant bus operator which may impact on local services. As stated above the applicant has stated that they have not been able to identify other suitable sites with the relatively small geographical area within which the new facilities can be, without disrupting services. Whilst this may be the case, Policy Officers are requesting additional information as noted above to make their own assessment on whether the application site is the only and most appropriate site for location of the bus depot. If Officers are satisfied with the additional information to be provided, the need to support local sustainable transport infrastructure through the provision of a replacement bus garage on this site is afforded significant weight as a very special circumstance.

PLANNING OFFICER COMMENT:

Document reference 'Site Search Analysis' was submitted in response to the Planning Policy Officer's comments.

#### PLANNING POLICY OFFICER FOLLOW-UP:

The applicant has sufficiently demonstrated through the alternative sites assessment provided that the application site is the most suitable site when considered against their site requirements. The reasons for ruling the other sites presented in the document out are considered to be appropriate when assessed against the applicants search parameters.

#### CONSERVATION OFFICER:

1. Summary of comments: Moderate harm - amendments and conditions recommended

2. Historic Environment Designation(s)

- Locally Listed Building - Dawley Wall (Non-designated heritage asset)
- Adjacent to Grade II Registered Park and Garden - Stockley Park (NHLE: 1466074)

3. Assessment - background/ significance

The existing site had historically formed part of the historic Dawley Estate and early cartographic evidence shows the use of the land as an orchard. Overtime the land use altered. The 1846-1901 OS Map labels the site as a gravel pit, indicating the ground had been extracted in the latter part of the 19th century. Over the 20th century the site was developed for various uses including a pig-farm and more recently commercial uses.

Fronting onto Dawley Road is the Locally Listed Dawley wall, the only remaining, above ground structure relating to the Dawley Estate. It demarks the historic boundary of the estate and is a key local reminder of the area's history. The wall is an extensive structure and in some locations in a questionable condition, which is not aided by the differing owners along its length. Its preservation and enhancement is essential in ensuring it remains for future generations.

The wall has been altered in the past with a large access opening created just off-centre. This has split the wall into two sections, the section to the south- east of the opening comprises of 3 full bays and 2 altered half bays at either end. 4 brick piers define each bay. To the north-west of the opening 2 full bays make up the section of wall with 3 brick piers, however the pier adjacent to the existing opening has been poorly reinstated with inappropriate buff coloured brickwork. It is clear that the lower portion of the wall is significantly spalled. This is partly due to contaminants from the road being sprayed onto the wall by vehicles, particularly grit (salt) during winter months. However poor re-pointing works and inappropriate use of cement based mortars is likely to have also contributed to the damaged and weathered condition of the wall as a whole.

4. Assessment - impact

The proposal comprises of the demolition of the existing buildings and use of the site as a bus depot. The existing buildings appear to be of very little historic and/or architectural value therefore there would be no objection to their loss from a historic environment perspective. However, in order to facilitate the proposed use, significant works would be required to the Locally Listed boundary wall which fronts onto Dawley Road. This has been discussed in more detail below.

New building and use

The proposed new building would be 2-storeys in height. It would appear as a very basic, block modular built form. The uninspiring appearance of the building is somewhat disappointing and clearly



invokes the principle of function over form. The building would be visible from the road and would be significantly visible within the context and setting of the non-designated heritage asset. It is duly noted that the building is proposed to be finished in a brick to match the boundary wall which would mitigate against its presence. Details and sample of the proposed brickwork would need to be submitted. This shall be covered by way of a condition. There would be significant concerns in regard to the proposed section of white render to the building. This would result in a mix of 3 different materials (brickwork, timber cladding and render). The render is likely to poorly weather considering the building's proximity to the Dawley Road and proposed use of the site, ideally it would need to be omitted.

The proposed roof finish would comprise of a green roof. This would provide a much needed a green enhancement to the site and has the potential to contribute to the energy efficiency of the new building. However, it is important the green roof encourages biodiversity. Please see the Council's Landscape Architect's comments.

#### Part demolition of Locally Listed wall and reinstatement

The proposal would re-position the site access from Dawley Road more centrally along the street elevation. Therefore, works proposed would include the demolition of part of the existing historic wall. The demolition of the wall would further erode the authenticity of the wall, harming its significance as a non-designated heritage asset. The extent of demolition is not clear from the drawing as the existing elevation only depicts 3 brick piers to the south-eastern section of wall. Furthermore, the proposed elevation appears to move the existing brick pier further along the wall to the northwest altering the proportions of the original brick bay. The drawings would need to be amended.

The removal of the existing contrasting buff brickwork would be supported however, the extent of demolition to the existing wall need to be clarified. The structural survey of the wall would need to be submitted in order to ascertain whether the wall requires any structure intervention. If this application is to be determined positively, details as to how the retained section of wall will be supported during demolition works would need to be submitted, in order to safeguard the heritage asset. This shall be covered by way of a condition.

The reinstatement of the wall where the existing opening exists would be considered commendable. It is understood that the section of wall to be demolished shall be carefully carried out by hand in order for bricks to be salvaged and re-used as part of the reinstated wall. However, it is inevitable new bricks are likely to be required as duly noted within the submitted information. Therefore, further information relating to the new brick work would be required. A sample panel of the new brickwork would need to be constructed on site, inspected and approved in writing prior to full reinstatement works commencing. This shall be covered by way of a condition.

The reinstated wall would need to match the existing wall in terms of construction and bonding style.

Details of the footings to the wall would need to be confirmed. This shall be covered by way of a condition. If there are any remains of the original wall footings these would need to be retained, repaired and ideally re-used. Alternatively, the historic footings would need to be recorded and adequately protected prior to any new foundations being constructed above. The proposed 'Bucket handle joint' and proposed mortar mix would be considered in principle unacceptable. This has been discussed in more detail below.

No details have been submitted of the proposed new sliding entrance gate. In any instance the gate should not be attached to the historic wall. Further details would need to be submitted prior to the determination of this application. Alternatively a pre-commencement condition would be required.

Repairs to retained wall

The proposal to repair the damaged and spalled sections of the boundary wall would be supported however the extent of repairs to the retained wall comprising of re-pointing works and replacement brickwork would need to be confirmed. It would need to be clearly depicted on scale elevations of the walls. This shall be covered by way of a condition. Previous poor repairs would need to be rectified.

It is evident the wall requires repointing. The areas of defective pointing would need to be carefully raked out manually, ideally using hooked tools or masonry chisels. The depth raked out should be around twice the depth of the joint. As noted earlier, the proposed 'bucket handle' joint would be considered in principle unacceptable. The pointing style for the entire wall (retained and reinstated sections) would need to comprise of a flush joint which should be brushed down using a bristle brush, once the mortar is adequately set, to expose the aggregate.

The inclusion of cement within the proposed mortar mix would be considered in principle unacceptable. An entirely lime-based mortar mix would need to be used for the retained and reinstated sections of wall, to match the original lime mortar. A sample of the original lime mortar should be analysed to inform the best mortar mix ratio. Sample lime-based mortar mixes would need to be made up and inspected on site prior to approval. Details of the mortar mix ratio and proposed lime and sand products to be used would need to be confirmed. This shall be covered by way of a condition. The coarseness and colour of the sand would influence the texture of the mortar.

Any works which will involve the use of lime should be carried out by an experienced contractor. Works should not be carried out if there is a risk of the temperature dropping below 5°C. The wall would need to be adequately protected to prevent damage whilst curing.

A full schedule of repair works and methodology statement clearly setting out the re-pointing works in line with the comments above would need to be submitted. This shall be covered by way of a condition.

#### Side and rear site boundaries

The proposed site boundary treatment to the side and rear boundaries vary. The proposed use of paladin fencing would be deemed admissible in this instance. However, it would need to be finished in a dark green.

In summary the proposed demolition of the existing wall would inevitably harm the existing heritage asset resulting in moderate harm. However, an onbalance approach would need to be taken in this instance, considering the proposed repair works and reinstated section of wall. Paragraph 197 within the National Planning Policy Framework (NPPF, 2019) would need to be considered in this instance

5. Conclusion: Moderate harm to non-designated heritage asset - further information would be required in relation to works to the wall. If not provided up front it would need to be covered by way of a conditions.

Amendments recommended.

#### 6. Conditions

##### Safeguarding existing wall

Prior to commencement of development, details as to how the retained sections of the Locally Listed walls will be adequately protected and supported during demolition works would need to be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the

approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1 and 3 (Part 2, January 2020)

Brickwork (reinstated boundary wall and repair works)

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, a sample and product and manufacturer details of new brickwork shall be submitted to and approved in writing by the Local Planning Authority. A sample panel of the brick work shall be constructed on site and made available for inspection by a Local Planning Authority. Works shall be carried out in accordance to the approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1 and 3 (Part 2, January 2020)

Footings

Prior to the construction of the reinstated section of the front brick boundary wall, details of the proposed footings shall be submitted to and approved in writing by the Local Planning Authority. If any remains of the original historic footing are found during works, the Local Planning Authority shall be notified in writing. The footings shall be recorded and retained in situ if they cannot be reused as part of the new structure. The record shall be submitted to the Local Planning Authority. Works shall be carried out in accordance to the approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1 and 3 (Part 2, January 2020)

Extent of repair works

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, appropriately scaled elevations of the retained sections of wall detailing the extent of repair works required, including re-pointing and replacement brickwork, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1 and 3 (Part 2, January 2020)

Schedule of works and methodology statement

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, a detailed schedule of repairs works and a methodology statement for lime mortar pointing works, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance to the approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1 and 3 (Part 2, January 2020)

## Lime mortar

Prior to the construction of the reinstated section of the front brick boundary wall and/or repairs works to the retained sections of wall, samples and details of the lime-based mortar mix shall be submitted to and approved in writing by the Local Planning Authority. Samples shall be inspected on site. Details would need to include mortar mix ratios and the lime and sand product information. Works shall be carried out in accordance to the approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1 and 3 (Part 2, January 2020)

## External materials (new building)

Prior to construction of the new building above ground level, a sample and product and manufacturer details of the external brickwork and timber claddings shall be submitted to and approved in writing by the Local Planning Authority. The samples shall be made available on site for inspection. Works shall be carried out in accordance to the approved details.

Reason: To safeguard the character and appearance of the surrounding environment and setting of the Locally Listed Building in accordance with Local Plan policies HE1 (Part 1 adopted November 2012) and DMHB 1, 3 and 11 (Part 2, January 2020)

## INFORMATIVES:

1. Lime based products (lime mortar, renders and lime washes) should not be used when temperatures are liable to fall below 5°C (41°F) for several weeks/months after application.
2. Following repair and reinstatement works the wall would need to be adequately protected, particularly if there is a risk of low temperatures or any other adverse weather conditions to prevent damage. However, air must still be able to circulate to ensure effective curing of the lime mortar.

## TREES AND LANDSCAPING OFFICER:

This site is occupied by 11 buildings, randomly arranged and discretely hidden behind high brick walls - with the historic Dawley Wall defining the front boundary. Situated on the south-west side of Dawley Road, the north and west boundaries back onto Stockley Park Golf Club part of the Stockley Park Phases 1 and 2, recently listed Grade II by Historic England. A builders merchant, Lords, occupies the adjacent site to the south. The front boundary is opposite the north-west corner of Lake Farm public open space and close to the junction with Dawley Common Road.

There are no TPO's or Conservation Area designations affecting the site and no vegetation within it, although there is off-site woodland along the north and west boundary walls, which contributes to the local environmental quality - and visual amenity. (There is a TPO protecting a tree within the builders merchant site, however, this will not be affected by the proposal).

The site lies within the Green Belt, a designation which seeks to retain openness and control urban sprawl.

## Comment:

This site was the subject of a pre-application submission ref. 3886/PRC/2020/143.

A tree report, by Patrick Stileman, has identified three individual trees, one of which is an off-site field maple in the south-west, which will be unaffected by the proposal. The most significant landscape

feature is the hornbeam hedge, or shelter belt planted along the north and west boundaries, on the edge of the golf course, G1 and G2 on the tree survey plan.

The hedge oversails this site and will need to be cut back to prevent snagging / accidental damage, due to the construction of the proposed building, the installation of a new boundary fence and the proposed coach parking / manoeuvring.

The tree protection plan and arboricultural method statement confirms that any trimming back will be overseen by the tree consultant. He will also oversee the construction of the new boundary fence along these boundaries.

Hornbeam is a robust native species and lends itself to being trimmed / managed as a hedge. There is no objection to the proposal providing that the work is carried out in strict accordance with the specification and arboricultural supervision. The long -term protection of this vegetation screen will also be subject to regular trimming to control the lateral growth. A management / maintenance plan should be conditioned.

The D&AS and Heritage Statement (section 6.0) confirms that the only landscape / environmental enhancement will be in the form of a green / biodiverse roof of the new building and a 'modest' amount of soft landscape in front of the Dawley Road boundary wall.

The two-storey building will be visible above the wall, as will any larger / double- decker buses.

Lighting is proposed on a plan by DW Windsor, ref. 20-15481-1B, which specifies the introduction of 7 x 8 metre high columns around the site perimeter. The luminaires and LED's should be specified to ensure that light pollution is avoided and the light directed only where required. LED's should be on the warm spectrum to minimise any impact on wildlife, notably nocturnal insects, birds and bats.

A preliminary ecological appraisal has been prepared by The Ecology Consultancy. Recommendations are made in section 4.0, which specify further survey requirements in Table 4.1.

At 4.17 and 4.18 it is recommended that the green roof should provide biodiverse benefits and / or be a biosolar roof (that is to say not merely a sedum roof). It is also recommended that (ground level) planting is designed incorporating species of recognised value to wildlife. The installation of bird boxes is recommended.

Section 11.0 of the D&AS refers to alterations / refurbishment of the front wall. This is thought to be a part of the listed Dawley Wall and details of brick, mortar and bond matching will be required. - Please refer to the Conservation specialists.

Recommendation:

The Construction Method Statement makes no reference to the tree protection and arboricultural method statement (including arb. supervision). This should be recognised, within the CMS.

The details of the green roof , ground level planting and other ecology recommendations should be integrated into the landscape proposals.

No objection subject to the above comments and conditions COM9 (parts 1,2,3,4,5 and 6).

FLOOD AND WATER MANAGEMENT OFFICER:

The applicants have submitted an FRA and Drainage Strategy for the site produced by Curtins dated October 2020.

The proposals indicate that surface water drainage previously did not discharge to the Thames Water Network and therefore this water did not previously add to the wider catchment increasing the risk to the area. Further confirmation from Thames Water on the capacity of the wider network needs to be submitted.

For a site of this size 1ls is more appropriate than the 3ls indicated. Details of the calculations in accordance with the London SW proforma should be provided to justify the size and discharge rate of any storage provided.

Opportunities for SuDs even where infiltration is not possible should be included. Multiple solutions to increase the filtration potential across the site before it enters the Thames Water sewers. Such as permeable paving for car parking and or more extensive area at the front of the site to provide SuDs and landscaping to screen the site as well as integrate drainage.

Water reuse and capture for the proposed buildings and or Living and Green Roof.

The proposed interceptors are entirely dependant on regular maintenance and detailed management and maintenance plan is required.

Insufficient details has been provided to show a suitable sustainable system can and will be implemented.

#### PLANNING OFFICER COMMENT:

The Sustainable Drainage Proforma was submitted in response to the Flood and Water Management Officer's comments. The applicant also confirmed that:

- Thames Water have confirmed suitability to discharge at an agreed rate of 3l/s.
- As part of ground investigations made, ground was found at varying depths across the development. Perched groundwater was found at shallow depths with hydrocarbon contamination also found within trial pits across the development. Infiltration is therefore confirmed as unsuitable.
- A green roof is also proposed as part of the office building and the detail would be secured by condition.
- A detailed management and maintenance plan can be secured by condition if recommended for approval.

#### ACCESS OFFICER:

The proposed new bus depot would be for the parking, refuelling and cleaning of 63 double-decker buses. A new building consisting of mess and toilet facilities, as well as a training/meeting room for drivers, is also proposed for this site.

In assessing this application, reference is made to the 2016 London Plan and its contained policies 3.1 and 7.2. Reference is also made to the 2019 (Intend to Publish) London Plan and policies D5 and D12 contained within. In assessing and determining development proposals, it is incumbent upon the Council as part of its Equality Act 2010, Public Sector Duty, to ensure that full access for disabled people is considered and achieved the standard required.

Whilst the purpose of the intended development is acknowledged, there is nonetheless every likelihood that wheelchair user could need to access the building and utilise the office and training facilities intended on the first floor. The first floor would provide unique facilities to those provided on the ground floor, and must therefore be accessible to wheelchair users via the provision of a passenger lift that meets the technical specifications set out in Approved Document M.

In addition, it should not be assumed that persons protected under the Equality Act 2010 could not

be a bus driver or deliver training to bus drivers. There are many older and ambulant disabled people capable of driving a standard, unadapted, vehicle, but who would find climbing a staircase difficult or impossible.

Finally, the proposal should also consider the evacuation needs of disabled people in accordance with policy D5 and D12 as set out in the 2019 London Plan. Given that the plan as presented does not include lift access to the first floor, an accessibility objection is raised.

Conclusion: unacceptable. A revised plan that includes lift access to the first floor should be submitted prior to any planning approval.

**PLANNING OFFICER COMMENT:**

If recommended for approval, a condition would be attached to ensure that the lift is provided prior to the occupation of the building.

**WASTE STRATEGY OFFICER:**

Acceptable for waste and recycling requirements.

**NOISE CONSULTANT:**

Rather than revise the NIA, we would recommend the preparation of a Noise Management Plan to outline how sound levels from the operation of the site will be kept to a practicable minimum. It should include details of the control measures associated with the bus wash to meet the requirements of the Noise SPD.

According, if LBH is mindful to grant permission, a condition along the lines of the following is recommended:

- A Noise Management Plan shall be submitted to, and approved by, LBH, and thereafter maintained and regularly audited. It shall include details of the physical and management measures to be taken to minimise as far as reasonably practicable noise from the operation of the site at the nearest residential receptors. Where any arrangements deviate from those within the Noise Impact Assessment (NIA/9359/20/9350/v2/Dawley Road, Bus Depot), including in terms of the 3 m acoustic screening to the northern boundary and the 6 m screening to the bus wash, or where the rating level(s) in accordance with BS 4142 would not be at least 5 dB below the relevant background sound level, justification should be provided. Details to be included of how such screening is to be maintained for the operational life of the development.

There is no mention of building services plant associated with the development, for example any air-handling plant that may be associated with the proposed office/welfare building on site. There is perhaps limited chance of a noise impact at the nearest dwellings; however, you may wish to include a condition or "Applicant Note" requiring an application is submitted should such plant be required.

**PLANNING OFFICER COMMENT:**

A Noise Mitigation Plan (Dated January 2021) was submitted in response to the Noise Consultants comments.

**NOISE CONSULTANT FOLLOW-UP:**

We recommended the preparation of a Noise Management Plan to outline how sound levels from the operation of the site will be kept to a practicable minimum. We suggested that it should be

maintained and regularly audited, and include details of the following:

- details of the physical and management measures to be taken to minimise as far as reasonably practicable noise from the operation of the site at the nearest residential receptors;
- the control measures associated with the bus wash to meet the requirements of the Noise SPD; and
- how the screening is to be maintained for the operational life of the development.

The Proposed Noise Mitigation Plan has been prepared by Janus Architecture, dated January 2021. It is four pages in length, including the cover page, and includes the following sections:

- Site Noise Mitigation Measures
- Instruction for Duty Management
- Instructions for Drivers
- Instructions for General Staff

In addition to physical measures proposed in the Noise Impact Assessment, therefore, the Plan includes a range of management measures, which are considered appropriate and reasonable.

The only additional information we would like to have seen is regarding the maintenance of the acoustic screening and the regular review/auditing of the Plan.

Ideally, we would recommend that the Plan is updated to include details of the acoustic screening maintenance and the Plan's regular review. Notwithstanding this, if LBH is mindful to grant permission, LBH may wish to include a condition referring to the Plan and its use for the duration of the development, unless agreed otherwise.

#### CONTAMINATED LAND OFFICER:

##### 1 Summary of Comments:

I have reviewed the following document:

Title: Abellio Bus Depot, Dawley Road Phase 1 Preliminary Site Assessment; Ref: 076625-CUR-00-XX-RP-GE-001 (Revision); Date: 11 August 2020; Prepared by Curtins Consulting Limited.

The report provides details of a comprehensive Phase 1 study which includes a site walkover, a Preliminary Risk Assessment (PRA) and an initial Conceptual Site Model (CSM).

The findings of the study indicate the site has a history of contaminative uses including forming part of a gravel pit, an orchard, an infilled pond; and a pig farm. The site is currently derelict with 12 unoccupied light industrial units present.

The potential risks to identified receptors are classified as low to medium, on that basis the report recommends that further works are required to more precisely characterise the site.

It is therefore recommended that the following conditions are imposed if planning permission is awarded:

Proposed conditions for land affected by contamination.

- (i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (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 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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase 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.

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 Hillingdon Local Plan: Part 2 (January 2020) Policies - DME1 11: Protection of Ground Water Resources and DME1 12: Development of Land Affected by Contamination.

2 Observations:

It is understood the proposed works would be conducted in two phases.

The site is reported to be underlain by gravels which are classified as Principal and Secondary A aquifers.

The report recommends undertaking:

- i) An intrusive ground investigation to support civil and structural design; and
- ii) A Generic Quantitative Risk Assessment (GQRA) for human health, controlled waters and ground gases.

The report also outlines a possibility that animal carcasses may be present (originating from the former pig farming activities); if proven during investigation and/or ground works then the Animal Plant and Health Agency should be consulted accordingly.

PLANNING SPECIALISTS MANAGER (REGARDING ECOLOGY):

In summary the breeding bird condition and the bat condition are not necessary.

## Bats

Typically bat information should be provided with the application to support an initial decision. However, based on current practices information on bats (specifically survey data) is only necessary if there is a reasonable prospect of bats being present. The Council also has to give regard to the derogation tests set out in the Habitat Regulations and ultimately determine whether a licence is likely to be forthcoming.

In this instance the ecology information presented provides no resolution that bats are reasonably likely to be present on site. The highest classification given for the buildings on site is deemed 'low potential' for building B7. The ecologist has recommended further surveys but for the planning authority's decision this information is not necessary due to the very low risk associated with the site. In other words, a positive determination on this proposal would present an unlikely impact on bats.

Safeguards are put in place through conservation regulations which will require the developer to undertake further due diligence prior to commencement of work.

The condition for further surveys and method statements is therefore not necessary as these matters would be controlled through separate legislation and wildlife protection laws.

## Breeding Birds

Similar to the above. A condition would simply mirror legislation that already exists. It is a criminal offence to knowingly disturb breeding birds and therefore the development would be advised to engage an ecologist prior to works being undertaken to ensure they do not fall foul of wildlife protection laws and to ensure the protection of breeding birds.

## Ecology enhancement

The condition as worded is supported.

## AIR QUALITY OFFICER:

### 1 Summary of Comments

The proposed development is located within the LBH Air Quality Management Area and will affect Focus Areas, namely the Hays Focus Area. As per the Published London Plan (December 2020), developments need to be neutral as minimum and air quality positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

There is no guidance on benchmarks for Bus depots operation. Therefore, a proxy was used to ascertain the nature of the proposal in terms of emissions to local environment from a sustainable perspective.

Using B1 as a proxy to benchmark transport emissions for the use proposed, and using trip generation rates reported in the Transport Assessment submitted to support the application, the proposed development is not air quality neutral for transport emissions.

LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely within the declared AQMA and Focus Areas. Furthermore, policy DME1 14 of the London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the

Air Quality Management Area. Finally, the Publication London Plan (December 2020) requires development to be air quality positive specially within focus areas, actively contributing to reduce pollutant emissions to the atmosphere.

#### Assessment of Mitigation Level Required, Damage Cost and Mitigation Measures

The level of mitigation required associated with the transport emissions resulting from the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The total level of mitigation required to the proposed development for traffic emissions is £96,416. This is calculated assuming the bus trip generation (80 AADT) reported in the Transport Assessment and TFL's schedule for the bus fleet renewal from 2021 to 2030 submitted by the Applicant, as well as 43 cars associated with the relevant parking spaces (from a total of 45 car parking spaces to be provided on-site minus 1 EV bay and 1 disabled bay) for staff associated with the proposal. In this context, it is noted the following:

- 1) It is recognised that the movement of the bus depot from a more polluted part of the Hayes Air Quality Focus Area brings a benefit to the Air Quality Focus Area zone where it is currently situated.
- 2) It is also acknowledged that the majority of the bus journeys are already on the local network operating out of the current Hayes depot.
- 3) Whereas:
  - a) The provision of the Bus Upgrade Plan has shown that by 2030 the associated bus fleet will be 100% electric; this is in a phased approach with 9% movement to electric 2021-2026 with the majority planned from 2027 to 2030; and
  - b) Given the above the operation of the buses, in terms of the emissions, have a clear mitigation path the vast majority of the emissions benefit will not be realised until post 2027.
- 4) Therefore, the LPA needs to ensure that the development does not just move emissions from one place to another and create another air quality hotspot. All development must be at least air quality neutral and given its close proximity, in terms of the routes used, the buses will travel through the Hayes Air Quality Focus Area. On this basis the damage costs associated with the emissions arising from the operation of the development have been calculated. The damage cost calculation provide a means of describing the impact a development will have in terms of air pollution emissions it generates as well as providing a basis for the requirement for mitigation.
- 5) Bus depots, by nature, will have high emissions on cold start with idling time that may be significant. Therefore, as developments can still have significant local impacts that are not captured by Air Quality Neutral calculations, for example by concentrating emissions, it is still important for these impacts to be assessed and mitigated.

Mitigation measures proposed are usually evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied.

Taking into account the bus upgrade mitigation plan provided, the efficiency of the implementation of the Travel Plan, the Green Roof proposed, and the nature of the proposal itself which provides a modal shift alternative to the use of private vehicles, a total flat rate discount has been applied to the mitigation level required.

Given the nature of the proposal, the following flat rate deductions were applied: Travel Plan (15%), Green Sustainable Measures (5%), Contribution to Long Term Strategic Multi-Modal Shift (20%). Once these reductions were applied, the resulting total level of mitigation required is £57,850.

Therefore, additional mitigation options need to be considered and applied, to further abate

emissions and or reduce public exposure to transport emissions. These extra measures can be deployed off-site, secured via a condition and include the following:

- a) Provision of fast charging bays for staff;
- b) Adoption and publication of an enforced No idling policy in terms of bus on-site emissions;
- c) A green roof has been suggested on-site. It is noted there is also an Acoustic barrier of 3m, could this be considered for the inclusion of green infrastructure to provide a green wall, or if not possible onsite provide a contribution to the provision of green barriers at sensitive receptors alongside the bus routes through the nearby Hayes AQFAs (e.g. along schools at sensitive / congested locations).

These measures are to be agreed and secured via a Condition or a bond. Assuming these measures are implemented, a further flat rate discount can be offered (40%), with a residual value to be paid to the LA through a section 106 agreement of £19,283 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 reduce human exposure to pollution levels.

## 2 Reason for Refusal (if objecting)

N/A

## 3 Observations

In addition, a construction Air Quality condition is required to manage construction emissions as required by the Mayor of London. See text below.

### Conditions - Reducing Emissions from Demolition and Construction

A No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

Reason: Compliance with London Plan Policy 7.14 and in accordance with Mayor of London "The Non-road mobile machinery (standard condition recommended by Mayor of London, London Local Air Quality Management Policy Guidance 2019)

B All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: Compliance with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy

## Context

The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Areas. Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. This is supported by:

Local Plan Part 2 Policy DME1 14

- A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards 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 continued improvement of air quality, especially within the Air Quality Management Area.

In addition, proposals need to comply with LBH Local Action Plan.

#### HIGHWAYS OFFICER:

When highway comments were first submitted for this application on 3rd November 2020, it was proposed that the site would be used to park 63no. buses overnight. The Highway Authority raised objections to the proposal as there were concerns that there would not be enough room on-site for buses to manoeuvre safely and conveniently. This would potentially stop buses from entering the site leaving them queueing on Dawley Road impeding the free flow of traffic and presenting a risk to road safety. This matter was raised with the applicant who in response made changes to the proposal which were presented in a revised Transport Assessment, 28th January 2021. The key change being that the number of buses that would operate from the site has been reduced to a maximum of 56no. The revised Transport Assessment also mentions that even if planning permission is approved, the site could not operate as a bus depot unless the Traffic Commissioner issues a Passenger Carrying Vehicle licence. This licence is only granted if the Traffic Commissioner is completely satisfied that the site can safely be used as a bus depot, matters taken into account include the time of the first bus 'run out' and last 'run in', how many buses the depot would hold and arrangements for staff parking.

The Highway Authorities revised comments are as follows.

Planning permission is sought by the bus operator Abellio to use a site located on the western side of Dawley Road, Botwell (A437) as bus depot with new office/welfare building, bus wash and fuelling facilities. The applicant currently uses a site at North Hyde Gardens, Hayes. This site employs 93no. members of staff and caters for 43no. buses.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best.

According to the Transport for London WebCAT service the current site along North Hyde Gardens application site has a PTAL ranking of 1b indicating access to public transport is poor compared to London as a whole suggesting that there will be a strong reliance on the private car for trip making. The applications site however has a PTAL ranking of 2 indicating that it is more accessible by public transport than the existing site albeit only marginally. A staff travel survey carried out at the existing site showed that 50% of members of staff travelled to work by car, 38% walked, 11% cycled and 1% walked.

The application site is situated immediately south of the junction with Botwell Common Road and c.100 metres south from the mini-roundabout junction with Princes Park Lane. The site area is c.3,900 square metres in area - the equivalent size of 6no. tennis courts. There is a ghost island provided to cater from northbound traffic turning right into Botwell Common Road. This includes an island/pedestrian refuge on its approach northbound to protect vehicles waiting to turn right. The existing access into the site is via a vehicle crossover 8 metres in width, there is no formal bellmouth or road markings. Immediately neighbouring the site on the southern side is a builder's

merchants, this business also takes access off Dawley Road.

Dawley Road forms part of the Council's classified route network and benefits from one lane working in each direction, there is street lighting and footways on either side of the carriageway. The footway opposite the application site, on the eastern side of Dawley Road is set back from the highway by a wide grass verge. However, the footway on the western side north of the site entrance is narrow with a locally listed brick wall behind. There is a large amount of overgrown vegetation that reduces the width of the footway leading to the build-up of leaves, litter and detritus material on the footway surface, detracting from the walking environment. The narrow width of this footway places pedestrians in a vulnerable situation as they are walking close to passing traffic. Single yellow line parking restrictions have been provided in the vicinity of the sites which prohibits parking and loading between 07:00h and 10:00h Monday to Saturday.

The primary use of the depot would be for the parking of buses overnight. The site would have capacity to accommodate 56no. buses. The site would be operational 24 hours a day, the only day the site would not be in use would be Christmas day.

The applicant reports that the existing employees from Abellio's current site at North Hyde Gardens would initially be relocated to the Dawley Road site, although when fully operational this figure would increase to 179no., comprising 168no. bus drivers, 5no. office staff and 6no. cleaners. The bus drivers would work five days out of seven over three shifts per day, therefore only 56no. would be working at any given time during the day.

The depot would have 12no. dedicated parking spaces always available of which 1no. would be for disabled users and 1no. would be provided with an electric vehicle charging point. When all the buses are out in service, the supply of parking spaces would increase by 33no. giving a total of 45no. This represents a ratio of 0.8 spaces per staff member on site. The applicant contends this is sufficient on the basis that 50% of staff are anticipated to commute via car. There would be covered and secure parking for 40no. cycles.

As mentioned above the original proposal was to park up to 63no. buses at the proposal site, this has now been reduced to 56no. This reduction now allows buses to manoeuvre more safely and more easily around the site. The applicant has provided tracking drawings that confirm this is possible. The buses would be parked by a designated shunter - a member of staff whose sole job it is just to park buses. All bus and staff car parking space would be formally marked out. All buses entering the site would have their exterior cleaned using a drive-thru facility.

The applicant reports that no maintenance will take place at the depot, buses will only be refuelled and cleaned. There would be 3no. fuel deliveries per week as well as refuse collections, details regarding the frequency of refuse collection have not been provided. The applicant confirms that all fuel delivery and refuse trips will take place outside the AM and PM peaks. The Highway Authority require that a Service and Delivery Plan is submitted for approval, this should be secured by a planning permission.

To facilitate the proposal, the proposed site access would comprise a 10.5m wide bellmouth junction with Dawley Road provided with a 4.0m junction radii which would be suitable for bus traffic. The proposed site access is to be located 8m to the east of the current site access to improve sight lines, with these changes the standards set out in Manual for Street are achieved. It is noted that this will require the locally listed wall that forms the site boundary with Harlington Road to be partially rebuilt.

The applicant has provided tables setting out the times of day that all 56no. buses would leave 'run out' and 'run in' return to the site. Each morning, the first group of buses, 6no. in total, would leave the site at hour commencing 03:00h and the last group of 3no. would leave the site hour

commencing 08:00h. The busiest period would be between hours commencing 04:00h and 06:00h when 39no. buses would leave, within this period the busiest hour would be hour commencing 05:00h when 15no. buses would depart.

Two buses would arrive back at the depot between 09:00h and 19:00h, however it would not be until hour commencing 19:00h that the remainder of the fleet would start to return. Between hours commencing 19:00h and 21:00h and 19no. buses would return. Late at night, between hour commencing 00:00h and 01:00h 19no. buses would return. All 56no. buses would be at the site by 02:00h. The Highway Authority is satisfied that the profile of these movements would not present a risk to road safety or impede the free flow of traffic as almost all these movements are outside the AM and PM network peak hours.

A tracking drawing have been provided by the applicant that shows a 10.4-meter double decker bus turning left 'out' and left 'in'. This same plan also shows buses circulating within the site anti-clockwise. When a bus turns left out the tracking indicates that a bus would cross the centre line encroaching into the lane used by traffic travelling in the opposite direction. This is not an uncommon, larger vehicles inevitably pass over the centre line when turning. This not considered to present a road safety risk as this will be taking place at night and very early in the morning when background traffic flows are low. Furthermore, buses are conspicuous and car drivers would have good forward sight lines. Vehicles are also likely to be travelling at low speed given they will have just passed the mini-roundabout junction of Dawley Road/Princess Park Road. The left turn in does not raise any issues. However, when buses are manoeuvring within the site it appears that the end bus on the third line of parked buses would be clipped by bus circulating anti-clockwise. This could be overcome by moving this line of buses slightly further forward towards the site access. This requirement should be secured by a planning condition.

The Highway Authority is concerned that pedestrians will be in a vulnerable situation walking to and from the office block and not therefore in accordance with Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts - road safety. To address these concerns the Highway Authority, require that the applicant provides a clearly marked out pedestrian walkway from the footway along Dawley Road to the office block. This should be secured by a planning condition; the applicant is required to submit plans showing this walkway for approval.

So that the proposal would be in accordance with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts - road safety and Policy DMT 2: Highway Impacts - traffic congestion the Highway Authority require a planning condition that prohibits buses leaving the site between 07:00h and 09:00 other than in the number set out above. This is to minimise conflict between southbound traffic using Dawley Road and buses turning left out when traffic flows are at the highest.

As mentioned above most of the bus movements to and from the site would take place very early in the morning or late at night, avoiding the network AM and PM peaks. On the basis there would be 3no. shifts per day, with 56no. members of staff present on each shift there would be 168no. driver trips to and from the site. Based on the modal split of the existing site half of these could be expected to drive to work, as they would be making a return trip the number of staff vehicle trips generated would be 168no. This volume of trips is considered insignificant and could be absorbed by the surrounding highway network.

The Highway Authority require that Travel Plan is produced and submitted for approval. This should contain include a target for a 50% modal share of travelling to this site by walking, cycling and public transport. As surety that the Travel Plan will be implemented and targets achieved, the Highway Authority requires that the developer provides a £20,000 bond. In the event of the Travel Plan not being delivered the Highway Authority will use this bond to implement the Travel Plan itself. This

should be secured by way of a s.106 agreement. If the Travel Plan is successful, the bond will be returned. The Travel Plan should be drafted in accordance with the Guidance produced by TfL. The required to produce and implement a Travel Plan should be secured by a planning condition.

A Construction Logistics Plan has been submitted alongside the Planning Application, this has been assessed and would be considered acceptable if it includes an undertaking that Freight Operators Recognition Scheme (FORS) Silver standard must be held by drivers of vehicle visiting the development. The Construction Logistics Plan must also require that all reasonable endeavours are taken to ensure that only construction vehicles with Class VI mirrors and the highest category of Direct Vision Standard visit the site. Construction or delivery vehicles must not be parked on any street within the proximity of site. There should also be an undertaking that construction vehicles would not wait or idle run in the area, this is to stop vehicles impeding the free flow of traffic and to reduce vehicle emissions. During the construction period a traffic marshal or banks man should be provided to guide construction vehicles in and out of the site. An amended Construction Logistics Plan with these revisions should be secured by planning condition.

As mentioned above, the applicant reports that just 50% of staff would drive to work. In order to provide assurances that this modal split would be achieved, the Highway Authority requires a developers contribution that would be used for investment in measures that would encourage and enable staff and visitors to travel to the proposal site by means other than the driver only private car.

This contribution should be secured by way for a s.106 legal agreement of the 1990 Town & Country Planning Act.

Footway works on the western side of Dawley Road between the Cottage in the Wall site and Princes Park Lane. Total £24,109

This contribution would be used to cut back the vegetation that has overgrown the footway on the western side of Dawley Road between the Cottage in the Wall entrance and the mini- roundabout at Princes Park Lane and repair and resurface the footway. The existing informal crossing would be improved with the provision of dropped kerbs, tactile paving, and new beacons. The desire line on the eastern side of the crossing would be surfaced and tie in with the existing footway. A further benefit of these works would be that they expose the locally listed wall and stop it from being further damaged by the overgrown vegetation. These footway works would improve pedestrian access to bus stops along Botwell Common Road as well as the shopping parade along Dawley Road just north of Princes Park Lane.

Shared use footway between Botwell Common Road and the Woolpack public house. Total £88,684

As mentioned above on the eastern side of Dawley Road is a footway set back some distance from the main carriageway by a wide grass verge. To improve the safety and convenience of staff and visitors cycling and walking to the proposal site a further contribution is required widen this footway to 3 meters thereby creating a shared use footway for both pedestrian and cyclists to use.

New Bus Shelter. Total £20,000

Provide a new bus shelter at the northbound Bollingbroke Way bus stop.

Botwell Common Road advisory on-street cycle lanes. Total £7000

Provide on-street advisory cycle lane markings in either direction along Botwell Common Road in between Dawley Road and Botwell Lane.

Subject to all the above the Highway Authority is satisfied that the proposal would not present a risk to road safety, hinder the free flow of traffic, or lead to parking stress. It is therefore in accordance



with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts - road safety, Policy DMT 2: Highway Impacts - traffic congestion and Policy DMT 6: Vehicle Parking - parking stress. There are no highway objections to this proposal.

#### PLANNING OFFICER COMMENT:

Following a re-costing exercise which amends the shared footway proposals between Botwell Common Road and the Woolpack Public House from a 3 metre wide reconstruction to a 2.5 metre overlay, the revised figure has been confirmed as £59,116. Although the 3 metre wide reconstruction option is preferable, the 2.5 metre wide overlay solution is considered to be sufficient for its purpose and is considered to be a cost which meets the tests stated under paragraph 56 of the NPPF (February 2019).

Also, following consultation with TfL, the requested amount for a new bus stop for Bollingbroke Way is increased from £20,000 to £30,000. The applicants have agreed all obligations requested.

## **7. MAIN PLANNING ISSUES**

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

#### LOSS OF RESIDENTIAL

The proposed development involves the loss of residential units including 2 x 2 bed flats which were converted from the Cottage in the Wall house, and a 3 bed bungalow. The conversion of The Cottage in the Wall has taken place without planning permission as has the construction of the 3 bed bungalow.

Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) seeks to resist the loss of self-contained housing. Paragraph 4.5 of the supporting text however states that "The Council recognises that exceptional circumstances may exist which outweigh the loss of residential units and deliver other Local Plan policy objectives. Each case for exceptional circumstances will be assessed on its merits."

The delivery of essential local transport infrastructure and the availability of sites to deliver this use is a key consideration and a case of exceptional circumstances. The existing location of the residential units immediately adjacent to industrial uses is also a poor location for residential units due to the impact on their amenity and therefore the loss of these 3 residential properties, built without planning permission is considered to be acceptable given the exceptional circumstances of needing to provide a new bus depot facility.

#### NON-DESIGNATED INDUSTRIAL LAND

The application site is considered to constitute Non-Designated Industrial Land. Policy DME 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals which involve the loss of employment floorspace or land outside of designated employment areas will normally be permitted if:

- i) the existing use negatively impacts on local amenity, through disturbance to neighbours, visual intrusion or has an adverse impact on the character of the area; or
- ii) the site is unsuitable for employment reuse or development because of its size, shape, location, or unsuitability of access; or
- iii) Sufficient evidence has been provided to demonstrate there is no realistic prospect of land being reused for employment purposes; or
- iv) The new use will not adversely affect the functioning of any adjoining employment land;

or

v) The proposed use relates to a specific land use allocation or designation identified elsewhere in the plan.

In terms of floorspace, the proposed development would be removing approximately 1606 square metres of b1(c) light industrial use (now Use Class E) and providing 238 square metres for the purposes of a bus depot (Sui Generis), a net loss of 1368 square metres. The proposal would not technically result in the loss of industrial land however, as the proposed use will continue to provide industrial land in accordance with Policy E4 of the Publication London Plan (December 2020) which states that:

"A sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained...This should make provision for the varied operational requirements of:...land for sustainable transport functions including intermodal freight interchanges, rail and bus infrastructure"

Given the above considerations, the proposed use of the site as a bus depot is considered acceptable in principle, subject to other planning policy considerations.

## EMPLOYMENT

The existing employees from Abellio's current site will be moved to the application site. When at full capacity, the Planning Statement states that the site will accommodate approximately 180 employees, comprising 189 bus drivers, five office staff and six cleaners. In order to fulfill the requirements of Policy 4.12 of the London Plan (March 2016) and Policy E11 of the Publication London Plan (December 2020), the applicant is required to guarantee that local residents benefit through jobs and training. If recommended for approval, this would be secured by a Section 106 legal agreement.

### **7.02 Density of the proposed development**

Not relevant to the consideration of this application.

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

## ARCHAEOLOGY

Not relevant to the consideration of this application.

## CONSERVATION AREA OR AREA OF SPECIAL LOCAL CHARACTER

Not relevant to the consideration of this application.

## NON-DESIGNATED HERITAGE ASSET

The existing buildings located on-site are considered to be of very little historic and/or architectural value and there is no objection to their loss from a historic environment perspective.

Fronting onto Dawley Road is the Locally Listed Dawley Wall. This is considered to be 'non-designated heritage asset', requiring consideration of paragraph 197 of the National Planning Policy Framework (NPPF) (February 2019). This states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard

to the scale of any harm or loss and the significance of the heritage asset.'

Policy DMHB 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) There is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications, including those for major alterations and extensions. Proposals will be permitted where they retain the significance, appearance, character or setting of a Locally Listed Building.

B) Applications should include a Heritage Statement that demonstrates a clear understanding of the importance of the structure and the impact of the proposals on the significance of the Locally Listed Building.

C) Replacement will only be considered if it can be demonstrated that the community benefits of such a proposal significantly outweigh those of retaining the Locally Listed Building.

The above is supported by Policy 7.8 of the London Plan (March 2016) and Policy HC1 of the Publication London Plan (December 2020).

As stated by the Council's Conservation Officer, the Locally Listed Dawley Wall is the only remaining above ground structure relating to the Dawley Estate. It demarks the historic boundary of the estate and is a key local reminder of the area's history. The wall is an extensive structure which is in a poor condition in some locations.

In order to facilitate the proposed use, significant works would be required to the Locally Listed Dawley Wall. Specifically, the proposed development would re-position the site access from Dawley Road more centrally along the street elevation. The demolition of the wall would further erode the authenticity of the wall, harming its significance as a non-designated heritage asset.

It is proposed that the walls are rebuilt to a height and thickness of the existing wall. A percentage of the existing bricks have been weather damaged so not all the existing bricks will be saved. To the north of the existing entrance, a proportion of the existing wall will also need to be removed including the poor-quality repairs that are currently on the wall. If recommended for approval, further information relating to the new and repaired brick work will be secured by condition in line with the Council's Conservation Officer comments.

It is understood that a sliding entrance gate is proposed. This should not be attached to the historic wall. If recommended for approval, further details would be secured by condition.

In line with paragraph 197 of the NPPF (February 2019), a balanced judgement is required having regard to the scale of harm and the significance of the heritage asset. The proposed demolition of the existing wall would inevitably harm the existing heritage asset, and is considered to represent 'moderate harm' by the Council's Conservation Officer. Weighing against this is the proposed reinstatement of the wall where the existing opening exists and the proposed repair works to the damaged and spalled sections of the boundary wall. These elements of the proposal are notably supported and detail of such a proposal would be made acceptable via the use of planning conditions. When taking into account the strategic importance of the proposed development in supplying sufficient land to meet current and future demands for London's sustainable transport functions, it is considered that any harm that is posed to the non-designated heritage asset is outweighed by the

benefits provided and the applicants agreement to re-build the wall.

Accordingly, the proposal is not considered contrary to Policy DMHB 3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy 7.8 of the London Plan (March 2016) and Policy HC1 of the Publication London Plan (December 2020).

## REGISTERED HISTORIC PARK AND GARDEN

The Grade II Listed Stockley Park Registered Park and Garden is located immediately to the north and west of the application site. Accordingly, the following planning policy is considered:

Policy DMHB 8 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

- A) Development within, or adjacent to a registered or historic park, garden or landscape, must respect its special character, environmental quality, important views and vistas.
- B) Development proposals should make provision (based on detailed research) for the restoration and long term management of the park, garden or landscape.
- C) Applications which impact detrimentally on the significance of a registered park or garden will normally be refused.

The Gardens Trust have been consulted as part of the application process and have confirmed that no formal objection is raised but that that further information is requested. Issues were raised relating to the assessment of the designated landscape, noise issues, water spray and tree protection. Matters relating to noise, water and tree protection are addressed under relevant sections within the report.

Regarding the impact on the landscape, it is considered that the proposed removal of 12 no. existing 'shed-like' buildings and replacement with a two storey brick building and ancillary structures would improve the appearance of the site. Based on the plans submitted, the proposed development also would not be particularly visible in longer views and would not represent an incongruous form of development to the detriment of the neighbouring Registered Park and Garden.

In terms of boundary treatment, the proposed plans indicate that the west and south boundaries will remain as existing where suitable and where a new fence is needed, a 2.4 metre high paladin weld mesh fence will be utilised. This is considered appropriate and the final detail will be secured by condition if recommended for approval.

The north boundary will utilise a 3 metre high acoustic fence and will be screened by dense tree planting. This is considered to be acceptable, subject to a condition securing the detailed design.

Ultimately, the proposed development is not considered to adversely impact the special character, environmental quality and important views and vistas of the Stockley Park Registered Park and Garden. Subject to conditions, the proposed development is not considered to be contrary to Policy DMHB 8 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

### **7.04 Airport safeguarding**

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

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.

B) In consultation with the Airport Operator, the Council will ensure that:

- i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
- ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site is located approximately 3.6km north of Heathrow Airport. Heathrow Airport Ltd and the Ministry of Defence have been consulted as part of the application process and both have confirmed no safeguarding objection to the proposed development. Accordingly, the proposed development is not considered contrary to Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

## **7.05 Impact on the green belt**

### **GREEN BELT**

The application site is located within Green Belt land and is subject to the following policy considerations:

Paragraph 143 of the NPPF (February 2019) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 144 continues this, stating:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 145 of the NPPF (February 2019) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but that exceptions to this include:

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraph 146 of the NPPF (February 2019) states that a certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including:

- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

Policy 7.16 of the London Plan (March 2016) also supports the protection of the Green Belt, stating:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the

objectives of improving the Green Belt as set out in national guidance."

This is supported by Policy G2 of the Publication London Plan (December 2020).

In terms of local policy, the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) gives strong protection to Green Belt land. Policy EM2 states that the Council will seek to maintain the current extent of the Green Belt and any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan (March 2016) policies, including the very special circumstances test.

Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also states that:

A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

- i) the height and bulk of the existing building on the site;
- ii) the proportion of the site that is already developed;
- iii) the footprint, distribution and character of the existing buildings on the site;
- iv) the relationship of the proposal with any development on the site that is to be retained; and
- v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

The proposed development includes the construction of a two storey office/welfare building located toward the front of the site. To the rear of this, the proposal includes a fuel island, plant container and bus wash and engine wash facility with a 6 metre high screen on both north and south sides.

The existing site is completely developed with industrial buildings, areas of hardstanding and the two residential properties. Existing buildings, with the exception of the Cottage in the Wall, are single storey in height. The total floor area of existing buildings is approximately 1758 square metres and the total volume is 5694 cubic metres. In comparison, the total floor area of the proposed building is 263 square metres and the volume is 953 cubic metres. Accordingly, the total floor area on site would reduce by 1495 square metres (equal to a 85% reduction) and the total volume would reduce by 4741m<sup>3</sup> (equal to a 83% reduction). Evidently, the proposal would substantially reduce the footprint and volume of buildings on the application site.

The main concern for the proposed development is the intensified the use of the site and the associated impact that storing 56 buses would have on the openness of the Green Belt. At full capacity, the visual impact of storing such a number of buses is considered to be significant and would outweigh the visual impact of the existing buildings. The proposed development is considered to constitute the redevelopment of previously developed land but would have a greater impact on the openness of the Green Belt when compared to the existing site. Accordingly, the proposal is not considered to be appropriate development within the Green Belt and very special circumstances are required to outweigh the harm posed.

VERY SPECIAL CIRCUMSTANCES

For context, it should be explained that the current Abellio London Bus Depot is located at North Hyde Gardens in Hayes. That site is currently subject to redevelopment proposals (application reference 75111/APP/2020/1955) recommended for approval at the Major Applications Planning Committee on 13th October 2020. Subject to the completion of the Greater London Authority Stage 2 referral process, it is likely that this application will be granted planning permission. This would result in the redevelopment of the bus depot and notice has been served on Abellio that they must vacate their existing depot. It has been confirmed that the current lease will expire in September 2021 and that the landlord will not be renewing the lease. It is noted that the current lease is outside of the Landlord and Tenant Act 1954 and means that there is no security of tenure. Abellio therefore has no choice but to leave the site once the current lease expires and it is imperative that an alternative site for the bus depot is found in advance of this lease expiry.

Policy T3, Part B of the Publication London Plan (December 2020) states that development plans and development decisions should ensure the provision of sufficient and suitably-located land for the development of the current and expanded public and active transport system to serve London's needs.

In accordance with Policy T3, the proposed development would safeguard the continued presence of Abellio within the London Borough of Hillingdon. Specifically, the Dawley Road site is an accessible location, close to the existing depot which is located approximately 2.5km to the east. The site is well located on a main A route (the A437 Dawley Road) and has access to and from the depot along main roads rather than along smaller residential roads. The site is centrally located for access to all of the current routes and the "dead time" run is kept to a minimal, this being the distance a bus has to travel to and from the depot to the start or finish of its dedicated route. In turn, this results in cost savings, lower emissions and is likely to maintain and increase employment.

Abellio conducted a search for appropriate sites within a suitable operating distance from the bus route network that included land measuring between 1 to 1.5 acres in size. The property requirement was sent to approximately 250 commercial property agents based locally, regionally and in London and a search was conducted through various industry databases. As outlined in the submitted 'Alternative site options for Abellio London (Dated October 2020)' document, a total of 9 sites were shortlisted and 8 were discounted for the following reasons:

- Oversized facilities.
- Insufficient parking for cars or buses.
- Shared yard not being suitable or large enough.
- Size and price.
- Short term license with no option for a long-term lease.
- Location too far from the existing route network which would have increased costs and emissions.
- Restrictions on use of vehicles at night.

The application site meets Abellio's requirements and is a freehold site. In turn, this provides Abellio with the opportunity to consolidate their presence within Hillingdon and future proofs the site for transport infrastructure purposes. Transport for London have also expressed support for the proposed development, noting that Hayes is experiencing population and employment growth which will require support from buses in the provision of public transport.

ON BALANCE CONSIDERATION

In terms of the extent of harm posed to the openness of the Green Belt, it is important to note that the site will only be fully occupied overnight and that during the majority of daylight hours, the number of buses on-site will be much more limited. Although the proposed development is considered to be inappropriate, the extent of harm posed is considered to be less because it is brought about by the use of the proposed site and the visual impact of buses rather than a permanent building.

The strongest 'very special circumstance' is considered to be the requirement to provide sufficient land for transport infrastructure. The loss of this infrastructure at the Abellio site on North Hyde Gardens, is outside the control of Abellio and a replacement is required. The justification noted above demonstrates that the site is suitably located and provides evidence that alternative sites have been considered and are not available or appropriate. Transport for London also support the proposed use of the site as a bus depot. Accordingly, it is considered that very special circumstances exist to outweigh the harm posed to the Green Belt by the proposed use. Following this, the proposed development is considered to comply with Policy DMEI 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.16 of the London Plan (March 2016), Policy G2 of the Publication London Plan (December 2020) and the National Planning Policy Framework (February 2019).

#### **7.07 Impact on the character & appearance of the area**

The application site measures 0.39 ha and is located on the western side of Dawley Road. The site adjoins the existing Lords Builders Merchant, forming an isolated enclave of commercial development sitting within the open land of Stockley Park, a Grade II Listed Registered Park and Garden. The site also contains the Locally Listed Dawley Wall.

Primarily two-storey residential buildings are located to the north on Botwell Common Road and Princes Park Lane, although one 3-to-4 storey residential block does front onto Dawley Road. Lake Farm Country Park is also located to the east of the site.

Policy 7.1 of the London Plan (March 2016) sets out a series of overarching design principles for development in London and Policy 7.6 of the London Plan (March 2016) seeks to promote high quality design and design-led change in key locations. This is supported by Policy D4 of the Publication London Plan (December 2020).

Policy BE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) is the primary policy taken into consideration and states:

- 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 exhibits a clutter of buildings, including a bungalow and a two storey detached house to the front of the site and industrial sheds to the rear of the site. The proposal to demolish these buildings would serve as an opportunity to improve the appearance of the site. In accordance with the requirements of a bus depot, the majority of its area is to remain undeveloped so that it can serve as space for bus or car parking.

Specifically, the north-east corner of the site would be developed and would contain a 2-storey building with a mono-pitched roof form containing a green roof. It would measure 7.75 metres in height, 18.8 metres in length and 7 metres in depth. It would be appropriately set within the site, set between 6 and 12 metres back from Dawley Road. In terms of materials, the building is to be finished primarily in brick to match the boundary wall. At roof level, the building would utilise a green roof and timber panelling. This is considered to sufficiently complement the material aesthetic of the site and area. If recommended for approval, the detail of the proposed materials would be secured by condition.

In terms of the design for waste storage, a total of 4 no. wheelie bins are proposed and would be located next to the bus fueling station. Given the Green Belt location of the site, it is considered appropriate that these areas are screened. If recommended for approval, the detail of such screening would be secured by condition.

Subject to conditions, the proposed development would not be considered contrary to Policies 7.1 and 7.6 of the London Plan (March 2016), Policy D4 of the Publication London Plan (December 2020), Policy BE 1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

#### **7.08 Impact on neighbours**

Although the application site is not immediately next to any residential properties, there are residents located just 50 metres to the north of the site on Princes Park Lane and Botwell Common Road.

The following planning policies are considered:

Policy 7.15 of the London Plan (March 2016) states that development proposals should

seek to manage noise by:

- a. avoiding significant adverse noise impacts on health and quality of life as a result of new development;
- b. mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens on existing businesses;
- c. improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity);
- d. separating new noise sensitive development from major noise sources (such as road, rail, air transport and some types of industrial development) through the use of distance, screening or internal layout - in preference to sole reliance on sound insulation;
- e. where it is not possible to achieve separation of noise sensitive development and noise sources, without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through the application of good acoustic design principles;
- f. having particular regard to the impact of aviation noise on noise sensitive development;
- g. promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

The above is supported by Policies D13 and D14 of the Publication London Plan (December 2020).

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to ensure that noise sensitive development and noise generating development are only permitted if noise impacts can be adequately controlled and mitigated.

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 bus depot is proposed to operate 24 hours a day, 7 days a week. The noise impacts of the site and the operation of buses at unsociable hours is therefore a significant concern. A Noise Impact Assessment has been submitted to support the application and has been assessed by the Council's Noise Consultants. The Noise Consultants agree with the conclusion that the operations at the bus depot may be heard, but would not cause any change in behaviour or attitude of neighbouring residents. The proposed development would slightly affect the acoustic character of the area, but not such that there is a perceived change in the quality of life.

During the application process, the applicant submitted a Noise Mitigation Plan (Dated January 2021) outlining how sound levels from the operation of the site will be kept to a practicable minimum. Notably, the following measures are proposed:

- Construction of a 3 metre high close-boarded proprietary acoustic barrier fence to achieve 10dB screening attenuation to the full length of the northern site boundary.
- The bus wash is to be screened on both sides by a 6 metre high clad screen.
- Deliveries are to be restricted to between 7:30am and 5:00pm
- 60% of the existing fleet is fitted with "white noise" reversing alarms so as to minimise any noise impact.
- Vehicles that park in reverse will, predominantly be in place by 23.00hrs. All buses leaving

the site will do so by driving forward.

- Delivery doors, gates and shutters are to be well maintained to minimise noise when opening /closing.
- No external PA system is to be installed on this site.
- Signs are to be displayed in external areas notifying staff and visitors to keep noise to a minimum.
- Vehicle speed on site is restricted to 5MPH and are to be driven in a considerate manner.
- Use of radios is not permitted on site in external areas.
- In the event any complaints arise, Abellio London have a process to follow under their ISO 14001 Accreditation. The Business is regularly audited in respect of Environmental compliance and all such complaints have to be recorded and reported to the Auditor so that actions taken and mitigations are recorded along with evidence of effectiveness.
- No heavy maintenance activities are to take place on this site, only light maintenance/running repairs.
- Bus wash plant to be regularly maintained.
- The main access gates are to be left open during vehicle run in and run out periods so that buses do not idle at the gates on arrival or departure.
- Drivers are to be made aware of the effect of noise upon local residents.
- Horns are not to be sounded on, or in the vicinity, of the site, unless in an emergency.
- Engines are to be turned off as soon as practicable and not left running/idling. Many of the vehicles are already fitted with auto vehicle shut down devices.
- Drivers are not to engage in shouting, whistling or loud conversation in the service yard.
- All employees are to be made aware of the importance of preserving good relations with surrounding neighbours, particularly residential neighbours.

If recommended for approval, the above mitigation measures are to be secured by condition. Subject to such a condition, the proposed development would comply with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.15 of the London Plan (March 2016) and Policies D13 and D14 of the Publication London Plan (December 2020).

#### **7.09 Living conditions for future occupiers**

Not relevant to the consideration of this application.

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

According to the Transport for London's WebCAT planning tool, the existing Abellio bus depot site along North Hyde Gardens has a PTAL rating of 1b, indicating access to public transport is poor compared to London as a whole suggesting that there is a strong reliance on the private car for trip making. In comparison, the application site on Dawley Road has a PTAL rating of between 1b and 2, indicating that it is more accessible by public transport than the existing site albeit only marginally.

The proposed development would change the use of the site to a bus depot with capacity to store a total of 56 buses. A total of 12 permanent car parking spaces and 33 additional car parking spaces when all buses are out in service are also proposed. During the application process, the number of buses to be stored on site was reduced from 63 no. to 56 no., allowing for buses to manoeuvre more safely and more easily around the site. All buses entering the site would have their exterior cleaned using a drive-thru facility and would then be parked by a designated member of staff.

The following planning policies are considered:

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and roads.

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The National Planning Policy Framework (NPPF) (February 2019) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is supported by Policy 6.3 of the London Plan (March 2016) and Policy T4 of the Publication London Plan (December 2020).

## PARKING PROVISION

As the proposed bus depot is Sui Generis, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) does not prescribe any specific parking standards. As such, it is considered appropriate that the level of car parking required is considered on a case by case basis.

When fully operational the number of employees would be 179, comprising 168 no. bus drivers, 5 no. office staff and 6 no. cleaners. The bus drivers would work five days out of seven over three shifts per day, meaning only 56 no. would be working at any given time during the day. When all the buses are out in service, a ratio of 0.8 car parking spaces per staff member would be provided on site. On the basis that 50% of staff are anticipated to commute via car, this would be sufficient car parking provision.

## ELECTRIC VEHICLE CHARGING POINTS

In conjunction with Policy DMT 6, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that a minimum of 5% of the total parking quantum is for 'active' provision with a further 5% 'passive' provision. In the interest of sustainable development and improving air quality, the applicant has agreed to provide 2 no. car parking spaces served by active electrical vehicle charging points and 10 no. car parking spaces served by passive electrical vehicle charging infrastructure. This is supported and if recommended for approval, would be secured by condition.

## CYCLE PROVISION

As the proposed bus depot is Sui Generis, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) does not prescribe any specific cycle parking standards. As such, it is considered appropriate that the level of car parking required is considered on a case by case basis.

The proposed development would provide a bike store with capacity to store 40 no. bicycles. As there is only going to be 56 no. staff working at any given time during the day, this would be considered as sufficient and acceptable. If recommended for approval, the detail of this would be secured by condition.

#### VEHICULAR TRIP GENERATION

Bus movements to and from the site would take place very early in the morning or late at night, avoiding the network AM and PM peaks. On the basis there would be 3 no. shifts per day, with 56 no. members of staff present on each shift there would be 168 no. driver trips to and from the site. Based on the modal split of the existing site, half of these could be expected to drive to work, as they would be making a return trip the number of staff vehicle trips generated would be 168no. As confirmed by the Council's Highways Officer, this volume of trips could be absorbed by the surrounding highway network.

In order to ensure that the proposed development would not prejudice the free flow of traffic on Dawley Road, a condition would be attached to ensure that no buses will leave the site between the hours of 07:00 and 09:00, other than in accordance with details contained on drawing references '1051 - 054 Rev. E' and '1051 - 055 Rev. F'.

#### VEHICULAR ACCESS ARRANGEMENTS

To facilitate the proposal, the proposed site access would comprise a 10.5m wide bellmouth junction with Dawley Road provided with a 4.0m junction radii which would be suitable for bus traffic. The proposed site access is to be located 8m to the east of the current site access to improve sight lines, with these changes the standards set out in Manual for Street are achieved.

Tracking drawings have been submitted and demonstrate that a 10.4 metre double decker bus can manoeuvre in and out of the application site. It is noted that when turning left out of the site, the tracking indicates that a bus would cross the centre line encroaching into the lane used by traffic travelling in the opposite direction. As this would be taking place outside of peak traffic periods, the Council's Highways Officer considers this to be acceptable.

#### PEDESTRIAN ACCESS

There are concerns that pedestrians will be vulnerable walking to and from the proposed new building. In order to maximise safe, convenient and inclusive accessibility to and from within the site for pedestrians and cyclists, a condition is attached to secure the detail of a marked-out walkway from the footway along Dawley Road to the new building.

#### OFF-SITE CONTRIBUTIONS

Dawley Road forms part of the Council's classified route network and benefits from one lane working in each direction. There is street lighting and footways on either side of the carriageway. The footway opposite the application site, on the eastern side of Dawley Road is set back from the highway by a wide grass verge. In comparison, the footway on the

western side, north of the site entrance, is significantly narrower. There is overgrown vegetation that reduces the width of the footway further leading to the build-up of leaves, litter and detritus material on the footway surface, detracting from the walking environment. The narrow width of this footway places pedestrians in a vulnerable situation.

Based on the information submitted, 50% of staff currently drive to work, 38% walk, 11% cycle and 1% use the bus. In order to provide assurances that this modal split would be achieved for the proposed site, financial contributions towards improvement works are required. These are summarised as follows:

- Footway works on the western side of Dawley Road between the Cottage in the Wall site and Princes Park Lane - costed at £24,109
- Shared use footway between Botwell Common Road and the Woolpack public house - costed at £59,116
- New Bollingbroke Way bus stop - costed at £30,000
- Botwell Common Road advisory on-street cycle lanes - costed at £7000

This would total £120,225. If recommended for approval, this would be secured by a Section 106 legal agreement.

#### TRAVEL PLAN

An Interim Travel Plan has been submitted. If recommended for approval, a Travel Plan would be secured by a Section 106 legal agreement to ensure that it is robust. As surety that the Travel Plan will be implemented and targets achieved, the Highway Authority requires that the developer provides a £20,000 bond. In the event of the Travel Plan not being delivered, the Highway Authority will use this bond to implement the Travel Plan itself.

#### SERVICE AND DELIVERY

The information submitted suggests that there would be 3no. fuel deliveries per week as well as refuse collections. If recommended for approval, a finalised Service and Delivery Plan would be secured by condition.

#### CONSTRUCTION LOGISTICS PLAN

If recommended for approval, a finalised Construction Logistics Plan would be secured by condition.

#### SUMMARY

Subject to the recommended planning conditions and securing the recommended financial contributions via a Section 106 legal agreement, the proposed development would not present a risk to road safety, hinder the free flow of traffic, or lead to parking stress. It would therefore accord with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policies 6.3, 6.9, and 6.13 of the London Plan (March 2016) and Policy T4 of the Publication London Plan (December 2020)

### **7.11 Urban design, access and security**

#### URBAN DESIGN

Please see Section 07.07 of the report.

## ACCESS

Please see Section 07.12 of the report.

## SECURITY

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. Where relevant, these should be included in the Design and Access Statement. 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.

This is supported by Policy D11 of the Publication London Plan (December 2020).

If recommended for approval, a secure by design condition would be attached to achieve appropriate accreditation. Subject to such a condition, the proposal would accord with 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) states that design and access statements submitted with development proposals should explain how, following engagement with relevant user groups, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards such as British Standard BS 8300:2009 + A1:2010 have been complied with, and how inclusion will be maintained and managed. This is supported by Policy D5 of the Publication London Plan (December 2020).

The proposed development includes the provision of an accessible car parking space located immediately next to the proposed office building. A drop kerb is proposed to allow access to the main entrance and a part M compliant main access door will be provided. The revised plans submitted demarcates an area for a lift but states that it is for 'future lift provision'. If recommended for approval, a condition would be attached to ensure that the lift is provided prior to the occupation of the building. Subject to such a condition, the proposed development would accord with Policy 7.2 of the London Plan (March 2016) and Policy D5 of the Publication London Plan (December 2020).

### **7.13 Provision of affordable & special needs housing**

Not relevant to the consideration of this application.

### **7.14 Trees, landscaping and Ecology**

#### TREES AND LANDSCAPING

The following planning policies are considered:

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 5.11 of the London Plan (March 2016) states that major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

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.

There are no Tree Preservation Orders or Conservation Area designations affecting the site and no vegetation within the site. There is off-site woodland along the north and west boundary walls.

The tree report submitted identifies three individual trees, one of which is an off-site field maple in the south-west, which will be unaffected by the proposal. The most significant landscape feature is the hornbeam hedge, or shelter belt planted along the north and west boundaries, on the edge of the golf course (G1 and G2 on the tree survey plan).

The hedge oversails this site and will need to be cut back to prevent accidental damage, due to the construction of the proposed building, the installation of a new boundary fence and the proposed coach parking and manoeuvring. The tree protection plan and arboricultural method statement confirms that any trimming back and construction of the boundary fence will be overseen by a tree consultant. The Council's Trees and Landscaping Officer has confirmed that there is no objection to these works providing that the work is carried out in strict accordance with the specification and arboricultural supervision. The long-term protection of this vegetation screen will also be subject to regular trimming to control the lateral growth. If recommended for approval, a management and maintenance plan will be secured by planning condition.

The only landscape enhancement provided by the proposed development will take the form a small area of landscaping to the front of the site adjoining Dawley Road and a green/biodiverse roof to the new office building. The details of this will be secured by planning condition if recommended for approval.

Subject to the above conditions, the proposal is considered to accord with Policies 5.10 and 5.11 of the London Plan (March 2016) and Policies DMHB 11 and Policy 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. This is supported by Policy G6 of the Publication London Plan (December 2020).

Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) requires that development either preserves or enhances Hillingdon's.

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.

The site is not subject to any statutory or non-statutory nature conservation designations. There are nine existing buildings on site and the bungalow building (B7) appears to have Potential Roost Features (PRFs) for bats. In order to comply with legislation, further survey, in the form of a Preliminary Roost Assessment (PRA) was conducted and Building B7 was identified as having low potential to support roosting bats. A single dusk emergence survey will be required to determine the presence/likely absence of bats. Should a bat roost be present, a Natural England licence and mitigation strategy may be required. Works which are completed on site prior to the further survey on B7 should be completed in a sensitive manner to avoid disturbance on any potential bat roost.

As confirmed by the Council's Planning Specialist Team Manager, although the ecologist has recommended further surveys, for the Local Planning Authority's decision this information is not necessary due to the very low risk associated with the site. Safeguards are put in place through conservation regulations which will require the developer to undertake further due diligence prior to commencement of work. The condition for further surveys and method statements is therefore not necessary as these matters would be controlled through separate legislation and wildlife protection laws.

In terms of breeding birds, the buildings on site and broadleaved trees which overhang onto site have potential to support breeding birds and will be affected by the development. If demolition or vegetation clearance is carried out between September and the end of February, no survey is required. Otherwise, individual surveys are required up to 48 hours prior to demolition works. Again, this is required by separate legislation and a planning condition is not required to secure this.

The proposed office building has been designed to support a sedum green roof. The green roof should follow UK standards (GRO, 2014) and include additional habitat features such as deadwood and varying substrate depths. This will provide good habitat for a range of insects and birds including London Biodiversity Action Plan (BAP) species. If recommended for approval, the detail of the green roof would be secured by condition.

The proposal also includes lighting in the form of 7 no. 8 metre high columns around the site perimeter. The luminaires and LED's should be specified to ensure that light pollution is avoided and the light directed only where required. LED's should be on the warm spectrum to minimise any impact on wildlife, notably nocturnal insects, birds and bats. If recommended for approval, this would be secured by condition.

Subject to such conditions, the proposed development would accord with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy

7.19 of the London Plan (March 2016) and the NPPF (February 2019).

#### **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 plans submitted indicate that 4 no. 1100 Litre Wheelie Bins are to be provided. As such, the proposal is not considered to be contrary to Policy 5.17 of the London Plan (March 2016).

#### **7.16 Renewable energy / Sustainability**

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

- A) All developments are required to 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, where it is clearly demonstrated that the targets for carbon emissions cannot be met onsite, the Council may approve the application and seek an off-site contribution to make up for the shortfall.

In conjunction with this local plan policy, Policy 5.2 of the London Plan (March 2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be Lean: use less energy
- Be Clean: supply energy efficiently
- Be Green: use renewable energy

The proposal is a minor scale form of development which does not meet the threshold stated within Policy 5.2 of the London Plan (March 2016) which requires that major development proposals include a detailed energy assessment to demonstrate how targets for carbon dioxide emissions reduction are to be met within the framework of the energy hierarchy.

The proposed new building and site will be fitted with LED light fittings and no gas supply will be provided to the site to reduce the need for fossil fuels. Instead the building will be heated by an air source heat pump. The proposed bus wash will have an amount of water recirculation as standard to reduce the amount of water used when washing buses every night.

Given the above considerations, the proposed development is not considered contrary to 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. These policies are supported by Policies SI 12 and SI 13 of the Publication London Plan (December 2020).

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.

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

The application site is located within Flood Zone 1 and is at low risk of surface water flooding. Based on the information submitted, Thames Water have confirmed suitability to discharge at an agreed rate of 3l/s. As hydrocarbon contamination was found within trial pits across the development, infiltration and permeable paving is confirmed as unsuitable. A green roof is also proposed as part of the office building and adds an element of sustainable urban drainage. A detailed management and maintenance plan can also be secured by condition if recommended for approval.

Subject to a condition securing the detail of a sustainable water management scheme, the proposal would accord with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies 5.12, 5.13 and 5.15 of the London Plan (March 2016) and Policies SI 12 and SI 13 of the Publication London Plan (December 2020).

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

### **NOISE**

Please see Section 07.08 of the report.

### **AIR QUALITY**

Paragraph 170, point e), of the NPPF (February 2019) states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as 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) and Policy SI 1 of the Publication London Plan (December 2020) 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 application site is located within the Hillingdon Air Quality Management Area and would affect the nearby Hayes Air Quality Focus Area. Using trip generation rates reported in the Transport Assessment, it is confirmed that the proposed development would not be quality neutral for transport emissions.

It is recognised that the movement of the bus depot from a more polluted part of the Hayes Air Quality Focus Area brings a benefit to the Air Quality Focus Area zone where it is currently situated. It is also acknowledged that the majority of the bus journeys are already on the local network operating out of the current Abellio bus depot in Hayes. However, it is important to ensure that the development does not just move emissions from one place to another and create another air quality hotspot.

The TfL bus upgrade plans indicate that by 2030 the associated bus fleet will be 100% electric, although this is a phased approach with 9% movement to electric between 2021-2026 and the remainder planned for 2027 to 2030. As such, the vast majority of the emissions benefit will not be realised until post 2027.

As confirmed by the Council's Air Quality Officer, the financial contribution required to mitigate the traffic emissions of the proposed development is equal to £96,416. Given the nature of the proposal, flat rate deductions have been applied including 15% for the implementation of a Travel Plan, 5% for green sustainable measures and 20% for a contribution to long term strategic multi-modal shift. Once these reductions were applied, the resulting total level of mitigation required is £57,850.

Following negotiations with the applicant, the following additional provisions were agreed:

- Financial contributions towards highways improvements, including footway works on the western side of Dawley Road, provision of a shared use footway between Botwell Common Road and the Woolpack public house, a new Bollingbroke Way bus stop and the provision of on-street cycle lanes along Botwell Common Road (totalling £120,225);
- On-site provision of 2 no. fast charging bays and 10. parking spaces with passive electric car charging infrastructure; and
- Adoption and publication of an enforced 'no-idling' policy in terms of bus on-site emission, involving all diesel buses at the site being fitted with automatic shutdown after four minutes

Specifically, the electric car charging point provision is more than planning policy currently requires for the proposed use. A 'no-idling' policy would also be secured by condition if recommended for approval. Accordingly, the Council's Air Quality Officer has agreed a further 40% reduction to the damage cost, resulting in a £19,283 damage cost. If recommended for approval, this would be secured by A Section 106 legal agreement.

In addition, the Council's Air Quality Officer also recommends that a plan to reduce emissions during construction and control non-road mobile machinery should be secured by condition.

Subject to a Section 106 legal agreement and planning conditions, the proposal is not considered contrary to Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy 7.14 of the London Plan (March 2016), Policy SI 1 of the Publication London Plan (December 2020) and the NPPF (February 2019).

#### **7.19 Comments on Public Consultations**

Please see Section 06.1 of the report.

#### **7.20 Planning obligations**

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 Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

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

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following:

i. Air Quality: A financial contribution amounting to £19,283 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 reduce human exposure to pollution levels.

ii. Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan will include such as matters as: targets for sustainable travel arrangements; effective measures for the ongoing monitoring of the Travel Plan; and a commitment to delivering the Travel Plan objectives. A £20,000 Travel Plan bond is also to

be secured.

iii. Highways Works: Section 278 agreement to secure highway works at the site access.

iv. Highways Improvements: A financial contribution amounting to £120,225 shall be paid to the Council for the local highway improvements, including footway works on the western side of Dawley Road and the provision of on-street cycle lanes on Botwell Common Road.

v. 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. Securing an Employment/Training Strategy Agreement is the Council's priority. A financial contribution will only be accepted in exceptional circumstances.

vi. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL):

No CIL charge is applicable.

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

#### CONTAMINATED LAND

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 scheme to deal with contamination. Subject to such a condition, the proposal is not considered contrary to 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 existing buildings and use of the site as bus depot triggers a number of planning policy considerations. Although the proposed development would result in a loss of industrial floorspace, it will not result in a loss of industrial land. The development would also generate significant employment and is supported in this respect. The loss of two residential buildings, is also considered acceptable in view of the need to deliver essential transport infrastructure. The proposed development would constitute inappropriate development within the Green Belt but very special circumstances are considered to exist.

Although harm is posed to the Locally Listed Dawley Wall, the proposed development would rebuild and repair damaged and spalled sections of the wall. The strategic importance of the proposed development in supplying sufficient land to meet the demands of London's sustainable transport functions is also considered to provide public benefit to outweigh the harm posed to the non-designated heritage asset.

Regarding the impact on the local highway, it is confirmed by the Council's Highways Officer that the volume of trips associated with bus and car movements could be absorbed by the surrounding highway network. Tracking drawings also demonstrate that 10.4 metre long double decker bus can manoeuvre within and out of the application site. Based on the information submitted, 50% of staff currently drive to work, 38% walk, 11% cycle and 1% use the bus. In order to provide assurances that this modal split would be achieved for the proposed site, financial contributions towards highways improvement works would be secured by S106 legal agreement. Accordingly, pedestrians, cyclists and public transport users would notably benefit from the proposed development.

As the proposed development would not be air quality neutral for transport emissions, a damage cost has been calculated in order to mitigate the impact of the development. The commitment to a Travel Plan, green sustainable measures and the contribution to long term strategic multi-modal shift have reduced the level of mitigation required. The agreed highways contributions noted above, the provision of active and passive electric vehicle charging points over and above the minimum policy requirements and the commitment to a no-idling policy have reduced the level of mitigation required further. If recommended for approval, a proportional financial contribution towards the Council's air quality action plan would be secured.

Notably, the proposed development would have an impact on neighbouring residents due to the need to operate the bus depot 24 hours a day, 7 days a week. A Noise Impact Assessment has been submitted to support the application and alongside a Noise Mitigation Plan. A number of mitigation measures are proposed and are considered by the Council's Noise Consultants to create a form of development which would slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life to neighbouring residents.



Subject to a Section 106 legal agreement and planning conditions, the proposed development is considered acceptable and is recommended for approval.

## **11. Reference Documents**

National Planning Policy Framework (February 2019)

Publication London Plan (December 2020)

The London Plan (March 2016)

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

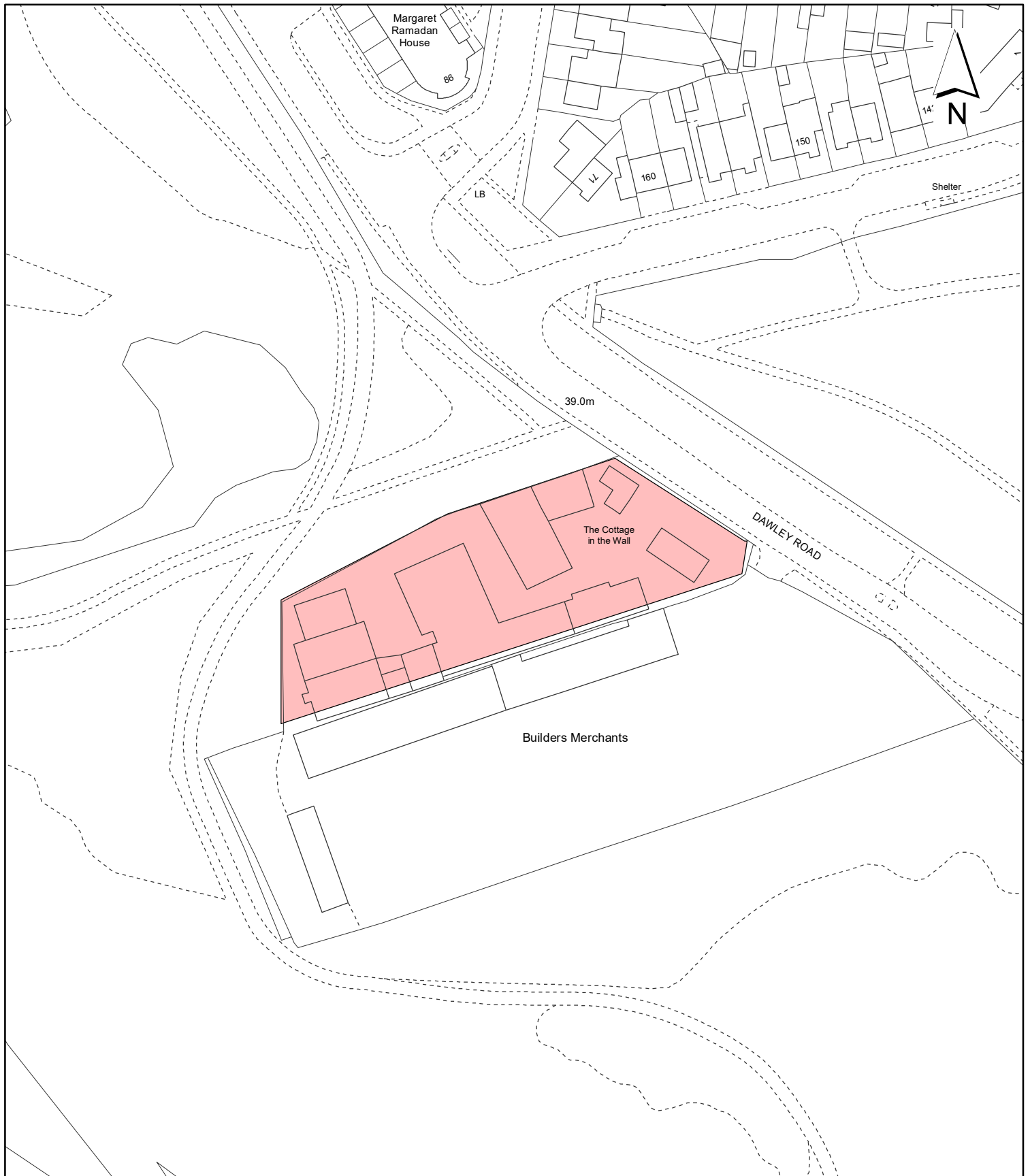
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

**Contact Officer:** Michael Briginshaw

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**THE COTTAGE IN THE WALL  
 DAWLEY ROAD  
 HAYES**

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

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

Planning Application Ref:  
**3886/APP/2020/3751**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**February 2021**



**HILLINGDON**  
 LONDON